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**Report
of the Excise Committee
appointed by the Govern-
ment of Bombay, 1922-23**

Volume I.

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Report

of the Excise Committee appointed by the Govern- ment of Bombay, 1922-23

Volume I

BOMBAY
PRINTED AT THE GOVERNMENT CENTRAL PRESS
1924

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CONTENTS OF REPORT.

SECTION I.

Historic.

CHAPTER	PAGE
I. Liquor and Restrictions on its Use in Other Parts of the World ..	1
II. The Use of Liquor in India in Pre-British Days	13
III. The Excise Policy of the Government of India	17
IV. The Excise Administration of the Bombay Presidency	36

SECTION II.

Recommendations.

V. Proceedings of the Committee	55
VI. Evidence of Witnesses on the Excise Policy	57
VII. Policy recommended by the Committee	66
VIII. Local Option	82
IX. Rationing	90
X. Shops	97
XI. Advisory Committees	106
XII. Special Licenses and Disinterested Management	110
XIII. Foreign Liquor	113
XIV. Toddy	120
XV. Finance	124
XVI. Drugs	129
XVII. Summary of Recommendations	133

SECTION III.

Subsidiary Questions.

XVIII. Indian States and Foreign Territory	139
XIX. Cantonment Areas	141
XX. Temperance Reform and Temperance Teaching	143
XXI. Industrial Alcohol	147
XXII. Palm Juice Industries	148
Minute of Dissent by Mr. H. F. Knight	151
Do. the Reverend N. Macnicol	152
Do. the Honourable Mr. Shepherd	153
Do. Rao Sahib Dadubhai P. Desai	169
Do. Mr. Jamshed N. R. Mehta	171
Do. Mr. Ambalal Sarabhai	172
Do. Mr. Jehangir Bomanji Petit	174
Appendices	175

SECTION I
HISTORIC

CHAPTER I.

LIQUOR AND RESTRICTIONS ON ITS USE IN OTHER PARTS OF THE WORLD.

1. *What is Alcohol.*—Alcohol is said by some scientists to be the excreta of the germs of putrefaction. It is a poison produced by the decay of any fruit, vegetable or grain containing sugar and starch. To obtain alcohol, fruit or grain is crushed to facilitate the decay of its particles, moistened, and placed in a warm atmosphere favourable to rapid decomposition; the germs of putrefaction set to work vigorously to decompose the mass by the usual processes of decay; gas is generated; the mass bubbles and becomes warm; scum forms on the surface of the effervescing mass. Finally, the ebullition ceases; the scum is deposited at the bottom, the liquid has lost its sweet flavour, and a part of what remains is alcohol. The germs of putrefaction are simply death agents. Their products are poisons, inimical to all live tissue. There is a mistaken popular idea that as alcohol is extracted from the most wholesome and nutritious of foods, the alcohol component must also be wholesome and nutritious. These foods, when fresh and in their state of decay, represent two absolutely different conditions, as different as the pure distilled water of the clouds and the green and polluted water of miasmatic swamps, filled with decaying organic matter in process of extermination by the germs of putrefaction. The origin of the process of distillation has been traced back to an Arabian Chemist, named Casa or Albucasis, who lived in the eleventh Century A. C., but there is reason to believe that many centuries before this date, the art was known to the Chinese, who from time immemorial have manufactured a spirit from rice. In the earlier modes of distillation of wine the instruments used were simple, but effective. They consisted of the furnace, the receptacle, and the alembic or condenser which was made of tin or other metal. In Europe the liquid thus obtained by distillation bore various names, such as *aqua ardens*, *vinum adustum*, etc., but the term by which it was most commonly known was "spirit of wine" because obtained by the distillation of wine. It was not till the sixteenth century, that the term alcohol, by which this compound is now universally known, came into general use. According to Dr. Murray's *New English Dictionary* (Article "Alcohol"), the first writer to use the word was Libavius in 1594, and it is also to be found in the *Philosophical Transactions* of 1672. The word is derived from the Arabic *Al'Koh'l*, a fine powder by which eastern women used to stain their eyelids, and was applied to any impalpable powder produced by sublimation. Thus, as late as 1812, Sir H. Davy uses it in this sense "I have already referred", he says, "to the alcohol of sulphur", i.e., the flower of brimstone. Then by extension of the idea of sublimation, the word was gradually applied to fluids. The pure spirit of wine in its earlier use was applied mainly to chemical and medicinal purposes, and many centuries elapsed for the production of those stronger drinks, which under the name of "spirits", are now in such common use in daily life. "Brandy" is comparatively a late term in European literature. "Gin", contracted from (as supposed) Geneva, is not to be found as signifying a spirituous drink in European vocabularies of two hundred years ago. The term "rum" is assigned to the native American peoples, who so designated the various spirits distilled from sugar. "Whisky" (Celtic "Usige", water), though it has been very long known as a distilled drink, has not received its English name of "Whisky" longer probably than a century and a half.

Alcohol, it must be noted, is a term not restricted to an isolated compound, but is applied to a large and important group of foreign organic compounds. The alcohol met with in wines, beers, spirits, etc., is a colourless, mobile liquid, possessing pungent, burning taste, formed during the fermentation of vegetable juices containing sugar solution, and is extracted from the fermented liquid by distillation and rectification. It has never yet been solidified, becoming only viscid at an extremely low temperature. It has a great avidity for moisture, absorbing it from any living tissue with which it is brought into contact. Spirits are charged to duty at a standard strength which is called "proof". Proof spirits are roughly in volume 57 per cent. alcohol and 43 per cent. water. By weight it is almost exactly half alcohol and half water. The number of gallons of spirits on which duty is paid is, therefore, the number of gallons of proof spirits. One gramme of alcohol produces seven calories of energy, but it cannot be considered as valuable as an equivalent amount of, say, butter which produces the same amount of energy, as it causes more loss of the peripheral blood supply.

2. *Liquor amongst Ancients.*—Archdeacon Farrar relates that, according to a Chinese tradition, the Emperor of China, 4000 years ago, forbade the use of intoxicants, and, in consequence, heaven rained gold for three days upon the people. The old Chinese literature abounds in warnings against the drinking of wine, and imperial decrees of a restrictive and prohibitory nature were repeatedly issued. Several potentates had yielded to the fascinating destroyer. The dissolute royal example of Chow Sin had had its usual state of morals: and when Wu Wang, who overthrew him, appointed his brother to rule over the present province of Hunan, he addressed to him the "Announcement" about alcohol in Book X of the "Shu King". This remarkable "Announcement" is the oldest temperance document on record. It is stated:—

"When heaven has sent down terrors, and our people have been thereby greatly disorganised and lose their sense of virtue, this, too, can be ascribed to nothing else than their

unlimited use of spirits ; yea, further, the ruin of the feudal states, small and great, may be traced to this one sin, the free use of spirits. If you are told that there are companies who drink together, do not fail to apprehend them all and send them to Chow, where I may put them to death. As to the Ministers and officers who have been led to it and been addicted to drink, let them be taught for a time. If they keep my lessons, I will give bright distinction. If you disregard my lessons, then I, the one man, will show you no pity. As you cannot cleanse your way, you shall be classed with those who are to be put to death."

The Emperor of China 1100 B. C., at a solemn assembly of the States, "forbade the use of wine, as that proves the cause of almost all the evils which happen on earth." It was also decreed that all the vines should be uprooted to prevent the making of wine and effectually to remove the curse from the country. From those early times to the present day grape vine has therefore never been reintroduced into China. The Japanese were enjoined "not to drink strong drink." The Catechism of the Shaman, of the laws and regulations of the priesthood of Buddha, contains the following :— "This law commands us not to drink any intoxicating liquors... Thou shalt not bring it to thy nose to smell it, nor shalt thou sit in a tavern, or together with people who drink spirits." Plutarch declares upon the authority of Eudoxus that "Wine was wholly forbidden to the Kings of Egypt." The Chief Priests were also required to abstain at all times from the use of strong drink. Herodotus tells us that "The early Persians were strangers to the taste of wine, they drank water only." Lycurgus, the Spartan law-giver, had the vineyard destroyed to prevent the making of wine. Laws of the great Roman Empire prohibited women from ever drinking intoxicating liquors, and similarly prohibited, except at festivals, all men under thirty years of age. Both the Romans and Greeks had many different kinds of wines, some of which were fermented, while others were free from all intoxicating properties. Homer speaks of "sweet wine, unadulterated with water." Others are described by Columella, Pliny and Horace as wines not intoxicating of which 100 glasses would not affect the head. Wine that had not time to ferment was called *mustum*, which was literally the fresh juice of the grape.

3. *The British Isles.*—The earliest English temperance reform on record is the one which took place in the year 958 A. C. during the reign of King Edgar. Archbishop Dunstan induced the King to suppress all ale-houses in the country. This measure was, however, followed by a reaction and the Government was compelled to permit one ale-house in each village. After a lapse of time this restriction even was removed and the old order was restored. Up to the reign of King Charles the First fermented liquors were only in use. The use of spirits first came to be known in England about this time. It has lasted from that time to this gradually undermining the people and doing harm in every direction. In 1834 a Select Committee of the House of Commons in reporting on the "Causes and Consequences of Intoxicating Liquors among the labouring classes," recommended among other things, "The establishment, by the joint aid of the Government and the local authorities and residents on the spot, of public walks and gardens, or open air, in the immediate vicinity of every town, of an extent and character adapted to its population : and of district and parish libraries, museums and reading rooms accessible at the lowest rate of charge so as to admit one or the other being visited in any weather and at any time : with the rigid exclusion of all intoxicating drinks of every kind from all such places whether in the open air or closed." In 1853, a Select Committee of the House of Commons appointed under the Right Honourable C. Villiers was the first officially to recognise the existence of prohibition. "It need not be a matter of surprise that, in view of the vast mass of evils found in connection with intemperance, it should have been suggested to prohibit altogether the manufacture and sale of intoxicating drinks. Laws to that effect are in force in the States of Maine, Massachusetts, Rhode Island, Vermont and Michigan." In 1854 another Select Committee of the House of Commons reported :—

"Your Committee are fully impressed with the importance as far as possible of dissociating places of public entertainment from the sale of intoxicating drinks. Dramatic and musical performances have a tendency, under strict censorship, to raise the character of the people, and there is evidence of a growing taste for such entertainments amongst the working classes, and which it appears to your Committee may be made to serve as a powerful counter attraction to the public house."

Under the Forbes-Mackenzie Act, Sunday closing first came into operation in Scotland in 1854. The effect of the law was that during the first four years of its operation the consumption of spirits was diminished by 5,000,000 gallons. The Scotch convictions for Sunday drunkenness during the three years preceding the Act were 4,028 but during the three years following its enactment they were only 1,466. In 1859 Lord Shaftsbury, who for fifty years was on the Commission on Lunacy and permanent Chairman since 1845, testified before a Parliamentary Committee that 50 per cent. of the cases admitted to asylums in England were due to drink. Evidence was recorded by the Select Committee of the House of Commons in 1877, and of the House of Lords in 1878, in regard to the earlier closing of public houses on Saturday nights, which conclusively demonstrated the fact that drink and crime go hand in hand ; and afforded confirmation of the saying "pay day, drink day, crime day."

Mr. Gladstone was for the Gothenburg system, or, as an alternative, "free trade with adequate taxation." The Irish Sunday Closing Bill was passed in 1878 enacting Sunday closing throughout Ireland, except in Dublin, Belfast, Limerick, Waterford, and Cork where the opening hours were reduced to between 2 and 7 p.m. The result in 10 years was a reduction of Sunday drunken convictions in these towns of 28 per cent. and throughout all other parts of Ireland 40 per cent., while the spirit consumption dropped from 6,115,332 gallons in the year ending March 1878 to 4,954,438 gallons in the year ending March 1888.

For many years a number of floating liquor shops called, "Coopers" plied their traffic among the fishermen of the North Sea. The loss of life and property, and other evils arising from this traffic became so great that an International Convention to consider the matter was held at the Hague in 1887. At the conclusion of the convention the following official statement was issued:—

"The sale of spirits to fishermen and other persons on board the fishing vessels is prohibited. Fishermen are equally forbidden to buy spirits. The exchange or barter for spirits of an article, especially the fish caught, nets, or any other part of the gear or "equipage" of the fishing boat, is also prohibited. Vessels which ply on the North Sea for the purpose of selling to fishermen other articles (not spirits) will have to be licensed by the Government of their own country, and to be liable to strict regulations with the object of insuring their not having spirits on board for sale."

The prohibition of the liquor traffic on the North Sea came into effect in November 1887. The benefits arising from this international agreement have been repeatedly testified to by all concerned in the welfare of the men and fishing industry. The British Parliament passed in 1888-89 a prohibition measure for British West Pacific Isles and in 1890-91 an Act to prohibit the traffic in Central Africa. In 1889 the government issued an order prohibiting the sale of intoxicants to natives of the South Pacific Islands and joined Germany and the United States in a treaty which prohibited the liquor traffic in Samoa. In the same year, the Commons by resolution denounced the Indian governmental system as fostering the evil of the opium and spirit traffic in India (*vide* Chapter III, paragraph 39 of this Report). In the same year the "Protection of Children Act" was passed prohibiting the employment of young children on licensed premises. In this year too the English Sunday Closing Bill and the Irish Local Veto Bill for the first time passed their second reading. In 1895 Sir William Harcourt introduced a Liquor Traffic (Local Control) Bill similar to the one introduced in 1893 with an additional option of reduction and with abolition of appeals to Quarter Sessions; but it only passed a first reading. The Irish Sunday and Early Saturday Closing Bill again passed a second reading in the House of Commons, this time by a majority of 99. The South African Chiefs, Khama, Sebele and Bathoen secured from Mr. Chamberlain as Colonial Secretary an undertaking that "Whiteman's strong drink shall not be brought for sale into the country now assigned to the Chiefs, and those who attempt to deal in it or give it away to black men will be punished. No new liquor license shall be issued and no existing liquor licenses shall be renewed". On the Chiefs being presented to the Queen, Her Majesty said "I am glad to see the Chiefs, and to know that they love my rule. I confirm the settlement of their case which my Minister has made. I feel strongly in this matter, and am glad to see that the Chiefs have determined to keep so great a curse from the people". The English License Bill of 1908 would have granted local option immediately for new licenses, and for all licenses after 1923. It would have closed between 30 and 32 thousand drinking places in fourteen years. It was carried in the House of Commons by a majority of 350 to 113. Every Member of the Labour Party voted for it. On the 24th of November following, Lord Lansdowne invited the Unionist Lords to a private conference in his historic mansion in Berkley Square to consider what should be done with the new measure. In less than two hours its fate was settled, it having been decided to reject it at the second reading, without discussion of a single paragraph. Four days later, on the 28th of November, the decision of the conference was carried out. The attendance of the Peers at this meeting of the House was extraordinarily great, some four hundred of them having come up to Westminster to take part in the proceedings. There were Lords who actually had to take the oath as they had not been in the house since 1905. The attack of the Commons on that bastion of their privileged position, the drink interests, brought them swarming to its defence. The opposition was led by Lord Rothschild, a shareholder in five different breweries. One hundred and thirty members of the Upper House, voting on the Bill, were either themselves brewers or holders of shares in brewing and distilling enterprises. The majority report of the Royal Commission on Licensing, including eight Commissioners who were selected as best known for their connection with the liquor trade, reported in 1899:—

"It is undesirable that a gigantic evil remains to be remedied and hardly any sacrifice would be too great which would result in a marked diminution of this national degradation."

The Temperance Bill of Scotland was thrown away by the Lords in December 1912. On August 31st, 1914, the British Parliament passed the Intoxicating Liquor (Temporary Control) Act, giving the licensing justices power to suspend the license of any retailer and to stop the consumption of liquor in any club, whenever it was desired necessary for the maintenance of order and

the suppression of drunkenness. On May 19th, 1915, the Defence of the Realm Act was extended so as to give the Privy Council power especially to issue regulations for the control of the trade in intoxicating liquor. In the exercise of the power vested in it by the Act the Council created the Central Control Board (Liquor Traffic). The orders issued by the Board provided for the restriction of the hours of sale and the elimination of treating. It was thought that drunkenness resulted largely from the cumulative effects of drinking when continued over long hours. The restriction of the hours of sale and the elimination of treating were followed later by the establishment of canteens and also by direct control of drinking places. Later on, the Board purchased the whole undertaking of the Carlisle Breweries, situated near the munitions works and gradually acquired the licensed premises for the sale of drink. The Board having thus complete control over the business, both of manufacture and sale, a number of drinking places were closed and other restrictive measures taken. Later still, under the orders of the Food Controller the production of beer, which was 36 million barrels a year before war, was cut down to 13½ million barrels a year. In 1916, a petition, known as the Strength of Britain Memorial, to prohibit the liquor traffic during the war, was "signed by more than 200,000 adult persons in England and Wales, more than 400,000 women in Scotland and more than 150,000 adult persons in the single province of Ulster in Ireland." In this memorial it was pointed out that £500,000 (sterling) a day was wasted by Great Britain on alcohol, whereas Russian banks, which received £180,000 (sterling) in January before the war, received in January 1915, £5,600,000 (sterling) and in January 1916, £12,000,000 (sterling). The Industrial efficiency of Russia had increased by 30 per cent. and an increase of 10 per cent. in British efficiency would replace the revenue from drink. Government declared in November 1918 that there must be a proper adaptation to peace conditions of the experience which, during the war, they had gained in regard to the traffic in drink. The large increase in the supplies of intoxicating liquors which followed peace was not a fulfilment of this pledge. Owing to the largely progressive relaxation of the restrictions upon the production of beer and upon the withdrawal of spirits from bond, the consumption of intoxicating liquors in the United Kingdom during 1919, measured in terms of absolute alcohol, showed an increase of approximately 60 per cent. over 1918, and was still about 35 per cent. less than in the pre-war year 1913. The expenditure per head of the population was, in 1919, £8 8s. and per adult of 21 years and upwards (including abstainers), £13 15s. as against £3 12s. 6d. and £5 19s. in 1913. The number of convictions for drunkenness increased in 1919, after the relaxation of restrictions. This was not due merely to demobilisation since the rise took place in convictions of women as well as men. The Labour Party in 1919 in declaring its policy as to the best way of handling the liquor question in England laid down that the electors in each locality should be empowered to decide as they may see fit to restrict or prohibit the sale of alcoholic drink within their own boundaries. In the plebiscites on war-time prohibition taken in industrial areas in the United Kingdom, in no place where a vote was taken was there a majority against prohibition. The aggregate of the people's plebiscite votes was, for war-time prohibition, 166,693 against, 78,066. It was at first a belief, prevalent among the general public and even among physicians, that the war which had shaken the world had upset many minds and must have led to a serious increase in insanity. As a matter of fact, investigation has proved that the war was accompanied by diminution in the admissions to insane hospitals as was shown to be the case in France in 1870-1871. All psychiatrists are agreed that the war did not produce specific psychoses. It did not produce more mental disturbances in the normal subjects, since almost all the cases of mental troubles during the war were "recidivists" or psychopathic defectives. Even the friends of the liquor traffic had to admit that experience during the war gained by Great Britain taught her to

- (1) shorten the hours for the sale of drink,
- (2) lessen the alcoholic strength of the liquors sold,
- (3) limit the quantity to be bought.

Altogether about 400 Acts of Parliament have been passed dealing with the liquor question yet the problem has remained unsettled. The Majority Report of the Royal Commission on Divorce stated:—

"It is the view of all the witnesses examined on this point that the use of alcohol to excess is a source of misery of the most serious character. Some of them place drunkenness as being at the root of most of the trouble in married life. It seems probable from the evidence before us that habitual drunkenness produces as much, if not more, misery for the sober partner and the children of a marriage, as any other cause in the list of grave causes. Such inebriety carries with it loss of interest in surroundings, loss of self-respect, neglect of duty, personal uncleanness, neglect of children, violence, delusions of suspicion, a tendency to indecent behaviour, and a general state which makes companionship impossible."

4. *France*.—From one of the most sober, France has become the most alcoholic nation in Europe. According to the statistics for 1911 the amount taxed was equivalent to nearly 4,000,000 hectolitres of brandy. In sixty years the nation's consumption of alcohol increased nearly six times. This great increase in alcoholism was due to the complete liberty of the sale of

spirits. While England had one licensed house to every 430 inhabitants, Sweden one to every 5,000 and Norway one to every 9,000, France had one to every 82, or one to every 25 or 30 adults. To the appalling spread of alcoholism was attributed the increase in the number of suicides which almost trebled in the last fifty years, madness, which in thirty years nearly doubled, and tuberculosis, which carried off 150,000 victims every year. The increase in crime was also proved, by the statistics of the Ministry of Justice, to be principally due to the drink curse. The most deadly enemy to the drunkard was Absinthe, of which France consumed more than all the rest of the world put together. In 1903 the Academy of Medicine of France unanimously demanded the total suppression of all liquors composed of alcohol and natural and artificial essences. There was a marked advance in physical degeneracy. Of the 275,234 conscripts summoned to the colours in 1907, 55,093 were rejected. Normandy was a hundred years ago the principal recruiting ground for Cuirassier regiments. To-day the French Military authorities are obliged to lower the requirement for Cuirassier height. In the Department of the Orne 57 per cent. of the recruits were rejected in 1903, in the Manche 50 per cent., in the valley Des Vosges 60 per cent. The military authorities reckon that France loses an army corps each year through alcohol. General Gallifet affirmed that the French race was losing in height, physical force, and morals, because of this plague, and that it was more and more difficult to fill the contingents. "In a mountain Department we have had to do with, we got thirty years ago, a splendid body of Cuirassiers. Now not a single one comes thence." In Brest, in ten years, the circumference of the chest is said to have fallen from .95 to .84 among new conscripts. In the Morocco campaign army surgeons found it exceedingly difficult to chloroform soldiers. Their systems, soaked with alcohol, were unaffected by other narcotic poisons. The Parisian workman spends one-third of his wages, on the average, at the wine-shop owing to the deep-rooted, almost invincible, prejudice that wine and spirits are indispensable to maintain the strength of any man who has to do a fixed and considerable amount of work. Anything serves him as an excuse for drinking; if it is hot, he must drink to quench his thirst; if it is cold, he must drink to warm himself; if troubles come, he flies to drink to drown his cares; if some happy circumstances befall him, he must express his joys over his cups. In view of the alarming situation in France the most advanced movement for popular enlightenment concerning alcohol is found in the French Army. In January 1901, General Andree, then War Minister, ordered that systematic instruction should be given to the troops by military physicians and officers, concerning the influence of alcohol on heredity, its predisposing action to disease, its relation to tuberculosis, its effect in retarding the healing of wounds, and generally in its injury to the Army's effectiveness. The traffic in Absinthe was suppressed in France as in Italy and Egypt during the war. Later French decrees prohibited the sale of spirits to women and young persons under the age of eighteen, and severely limited the sale to adult males. The French restrictions on the sale of spirits were drafted in the light of the policy and experience of the British Liquor Trade Board. The sale of spirituous liquors to French soldiers in the Army zone was absolutely forbidden. Before the war the people in France had the right to distil intoxicating liquors for their own use free of duties, a system proposed for this country by one of the witnesses. After the war in the interest of the national revenue considerable restrictions have been placed on this free distillation.

5. *Germany.*—The distilleries were the real material foundation of Prussia. The money paid to Prussian noblemen by the serfs for their emancipation in the early part of the 19th century was largely invested in distilling plants. The land of East Prussia is best suited for potato culture. The prosecution of this industry for the supply of raw material for distilling enabled Prussia to be the "Central Schnapsfabrik" for the whole world, and the younger sons of the distilling junkers constituted important material for the army and bureaucratic positions. The national drink is beer the reaction of which on the human material drafted each year into the German Army is a lesson on temperance. The following curious statistics, comparing the rejections from the army for physical insufficiency with the ratio of drinking places to the population of the cities from which the rejected came, were published some years ago:—

Rejections to the 1,000.

Konigsberg Circuit	40.55	One Saloon to 284 people.
Bromberg "	63.3	" 221 "
Berlin "	64.8	" 200 "
Magdeberg "	76	" 178 "
Muenster "	94.9	" 146 "
Arnsberg "	103	" 154 "
Koblens "	125	" 137 "

In the Sanitary Report of the German Marine for the ten years 1891-1901, a four-fold rise in heart disease was noted. This, Army specialists attributed to the increase in beer drinking. The first and second Bavarian Army Corps lead in conscript rejections for heart trouble. In the Bavarian army between 1882-93 the number of admissions to army hospitals for heart sicknesses

was from 3.1 per cent. to 6.8 per cent. of all. In the Prussian Army it was but from 1.1 per cent. to 3 per cent. Beer corpulence brings into the army multitudes of short-breathed, heavy, easily tired men, subject to heart fluttering and peculiarly liable to succumb to infectious disease. German fiscal legislation of 1909 which raised the spirits tax was a practical move against the alcohol capital. In November 1910 addressing the Marine Cadets at Murvik the Kaiser urged abstinence from alcohol as the necessary condition for effectiveness in the service. On the 2nd of November 1911, the German Naval station commands for the Baltic contained this significant sentence: "Henceforth the grog receptacle is to be used as salt-holder for the crew." Several years before the war grog rations were excluded from on board all German men-of-war and all kinds of strong liquor from canteens on board and on shore; and to every recruit joining the Navy a pamphlet was given during the war warning him against alcohol abuse. Various restrictions and prohibitions were placed upon the sale of spirituous liquors to soldiers in special localities. On March 26th, 1915, the Federal Council empowered the local authorities to restrict or prohibit the sale of spirits. On March 31st it placed very drastic restrictions upon the production of spirituous liquors, forbidding any one to produce brandy, who was not in the business during the financial year 1913-14 and even the latter were forbidden to put on the market in any month more than 2 per cent. of the quantity for which they paid duty during 1913-14. A decree was issued on April 16th specifying the persons to whom, and the purposes for which, spirits could be sold.

6. *Austria-Hungary*.—Prior to the war probably all the people of Austria used alcohol in some form or other. Now only the rich people can afford to drink wine and the manufacture of beer is almost entirely prohibited on account of the necessity of using all the available materials for food. In the first year of the war Austria-Hungary limited the hours of sale on ordinary days from 9 a.m. to 5 p.m. and on Sundays and holidays liquor shops were entirely closed.

7. *Russia*.—From 1897 to 1910 the Russian Government took from the Russian people six milliards of rubles by the way of its spirits monopoly. Its yearly payment for the army were entirely covered from this source, and 100 million rubles in addition remained for warships. Ninety-one per cent. of the monopoly's sale representing an income to the state of 639 million rubles was of a low grade liquor and only 9 per cent. of the better sort. In 1913 the reformed Government decided to reduce the alcoholic strength for Vodka and to abandon the small spirit bottles. It was decided to make it obligatory for instruction in abstinence from alcoholic liquors to be given to all children in the public schools throughout Russia. The Russian Minister of Marine issued an order by which the sailors in the Russian Navy, instead of their customary grog ration, received a monthly payment of money. On the declaration of war with Germany and Austria-Hungary in August 1914, the Russian Government issued an edict closing all Vodka shops during the period of the mobilization of the Russian Army. As a result the mobilization was quiet and orderly, was effected several days sooner than the official schedule time and three weeks earlier than the German military staff anticipated. The sale of all intoxicants was forbidden, except in first class restaurants and hotels, by order of the Grand Duke Nicholas, Commander-in-chief of the army. This order was to continue until the completion of mobilization, but subsequent orders continued further its operation. On August 25th, 1914, the Council of Ministers decided to continue the prohibition of the sale of beer and porter until October 1st. On August 27th the Admiralty Council abolished the custom of treating sailors to a cup of Vodka on various occasions. Vodka, which had been a Government monopoly, presented the most serious problem. In spite of the fact that it was a source of considerable revenue, the Council of Ministers announced in September 1914 that His Imperial Majesty had decided to prohibit the sale of spirits and Vodka until the end of the war. About the 1st of October in response to numerous appeals it was decided to prohibit for ever the sale of spirituous liquors.

8. *Finland*.—The Duchy of Finland, of which the Emperor of Russia was the Grand Duke, was for many years cursed with the private stills system, similar to that of Norway and Sweden. In 1864 when this system was abolished, there were over twenty thousand of these stills for a population of less than two millions. The consumption of spirits was reported to have been over twenty litres per head per annum, and the amount of drunkenness was very large indeed. After this date the people of Finland became noted for their sobriety and their advanced views in favour of the entire prohibition of the liquor traffic. In 1893 the government passed an Act giving to the rural districts a measure of local option, and to the towns, power to the councils to adopt a system of liquor trust companies, similar to the Gothenburg system. Under the local option law the people practically drove the spirit traffic out of the country districts. It was an alcohol strike which gave the first impulse to the Finnish prohibitionist movement. In March 1898 a strike against alcohol was organised and 70,000 men and women, chiefly from the poorer classes, joined themselves in it. But it was soon found that many could not resist their abnormal cravings for alcohol. The strikers, therefore, at a general meeting in Tammerfors demanded the closing of the saloons by a national prohibitory law. This idea was accepted by the Finnish labour party in its programme of 1899. A prohibitory law was passed by the Finnish Parliament on October 31st, 1907, as a result of about 30 years' temperance effort but the Finnish Senate, the local government of Finland, refused to recommend the prohibitory law to be sanctioned by the Grand Duke of Finland, the Russian Czar. The drink bill of Finland was the

lowest in Europe. A great deal of instruction regarding the action of alcohol upon the human system was being given in all the public schools of Finland, the general school board encouraging the teachers to bring this subject repeatedly forward, even in the ordinary and every day lessons. The prohibition law was ultimately passed by the new Government of Finland in 1919. It is reported that this law is not strictly observed. The Finns have little power of resisting temptation. The average Finn, with liquor before him, will simply drink steadily and rapidly until he is drunk. He knows nothing of moderation. It is probably for this reason that he willingly consents to legislation which makes alcohol difficult, if not impossible, to obtain. For this reason also, he breaks his self-made laws whenever opportunity offers.

9. *Scandinavia*.—The other countries in Europe where the prohibition principle has any considerable application are those of Scandinavia. In Sweden every rural district was given absolute control over the spirit traffic in 1855. Votes were taken next year in nearly 2,400 rural parishes, and in over 2,000 of these the people swept the spirit traffic out of their district. On the 1st of January 1906, the sale of beer was forbidden in all army canteens. In the summer of 1912 a further step was taken to protect the troops. During the manœuvres the whole region in which the army operated was put under prohibition—a prohibition which included wine and beer as well as spirits. In 1909 no less than 2,325 rural parishes were free from the spirit traffic. In Norway by an Act passed in 1854, local veto was given to the country districts and was so extremely and extensively used that in 1892 only 27 licenses for the sale of spirits existed in the whole of the country including the large towns; a remarkable testimony to the determination of the people when they have the power to free themselves from the tyranny of the liquor traffic.

10. *Minor States of Europe*.—Italy has been among the first to recognise the evil from a scientific standpoint. As early as 1817 Dr. Riccobelli wrote upon "the damage accruing to human health from the use of spirits". In 1838 Dr. Bonacossa, in his report upon the lunatic asylums of Turin, observed the numerous cases of madness produced solely by wine, and so also other alienists. In 1842, Professor Bellineri of the Turin University wrote on "The Influence of Wine in Conception". The campaign against alcohol in Italy finds to-day in the medical profession, and specially amongst the alienists, its strongest and most active support. The most recent and general statistics have been compiled by Dr. P. Amaldi, Director of the Lunatic Asylums of Florence. The result of this enquiry was that of the total number of admissions during the three years, 1903 to 1905, in all, 38,764, the cases entirely due to alcoholism numbered 3,398, the average being 8·8 per cent. If they took also the cases in which alcoholism was not the only cause, but a concomitant one, we would find in the above triennium a percentage of 18·8 per cent. In addition to which they could state that between 70 and 74 per cent. of crimes were committed by persons degenerated by alcohol or under its influence.

In Switzerland the monopoly of the liquor trade was established in 1887 and is confined to the wholesale trade in spirits, the Government making no sales of less than 40 gallons. It is intended as a fiscal and hygienic measure and has no relation to temperance. The distillation of liquor from gram and potato is a Government monopoly. It is a purely fiscal monopoly without temperance leanings. But distillation from fruit is free to anybody and untaxed and there are 30,000 of such stills. There is no limit to home brewing and distillation. The market is full of home made and privately made liquors in competition with the monopoly. The Government had lately under consideration a proposal to take over the whole production.

In Holland the Government in 1880 adopted a law for the gradual reduction of the liquor traffic. Thousands of shops have been closed under this law, but the reduction has now ceased and public opinion seems to favour, not prohibition, but local option or the Gothenburg system. The Government grants about four thousand dollars yearly in aid of the temperance cause, and provides temperance instruction in the public schools. The Belgian, Danish and Swiss Governments, like the Dutch, aid the cause of temperance by annual appropriations. In the Netherlands the sale of spirituous liquors, except wine and beer, is prohibited at railway stations. In Belgium it is calculated that 43 per cent. of the accidents in mines and factories are due to alcohol. In America stringent measures existed on some of their largest railways as regards demanding total abstinence while the men were on duty. Light has been thrown in a very interesting way upon the influence of alcoholism upon insanity, especially at Brussels where the sphere of action of the asylum clinic of St. Jean was a definite population remaining approximately the same during the period of occupation. In the course of the war alcoholic consumption of spirit declined in Brussels and in Belgium to a considerable extent. Official statistics show that the alcoholic consumption in terms of 50 per cent. alcohol, was in 1895 some 10 litres *per capita* and that by 1917 it had fallen to one litre *per capita* the last figure having taken into consideration the diminution of the population. The sale of spirits was prohibited from the beginning of the war by the Belgian authorities and this prohibition was continued by the invader. Spirits became rare and dear. A litre of cognac was worth from 60 to 80 francs or more. The small glass cost from two to three francs, fraudulently. Practically it was prohibition. Spirits were drunk immoderately

only by some inveterate and wealthy alcoholics, drunken liquor-dealers, war monopolists and profiteers, but the mass of the people were abstinent. The result of this reduced alcoholic consumption reacted in a very marked way at Brussels, as elsewhere, on the production of alcoholic psychoses. The figures of the number of cases of alcoholic insanity shown at Brussels in 1913 and during the war years are :—

1913	..	..	..	..	58 cases
1914	..	..	..	..	44 "
1915	..	..	..	..	15 "
1916	..	..	..	..	9 "
1917	..	..	..	..	5 "
1918	..	..	..	..	2 "

To some extent to the marked diminution of alcoholic psychoses is attributed the reduction in the number of patients at the asylum-clinic of the St. Jean hospital during the war :—

1913	..	..	..	..	276 admissions.
1914	..	..	..	..	272 "
1915	..	..	..	..	281 "
1916	..	..	..	..	216 "
1917	..	..	..	..	171 "
1918	..	..	..	..	188 "

Iceland went under prohibition in January 1st, 1915, to the great moral and economic benefit to the country.

Greenland, a dependency of Denmark, has a most thorough and efficient prohibition law in force. In Faroe Islands, belonging to Denmark, containing a population chiefly of fishermen, the sale of liquor is prohibited with great success.

In 1908 the Roumanian Government passed its first liquor legislation. There were many good points in the new law, but the state monopoly was working very detrimentally to the people's interest and sobriety. Only one liquor saloon was permitted to every 250 of the householders; no liquor could be sold on credit, nor in exchange for farm produce; nor to any person under 16 years of age. Gambling, which was very common in connection with the liquor saloons, was strictly prohibited. The new law closed up thousands of liquor places throughout the country.

11. *The United States of America.*—The modern prohibition movement is of American origin, and dated from the publication, in 1786, by Dr. Rush of Philadelphia, of an essay on the effects of ardent spirits on the human body and mind. But no organised efforts against intemperance were made until 1826, when Dr. Lyman Beecher, father of the authoress of 'Uncle Tom's Cabin,' awakened his countrymen's attention by his brilliant and instructive sermons. Their delivery led to the forming of the Temperance Society. In 1829 the American plan was introduced in England, and societies on its model were established at various places in that country. They permitted the use of fermented liquors in moderation, but they soon died out. In 1829 the State of Maine separated the sale of liquor to be drunk on the premises in which it was sold, from the sale of liquor to be taken away by the purchaser, and provided that licenses authorising liquor to be drunk on the premises should only be granted after a majority of the electors present at the annual town meeting had voted in favour of granting such licenses. The first prohibitory law in Maine was passed in 1846 forbidding the sale of all intoxicating liquor except for medical and mechanical purposes. This law was amended and strengthened from time to time up till the year 1856, when it was repealed. In 1858 prohibition was adopted by a large majority and has remained in force ever since. The general effect of the law as a whole has been described thus by Vice-Consul Mr. Keating, in No. 48 of the Diplomatic and Consular Reports issued by the Foreign Office in 1898 :—

"From the enquiries I have made of many competent authorities, I gather that the condition of the Maine farmer has been steadily improving in every way during the last 40 years, and the neat, progressive, and thriving farms now existing throughout the state stand as a proof of this statement. It seems to be the general opinion that a great deal of this progress and prosperity is due to the Maine liquor law. I am told that a little over 40 years ago a farmhouse shingled or clap-boarded was rarely to be seen, and that the average farmer of that period who was able to give his front door a coat of red paint was considered fairly well off. The farm labourer at that date, before commencing his daily work, required an allowance of Madeira or Jamaica rum, and his refreshment during the day is stated to have consisted of alcoholic liquor instead of oatmeal water.

"It is universally admitted that the Maine Law is certainly not enforced in the cities, but I think it may safely be said that throughout the rural districts the law has had a wonderfully good effect, and whenever the mass of the inhabitants desire its enforcement the law is one of the statutes to support them."

The example of Maine was followed by sixteen other states, all of which enacted prohibitory laws between 1850 and 1860. Some of these laws were repealed. Some declared invalid by the courts. The Civil War, which began in 1861, was responsible for much of the reaction, because it diverted public attention from the liquor question. In 1875, outside Maine, the law remained in force in only New Hampshire and Vermont. Since then it was repealed in these two states also. The enactment of the prohibitory laws in force in other states belongs to a latter stage. The state prohibition laws were experimental. The laws passed were defective. Law enforcing officers were not experienced in dealing with the strategy of the liquor sellers. *The results fell short of the expectations of the advocates of the new method, and this fact helped the repeal agitation. State prohibitory laws enacted later were framed with more experience and more caution. After the repeal of the early state prohibitory laws, the local option method grew in favour. It gave legislatures an opportunity of evading the issue of direct legislative action, by putting law-making power and responsibility in other hands. The unit of population and territory to which the local option method was applied was not uniform in all the states. Generally that unit was a local municipality, that is, a city, town, village, or township. In some cases there was what was called county option, that is, a county group of municipalities might act together. In some cases there was local option by wards; that is, a division of a municipality might act by itself. As a rule, the option was exercised by a vote of the electors under specified conditions, the questions being decided by a simple majority of the votes cast. In some places electors would prohibit the issuing of licenses in a defined district by a petition to the licensing authorities, signed by a majority of the electors in the district. It was easier to carry and enforce prohibitory laws in rural communities than in large cities where the population is congested. Therefore, the districts under local option, as a whole, were not as populous as those under license. Gradually local option became effective in some of the good sized cities also.

In 1893 an act was passed in South Carolina providing for a state board of directors consisting of five members, one of whom retired annually. The members of this board were elected by the General Assembly. The board, subject to the appeal of the senate, appointed a state commissioner who under the direction of the board had immediate control of the business of Central state distillery established by the law for wholesale distribution of liquor to the local dispensaries. The men in charge of the latter were chosen by the state board, and received a salary. A bewildering system of restrictions was imposed on the retail business, many of them copied from those commonly incidental to high license. The liquor was to be sold in bottles and must not be drunk on the premises. The dispensaries and their system introduced into South Carolina in 1893 was the Americanised form of the Gothenburg system. The directors of railways in the United States, long before the prohibition, and those in Canada and New Zealand recognised the importance of securing total abstainers for all sections of the service, but more particularly of those who were employed actually on the lines and the working of the trains. The improvement in the sanitary condition of the Canal Zone was due to two reasons; first, the destruction of the mosquito and, secondly, the abolition of alcohol from the district covering a broad strip of five miles wide on each side of the Canal.

The United States declared war against Germany in 1917. On the 1st December of that year the President ordered all brewing to cease. He further announced that from and after 30th June 1919, there would be prohibition for the period of the war and for the subsequent demobilization. This was a war measure and continued till 16th January 1920 when the constitutional amendment came into effect. The 18th Amendment was ratified on January 16th, 1919, and the Permanent Law Enforcement Code for constitutional prohibition came into effect one year after this date. There had been some trouble over what is meant by the term "an intoxicating liquor." Congress fixed the permissible amount of alcohol in liquor at one-half of one per cent. by volume, or .87 per cent. of English proof spirit. All that the breweries are permitted to manufacture is thus what may be called aerated waters or ginger beers. Most of the breweries are closed and their premises diverted to other business. The breweries, 500 in number, were converted into ice factories, oil refineries, canning factories, candy factories, vinegar plants, creameries, beer sugar factories, chemical factories, fruit juice factories, etc. It is reported that there has arisen what is called home brewing from ingredients supplied from the grocer or other tradesmen. All kinds of figures are given on the hundreds of thousands of houses which are making their own beer and allowing it to froth over the parlour carpet. It is a cheap process, a gallon of liquor costing under ten cents. But despite these inducements and the difficulties of detection, home brewing is only a temporary phase. The results are not always what is anticipated and the trouble involved is a deterrent. Home-brewing has not been found a serious factor in the states which have had long experience of prohibition. Doubtless, there will always be some of it, but the authorities are turning their attention to the supply of ingredients. It is extremely hard for those who have fixed habits to leave off those habits suddenly. There are many citizens who still believe they should have light wines and light beers. In the year 1921 there were seized and destroyed, 43 distilleries, 15 illicit stills, 3 stillworms, 188 fermenters, while the total seizures, including liquor, totalled a value of more than a million dollars. Since the saloons have been closed fewer people have

applied for help at the institutions extending aid to elderly men and women. The inebriate wards of hospitals are practically closed. Since prohibition has been enforced, arrests have decreased by one-half to two-thirds of the usual number. Workhouses are being closed, jails are empty, hospital beds are unused, penitentiaries are losing their population and the public charities are being resorted to less and less. Employers in all industries agree that the average productive power of working men is greatly increased. From an economical point of view there are more clothes and shoes and food stuffs bought, and instead of asking of the merchant credit from pay day to pay day there are more cash purchasers. Bank deposits have increased and the respect for women has increased. There is, of course, illicit drinking, but it amounts to very little. All the saloons have disappeared. Public drinking has gone, and the secret drinking in New York is a mere fraction of what it used to be. The efficiency of the people has gone up immensely; the prisons are going empty all over the country, and are being sold. Charitable institutions are closing. In all the schools the children seem a good deal better clad and better fed. The only opposition to prohibition comes from the richer classes. The alleged laxity of the enforcement in parts of the United States, so far as the stories are not mere interested and unscrupulous lying, is not due to any inherent impossibility of administering the prohibitory law. It is much more to be ascribed to a general weakness of law enforcement in many parts of the United States, traceable to the American habit of electing judges, chief constables and officers of police by popular vote for short term of office. Even admitting that prohibition does not secure the total extinction of liquor, it may be observed that definite good results still follow from it. It secures the abolition of legalised drink shops and this in practice is found to have certain good results.

12. *Canada*.—The fight against alcohol began immediately after the provinces were of their own volition confederated with a central Dominion Government in 1867. The Committee appointed by the Dominion Parliament in 1872 to investigate the cause of crime reported that 75 per cent. of all the crime in the Dominion resulted from intoxicating drink. The sentiment in favour of prohibition first expressed itself in showers of petitions to the new Parliament, which continued so numerous that the government appointed a "Royal Commission" of two persons to investigate the subject in general. One Commissioner was a prohibitionist, the other an anti-prohibitionist. They visited several prohibition States, including that of Maine, and several license and local option states, with the result that the anti-prohibitionist became an enthusiastic convert to prohibition; and the "Commission" sent a report to the Dominion Parliament recommending the immediate passage of prohibitory law. The government, however, only passed local option laws, which for a time tended to quiet the demands, without solving the problem of drink. Another Royal Commission was appointed in 1891, composed of four anti-prohibitionists and one prohibitionist. The former reported in favour of license and the prohibitionist for full prohibition. Several plebiscite votes were then taken in the separate provinces, in several of which they were for prohibition. There are several provinces in Canada. The legislatures of Prince Edgar Island has enacted a statute prohibiting any sale of liquor in the province. Nova Scotia secures local prohibition under provincial law through the petitioning method. New Brunswick permits the enactment of local prohibition by an ordinance of municipal council with or without a submission of the question to the electorate; but if the question is so submitted the majority of the electors decides it. In Ontario up to the year 1906 local option prohibition was secured by a municipal by-law ratified by a majority of the electors voting thereon. There is a three-fifths majority provision in the local option statutes of the newly organised provinces of Saskatchewan and Alberta. The province of British Columbia has no law giving the electors power to prohibit liquor selling in a locality. The Canadian people prefer the local option secured under provincial statute to that available under dominion legislation. A good deal of local prohibition has thus been brought into force in different parts of Canada. Those provinces which are not dry have gone in for a system of disinterested management and strict control under the state. The colony of New Foundland which, although a part of British North America, is not included in the Dominion of Canada, has a local option law of its own, under which the whole colony, with the exception of two or three urban centres, is free from licensed liquor selling. In all the Canadian Provinces, as formerly in many states of America, there are rigid restrictions placed upon the liquor traffic. No strong drink may be sold to Indians or to persons under specified age, generally twenty-one, nor on election days, nor to interdicted persons. Some of the provinces will not allow any licenses to be granted authorising the sale of liquor to be drunk on the premises unless the license holder is *bona fide* keeper. The Dominion Parliament at its 1919 Session passed a measure under which a local legislature can, by resolution, request the Governor-in-Council to take a vote of the people of the province upon the question of the importation and the bringing in of liquor. Upon a vote being taken, if the majority favour such prohibition the Dominion Government may proclaim such prohibition to be in force.

13. *The Phillippine Islands*.—The Phillippine Islands were for over three hundred years under Spanish rule. In 1893 they were annexed to the United States of America. Under the Spanish regime there was little drinking among the natives, their favourite drink consisting of juices distilled from native plants, and although fiercely intoxicating was seldom used to

excess. Under the rule of the United States the liquor traffic developed to an alarming extent, till it was put an end to by Federal Prohibition.

14. *Chili*.—In 1895 the Chilian Parliament passed a law for the diminution of the sale of spirits, believing that spirits were the only cause of drunkenness; wine and beer were omitted from this legislation. The reduction of the sale of spirits led to an increased consumption of wine and beer so that in 1913 brandy and liquors formed 21 per cent. and wine and beer 79 per cent. of the alcoholic consumption of Chili. The net result of this kind of reform was that drunkenness remained the same. The Republic has therefore lately decided to go dry by degrees.

15. *Africa*.—Much of the so-called whisky most carelessly made in Europe from the cheapest materials is exported to West Africa and other tropical colonies where it is sold to native races. Mr. Joseph Thomson, F.R.G.S., the distinguished traveller, states that "For any African who is influenced for good by Christianity, a thousand are driven into the deepest degradation by the gin trade" (*Contemporary Review*, December 1886). Sir Richard Burton, another authority, says "It is my sincere belief that if the slave trade were revived with all its horrors, and Africa could get rid of the whiteman, with gun-powder and rum which he has introduced, Africa would be a gainer in happiness by the exchange." In Madagascar the effects that followed the introduction of spirits by European traders were appalling. The Revd. H. W. Grainage describes, in his "Journal of a Visit to the North-West Coast," the pitiable dens of drunken debauchery he witnessed in many of the towns and villages there being scarcely a single person sober; and he adds, "I shall not soon forget what one of them told me; he said 'It was you Vazaha who taught us, we never knew how to make it (*i.e.*, the drink) till you came.'" Mr. W. S. Caine, M.P., declared that at Cairo over 400 grog-shops were opened, and many of them houses of ill-fame, as the direct consequence of English garrisons in the Capital of Egypt.

In 1881 the Cape Colony Government appointed a Commission to inquire into the native laws and customs. The various treaties and conventions with the native chiefs, whereby their territories were handed over to the Government, were published in the Blue Book containing the Report of the Commission, and the evidence taken showed that invariably these native chiefs had made it a condition that no intoxicating liquors should be sold. So that the Government is bound by treaty obligation to prohibit the liquor traffic among natives. The Commission in their report say that "All the better class of natives, and even the heathen and the uneducated portion, have implored the Commission to suppress the evil which is bringing ruin upon themselves and their country." The Commission further affirm that the liquor traffic is "an unmitigated evil to the native races, and that no other cause or influence so directly increases the idleness and crime, and is so completely destructive, not only of all progress and improvement, but even of the reasonable hope of any progress of improvement," and further "the Commission believe that any direct loss to the revenue in the lessened number of licenses and the returns from the Excise would be more than made up to the State by the improved condition of the people, by their power to buy other articles yielding customs duties, their increased industry, and by lessened expense of the criminal list, while the colonial public generally would undoubtedly be benefitted by a better supply of native labour—and that of a more reliable kind—being available for farming, industrial and domestic purposes." In 1889, a Commission on the liquor laws was appointed, and in that and the following year took a very valuable evidence in all parts of the country. The following is an extract from a report of the Commission:—"A large mass of evidence was collected bearing upon the condition of the natives of the Colony generally, in so far as it is affected by the use of intoxicating drinks, and upon the consequences flowing from the proclamations defining native areas under the provisions of the liquor licensing law of 1883. Upon these points we obtained the opinions of several persons now resident in different parts of the Colony, who held official positions under Government amongst the native population on the eastern frontier, and who possessed great experience of these matters. We also visited some important districts thickly inhabited by the natives of the Kaffir and Fingo races, large numbers of whom took advantage of the opportunity of stating their views and wishes to the Commission and we may here mention that, from representations made, it appeared that others of them in large numbers were eager to meet the Commission for the purpose of enforcing and supporting the sentiments expressed by those whom the Commission had already heard, but it seemed useless to burden the proceedings with endless testimony of identical purport. Although the weight of the evidence is to the effect that, on the whole, there has been no increase of drunkenness among the coloured people for some years back, still it exists to a deplorable extent, and is accompanied by this bad feature; that this vice is laying hold of the women and is not uncommon amongst young persons, both male and female. The difference between the Europeans and natives as regards the use of intoxicants seems to consist mainly in this that amongst the former a certain proportion is undoubtedly addicted to intemperance, which is found to some extent amongst all classes; but with the tribes on the frontier the whole population, from the chiefs and headmen down to the lowest amongst the common people, succumb to the temptation of strong drink when it comes within their reach. With the coloured tribes no feeling of shame is associated with intemperance. This condition of the native mind is the necessary result of a low state of civilization, which gives rise to other circumstances

also, which, taken together, necessitate and justify special legislation for the protection of the native tribes.

"Such legislation has been resorted to in all the neighbouring States and Colonies without exception, and statements received from the Governments of those countries represent the results obtained as satisfactory.

"Many witnesses of undoubted experience and judgment are of opinion that nothing but the total prohibition of the sale of intoxicating liquors to natives will save them from utter ruin and destitution. Others, admitting the difficulties surrounding this proposal, would confine it to districts thickly peopled by the coloured races, but covering areas large enough to prevent such evasions of the law as prevailed when the small defined areas existed. Notwithstanding that some moderate amount of good was done by the proclamation of these areas, the consequent evils were great. Numbers of natives taking advantage of the exclusion of liquor from the areas conveyed large quantities of it from the towns and adjacent districts to the locations and kraals, which was not forbidden by law, and then illicitly sold it to their countrymen living in the prohibited areas."

The Liquor Law Commission's Report continues: "To make good the defects of the existing law, we recommend that areas be proclaimed, not for the exclusion of all licensed houses from within their limits, but within which the sale of liquor to natives should be totally prohibited without distinction of position, class, or political privileges. We base this recommendation upon the expressed wishes of the people themselves, the vast majority of whom, Christian and heathen, recognising their dangers, beg to be saved from it. Those of position and education, and who are possessed of political privileges, ask for the prohibition for the sake of their tribe generally, and seek for no exemption on their own account.

The International Congress of Brussels, called by Leopold II of Belgium, which met on November 18, 1889, embodied in the treaty which it formed certain provisions to restrict the liquor traffic. These were, in brief, that each power possessing territory or a sphere of influence in Africa between the 20 degree of north latitude and the 20 degree of south latitude should prohibit the traffic within a certain district thereof, to be determined by itself, and should tax distilled liquors in the remainder at a progressively increasing rate, as an experiment by which to determine a minimum tax which would be prohibitive to natives.

The Labour Commission of 1894 reported a strong concurrence of evidence in favour of restriction being placed on the sale of liquor to aboriginal natives. Where prohibition exists the natives are quite satisfied with it. In the Union of South Africa, the sale of liquor is prohibited to the natives in Natal, Transvaal and the Orange Free State.

Agitation to protect the natives of the Congo Free State from the whisky paddler resulted in the Brussels Conference which established a zone around the district in question within which the sale of distilled liquors was prohibited. This agreement was ratified by seventeen nations within two years (1890-91). Under the new agreement of the Paris Conference the convention relating to the Liquor Traffic and Protocol signed on September 10th, 1919, by the principal European countries, including Great Britain, have agreed to the prohibition of the importation, distribution, sale and possession of spirits of every kind in those areas of Africa in which their use has not been developed.

16. *Australasia*.—Under a regulation passed in 1910 under the authority of the Australian Commerce Act, the Controller-General of Commerce and all State Collectors are instructed that:—

"Schnapps and other spirituous liquors, upon which extravagant and misleading statements appear on labels as to the medical and curative properties of the liquor, are not to be admitted until such misleading and extravagant statements or claims have been eliminated from the labels, wrappers, etc."

Papua or New Guinea, having been brought under the authority of the Commonwealth, the Federal Parliament in 1909 gave the whole white population, male and female, local and colonial option, majority of vote being able to secure the entire prohibition of the liquor traffic. This is stated to be the most up-to-date local option legislation yet secured in any British Colony.

Referenda are being taken at present in several States on the question of prohibition, the results of which are not known in India. The referendum taken in New Zealand at the end of last year was adverse to prohibition.

17. *Okushiri*.—Okushiri is only a small island belonging to Japan, about fourteen miles long and seven miles wide, situated at the southern border line of Japan. Herring fishing is the chief source of industry; these fish approach the coast in great quantities in the spring, and are the only source of livelihood to the people. In 1884 there were only about 260 people living on the island, but these had become very much addicted to the use of intoxicating liquors, no less than 6,000 Yens (£600) per annum being spent in sake alone. In the face of such an outlay for liquor the people often suffered severely from hunger and cold. The inhabitants of the island entered into a compact in July 1884, and pledged themselves to abstain from liquor. The covenant was rigorously observed. Even Government officials, of whatever rank, had to give

up sake drinking when they visited the island. Every drinker had to reform or leave the island. In five years the population increased five-fold, and the capital invested in fishing ten-fold. The bad roofs were replaced by shingles; good roads were built all over the island: four large public granaries were erected and filled with rice, and each family had a private store in reserve. New land has been brought into cultivation, and 4,000 yens (£400) worth of hemp is now grown annually for the manufacture of fishing nets. Before the compact the nets were brought from the mainland. Schools were established. Order reigned on the island. Crime, which was formerly prevalent, has largely passed away. It is a law-abiding island.

18. *Turkey*.—Constantinople in the past was very tolerant towards the unbelievers in the matter of drink. In the 17th Century ambassadors were privileged to import 7,000 measures of wine a year duty free; but 2,000 measures were found ample, and so by selling the remainder, the embassies got their drinks free. The drink taste at that time was said to be fairly universal and the embassy chaplain wrote, "I have seen the Vizier himself *mamur*, that is, crop sick, several times." Kemal has now decided that Turkey should go entirely dry.

19. *Persia*.—It was recently reported that after the dispute between the minority party of the Mejliss and the Ulemas the latter have been trying to regain their old temporal powers. After many meetings in the mosques, they demanded from the government prohibition of the sale of liquor. This was accepted by the Government.

CHAPTER II.

THE USE OF LIQUOR IN INDIA IN PRE-BRITISH DAYS.

20. *Introductory*.—From the evidence of several witnesses recorded by the Committee it appears that a belief still prevails, even among the educated classes, that ancient India was "dry" and that drink was introduced into the country for the first time by the British. This belief has often been examined and disproved in several Government publications, more especially in the Report of the Bengal Excise Commission of 1883-84, but as these publications will not be easily available to the general reader of this Report the results of the investigations so far made are summarised below.

21. *Ancient Hindu Period*.—Referring to the use of spirits among the ancient Hindus the Bengal Excise Commission observed:—

"Dr. Rajendralal Mitra, in a very learned and interesting paper contributed by him to the Asiatic Society's Journal, Volume XLII, Part I, for 1873, shows conclusively by a profusion of instances taken from Sanscrit literature, ancient and mediæval, that spirits and other intoxicating drinks have been extensively used in India at all times and by all classes. He states indeed that their use had been condemned by moralists and law-givers, but he proves that rice-spirit was sold and drunk and used in sacrifices in the earliest Vedic times; that the leading characters of the Mahabharat were addicted to strong drinks; that the Ramayana frequently notices spirit drinking with evident approbation; that in the time of Kalidasa drinking seems to have been very common not only among men, but even among women of high rank; that the Puranas abounded in descriptions of spirits and of drinking: and that the Tantras afford the most indubitable proofs of a strong attachment on the part of a large section of the Hindus to over-indulgence in spirituous drinks. He also gives descriptions of the different kinds of spirits, of the materials from which they were made, and of the manner of making them, which will be referred to in succeeding parts of this report. He does not, however, write on the question of their being made a source of revenue in Hindu India, and it is understood that he is of opinion that they were not taxed. Other authorities, however, of great weight are of contrary opinion; but there seems to be no direct evidence on this point beyond the alleged fact that all articles sold in shops were subject to taxation. Now in the Buddhist drama 'Naga Nunda' there is mention of a spirit shop, and there are similar references by Kalidasa and elsewhere noticed by Dr. Rajendralal. There are also many references to the use of spirit in Buddhist works, and it was stringently prohibited in Buddhist scriptures. Reference to the subject will be found in Hodgson's 'Languages, Literature, and Religion of Nepal and Thibet'; in Spence Hardy's 'Eastern Monarchism'; in Bishop Bigandet's 'Life or Legend of Gautama'; and in the second volume of Burnouf's *Lotus De la Bonne Loi*."

22. *Various Kinds of Spirits in Use*.—That there could be no mistake that the art of distillation was known and widely practised and that different kinds of spirits of an intoxicating nature were in use, Dr. Rajendralal Mitra pointed out that Pulastya, an ancient sage and the author of one of the original *smritis*, enumerated twelve different kinds of liquor besides the *soma* beer, which is not usually reckoned under the head of *madya* and that his successors added largely to the list. The twelve principal liquors mentioned by this sage are:—(1) *panasa*, or Jack-liquor; (2) *draksha*, or grape-liquor; (3) *madhuka*, or honey-liquor, (4) *kharjjura*, or date-liquor; (5) *tala*, or palm-liquor; (6) *akshhava*, or cane-liquor; (7) *maghvika*, or mhowra-liquor; (8) *saira*, or long-pepper liquor; (9) *arishta*, or soap-berry liquor; (10) *maireya*, or rum; (11) *narikelaja*, or cocoanut liquor; and (12) *Sura*, or arrack, otherwise called "varuni" or "paishti". This verse, as quoted in the *Shabdakalpadruma*, gives "tanka" or wood-apple liquor, and the

Vishnu Samhita gives "koli", or jujube liquor in lieu of *saira*. The mode of preparing these liquors is briefly described in "Matsyasukta Tantra". It says: "Place unripe jack, mango, and plums in a jar, and pour on it daily a quantity of unboiled milk, and add some fresh meat, put therein hemp leaves and sweet lime on alternate days, and when duly fermented distil, and this is jack wine". For the second, the grape juice is to be fermented with curds, honey and ghee, distilled in the usual way, and flavoured with *manjit* and *chiretta*. This is of course brandy-bitter pure and simple, dyed with *manjit* instead of burnt sugar. The third had honey for its principal ingredient and with it is to be associated *vidanga* (a bitter drug) *salep*, *misri*, long pepper and salt. The fourth has ripe dates for its basis, and with it is mixed jack fruit, ginger, and, juice of the *soma* vine. The fifth is made with the ripe palm fruit spiced with *danti* (crotton polyandram) and the leaves of the "Kakubha" plant. The sixth has sugar-cane for its basis and black pepper, plums, curds and salts for adjuncts. The seventh is made up of the blossoms of the *bassia latifolia*, mixed with sugar and ripe bel fruit. The eighth is made of molasses and long pepper. The Tantra follows the reading of Raja Radhakanta Deb, and has *tanka* instead of *saira* if it should be made, according to it, with the root of the asparagus racemosus, the root of the wood-apple tree, and the drug called lukshman, lotus flower, and honey. The ninth, according to the reading of the Mitakshara, is a liquor made from soap-berry plant with molasses, but according to the Tantra of the root of the aeglemarimelos, plums and sugar. The tenth of the above list occurs in the Tantra under the name of *gavdi*, or rum, made from molasses, the adjuncts during fermentation being curds, hemp-leaves and a drug called *karikana*. The eleventh is made of the milk or toddy of the cocoanut mixed with plantain, ripe embelic myrobolans, and a drug, *indrajihva*. The twelfth has half-boiled rice, barley, black-pepper, lemon juice, ginger and hot water for its ingredients. The rice and barley are to be digested in hot water for two days, then boiled, then spiced with other ingredients and allowed to ferment thoroughly, and lastly distilled.

Dr. Rajendralal Mitra quotes a passage from an old Sanscrit writer describing the process of distilling a very popular sort of medicinal spirit. After describing the fermenting process this passage goes on as follows: "Take the apparatus called *mayurajantra*, a strong earthen vessel of the shape of a peacock, place it on a hearth over a slow fire, put into it the fermented mixtures, and add thereto half a 'pala' each of powdered betel-nut, *sailabolaka*, *deodar* wood, *anithum sowa*, ligusticum anwana, black pepper, the white and the black cumin-seed, caraway, *jatamansi*, nutmegs, *cyprus rotundus* (mutha), *grinthe parni* (a drug), dried ginger, *methi* (a spice) and small cardamoms; now cover the vessel with two upturned chatties, attach thereto pipes, and carefully distil the liquor." Most of these spirits were actually manufactured in India till within recent times, when the art died away under the pressure of the present excise policy.

23. *Soma-rasa*.—The question whether *soma-rasa* was an intoxicating or harmless drink need not be discussed here. The *soma* ceremony has come down to India from very ancient times, indeed from before the period when the Indians separated from the ancient Persians. Among the latter it was known as *Haoma* worship. The *shastras* record that gods and goddesses got drunk. The great Shankaracharya became so drunk as to murder his favourite pupil Kutch; and Durga Devi, when engaged in war with the demon Mahishasura, addressed her opponent: "Go on roaring, thou fool while I finish my drinking." The whole question is ably and boldly discussed in Romesh Chandra Dutt's *Civilisation in Ancient India* and Mitra's *Indian Problems* to which the reader is referred. There is no doubt that brewed liquor was known to the primitive Aryans long before the distilled spirit. The Rig Veda refers often to wine and its uses. The distillation of arrack from toddy probably existed 800 B.C. in India and long before that in Ceylon. The discovery of primitive stills for the distillation of alcohol and those which are still in existence among certain savage tribes show the advance made by the people in the art of distillation. The habit of drinking appears to have spread among the people to an alarming extent in the age of Manu, as appears to be the case from the severe penalties prescribed by that great sage in the case of Brahmins guilty of the sin. The Ramayana and the Mahabharata abound in references to wine.

24. *Buddhistic Teachings against Wine*.—The evil appears to have attracted the attention of the great reformer Buddha. A crusade against drink was one of his ten commandments. He preached, "the householder who delights in the law should not indulge in intoxicating drinks, should not cause others to drink, should not sanction the acts of those who drink, knowing that it results in insanity. The ignorant commit sins in consequence of drunkenness, and also make others to drink. You should avoid this. It is the cause of demerit, insanity and ignorance, though it be pleasing to the ignorant". Buddha's fifth rule of life was: "Obey the law and walk steadily in the path of purity and drink not liquors that intoxicate or disturb the reason." After a prolonged vigorous crusade by Buddha against drinking the bulk of the people became abstinent.

25. *Classical and Chinese Authorities*.—Megasthenes, who came to India in the fourth century before Christ and lived in the Court of Chandragupta at Pataliputra, the ancient Patna, refers to the use of wine at sacrifices in these words, "The Hindu beverage is a liquor composed from rice instead of barley." Under the influence of Buddha's teachings matters appear to have improved considerably and Fa Hien, the Chinese Buddhist pilgrim, who arrived in India about 399 A.C., noted with pleasure that the people of the country did not take intoxicating

liquors and that there were no wine shops around their markets. The testimony of Hiuen Tsang who travelled through the country 630 A. C. corroborates his predecessor.

26. *Kalidasa*.—Even before the time of Hiuen Tsang the drinking habits were again gradually asserting themselves. One of the witnesses examined by the Committee at Poona, Khan Bahadur Cooper, has given a reference to Kalidasa showing that wine was in vogue and that liquor shops existed in the Sixth Century A. C. Mr. Dutt observes, "We know from Shakuntala that there were grog shops which were frequented by the very lowest castes, while among courtiers of a luxurious court and among the profligate and the gay drinking was not unknown. Kalidas often speaks of ladies whose mouths were scented with perfumes of liquor. In Raghuvamsha, in the ninth canto, Maharaja Aja in his lamentation refers to his sweetheart's manner of taking wine. In Markandeya Chandi, the goddess Durga, thus addresses her opponent Mahishasura: "Wait, Wait, you fool, till I finish my drink." Bharavi, who flourished about the same period, has a canto on the joys of drinking.

27. *Tantric Worship*.—The Tantric works, written since Kalidas's age, enjoin the free use of wine and the followers of the Tantras even to the present day have no scruples to drink. In Bengal there is nothing analogous to the drinking castes, in the sense in which the term is used in this Presidency; and it seems equally doubtful whether any caste can be described as wholly abstaining from spirit. On the other hand, there is a religious distinction, the use of spirit being allowed to, and even sometimes enjoined on, Shivites, and strictly forbidden to Vaishnavites. Dr. Rajendralal Mitra, in the valuable paper already more than once referred to, states that the Shivite and Shakta Tantras are by far the most numerous works of the tantric class, and that the followers of these Tantras in the present day may be reckoned by hundreds of thousands. "Before the advent of Chaitanya," he adds, "four hundred years ago, their influence was much greater and the great bulk of the Hindus professed the faith inculcated in those works. The doctrine of equality which Chaitanya and his successors preached won over to their side the major portion of the lower order of the people, and the Vaishnavas therefore now prevail in Bengal; but the Brahmins could never brook the idea of owning equality with low-caste men, so most of them stuck to and still follow the doctrines of Shiva and Shakta worship and the Tantras, which inculcate them, and give free liberty to their votaries to indulge in drinking spirits. The Shakta Tantras go further, and insist upon the use of wine as an element of devotion".

28. *Early Moslem Rulers*.—There is a prevailing belief that the tenets of Islam enjoin a heavy punishment to be inflicted on the wine-bibber. The Koran enjoins the believers to shun wine, gambling and idols as these are an abomination of Satan's works and turn the believer from God and prayer. We have no evidence to show that the portions of the country under the Mahomedan rulers were at any time really dry; on the contrary, the Moslem rulers coming from beyond the borders of India helped to improve the Indian wine to make it suitable to palates used to the delicate wines of Shiraz. Even as early as the period of Sabaktgin soldiers and officers indulged in drunken brawls. Allauddin Khilji is said to have prohibited both the selling and drinking of wine, beer and intoxicating drugs. He set an example himself by ordering all the china and glass vessels of his banquetting hall to be broken up. That the drinking habits were not confined to princes, nobles or the governing classes, but permeated the lower strata of society will be seen from the following passages cited by the Government of India in their Excise Despatch to the Secretary of State, of the 4th February 1890, from the Tarikh-i-Firuz Shahi of the famous historian Zauddin Barni:—

"After several days' and nights' deliberation the conclusion arrived at by these councillors was that the cause of the revolts was comprised in four things...secondly, wine, for people are in the habit of having parties for the purpose of wine drinking, when they disclose their most secret thoughts to each other, make confederates, and hatch conspiracies....Thirdly, with the view of preventing revolts in future, the drinking and the sale of wines were prohibited. Afterwards the Sultan also prohibited *bagui* and hemp (bhang), as also gambling. Great exertions were made to carry out the prohibition of the sale of wine and *bagui*, and special wells were constructed to serve as prisons. Drunkards, gamblers, *bagui*-vendors were driven out of the city into the country and the enormous taxes which the state had derived from them had to be struck off the revenue books. The Sultan first of all gave the order to remove from the social assembly rooms of the palaces all decanters, *ma' baris*, the porcelain vessels painted with gold, and the glasses and bottles.

* All were smashed and the broken bits were thrown in heaps, before the Badaon Gate. The bottles of wine were also taken from the assembly rooms and poured out, and the quantity of wine thus thrown away was so great that pools and puddles were formed as in the rainy season. The Sultan Alauddin also discontinued his wine assemblies, and he told the Maliks to mount elephants and go to the gates of the city, and into the streets and districts, the bazaars and the sarais, and proclaim that it was his order that no one should drink or sell wine, or have anything to do with wine. Decent people gave up wine-drinking as soon as the order was published, but shameless, ill-disposed wretches, pimps and panderers, erected stills and distilled spirits from

sugar, and drank and sold wine in secret ; or they filled leather bags outside the town with wine and put them between loads of grass or fuel, or had recourse to other tricks of carrying wine into the city. The spies made strict inquiries, and the guards at the gates, and the runners posted there examined everyone and seized the wine and the owners and took them before the palace. It was then ordered to give the wine to the elephants of the imperial stables to drink, and such as had sold it, or smuggled it into the city (Delhi), or had drunk any, were beaten with sticks, and fettered, and put into prison, where they were detained for some time. But as the number of the prisoners increased very much, they made wells before the Badaon Gate at a place where all people pass by, and into these wells were thrown that drank or sold wine. Some from the distress and misery they suffered in the wells died there, while others who were released after a time came out half dead, and it took ages for them gradually to recover their health and pull up strength. Many, therefore, through fear of imprisonment abjured the use of wine, and if they were unable to control their appetites they used to go to the fords of the Jumna, and the villages ten or twelve *kos* off, and drink it there. In Ghiaspur, however, and Indarput and Kilukhari, and the villages four or five *kos* away, as well as in the *sarais* outside the town, the sale and purchase of liquor was no longer feasible. It is nevertheless certain that some reckless individuals continued to distil wine at their own houses, and to drink it and sell it, and ultimately suffered disgrace and infamy, and were cast into prison. When the prohibition of the use of wine began to press too severely, the Sultan gave orders that if any one distilled spirits privately, and drank the liquor in seclusion, without having a party or assembly and without selling it, the spies were not to interfere with him, nor enter his house, nor apprehend him."

29. *Mogul Rulers*.—All the Mogul Emperors, with the single exception perhaps of a devout Moslem like Aurangzeb, were wine drinkers. From the *Ayin-i-Akbari* it appears that even Akbar was fond of his cup. Jehangir had the effrontery of having his image stamped on his gold coins with wine cup in hand. It is notorious that his two brothers Murad and Daniyal both died of the effects of hard drinking. A tax on spirituous liquors was levied in India under the Mahomedans. In Gladwin's translation of the *Ayin-i-Akbari*, paragraphs 288 and 289, there is a list of taxes which were remitted by Akbar, among which were taxes on salt and spirituous liquors ; but both these taxes, as well as several others of those enumerated in the *Ayin-i-Akbari*, must have been subsequently re-imposed, for they are included in the "sayer" of later fiscal statements. It appears from Mr. Sheristadar Grant's *Analysis of the Finances of Bengal*, written in 1789, and from Mr. Shore's *Minutes*, that in the accounts of the revenues of Bengal, as settled by the Nawab Jaffir Khan in 1722 A.D., and confirmed by his successor Shujah Khan, seven years afterwards, the taxes on spirituous liquors existed.

30. *Statements of European Travellers*.—Jordanus, the European traveller who visited India about the year 1320, noticed the drunkenness of the people in the Konkan and the strength and abundance of the palm liquor. Captain Hawkins, who was with Jehangir from 1605-1613, described at length that monarch's drinking habits. From Bernier's *Travels in the Mogul Empire* (1656-1668) it appears that country-made arrack as well as imported wine were easily procurable in India ; he tasted the wine at Ahmedabad and Golconda. Wine was obtained from Persia. He says that when taken in moderation it was found to be an excellent preservative against malaria. Tavernier who came after him refers to wine at Lahore. From Captain Alexander Hamilton's narrative it is observed that Persian wine was easily procurable in Surat in large quantities. In a letter written by the Revd. Patrick Warner, Chaplain at Fort St. George, dated the 31st January 1676 (*vide Wheeler's Early Records of British India*) he says : 'It may be for a lamentation to hear and see the horrid swearing and profanation of the name of God, the woeful and abominable drunkenness and uncleanness that so much reign and rage among the soldiery and these are not secretly or covertly but as it were in the sight of the sun and men refuse therein to be ashamed, neither can they blush.'

The Indian Excise Committee (1905-06) cited the following from Mr. Croke, contrasting the state of affairs obtaining in the early days of the British knowledge of the country with the present conditions. "There seems no good reason to believe that the immoderate use of spirits has increased, though probably the consumption is more general than in the early years of our rule. At any rate, when we first came in contact with the natives, there was much drinking. Streyntsham Master, writing from Surat in 1672, says of the people : 'None of them will eat the flesh of cows and oxen or calves, and almost as few of them forbear wine, for those that eat not flesh will gulch abundance of strong drink.' Linschoten, at a rather earlier period, lamented that the Portuguese soldiers were learning from natives the taste for spirits, which took the place of the wine of their native land. Writing of Bengal early in the last century, Buchanan Hamilton says : 'In no country have I seen so many drunken people walking abroad ; and in more than one instance I saw men, who, from their dress, were far above the vulgar lying on the road perfectly stupefied with drink, and that in the middle of the day, and in places far removed from the luxury and dissipation of towns.' It is also a fallacy to suppose that the habit did not prevail under native rule. Colebrooke, when he visited Nagpur in 1800, writes : 'The

number of 'distillers' shops is incredible. Maharathas of all ranks drink immoderately, and so do the women. Even ladies of rank use spirituous liquors; also the women, who fetch wood. It is curious to see of an evening crowds of well dressed women getting drunk at a distiller's door.' Such scenes are certainly very unusual at the present day. When a native drinks he does not, as a rule, tittle; but he drinks with the object of getting drunk, and he can generally state the precise amount which will produce the desired effect. The use of foreign spirits is certainly on the increase among the educated classes, who are specially fond of cheap and noxious liqueurs." The first volume of the *Asiatic Researches* contains the following account of distillation in South Behar at Chattrra, a place now included in the north of the Hazaribagh district in Behar. The description was written by a Mr. Archbald Keir, who seems to have had some practical knowledge of the process of distillation as then carried on in England. The following extract from his description, dated the 24th December 1786, which is quoted by the Bengal Commission, is reproduced here:—

"So very cheap indeed is arrack here, to the great comfort of my miners, and of many thoughtless people besides, that for one single *payasa*—not two farthings sterling—they can get a whole *hatcha* seer of it in the bazar, or above a full English pint, and enough to make them completely intoxicated—objects often painful to be seen."

Sir Thomas Munro, the Governor of Madras, in a Minute recorded by him in 1807 stated that "arrack has for ages been manufactured and sold in all places subject to no other restraint than that of taxation."

31. *Peshwas and the Portuguese*.—The liquor traffic existed and flourished under the Governments of the Peshwas and the Portuguese. References on the subject have been made in Chapter IV, "Excise Administration in the Bombay Presidency," in which they more appropriately fall.

CHAPTER III.

THE EXCISE POLICY OF THE GOVERNMENT OF INDIA.

32. *Earlier Regulations*.—Prior to the British administration of Bengal, taxes of various kinds were, from time to time, levied on distilled spirit, but there was no regular system of excise, and no attempt to regulate consumption. This absence of systematic management continued for some years after the assumption of the Diwani and led to such evils from intemperance that the British Government had to interfere in 1790. This year saw the commencement in British India of the excise system as well as that of the police. The articles chosen for regulation were distilled country spirit, *madak*, a product of opium with spices, and *ganja*. From the evidence recorded by the Bengal Excise Commission it appears that country spirit or arrack headed the list in regard to its productiveness in those early days of excise administration. In Bengal the distillers and spirit-dealers scattered over the province, who plied their trade before the regulations were made, protested against the levy of the tax and submitted to the regulations only after heavy fines were imposed. The system pursued was the outstill system and in Bengal alone a revenue of Rs. 10,000 per annum was collected. In regard to the arrangements prevailing in Bengal prior to 1790, the Bengal Excise Commission observe:—

"The price of spirit under these arrangements was less than it has ever been anywhere in Bengal since the modern excise system was introduced in 1790, as appears from a passage in a description of the *mohwa* tree in Behar, written in 1785, by a Lieutenant Hamilton. That officer states that the *mohwa* flowers being fermented yielded by distillation a strong spirit, which the people sold so very cheap that for one pice (about a halfpenny) might be purchased no less than a *cutcha* seer (about a quarter bottle) with which any man might get completely drunk. Lieutenant Hamilton also stated that the *mohwa* flower was in his time exported from the jungly tracts, where it grew wild, to Patna and other places in considerable quantities. This statement regarding cheapness of spirit is corroborated in a paper written about the same time by Mr. Keir from which an extract will be made in a subsequent chapter of this report; and it would appear that complaints were then rife about the spread of drunkenness among the lower classes of the people. The complaints apparently decided the Government upon the resumption of the 'sayer' on spirituous liquor."

In this paper Mr. Keir refers to "the cruel abuse of spirits that had been long so loudly and so justly complained of among the soldiers, lower Europeans and servants in this country." The first Abkari Regulation was issued by the Governor-General in Council on the 14th January 1791. Under it the licensee was not to open his shop before daybreak in the morning or to keep it open after 9 p.m. The preamble of Regulation XXXIV of 1793 stated that one of the reasons for passing the rules had been the immoderate use of spirituous liquors and drugs, which had become prevalent among the lower classes owing to the very inconsiderable price at which they were manufactured and sold previous to 1790. Regulation VI of 1800 provided that the number of licenses should be reduced as much as possible and that the stills should

be taxed at as high a rate as possible without the latter operating as a prohibition. From a series of interrogatories circulated to high officials by Lord Wellesley in 1801 it appears that even at this early date a question was raised whether the tax on liquor imposed by the British Government had not rendered the vice of drunkenness more prevalent.

33. *Diversity of Administration.*—Before the advent of the British the limitations imposed on the manufacture and sale of liquor appeared to have been devised with the object of raising the revenue rather than of regulating or controlling consumption. The system in general vogue was that of farming, the right of manufacture and sale being given to the highest bidder without any restriction being placed on the number of shops or their position. Under the British rule attempts were made to modify and improve the system, but the measures adopted to introduce the desired regulation and control were worked out in each province separately with reference to local peculiarities. Since the last quarter of the nineteenth century a somewhat uniform policy was laid down by the Government of India, though the methods pursued in carrying it out in the different provinces differ. About the year 1837 the Government of India appear to have under contemplation the preparation of a general Act on the subject of Abkari which however never came into existence. In 1859 the Government of India suggested to all local Governments the expediency, on moral or fiscal grounds, of extending the central distillery system, with a fixed rate of duty per gallon, to many populous localities, if not universally. With reference to a proposal to make the consumption of spirits a luxury by making them so dear that only the well-to-do classes could afford to purchase, Lord Lawrence's Government wrote in 1864: "Here is an avowal in the plainest and most unmistakable language that the object is to deprive the poorer classes only of liquor by so taxing it that it will only be available to the well-to-do people. This, in the opinion of His Excellency in Council, is a great injustice to the people." In 1874 Babu Keshab Chunder Sen, a well known social and religious reformer, submitted a memorial to the Viceroy, through the Government of Bengal, alleging that intemperance had increased in the country, especially among the English educated classes, and praying that steps might be taken to counteract the growing increase of drinking and drunkenness. The writer attributed the increase to two chief causes—the unsettlement of popular faith and ideas, in consequence of the spread of English education, and the unnecessary multiplication of liquor shops. Similar memorials were also addressed by other private individuals and public bodies. In 1875 the Government of India passed the Indian Tariff Act, in section 11 of which the principle was asserted that the duty of excise on spirit distilled in British India should bear a due proportion to the customs duty on spirit imported into British India.

34. *Government and the Trade.*—In 1874 the Government of India informed the Bombay Government that they entertained strong objections to the retail of opium by Government officers and disapproved of the retail by them of any sort of fermented liquor, spirit or drug. They added that they had repeatedly declared that Government has nothing to do with the trade in fermented liquor, spirit or drugs and that nothing should be done by the local Government which might compromise this essential principle. The officers of Government should interfere in the trade so far as is necessary to enforce the taxation imposed upon it by law and no further. If in any place the trade could not be carried on consistently with the just demands of the state, it would be better if the excise revenue in such a place should be sacrificed than that the officers of Government should assume functions calculated to expose the policy of the state to misunderstanding.

35. *Bengal Excise Commission.*—The report of the Bengal Excise Commission of 1883-84 is a landmark in the history of the excise administration of India. The outstill system prevailing in that province had proved unsatisfactory. Though, unlike the central distillery system which it displaced in 1871, it was not open to the objection of forcing the people to illicit practices, it was open to that of insufficiently discouraging drink, as, in some cases, it admitted of liquor being sold at very low rates. This consideration led to the appointment of the Bengal Excise Commission to examine the whole subject. The Commission found that up to the year 1884 there undoubtedly had been an increase in the consumption of intoxicating liquor and that the primary cause of this increase might be assigned "to the effect of social, moral and religious changes in relaxing the restrictions which at a former period had kept large classes from indulging in spirituous liquors, and in preparing those classes to take advantage of all opportunities for increased drinking afforded to them either by their own improved circumstances or by changes in the Excise system." Mr. Romesh Chander Dutt, in his evidence before the Committee, stated:—"I wish to make a few general remarks about drinking among respectable and educated men. It is a mistake to say, as is often said, that English education has introduced drink in India. Drink was well known in ancient India, and we know enough of the facts of the last century to be able to assert that drinking was a fashionable vice among the courtiers and retainers of princely Zamindars. Devout Shakta worshippers have also been partial to drink for many centuries in Bengal, and semi-aboriginal castes have always been addicted to drink. There can be no doubt, however, that with the introduction of English education in Bengal in the early part of this century a sort of impetus was given to drinking among the higher classes. Educated men who broke through the prejudices against forbidden food disregarded at the same time the salutary restraint against drink. Drinking was regarded as a sort of index to liberal ideas and reformed ways, as a commendable accomplishment in an educated gentleman. When there is a reaction

against ancient prejudices and senseless social restraints it is difficult to confine it within exact and proper bounds, and the first distinguished men from the Hindu College, who took part in all the commendable political and educational reforms a generation or two ago, were generally men who were not admired for their sober habits in private life. The example of these distinguished men was of course followed by a large circle of educated men in Calcutta." Mr. Dutt noticed, however, that a reaction had already set in, that the higher and better educated classes were improving. Among the higher class following the Tantric mode of worship a man here and there used to drink on certain days of the moon and in the midst of *Chakras*. Drinking spread rapidly among this class generally working in Government and European mercantile offices. The other causes assigned by various witnesses were the opening out of rails, extension of trade, contact with foreigners, growing prosperity, increase in wages, cheapening of liquor and facility of obtaining it. One witness observed: "Last, but not the least, comes our excise system. The object of our excise administration is to raise a revenue for Government by taxing the sale of spirituous liquors and drugs in order to discourage intemperance. This is the excellent principle of administration, officially laid down. But whatever the intention of the superior authority, the actual practice of subordinate officers through whom the Department has to be administered is directly the reverse. The actual discouragement of intemperance, brought about by a local officer's administration of excise in his charge, is not a matter which can be deduced from the figured statements on which his work has to be judged. The other factor in the result—the increase of revenue—is the one thing which those statements serve clearly to show. The recognition of his services, therefore depends upon the increased revenue which he succeeds in bringing about. He devotes himself heart and soul to achieve this result. Now increase of revenue can be achieved only in one or two ways:—(1) by the suppression of smuggling and (2) by increasing consumption. The former is always difficult, and impossible where there is no smuggling, or where its existence is not believed in. The subordinate excise officer adopts the only other alternative left, he does his best to increase the consumption. This is done by multiplying shops where possible, and by a judicious selection of sites in other cases, and by other similar expedients. The actual result achieved is, therefore, often the very reverse of that intended by the excise system, the encouragement of intemperance, not its discouragement."

The Commission recommended the re-introduction of the central distillery system into several large towns, the regulation more effectually of the working of the outstill system and the restriction of the capacities of stills and fermenting vats to sizes sufficient to meet the local demand. At the same time they proposed to raise the price of liquor by raising the usual prices of the shops at auction, and fixing a minimum price of liquor in each district below which it might not be sold. The Commission found that at the best every system of excise that had been devised had evils inherent in it and dangers which had to be constantly guarded against. There was no system either unobjectionable in theory or faultless in practice and all that could be done was to adopt for each place the form of taxation and manner of working which might seem best suited to it and most likely to check avowed consumption without giving an irresistible impetus to unlawful practices.

36. *The Madras Abkari Committee*.—About the same time the Madras Government appointed a committee to enquire into the question. The object of the enquiry was to raise the taxation on country spirit, which was then considerably below the import rate, up to that level; the extent to which this was possible varied in different parts of the country, with the habits of the people, the price which they could pay, and the facility with which illicit distilled liquor could be made or sold with impunity. In some places, chiefly towns, it was possible without inducing illicit manufacture to obtain prices which admitted of the import rate of duty being paid; and until that level was attained everywhere, there must be varying rates of price and of taxation. The problem was to devise a system which should allow of a sufficient range of rates, while affording reasonable security that the highest possible rates should be reached in each locality. In discussing the policy of Government in the matter the Committee observed:—

"The sale of intoxicating liquors is just as much a trade as that of any other kind of commodity, such, for instance, as bread, but there is this great difference between them, that while the sale of a necessary of life like bread need not be interfered with or regulated in any way, the sale of intoxicating liquors, if left to the unfettered operations of free trade, involves an enormous amount of drunkenness and crime, and therefore imperatively calls for regulation at the hands of any Government with any pretence to civilization. The policy that the Government have already announced of endeavouring to realize a 'maximum revenue from a minimum consumption,' though perhaps involving in its strict interpretation a verbal contradiction in terms, yet expresses with sufficient force and clearness what we consider the right course to pursue. It is, however, to be observed that while all taxation becomes revenue so soon as it reaches the public exchequer, yet it should be always borne in mind in connection with the taxation derived from the sale of intoxicating liquors that it is imposed primarily in order to restrain the consumption of such liquors and not for the purpose of making money out of their sale and that the fact of the revenue so derived being large is merely an incident resulting from two causes—first, the determination of the Government to do all that

lies in its power to repress a baneful trade in what is not a necessary of life; and second the general prosperity of the people which enables them to spend on the indulgence of a vicious propensity money which might be better expended or invested. It follows, therefore, that every right-feeling Government will do all that it can to increase the taxation on intoxicating liquors up to that point (which may be called the limit of taxation) when the people, rather than pay for the high price of liquor which alone can be had in licensed shops, will take to illicit distillation and smuggling in each locality."

37. *The Policy followed in Burma.*—On the annexation of Upper Burma, 1886, the strong temperance principles of the people were recognised by the Government of India, for in a despatch to the Secretary of State of October 1886 referring to instructions to civil officers, it is stated :—

"Burmese of all classes, monks and laity, very strongly wish that drinking shops and habit of drinking should be discouraged in Upper Burma. In the time of the late King, traffic in liquor was altogether forbidden. No doubt there is some making and drinking of toddy, of rice beer, and even of spirits in Burman villages. But the sense of the better classes is against the practice. No revenue was ever raised by the late King from liquor, lest he should seem to be encouraging the evil. And under the circumstances, it seems expedient to meet the wishes of the people by declining for the present to license drinking shops."

Unfortunately, the wishes of the "Burmese of all classes, monks and laity," were not long respected, and it was decided to license shops for the sale of fermented liquors and spirits "to Europeans, Indians and Chinese." The Burmese were prohibited from purchasing liquor and it was made a punishable offence for the holder of a license to sell liquors to Burmese. Although this is the law to-day, in a very short time from the opening of the liquor shops, the Burmese who required the liquor could get whatever quantity they wanted. A Government report issued in 1893 showed the futility of attempting to shield the people from the temptation to drink when once they had established the liquor shops in their midst. This report stated :—

"The licenses for the sale of liquor are intended for the convenience of the non-Burman population of Upper Burma and the sale of either liquor (except tari) or opium to Burmese is prohibited by law. But there can be no doubt that the prohibition is in practice inoperative."

In reply to a question put by Mr. Bryce in the House of Commons in 1887 the Under Secretary of State for India stated that under the native kings of Independent Burma the sale and use of intoxicating liquors and of opium were strictly prohibited to natives and that the Government of India had made enquiries as to the propriety of licensing the sale of these articles. The officers consulted had deprecated a general licensing system but it was possible that it might become expedient to grant licenses in the chief towns. In reply to a subsequent question from the same member the Under Secretary of State observed that under the Regulation of 19th March 1886 the Government of India was about to be asked to take the strongest precautions to prevent the sale of opium and spirits to Burmans and the issue of licenses in places where the population was purely Burman. In discussing the excise policy in Burma the Government of India in their Despatch No. 159, dated the 16th June 1888, remarked that the law of absolute prohibition could not be enforced in that country. On receipt of this Despatch the Secretary of State wrote :—

"I observe that the Chief Commissioner was averse to maintaining the prohibition against the sale of liquor to Burmans, on the ground that such a prohibition cannot be effectually enforced. It is probable that, under any circumstances, a certain number of Burmans will get opium and liquor illicitly in the future, as they have done in the past. But it seems that respectable Burmans of nearly all districts desire that the prohibition should be maintained; they believe that such prohibition will make drinking more difficult for Burmans and will operate to prevent the spread of intemperance among people of Burman race. Apparently Chinese licensed vendors of liquor consider that the prohibition will have much effect, for in one district the licensed vendor, who had given Rs. 8, 600 for his license when the prohibition was withdrawn, reduced his offer to Rs. 2, 000 as soon as the prohibition was re-imposed."

38. *The Memorial of the British and Colonial Temperance Congress, London.*—In the year 1886 the British and Colonial Temperance Congress, London, submitted memorials to the Secretary of State for India and to the Government of India to the effect that habits of intemperance fostered by the fiscal system adopted by Government were greatly on the increase in India, that this was due to the extension of the spirit licenses granted for the purpose of excise revenue, which on spirit had more than doubled in the last ten years. Allegations were at the same time made by one, the Revd. Thomas Evans, that the Board of Revenue had found out that one way to get money was to encourage the drink trade and to put facilities before the people generally to take to the habit of drinking in order to push on the trade and to get a larger income and revenue. The Government of India admitted that there was an increase in revenue but pointed out that that was in great measure due to the prevention of smuggling by

better administration and to increase of population ; improved means of communication and extraordinary agricultural prosperity ; the increase represented a much smaller consumption of liquor and an infinitely better regulated consumption than the smaller revenue of former years. The policy pursued was that liquor should be taxed and consumption restricted as far as it was possible to do so without imposing positive hardships upon the people and driving them to illicit manufacture. There was a point at which restrictions on consumption are inevitably followed by illicit distillation—a point which varied in every region, according to the habits of the people, sparseness of population and the nature of the country and its productions. The Government of India remarked that judged by a European standard, the people of India were a remarkably abstemious people. Writers whose comparisons were based on Oriental experience described as drunkenness and as spread of misery and ruin, a condition of things, which, if it existed in England, would be regarded almost as a millenium of temperance. The average consumption in India was only a bottle or a bottle and a half of spirits a year for every adult male, and in some provinces was even less than that. The Government of India conceded that, however small the rate of consumption, any increase of it was equally to be deprecated ; but at the same time they pointed out that such terms as “drunkenness”, “drinking classes”, and “spread of drinking,” when used by natives of India or in connection with Indian administration, bore a meaning wholly different from that which they conveyed to a mind familiar only with the English aspects of the temperance question.

39. *Action of the Temperance Party in England.*—About this time the temperance reformers in England began to take an active interest in the excise policy of the Government in India. It was not denied that intoxicating liquor was in use before the British took possession of the country ; still it was asserted that it was confined to the lower classes and that Europeans introduced it in many districts where till then it was unknown and that there was an undoubted increase in drinking for which they were responsible. A nation of abstainers was gradually becoming a nation of drinkers. Mr. Samuel Smith, M.P., was conspicuous in his efforts to bring the evil to the notice of the people of England both inside and outside the House of Commons. His paper on the subject in the “Contemporary Review” for July 1886 was an indictment of the excise administration of the Government of India. He observed that had India management of her concerns in her own hands an end would soon be put to the iniquity. The Anglo-Indian Temperance Association with Mr. Smith as President was founded by Mr. W. S. Caine in London in 1888, as a result of his tour in India in 1887-1888. Statistics given by Mr. Caine in the House of Commons in 1888 show that within eight years after the passing of the Abkari Act the increase in the quantity of liquor used was 135 per cent. in Bengal ; in the Central Provinces it was 100 per cent. in ten years. In Ceylon the revenue from drink was almost 14 per cent. of the total revenue.

“The Government is driving this liquor trade as hard as it can,” said Mr. Caine. “Collectors find it the easiest way to increase their consumption of liquor to the utmost. If the Government continues its present policy of doubling the revenue every ten years, in thirty years India will be one of the most drunken and degraded countries on the face of the earth.

“In the vicinity of Bombay, a movement was started among the country people against the use and sale of liquor, whereupon the Magistrate had eight of the leaders imprisoned. In reporting this tyrannical act to the Secretary of State in London, the Government of Bombay said :—

‘The question for decision is, shall we sit quiet and allow the temperance movement in the Kolaba District to continue to spread and thereby forfeit a large amount of revenue, or are measures to be adopted which will bring the people to their senses’ ?”

In his despatch to the Government of India No. 23, dated the 19th April 1888, the Secretary of State observed that he was satisfied that, in controlling and directing the Indian Excise administration, the Supreme and local Governments were following and had followed the principle that as high a tax as is possible should be placed on spirits without giving rise to illicit distillation. In the interest of the Indian people, as well as in the interest of the Indian Treasury, the excise systems of India must always be based upon the considerations :—

- (1) that an extension of the habit of drinking among Indian populations is to be discouraged ;
- (2) that the tax on spirits and liquors should be as high as may be possible without giving rise to illicit methods of making and selling liquor.

Subject to these considerations, as large a revenue as possible should be raised from a small consumption of intoxicating liquors. On April 30th, 1889, Mr. Smith moved the following resolution in the House of Commons :—

“That, in the opinion of this House, the fiscal system of the Government of India tends to the establishment of spirit distilleries and liquor and opium shops, in large numbers of places, where till recently they never existed, in defiance of native opinion and the protests of the inhabitants, and that such increased facilities for drinking produce a steadily increasing consumption and spread misery and ruin among the industrial classes of India, calling for immediate action on the part of the Government of India with a view to their abatement.”

Mr. Caine seconded the resolution, and, in doing so, gave the following description of the excise system which then prevailed over a greater part of India :—

“The abkari or excise administration differs considerably in its methods in the various provinces of India, but it is based everywhere on what is known as the ‘farming system’. Licenses for working distilleries of ardent spirits and opening liquor shops for their sale are granted for certain defined areas to the highest bidder. In some provinces the spirits are manufactured by the Government and the right to retail only is let to the farmers. The Government of India contends that this system is calculated to produce the maximum of revenue with a minimum of drunkenness; that the principle on which it has been based, and which have been accepted by all the authorities concerned, have been these, *namely*, that liquor should be taxed, and consumption restricted as far as it is possible to do so without imposing positive hardships upon the people and driving them to illicit manufacture. They contend that in this policy the local Governments in their Abkari administration have been completely successful and that the great increase of excise revenue in recent years, taken as evidence of drinking habits by those who only look upon the surface, really represents a much smaller consumption than prevailed in former years. I found this opinion maintained, with exceptions, by the English official class of India; but in my intercourse with educated natives I found a strongly contrary opinion universal, and this was also held by every missionary with whom I came in contact. Native opinion maintains with great pertinacity that the increase of excise revenue represents a proportionate increase of intemperance throughout India, an increase in exact proportion to the zeal and energy with which the excise revenue has been stimulated in various collectorates; that the Government, under the thin pretence of suppressing illicit manufacture, are stimulating to the utmost the extension of spirit licenses for revenue purposes; that the Government are leaning more and more on the liquor revenue as a means of meeting the interest on their costly frontier expenditure; that they are in consequence establishing out-stalls and spirit shops in large number of places where till recently such things were unknown, in defiance of native opinion, to the misery and ruin of the population.”

Mr. Caine concluded his speech with the following :—

- “ (1) that the consumption of intoxicating liquors is enormously on the increase all over India, and in Burma no less than India;
- (2) that the increased consumption is accompanied by increased drunkenness, with lamentable results in the demoralization of districts hitherto absolutely free from this evil;
- (3) that this consumption is steadily on the increase, and shows no sign whatever of abatement;
- (4) that the authorities are unknowingly encouraging and stimulating the consumption for the sake of the revenue it produces;
- (5) that the Government of India has deliberately issued a defence of their liquor policy which appears to be intentionally misleading, which is disproved by honest statistics, and which is emphatically repudiated by every influential and educated native of India and every Christian missionary.”

A long and interesting debate followed. The Government through Sir John Gorst, then Under Secretary to Government, met the resolution by a direct negative. The motion was also opposed by Sir Richard Temple, *ex-Governor* of Bombay, and Sir James Fergusson, Under Secretary for Foreign Affairs, who described the resolution as “a very severe vote of censure on the Government of India.” But in spite of this strong official opposition, and notwithstanding the fact that the Government had a large majority in the House, the resolution was carried by a majority of 13—113 voting for and 100 against. The Secretary of State for India sent a despatch to the Government of India, embodying the resolution of the House of Commons. The Government of India took the matter up seriously. A thorough investigation into the administration of the excise departments of all the various districts of India was instituted and the defence of the Government of India was, after 8 months, published in a volume of 400 pages. The Government of Burma then observed, “It is certain that Burmans as a rule would be the better were it possible to induce them to abstain from intoxicating liquors because few Burmans can use intoxicants in moderation, and the Government should and does do all in its power to check the consumption of intoxicating liquors in Burma, but it is beyond the power of the Government to enforce *total abstinence*; and measures of repression, when they are too harsh, lead to smuggling and illicit distillation and sale.” The policy followed in the Central Provinces was thus stated by the Chief Commissioner: “In these Provinces there is a considerable amount of evidence to prove that the effect of unduly limiting the supply of mhowra spirit always tends to drive the people to drugs—which are cheaper, more portable, more fascinating, and far more deleterious in their effects. The true policy of Government should be to discourage the consumption of drugs by making them dear and difficult to procure; to secure to the people an adequate supply of wholesome country spirit at a fair, but not prohibitive, price; and to limit the number of shops to the real wants of each locality, avoiding thereby the stimulation of drinking which is likely to ensue if an unwholesome competition urges dealers to attract

custom artificially." The Chief Commissioner, Ajmere, expressed his view that "ordinarily the real remedy for an increase of intemperance among the people would be the total prohibition of the manufacture of strong country liquors," but that in his districts surrounded as they were by Indian States where strong liquor was freely brewed, such a measure would in any case be of doubtful efficacy. The following paragraphs may be quoted from the despatch of the Government of India No. 29, dated the 11th February 1890, as indicating the policy followed then by that Government as a whole :—

"It will be admitted that among the legitimate objects of a system of excise are included the raising of revenue and the regulation of the trade in liquor for police purposes. These are the undoubted and, from an historical point of view, probably the primary objects of such a system. It was at a later stage that it was recognised that the regulation of the trade in liquor for the purposes of revenue and police might with advantage be so conducted as to discourage any tendency to drink to excess, and to lead to the substitution of wholesome or comparatively harmless liquor for that which was positively noxious. Up to the present time, however, there is not general agreement of opinion regarding the measures which may properly be taken by a Government for these purposes.

"In India no special difficulty is experienced in regulating the excise system for purposes of police, and such minor difficulties as arise in this connection are due rather to the want of an efficient agency to ensure that prescribed rules are duly observed than to any difference of opinion as to what these rules should be.

"In respect of the realisation of revenue, the principle to which we have given our adherence and which has been generally adopted is to impose as high a tax as may be possible without giving rise to illicit practices; this principle is, of course, subject to such limitations in practice as special circumstances may justify.

"So long as we confine ourselves to police and fiscal considerations we deal with questions regarding which the functions of Government are defined with sufficient clearness and unanimity; on the other hand, when we endeavour to introduce an excise system with the object of modifying the habits of the people in regard to drinking, we are confronted with complicated moral and social problems, any solution of which is impeded by obstacles both of a theoretical and of a practical nature. It is owing to an alleged failure to discourage drinking that the Indian system of excise has been attacked, for, though it has been asserted that we especially encourage drinking for the sake of revenue, we understand this to be merely a mode of expression used for rhetorical purposes with the object of putting in a striking form the charge that owing to our wish to increase the revenue, we do not go so far in discouraging drinking as we ought, or as those who make the accusation think we ought. Every excise system in force in British India does, at any rate in some degree, check drinking, inasmuch as it limits the number of places at which liquor may be purchased, restricts sale within certain hours, and raises the cost of liquor by imposing a duty on it.

"It will be obvious that when we are charged with not sufficiently discouraging drinking a wide door is opened for difference of opinion and profitless discussion so long as there is no general agreement as to the extent to which it is possible and expedient to go in this direction. The entire prohibition of the use of stimulants and narcotics (if it could be carried out) would be the most effectual means of preventing the evils which undoubtedly result from their excessive use. And there are some who advocate this extreme measure. But we are of opinion that the evil to be prevented is not of sufficient magnitude to call for, or justify, any such interference on the part of Government and that the remedy might be attended with evils even greater than those which it was intended to prevent. It may, not unreasonably, be argued that, as a rule, people are able to decide for themselves what habits are beneficial or the reverse, and absolute prohibition would by many be regarded as an intolerable interference with the liberty of the subject.

"If, in disregard of the considerations just stated, it were decided that it was expedient to attempt entire prohibition, the question would arise whether it would be possible to enforce it. Whatever might be the answer to this question in regard to such a country as England, we have no hesitation in saying that for India the answer must be in the negative. The facilities for manufacturing and obtaining spirits are so great and the desire of many classes for stimulants so strong, as to forbid any hope that universal prohibition could be enforced. A law so much at variance with the stronger laws of habit and desire would in some cases merely create a contempt for law and a spirit of lawlessness in large classes of the population. We are not prepared to say that the use of stimulants in moderation is harmful, and total abstinence, due simply to the impossibility of obtaining liquor, and lasting only so long as that impossibility could be maintained, would, in our opinion, be far less satisfactory from every point of view than moderation in the use of stimulants due to conviction and enforced by public opinion.

"It has been alleged that no native of India uses stimulants in moderation, that he either abstains altogether or drinks to excess and for the purpose of producing intoxication. This assertion, though not without foundation in reference to certain classes, is of far too sweeping

a character when applied to the whole population of India. On this subject the Government of Bengal uses the following language :—

‘The Lieutenant-Governor considers that he should not in this report pass over without remark the observation in Mr. Smith’s speech that among the native population “there is no such thing as a class of moderate drinkers though there may be a few educated natives who have adopted English habits. A native, if he drinks at all, drinks to get drunk and he drives hard bargains with the publicans for the purpose.” Sir Steuart Bayley’s experience of Bengal, and especially of Behar, where the drinking population is the largest, enables him to assert confidently that Mr. Smith has been misinformed on this point. It is not the case with the great bulk of the lower classes, who habitually use stimulants, that they drink only for the purpose of intoxicating themselves.’

* * * * *

“Looking to all the conditions of the very difficult problem with which we have to deal, we have, after careful consideration, arrived at the conclusion that the only general principles which it is expedient or even safe to adopt are the following :—

- (1) that the taxation of the spirituous and intoxicating liquors and drugs should be high, and in some cases as high as it is possible to enforce ;
- (2) that the traffic in liquor and drugs should be conducted under suitable regulations for police purposes ;
- (3) that the number of places at which liquor or drugs can be purchased should be strictly limited with regard to the circumstances of each locality ; and
- (4) that efforts should be made to ascertain the existence of local public sentiment, and that a reasonable amount of deference should be paid to such opinion when ascertained.

“These are the principles which have been laid down for the guidance of local authorities by the Government of India in the past, with the single exception that the arrangements for ascertaining public sentiment were imperfect and not authoritatively imposed.

* * * * *

“The practical measures which we propose to adopt in future in furtherance of our declared policy comprise (1) the abolition of the farming or outstill system in places where it is found practicable to do so, (2) the gradual introduction of the central distillery system in its least complex form, (3) the imposition of as high a rate of duty on country liquor as it will bear, subject to the limitation that such duty shall not exceed the tax levied on imported liquor, and (4) the restriction of the number of shops. Where the outstill system is retained we shall, as far as possible, enforce the limitation of the capacity of the still, and in some instances a minimum selling price.

“We do not anticipate that the carrying out of this policy in a rational manner and with reasonable regard to the circumstances of the country will lead to any loss of revenue. On the contrary, we believe it will be as successful from the financial as from every other point of view.”

40. *Mr. Gokhale’s Views.*—A few years after the policy laid down by the Government of India in 1890, Mr. Gokhale speaking at a temperance meeting in England said :—“I am very glad to have this opportunity of taking part in these proceedings, because the question of temperance is one of those subjects, which intimately concern the future of India, and all who have the moral and material interests of the country at heart take a deep and most vigilant interest in its progress. I will state frankly at the outset that personally I am a prohibitionist, and I believe that total prohibition is really in keeping with the sentiment of the Indian people. Meanwhile, the well-wishers of India are prepared to join in every endeavour to check the growth and, if possible, to reduce the extent of the evil which I venture to think is inseparable from the present system of excise administration in India. Anyone who has studied this question will have been struck by three outstanding features of the situation.

“The first is that the consumption of liquor, moderate or immoderate, is contrary to the sentiment of the great majority of the people of India, and in many classes of the Indian society it has never been practised. The second fact is that in pre-British times the state did not regulate the drink traffic and did not have this extremely large revenue from drink, and this fact in a way disqualifies the British Government from being an impartial judge in the matter. Thirdly, and lastly, there is no doubt that the consumption of liquor is on the increase. There is a universal consensus of opinion in India on the subject among non-officials—missionaries included—and I think that even officials admit it to a certain extent.

“There is no doubt that the Government has no wish to spread the habit of drinking. Everybody recognises that at once. They do not want to spread drinking, but they are interested in the revenue that arises from it, and that constitutes a serious difficulty in dealing with the question. Therefore the revenue authorities should not be the licensing authority. My second point is that the system of putting licenses to auction must be abolished. These are two important steps without which no real improvement in the whole situation can be effected.”

About the same time the Anglo-Indian Temperance Association in their report for 1896-97 noticed :—

“The revenue from intoxicants in India continues to progress steadily in spite of every effort to reduce it. Nothing so completely proves the necessity and justifies the existence of our Association as a comparison of the net income of the excise revenue of the state during the last two decades.

Net Excise Revenue of India.

1874-75.	1884-85.	1894-95.
£2,633,000	£4,012,000	£5,528,000.”

The report proceeds :—“These figures reveal the startling fact that the revenue from intoxicants sold by the Christian Government to people whose religious and social habits oppose the use of liquor altogether, has more than doubled itself during the last 20 years. No doubt there is something to be said for the contention maintained by the defenders of the worst licensing system in the world, that some of this increase is due to stricter excise supervision resulting in a decrease of illicit manufacture and sale, and to higher duties. But wherever it has been possible to arrive at the actual consumption in gallons, as well as rupees, it shows that the increase in actual consumption is about 70 per cent. in quantity with every 100 per cent. of money increase. The figures may seem small as compared with the consumption per head in Britain. But it must be borne in mind that the average income per head of the population in India is only one-thirtieth that of the United Kingdom, and that India is practically a nation of total abstainers, the consumption being confined (at present at any rate) to about fifty millions of the population. Unless the consumption is seriously and immediately checked by the institution of more restrictive measures, there is every reason to fear that the next twenty years will show a still greater increase.”

41. *Proposed Legislation for the Treatment of Drunkards.*—In the year 1898 a suggestion was made to the Government of India by the Women's Christian Temperance Union of India to provide by legislation the treatment of the habitual drunkards. The Government of India declared that there was no general need for the provision of such legislation in India and that they were not prepared to entertain proposals which were in advance of the law in Great Britain on the subject.

42. *Auction System.*—In their letter no. 1668-Exc., dated the 24th March 1903, the Government of India, addressing the Punjab Government, explained that the auction system was a good and sound one and that it would be a retrograde step to seek to replace it generally by a system of fixed fees. The leading principle of the auction system is that as large a proportion as possible of the total revenue on country spirits should be derived from the fixed duty, but in addition to the fixed duty a subsidiary and variable revenue is drawn from the fees for license for retail vend, which are sold by auction. The disposal of vend licenses by auction serves as a simple but sure guide to the local demand and indicates whether the still-head duty is adequate or otherwise. In the opinion of the Government of India it was inadvisable to obtain more than a subsidiary amount of revenue from this source; and disproportionately large receipts from vend rents would indicate that the still-head duty was too small and might be raised and not that the system should be changed. The objection to fixed vend fees is that experience has shown that it is practically impossible to fix such fees with due regard to the interests of the revenue, and that they generally tend to a level at which they yield profits to the licensees, with the result that there are several applications for a single shop, constant and troublesome appeals from disappointed candidates and the risk of collusion with the office establishment. With a system of competition fees which would, as already stated, be a mere subsidiary receipt as compared with still-head duty, these difficulties are avoided, though for the successful working of such a system it is necessary that the preventive arrangements should be such as to debar shopkeepers from making a profit by the use of illicit liquor.

43. *Sir Frederick Lely's Memorandum.*—In 1904 the Honourable Mr. (afterwards Sir) Frederick Lely, an additional member of the Governor-General's Council, wrote a memorandum on the excise policy of the Government of India which is printed in Appendix A to this Report. Mr. Lely suggested that the ultimate aim of excise administration should be to put down drinking altogether, that, in the meantime, Government should pay close attention to the locality of existing shops, that, except in special cases, the grant of licenses to open temporary shops at fairs or religious gatherings should be forbidden, that provision in liquor shops of accommodation for private drinking should be forbidden and that the practice of opening Europe liquor shops too frequently should be stopped. The Government of India issued orders on the various points dealt with in the memorandum in their letter No. 2455-S. R., dated the 21st April 1904, which is also reproduced in Appendix A. They reiterated the opinion expressed by them in 1890 and endorsed by the Secretary of State that a total prohibition of the consumption of stimulants was impracticable in India, even if desirable, but impressed upon their officers that the growth of excise revenue was to be

regarded as satisfactory only when it resulted from the substitution of licit for illicit manufacture and sale, and not from a general increase of consumption. They agreed with Mr. Lely that close attention should be paid to the locality of existing shops.

44. *The Indian Excise Committee.*—Sir Frederick Lely's Memorandum led to the appointment by the Government of India of the Indian Excise Committee under orders issued by that Government in their Resolution No. 5001-Exc., dated the 7th September 1905. The general policy therein laid down and still followed by Government was :—“The general principles upon which the action of the Government in respect to the consumption of liquor should be based have already been laid down in the Government of India's Excise Despatch of the 4th February 1890, No. 29, and more recently in the Finance Department's circular letter to local Governments and Administrations, of the 21st April 1904, No. 2455-S.R. The general lines of policy there laid down may be summarised as follows :—

The Government of India have no desire to interfere with the habits of those who use alcohol in moderation ; this is regarded by them as outside the duty of Government, and it is necessary, in their opinion, to make due provision for the needs of such persons. Their settled policy, however, is to minimize temptation to those who do not drink and to discourage excess among those who do ; and to the furtherance of this policy all considerations of revenue must be absolutely subordinated. The most effective method of furthering this policy is to make the tax upon liquor as high as it is possible to raise it without stimulating illicit production to a degree which would increase instead of diminishing the total consumption, and without driving people to substitute deleterious drugs for alcohol or a more or less harmful form of liquor. Subject to the same considerations, the number of liquor shops should be restricted as far as possible and their location should be periodically subject to strict examination with a view to minimise the temptation to drink, and to conform as far as is reasonable to public opinion. It is also important to secure that the liquor which is offered for sale is of good quality and not necessarily injurious to health.

There is no intention to modify the general lines of policy thus enunciated, and that their practical application has already been attended with a very considerable degree of success is shown by the facts and figures in connection with country spirit quoted by the Honourable Financial Member in his speech in the Budget Debate of March 1905. It is also recognised that the detailed application of this policy in the various provinces depends so much not merely upon local administrative conditions, but upon the character and habits of the people concerned that any approach to general uniformity is neither attainable nor desirable.

The Government of India considered that the diversity of the system then prevailing was greater than could be justified under local circumstances and that the experience of one province might with advantage be utilized elsewhere to a greater extent than had been the case. The Committee was asked to examine these points and to consider how far it was calculated to give the fullest practical effect to the general policy laid down. The Resolution of 7th September 1905 further stated :—

“The Committee should also consider the possibility of enhancing the present taxation on country liquor produced in distilleries. The average provincial rate of taxation is considerably below the general average for India in Bombay and in the United Provinces, the two provinces in which the consumption is largest. It is also low in the Central Provinces ; but here the measures of reform devised by a local excise committee and approved by the Government of India will eventually give an increase. In the other provinces the incidence of taxation of distillery liquor is relatively high, and in some localities already exceeds that on imported spirits. It should be borne in mind that the primary justification for increase of taxation is that, as observed above, this is the most efficient method of discouraging consumption.

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* The Committee should likewise consider (a) whether drunkenness might not be discouraged by forbidding the sale of country liquor above a fixed low strength, and whether such a general prohibition would be open to objection and (b) what measures can be adopted to discourage the clandestine purchase of liquor by members of classes whose religion or caste forbids the use of alcohol.

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“The Committee should also enquire into the general matters :—

(a) Whether the instructions conveyed in paragraph 4 of the circular letter from this Department No. 2455-S.R., dated the 21st April 1904, that the growth of the excise revenue is to be regarded as satisfactory only when it results from the substitution of licit for illicit manufacture and sale, or (it may be added) from higher taxation of licit consumption, and not from a general increase of consumption, are duly observed in all provinces. In this connection the Committee should bring to notice any regulations of the local

excise system which may tend to encourage the consumption of intoxicating liquors, such, for example, as the imposition of a minimum guarantee on shopkeepers and the fixation of a maximum selling price. They should also direct their attention to any case in which there may seem to be a tendency to press increase of excise revenue for its own sake, and not merely as a means of reducing consumption.

- (b) Whether the instructions conveyed in the above circular, with a view to ensure that the number of places at which intoxicating liquors can be purchased should be strictly limited with regard to the circumstances of each locality, are adequate and whether they are being properly carried out.
- (c) Whether there is any co-ordination and co-operation between the various provinces in the matters of excise work and, if not, in what direction any improvement in this respect can be made.
- (d) Whether special measures are required to cope with the smuggling of liquor from native states."

45. *The Committee's Report.*—The Committee reported that the causes affecting the consumption of spirits in different parts of India were many and various. Taking the influence of climate in the first place and treating India as a whole, they observed that a large consumption of fermented and weak distilled liquors generally prevailed in areas of heavy rainfall and that these liquors were commonly declared, sometimes by persons in authority, to be a necessary of life to dwellers in malarious tracts. In the drier climates, where greater extremes of heat and cold prevail, strong spirits or drugs were more commonly in use. The Committee noticed that the question of race was a very important factor. Quoting the majority conclusion of the Research Committee appointed by the Society for the study of Inebriety they pointed out that races that have long been exposed to the action of alcohol have grown more and more temperate. For example, Greeks, Italians, South Frenchmen, Germans, Spaniards, Portuguese and Jews, who have been most exposed to the action of alcohol, are very temperate. The nations of Northern Europe, on the other hand, who have been less exposed to the action of alcohol, for example, the British, Scandinavian and Russian, are more drunken; whereas, most savages, Esquimaux, Red Indians, Pacific Islanders, Tierra Del Fuegians, Australians, and others who have had little or no racial experience of alcohol are excessively drunken. West Africans are exception to the drunkenness of savages; they are comparatively temperate, but they have been long weeded out by alcohol in the shape of abundant supplies of palm wine. Whether the Research Committee's induction was correct or not, the Indian Excise Committee stated that the fact was certainly patent to every one acquainted with Indian conditions, that drinking and drunkenness are much more prevalent among the aboriginal races, when they have the opportunity, than among those that are more civilised. Religion and caste rules have their particular influences. Liquor is prohibited to Mussalmans and among Hindus to Jains and Vaishnavites; and while the prohibition is strictly observed by the two last-named, drinking is uncommon except in moderation and in imitation of European customs among Mussalmans and most of the higher castes of Hindus. In the Tantric sect of Shaktas, on the other hand, drinking is not only considered permissible, but is even enjoined both for personal use and for worship. Similar practices prevail among many of the more backward classes or castes, notably on the West Coast of Madras, and in the block of jungle country between Chota Nagpur and the Godavari. Evidence was given before the Committee of a custom which obtains among *dhobis* of the Punjab of requiring an offender as a caste punishment to provide drink for the *panchayat* of the caste. This is a custom which extends to other castes also. Causes which influence consumption even more than those connected with caste or religion are referable to occupation. A departure from the pursuit of agriculture has commonly the effect of weakening traditional restrictions on indulgence, an effect which is enhanced by the impossibility of maintaining the old customs under the complexities of town life. The conditions of employment in Indian manufactories make operatives feel the need of a stimulant, which high cash wages enable them to gratify. The case of the mill-hands in Calcutta and Bombay is particularly in point. These causes, according to the Committee's views, mainly account for the facts that ten or dozen large cities consume a quarter of all the spirit recorded as drunk in India and that the *per capita* consumption of the Provinces varies to a great extent directly with their percentage of urban to total population. The Committee observed that the servant classes drink heavily as in the hill stations of Dehra Dun and Mussoorie.

In the course of the period from 1884-1885 to 1904-1905 132,000 square miles of territory had been transferred from the outstill to the distillery system, the number of shops in proportion to the population had been diminished by 30 per cent. and the recorded consumption in the distillery areas had been reduced from 4.95 to 4.06 proof gallons per 100 of the population, while the taxation had been raised from Rs. 2-10-7 to Rs. 4-7-8 per proof gallon, or by no means less than 68 per cent. But this general decrease was not common to the whole country. It was largely due to the bringing of new areas under the distillery system. While this undoubtedly decreased drunkenness since that is usually common in the small outstill areas, it brought a larger proportion of the rural, which is the soberer, population within the purview of the statistics, and so tended to show a lower general consumption per head. On the other hand the improvements in administration

by bringing illicit consumption under control, raised the recorded average and an examination of the statistics for the period in question of individual areas which had been under a distillery system throughout the period showed in some instances a distinct increase. An increase in consumption in any area might be due to more liquor being taken by former consumers, or to the drinking habit having extended to previous non-consumers, or to both these causes, and it was impossible to say whether the statistics of consumption of themselves indicated an increase in drinking to intoxication. Concerning drunkenness among the better classes, the Committee recorded a variety of opinions. The more accurate observers were of opinion that there had been a decided reaction against the practice of drinking and that in some Provinces the spread of the drinking habit had been checked by the growth of a more healthy public opinion. On the general question of the administration of excise in backward areas and among aboriginal tribes the Committee were of opinion that, although undoubtedly there was in the absence of a settled excise system a considerable amount of drunkenness in such areas and among such people, it was nevertheless contrary to good policy to introduce prematurely the shops and establishments which were necessary under other conditions. While therefore advocating continual watchfulness with a view to the reduction of the areas of concession and the gradual introduction of a control that would tend to the diminution of intemperance, the Committee deprecated any attempt to introduce a system of excise which the Government concerned had not the means of fully controlling through trustworthy agents. As regards the tendency of officers to press increase of revenue for its own sake the Committee remarked that the ideal set before the Excise Department was the securing of a maximum of revenue at a minimum of consumption and that the consumption was affected by a variety of causes of which one of the most important was the adjustment of systems and taxes. In this the subordinate officer had no voice and it was therefore hardly to be wondered at if he was apt to regard the revenue as the measure of success in his work. As regards the location of a liquor shop the Committee suggested that its position should be so far public that persons entering it should not escape observation, and that supervision should be rendered easy, but it should not be so prominent as to compel attention, it should not be a nuisance to the neighbours and as far as possible it should be at a distance from a bazaar, a place of public resort, school, hospital, temple, factory or a place of water supply. A general prohibition of the sale of liquor to persons under 14 was recommended. As regards sale to drunken persons the Committee thought that the country was not ripe, if only for the reason that there was no general law under which a man can be convicted for mere drunkenness. Among the special measures which were suggested for the reduction of drunkenness the Committee pointed out an order issued in four districts of the Punjab in which illicit distillation was very rife, prohibiting from the 1st April 1906 the consumption of country spirit either in the sale premises or in a public place within a hundred yards thereof. A register of purchasers was also required to be kept. Precedent for such action was to be found in Russia and South Carolina, but the Committee were disposed to doubt its efficacy. Given a class in which in the absence of an effective public opinion a substitute for it may be found in the sentiment of a man's own household, prohibition of consumption on the premises, they thought, might lead to a reduction of the habit. The suggestion made that every man who desires to consume liquor should be required to take a license for a quantity to be fixed with reference to his capacity and strength of mind and that a register of consumers should be maintained at each shop for communication to the vernacular press and the headmen of the castes was characterised by the Committee as absurd. The Committee were not in favour of the auction system as in their opinion it renders fixity of tenure impossible, removes all encouragement to respectable management, and throws the liquor traffic into the hands of a set of shifting licensees who frequently have no other interest in the localities in which they have their shops and are forced to look to the liquor trade as their sole livelihood. The Committee expressed a preference for a fixed fee or a sliding scale system which should secure that the trade is in the hands of respectable and well-to-do men who, as long as they abide by the law and rules and are prepared to pay such reasonable fee as may be demanded of them, are securing the tenure of their privileges during good behaviour.

46. *Major Bedford's Report, 1906.*—In 1904 the Government of India appointed Major Charles H. Bedford, D. Sc., M.D. (Edin.), I.M.S., to report on the general question of prescribing a simple and practical test for the quality of country liquor. This officer reported that country spirit owing to the crudity of the processes and the lack of technical skill in the native distiller; was, due to low alcoholic strength, much more acid and contained more of furfural than liquor either imported into the country or manufactured after European methods, but that there was definite evidence that well-made Indian spirits, even of weak strength, kept well in comparison with European spirits. As regards fusel oil, aldehydes and ethers, country spirits compare quite favourably with the relatively high priced imported spirits obtained from the most dependable sources. If, for instance, Vermouth be compared with most of the Indian spiced liquors, the comparison was in favour of the latter as regards wholesomeness. From enquiries made by him as to prevailing habits Major Bedford found that the average daily consumption of a moderate drinker was between $\frac{1}{4}$ and $\frac{1}{2}$ bottle (say, 6 to 12 ounces) of spirits. Moderate drinking was the general rule and drunkenness was comparatively rare. No connection was observed between the use of any particular liquor and the production of purposeless crimes of violence. Imported spirits

are somewhat frequently stated to have worse effects than country spirits (probably because of their usually somewhat higher alcoholic strength). It is alleged that spirits generally and, particularly imported spirits are believed to be better suited for meat-eaters than for vegetarians and that indulgence in them necessitates a meat diet. This, according to Major Bedford, is true to some extent for, he says, it is a well-recognised fact that vegetarians have much less inclination to alcoholic indulgence as a rule than have meat-eaters. Spirit drinking and meat eating, he thinks, certainly tend to go together to some extent in India as well as in other countries.

Broadly speaking, Major Bedford reports, country liquors are preferred mainly on the score of cost by the poorest class and cheap imported and Indo-European spirits by the classes somewhat more well-to-do, i.e., well enough off to be able to afford to buy them; while the richer classes appear to prefer imported liquors or spiced Indian manufactured liquor.

Increased drinking in general appears to recur during the cold season and to a less extent in the rains and hot weather, during the tiri season, at harvests, on pay days, during epidemics, marriages and festivals. The idea seems very prevalent that alcoholic liquors tend to prevent cholera and plague and, in the Terai, it is also stated, malaria. This is a specially pernicious popular delusion for over-indulgence in alcohol markedly tends to lower the individual's resistance to all these, in common with other acute and specific diseases. As regards the physiological action of alcohol Major Bedford reported:—

“Alcohol aids the digestion of fat by its solvent action. It helps the absorption of certain other substances. The continued action of alcohol in large amounts is well known to give rise to catarrhal conditions of the stomach which render the appetite bad and interfere very seriously with digestion.

“In the system, nearly all the alcohol absorbed appears to be used up contrary to the former belief that large quantities escape in the breath, sweat, etc. The so-called ‘alcoholic’ smell of the breath is now considered to be largely occasioned by the etherial compounds present in the spirit or produced in the system by combinations with the alcohol; and Binz, Strassmann and others have shown that only about 3 to 5 per cent. of the alcohol taken can be recovered from the breath, sweat, etc. Many authorities but not all consider that alcohol acts in some measure as a food (though certainly by no means a necessary one in health) but its use is fraught with so many collateral disadvantages that it can only be in certain selected cases of disease that its action as such should be employed.

“Its, ‘fattening’ action is accompanied by very grave disadvantages such as the replacement by fat of muscular tissue in the heart and of glandular tissue in the liver, kidney, etc., thus leading to fatty degenerations of the heart, kidneys, liver, etc.

“On the nervous system, it first acts on the higher functions and the action is a more or less brief initial stimulation followed by a depressant effect which is in reality a more or less mild condition of temporary paralysis of nervous function.

“It is this ‘sedative’ action of alcohol and the sense of contentment associated with it that forms its chief attraction to the average consumer. It is thus strictly incorrect to describe the action of alcohol as stimulant; at first it certainly is so for a brief period but the bulk of its action is just the opposite to stimulant.

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“The effect of alcohol on the higher nervous centres even in small ‘dietetic’ quantities taken along with meals and usually considered harmless may be gauged by contrasting the rapidity and accuracy with which mental work (e.g., arithmetical calculations) can be carried out after such small doses and during periods of alcoholic abstention.

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“In short, alcohol appears to be a ‘protoplasmic poison’ and one of its most obvious actions as such is its more or less pronounced paralysing action on the functional activity of the brain-cells. This may perhaps be regarded as the central fact of the action of alcohol.”

Major Bedford pointed out that Dr. Archdall Reid in his book “Alcoholism” states:—

“All except fanatical abstainers are agreed that strictly moderate drinking influences the death-rate little, if at all. All men, of course, start life without any craving for alcohol and in so far are equal but the essential fact remains that they differ vastly with respect to the ease with which the craving may be awakened and the strength it may attain.”

Dr. Reid considers that most people are temperate not in spite of their inclinations but because of them. They are temperate because indulgence in alcohol beyond a certain point does not attract them (i.e., does not awaken any craving). Major Bedford concluded that the bye-products of alcoholic liquors are present in amounts much too small to exercise any deleterious action in general and that, in view of this conclusion and of the results of his physiological and chemical researches, it was as unnecessary as it would be undesirable to fix standards of

“purity” or to introduce excise tests of quality. Such injury to health as arises from alcoholic indulgence is due purely to excessive consumption and not to any special toxic properties of any particular kind of liquor.

47. *Opening of Shops to fight Illicit Distillation.*—In a circular No. 608, dated the 19th May 1908, issued by the Excise Commissioner in the Punjab to all Deputy Commissioners in his province, that officer stated,—“Loss of revenue through illicit distillation is an immeasurably less evil than loss of temperance through the drinking. No facilities should be given to men to obtain intoxicants which their fathers did without.”

48. *Orders on the Excise Committee's Recommendations.*—In his speech on the financial statement of the Government of India for the year 1907-08 the Finance Member made the following observations on the recommendations of the Excise Committee :—

“It should always be borne in mind that the main object underlying the reforms which the Committee were called on to consider is the regulation and restriction of consumption and that while it is necessary to make due provision for the requirements of persons whose habit it is to use alcohol in moderation, it is the settled policy of Government to minimize temptation to those who do not drink and to discourage excess among those who do. Fiscal considerations in connection with liquor traffic are important, not as end in themselves but because, as was stated in the resolution appointing the committee, the most effective method of forwarding the policy of Government in regard to consumption is to make the tax upon liquor as high as it is possible to raise it without stimulating illicit production to a degree which would increase instead of diminishing the total consumption and without driving people to substitute deleterious drugs for alcohol or more or less harmful form of liquor.”

The Government of India approved the Committee's proposal to increase the rate of duty on country liquor so far as it was feasible without giving rise to the grave danger of illicit practices, the increase being mainly through the still-head duty and only secondarily through vend fees. With reference to the latter the Finance Member stated :—

“As regards the methods of disposing of licenses for retail vend the Government are not altogether in agreement with the Committee. In the case of country liquor, the general method of disposing of the right of retail vend is that of sale by auction. The Committee have expressed their preference for a non-competitive system and discussions as to the relative merits of these systems have recently appeared in the press. The Government of India consider that the best system is a properly regulated auction system, under which the period for which shops are auctioned would be extended up to three years at the discretion of the local Governments, and that, though the existing system doubtless requires modifications of detail in its working, it would be a retrograde step to seek to replace it generally by one of fixed fees.”

In their Resolution no. 5086 Exc., dated the 15th August 1907, on the Excise Committee's report the Government of India observed that throughout India as a whole, as the statistics in paragraph 75 of the Committee's report conclusively showed, the proportion of shops to the population which they served was extremely moderate. The distillation, however, was very uneven. On one hand, there were areas where the facilities of supply were in excess; on the other hand, in some areas they were so deficient as to provide a direct incentive to illicit practices. The considerations which in the Government of India's opinion, must govern the decision as to the number of shops to be established in a given area were perfectly clear. If shops were allowed to be so sparse that each had a practical monopoly over a considerable area, prices would inevitably arise, and illicit practices encouraged; this danger would be accentuated if the limit of private possession of liquor was reduced. On the other hand, while shops need not necessarily be so limited in number as to make it impossible for a resident in a particular area to get his liquor except from one particular shop it should only be possible for him to do so at the cost of considerable inconvenience, and he ought to have as little freedom of choice in the matter as possible. If two or three shops were equally convenient to any considerable number of persons, the Government of India would regard it as *prima facie* evidence that the number of shops in that particular area was excessive. The Government of India accepted the Excise Committee's proposal to prohibit the sale of liquor to sailors and soldiers, camp followers, policemen, excise officers and railway servants on duty, European vagrants, insane or intoxicated persons and persons below 14 years of age. Sale to women might be prohibited by a local Government in special areas where it might be thought necessary; but there should be no general prohibition. The Government of India were of opinion that orders prohibiting consumption on the premises were of doubtful efficacy and that they should not be issued except in cases of foreign liquor shops with license for consumption off the premises. To enable a consumer to send for country spirit for consumption at home or in a friend's house, would, in many cases, encourage drinking by making it possible to avoid the loss of credit which visits to the liquor shops would otherwise entail. The Government of India accepted the Committee's view that there should be two strengths of liquor (1) 60 u.p. and (2) 30 u.p. and that the absolute prohibition of the sale of liquor below a low fixed strength would not be effective in preventing drunkenness.

49. *Temperance Deputations.*—Temperance deputations waited in England on the Secretary of State for India in the years 1907 and 1912 and one in India on the Viceroy in 1913. The deputation of 1907 attacked the auction system. They argued that in practice any increase of license fees has no effect on the price of liquor, unless all fees are raised in the same proportion, which never happens. If more is paid for the license, the licensee must recoup himself by increase in sales, and not by increase in prices. There is no other way; the increase of taxation by license fee must mean inducement to sell more and more liquor. This was the basis of their condemnation of the auction system which the deputation considered as encouraging the consumption of liquor by giving the greatest inducement to sell as much as possible and in this sense was inconsistent with the declared policy of the Government of India. As regards the location of liquor shops the deputation urged that the position in which shops were placed afford a justification for the belief on the part of many critics that the excise authorities fostered the drink traffic. The deputation of 1912 headed by Sir Herbert Roberts, Bart., M. P., raised similar questions closely connected with the principles on which the whole excise policy of the Government of India is based. The Honourable Member stated that 39 years before that date the revenue from excise stood at 1½ millions, whereas it was then estimated to be close on 8 millions. Some of the suggestions made by this deputation were reduction in the number of shops, curtailment of hours of sale, the substitution of auction system by the fixed fee system and the transfer of the licensing function from the control of the Revenue Department to that of local committees or some other independent authorities. The deputation stated that "the facts submitted in regard to the growth of the drink habit in India justify a consideration of the situation through an independent enquiry," independent because as one of the members of the deputation remarked the drink habit "is fostered by the present administrative methods, and Government and its officers are interested in the revenue." "They (the Government of India) do not want to spread drinking but they are interested in the revenue that arises from it and that," observed Mr. Gokhale "constitutes a serious difficulty in dealing with the question."

50. *Temperance Deputation on the Viceroy.*—In the statement submitted by the deputation to Lord Hardinge in December 1913, it was pointed out that the excise revenue of the Government of India in 1901-1902 was only about one-fifth of the total taxation, while in 1912-13 it had risen to nearly one-third and since 1904 it had become the largest item of revenue. In a province which led the Empire in successful excise administration one-half of the annual increase of the total revenue came from excise and if these sources ceased to expand it would be quite impossible to continue to find money for the improvement of education, public works, irrigation and agriculture. The remarkable absence of accurate data as to the extent of consumption was one outstanding feature of the situation, but on analysis the deputation found that the increases during the last ten years in the average sale per shop in the major provinces varied from one hundred to four-hundred per cent. The deputation accepted the Government view that the prevalence of favourable economic conditions, stricter excise control and increase of population were to some extent responsible for this increase and suggested the following as additional causes contributing towards the same result:—

- (i) The direct action of the Imperial Government in budgetting upon the estimate prepared by provincial excise departments large annual increases in revenue, and thus making fiscal consideration so important an element in provincial excise administration.
- (ii) The administrative procedure in provincial areas which places licensing functions under the control of the revenue department which must from the nature of things be mainly interested in the efficiency of its own working and in the production of the revenue anticipated by the Imperial as well as its own provincial Government.
- (iii) The general system of licensing, which gives the greatest inducement to all vendors to sell as much as possible. The high proportion which revenue from license fees bears to the total taxation on both liquor and drugs definitely encourages the enhancement of consumption. At the same time the interest of the vendors in increased sales is also a continual stimulus to the consumption.
- (iv) The apparent inability of provincial Governments to deal with the problems of the number and location of drink and drug shops in any method inducing restriction of consumption.
- (v) The location in urban areas of shops for the vend of liquors and drugs on sites infringing Excise Manual Rules, and affording direct temptation to all classes of the community, especially the working classes, and finally,
- (vi) The ignorance of the majority of the classes concerned regarding the dangers incident to even a moderate use of the drink and drugs offered so widely for their acceptance.

The deputation stated that the official administrative reports for 1912-13 showed that the auction system forces increased consumption, induces illicit practices and gives a speculative

value to each shop. They suggested the closing of liquor shops on Sundays, on the occasions of religious fairs and festivals and on certain hours in the morning and evening. They also suggested the opening of an hospital for inebriates, grant of assistance to municipalities if they were prepared to open tea and coffee shops and provision of counter-attraction to intemperance. In reply to the deputation Lord Hardinge stated that the rise of revenue was due to the effect of increases in duties which were made during the previous seven years and that the number of shops abolished during the period was 11,500. The deputation were told that government would continue their policy of securing the maximum of revenue on a minimum consumption, but that real reform must come from the people themselves.

51. *Action taken by Government.*—In their letter no. 477-490-218, dated the 24th January 1913, the Government of India asked the local Governments to impress on the local excise officers the necessity of selecting shop sites as far as possible in accordance with the principles laid down in their Finance Department Resolution no. 5086, Exc., dated the 15th August 1907, suggested the incorporation in the future excise administration reports of statistics showing the wholesale and retail vend and consumption of foreign liquor and invited the views of these Governments on the various points raised by the deputations of 1907 and 1912. Some of the opinions expressed by the local Governments and officers in reply to this letter of the Government of India are summarised below as they bear upon the issue now before this Committee. The Deputy Commissioner of Delhi noticed that just as cigarette-smoking had seized on the British and Indian publics, so had the practice of consuming liquor taken a hold of certain classes—generally the lower classes of the Indian public—and that the increased consumption of these luxuries was one of the many visible signs of an increasing standard of comfort. As regards the proposal to abolish the “on” shop licenses he observed, “It is urged that the poor people who now waste a few pice in the liquor shops could not afford to buy a bottle at a time, and further that the retail contractors would not be able to sell adulterated liquor owing to the bottle having to be sold corked and sealed as issued from the distillery. This might from a temperance society’s point of view be a good move: but it would be a very unfair one placing an additional hardship on the poor: it would not affect the fairly well-to-do as they would turn to the bars where imported spirits are sold.” The Chief Commissioner, Central Provinces, was against early closing as it was the general opinion of doctors that the use of alcohol is best deferred till after sunset. The Collector of Cawnpore, an industrial centre, was in favour of closing shops on Sundays. He reported, “Sunday is generally an idle day for the mill-hands and with their week’s wages in their pocket they are exposed to the special temptation to waste their money on drink almost as soon as they have got it. I am told by gentlemen who have had some experience of conditions in some of the workmen’s dwellings that there is a good deal of intoxication in these places on Sundays; and on the whole I think it would be a reasonable provision to give the liquor sellers an enforced rest on that day.” The Government of Bihar and Orissa reported that the great majority of that province was naturally addicted to drink in some form or other, that it was therefore not possible to enforce absolute prohibition of drinking without engendering far greater evils than those which it is sought to remove and that the decrease of consumption can only really be effected by the spread of education among those who drink. The following quotation from a letter from the Honourable Mr. A. Ahmed, C. S., I. S. C., Commissioner of Excise and Salt, Bihar and Orissa, no. 95-Exc., dated the 9th August 1913, regarding what people can do without education and without the help of Government is interesting.

“In the Khondmals sub-division of this district an experiment is being undertaken which is of the very greatest interest in relation to the drink question to the whole country generally, and to areas peopled by aboriginal tribes in particular. The population of this sub-division is 74,218 almost all aboriginals, Khonds, Pans, and others, and spirit consumption used to be very heavy; (in 1909-10 the total consumption of outstill liquor amounted to 30,000 gallons L.P. or 40 gallons per hundred people). The outstill licensees were all Sundis from Ganjam in Madras, and had been gradually ousting the Khonds from their best lands. This was naturally very much resented by the Khonds, and in 1905 a number of them had assembled to take an oath not to drink outstill liquor. Some Sundis, however, who had got scent of the affair managed to disperse them before they had made their contemplated vow. Matters grew from bad to worse, and in 1908 the Khonds again met, and this time they took a solemn vow never to take distilled liquor again. These facts reached the attention of Government in 1910 and a very careful enquiry was instituted. The local officers expressed their conviction that the Khonds were sincere in their desire to abandon the use of alcohol and that they would co-operate with Government officials in preventing illicit distillation. It was accordingly directed that all outstills in the Khondmals be abolished with effect from the 1st September 1910, as an experimental measure and the result watched. The Deputy Commissioner reported in May 1911 that, “the money which the Khonds were spending before in buying liquor is now utilized in improving their lands and paying up their debts. Socially there has been an improvement too. Drunken brawls and drunkenness generally appeared to have disappeared. The abolition of shops had not resulted in any real increase in the offences against the excise laws; on the other hand, there has been a reduction in the number of cases of illicit distillation.” A

year later the report was "crime has decreased to a considerable extent and the people were able to pay up arrears of takavi advances for several years to the extent of Rs. 18,000. The material condition of the people has considerably improved which may be attributed in part to a good harvest. Cultivation has increased and new clearances of forest lands are visible in all directions." The latest report (dated May 1913) says, "the material condition of the people has improved. They asked for no takavi advances from Government and contracted fewer loans from money lenders. New jungle tracts and hill sides have been cleared all over the sub-division for raising turmeric and oilseeds which represent the growing industry of the people. They now spend their money on clothing, utensils, ornaments and confectionery and had sufficiency of food throughout the year." So far, therefore, the results of the experiment which has now been continued for close upon three years have been hopeful. It is a distressing feature, however, that the number of illicit distillation cases has steadily increased throughout this period. In 1910-11 43 persons were sent up for illicit distillation in Khondmals and 34 were convicted; in 1911-12 61 were sent up, of whom 46 were convicted; in 1912-13 the number rose to 92 and 77, respectively, or more than double the figures for 1910-11 or the year previous (44 arrests, 38 convictions). It has still to be seen if this increase in reported cases is due to an increase in illicit distillation or only to better assistance rendered by the headmen in the detection of such cases."

The Excise Commissioner further remarked :—

"The case of Khondmals sub-division in Angul may be cited by some as an argument in favour of a policy of wholesale prohibition. This would overlook, however, some very salient points connected with the state of things in the Khondmals. For one thing, the movement for reform in the case of the Khonds came from the body of the consumers themselves and not from outside. Compulsory prohibition is a very different thing from voluntary abjuration, and serves but too often as a motive for breaking the law. The comparative failure of all measures that have been taken so far for suppressing the spread of the cocaine habit shows how very futile repressive measures very often are, when the people feel a craving for a prohibited article."

A similar opinion was expressed by the Excise Commissioner, Bengal; he observed, "It is well known that, when a man has been seized with a craving for intoxicants, he will satisfy it at any cost, and it is doubtful whether any practicable increase in the price of country spirit would effect his reclamation." As regards proposals to reduce the number of shops, this officer observed :—

"I think that it might facilitate a reduction in the number of shops if Government were to acquire sites and construct premises, which would be leased to the vendor with whom settlement was made. The existing premises are often small and the number of consumers is generally large. If a shop is closed it means that the consumers have to resort to another shop where they increase the congestion. With the existing premises this is undesirable on sanitary and other grounds. But if large premises were constructed by Government, which would always be available, it might in several places be possible to substitute one large shop for two smaller ones. Another advantage in acquiring sites would be that the shops would be built in the places least open to objection. Other difficulties which would be mitigated by action on these lines are—

- (i) in several cases the premises do not satisfy the requirements of the Excise Department in every respect, but the defects have to be overlooked as no better premises are available, and the landlords will usually make no improvements whilst there is little inducement for the vendor to do so at his own expense.
- (ii) the difficulty of obtaining a site tends to prevent any person except the vendor in possession from bidding for a large number of the shops.

The shops are sanctioned at particular sites. If the person who obtains settlement of the shop is unable to obtain possession of the premises on the sanctioned site the question of location has to be gone into again by the police and excise authorities even if he be able to obtain another site in the neighbourhood, and this involves a considerable amount of harassment and delay. It is partly due to this that there is no real competition at auctions in Calcutta, that the incidence of license-fees is so much less than in most of the adjacent areas, although consumption is so much larger and profit greater, and that the price of country spirits has been kept at a low level."

The Excise Commissioner Bengal, further observed :—

"It cannot be confidently asserted that consumption will diminish because there are fewer shops. Mr. Geake pointed out in his note of dissent to the report of the Calcutta Excise Committee of 1908 that the theory that fewer shops means smaller consumption was probably fallacious, and his views are supported by recent experiments which have shown that a large reduction in the number of opium shops has not caused any decrease in the amount consumed.

Of course, opium and country spirit cannot be regarded as exact parallels—illicit manufacture is easier in the case of country spirit and it is more easily replaced by other intoxicants. But if measures taken to meet the wishes of the advocates of temperance are likely to result in more serious agitation among the classes which those advocates represent, I think they should be avoided and that action should continue on the old, though probably less effective, lines. Should there be any indication at a later date that public opinion would support the acquisition of sites, this remedy can be applied at any time."

Mr. G. F. Arnold, C.I.E., Deputy Commissioner, Insein, Burma, concurred in the view expressed by the deputation of 1912 that the existence of shops was an incentive to drink and was prepared to abolish about half the existing shops in his district. He considered it preferable that there should be a few breakers of law on account of the absence of shops rather than that the community, as a whole, should be drawn to liquor drinking by their presence. The Financial Commissioner, Burma, pointed out that Government had resolutely for the previous 27 years set its face against the introduction of the sale of liquor to Upper Burma. The Excise Commissioner, Burma, reported :—

"The great bulk of the population consists of Burman Buddhists who on religious and traditional grounds are strongly opposed to the recognition by the State of the liquor traffic in any form. They are opposed to licenses and regulations of any kind. They desire absolute legal prohibition but at the same time are firmly determined to do nothing to assist Government in making such prohibition effective. Before the annexation of the country such was the principle, absolute prohibition; the practice was no interference except occasionally in the case of scandalous and troublesome drunkenness, such interference being spasmodic. The Burman Buddhist attitude remains unchanged and no Burman Buddhist elder can give any other opinion or adopt any other attitude in view of his religious precepts and the recognised standard public opinion of his class. This is the leading factor in the provincial situation. The administration in Lower Burma permits Burmans to purchase alcohol in all forms while severely restricting facilities for purchase of imported liquors; but in Upper Burma, following the example of the Burmese regime, the sale of any spirit or fermented liquor to a Burman is prohibited with the single exception of tari; nor may any Burman hold a license for the sale of any alcoholic liquor except tari."

In forwarding to the Secretary of State the replies received by them from the local Governments, and officers, the Government of India, in their despatch no. 12, dated the 26th February 1917, re-affirmed the policy laid down by them in 1889, which, they stated, had developed slowly and after mature consideration of all the problems which confronted it. They pointed out that since 1905-06 country liquor shops had been reduced by 7,788, opium shops by 2,380, and shops for the retail sale of hemp drugs by 1,516. Toddy shops had also been reduced to the extent of 11,150. The total number of shops thus abolished was 22,653. The local Governments were also paying full attention to the question of the limitation of the hours of sale. The Government of India protested against the unfairness of charging Government officers with greater consideration for public revenue than for the social well-being of the people and were not prepared to transfer the licensing authority from the hands of local officers or to recommend an independent enquiry as suggested by the deputation. The action taken by Government for the extension of the system of Excise Advisory Committees is shown in Chapter VIII on "Local Option" of this Report. In a subsequent letter to local Governments the Government of India reiterated the policy laid down in 1905 and indicated as follows the general measures by which effect should be given to it—

- (1) every effort should be made to suppress the illicit methods of all kinds;
- (2) in order to effect this, the excise staff should be utilized in directions calculated to maintain the closest possible control and supervision over the liquor and drugs traffic and their work should be facilitated by the adoption, where feasible, of the contract distillery, in lieu of the outstill system;
- (3) as far as is possible, without unduly encouraging illicit methods, consumption should be discouraged
 - (a) by the levy of as high a rate of duty as is possible, taking into account the special conditions obtaining in the locality and neighbourhood;
 - (b) by reducing, as far as possible, and with due regard to legitimate requirements the number of retail shops for the sale of liquor and drugs;
 - (c) by regulating and closely supervising the hours of sale, the selection of sites, and the general practices adopted in manufacture and vend;
- (4) advisory committees should be appointed where possible, and effect should be given to their recommendations in so far as they are consistent with the general principles now laid down.

Pending the results of an experiment made at that time for substituting the fixed fee system in place of the auction system the Government of India refrained from making any announcement on that subject. In reviewing the despatch from that Government the Secretary of State for

India in his despatch no. 77, dated the 29th May 1914, expressed his satisfaction at the careful consideration which had been given to the subject by the Government in India and remarked :—

“ I concur in what I conceive to be the main position taken up in your Excellency’s despatch. For the last 25 years the aim of the Government of India, in an often-quoted declaration, has been, first, to discourage any extension of the habit of drinking, and secondly within the limits prescribed by the necessity of suppressing unauthorised manufacture and sale, to raise a maximum revenue from a minimum consumption of intoxicating liquors. The expansion of revenue from intoxicants in recent years has been represented by temperance deputations both here and in India as concurrent with, or as evidence of, a heavy increase of consumption ; and the suggestion has been put forward that the Government or its officials were fostering the increase of drinking habits to secure the expansion of revenue. The statistical table giving the consumption of country spirit in distillery areas emphatically disposes of this contention so far as country spirit is concerned. It appears to establish that for India as a whole the increase of the consumption of country spirit per 100 of population is but slight—not more than five per cent.—during the period of seven years. It is true that this figure generalised for the whole of India doubtless loses sight of local variations and increases in particular areas ; still, the broad fact that emerges is that during the period under review, a general increase of consumption, which in the present social and industrial conditions of India might have been apprehended, has in effect been held in check. Your despatch makes clear that the means by which this result has been attained are, first, the more stringent administrative control of the trade, whether through the extension of the distillery system or otherwise, secondly, a very appreciable reduction of drinking facilities, and thirdly, the application of the economic check upon consumption effected by the increased taxation of intoxicants and the enhancement of prices that ensues.”

52. *Gross Revenue.*—During all these years the revenue increased as follows :—

	Rs.			
1861-62	1,78,61,570
1870-71	2,37,44,650
1880-81	3,13,52,260
1890-91	4,94,77,800
1900-01	5,90,58,030
1910-11	10,54,54,715
1915-16	12,94,83,132
1916-17	13,82,38,495
1917-18	15,44,25,590
1918-19	17,35,52,770

53. *Recent Progress.*—Steady progress in temperance reform has since been made in India, especially after the reforms. In nearly all the legislatures resolutions in favour of reduction, with prohibition as the ultimate goal, have been passed. Side by side with this action in the Councils there was a boycott of the liquor shops by the people, and an organised effort to dissuade the drinking classes from resorting to such places. Hostility was shown to the present policy of the Government of India and a demonstration of the public sentiment in favour of prohibition. The principle of local control, as a means to prohibition, found increasing support throughout India. The approved scheme in the Punjab Councils was that two-thirds of the shops within any municipal area may be closed by the municipality by simple resolution to that effect. As to the remaining one-third, a referendum may be taken, and if 55 per cent. of the registered voters on the list vote in the affirmative, prohibition within that area would become complete. In the case of district boards one-half of the shops might be closed by a simple resolution, and referendum taken as to the remainder. These regulations came into force on the 1st April 1921. Many municipal committees passed resolutions in favour of prohibition. In Delhi the strength of public opinion was manifested by a resolution of the municipal committee requesting Government to close all liquor shops within the municipal area. The local administration replied that it did not regard the abolition of all liquor shops at once as a practical proposal, but would be glad to receive any scheme for promoting the cause of temperance by a gradual restriction of the number of shops or the times of sale or otherwise. Under a bill passed by the Punjab legislature, the village councils are empowered to veto the grant of any liquor license when a resolution to that effect has been passed by a majority of two-thirds at a meeting of the tax-payers. In Bengal a resolution was passed in the Legislative Council calling for the restriction of liquor and drug evils. The Bombay Legislative Council, as we shall see in the next Chapter, adopted a resolution recommending the appointment of a Committee to study the drink and drug traffic. The sale and consumption of the noxious drug *charas* was prohibited in all parts of Bombay. The Madras Temperance Bill could not be proceeded with owing to the intervention of the Government of India. Following upon a resolution passed by the Legislative Council of the United Provinces, a Committee was

appointed to examine the excise problem in all its aspects and recommend that steps should be taken towards restriction and licensing boards should be appointed. A motion introduced in the Central Provinces Legislative Council in favour of prohibition was passed by 38 votes to 21, recommending the stopping, within as short a period as possible, of the sale of liquor throughout the whole province.

The foregoing sketch will give an idea of the policy of the Government of India in regard to excise. We now turn to the excise administration of this Presidency.

CHAPTER IV.

THE EXCISE ADMINISTRATION OF THE BOMBAY PRESIDENCY.

54. *Pre-British period.*—Mr. C. W. Bell in his "Report on the Abkari System in force in the Presidency of Bombay, 1869," states that in the earliest days of the Peishwa's rule of which we have record no trace can be found of any revenue being received by the State from the licensing of the sale of spirits and toddy, and this may be considered as evidence, though by no means conclusive, that the consumption of spirits in those days, if it existed at all, was very limited. In the commencement of the latter half of the eighteenth century there are entries in the accounts showing that direct taxes on the manufacture and vend of spirits were levied in some villages of the Southern Konkan, and that in certain mahals in Gujarat the right to distil and sell spirits was farmed out, the farmer being bound to sell at one shop only within the limits of his farm. From accounts in subsequent years it appears that in almost every district spirits became by degrees a source of revenue to the Government, or of income to the Peishwa's district officers. In some districts the monopoly was farmed either by mahals or shops; in others—notably in the districts on the coast which produce the cocoanut, the brab, and the date tree—revenue was raised by the imposition of direct taxes, such as a tree tax, and a shop tax. Shops were permitted to a liberal extent in the coast districts, where, owing to the extreme dampness of the climate during the rainy season, spirits were considered to be a necessary of life to the cultivator. No where do the old records contain a remark from which it can be concluded that the sale of liquor was absolutely prohibited, except in the Soobhas of Poona and Nuggar. In these places spirits could be obtained only from the Government stores for medicinal purposes, on production of a certificate countersigned by one of the Peishwa's officers. In the camp outside these towns, however, spirit-shops were allowed to be established for the convenience of the soldiery. The old records further show that though the revenue derived from spirits was never large, yet such as it was it continued increasing until the fall of the dynasty. At that time drunkenness was scarcely ever heard of. The Peishwa's Government visited the offence with what in these days would be considered excessive severity—fine, imprisonment and flogging awaited the delinquent, and not only was the drunkard punished, but those also who indulged in moderation, if their caste law forbade such indulgence. Nor in such cases was the buyer of the spirits the only one punished; the vendor also fell under the displeasure of the law. The punishments inflicted seem to have been meted out in proportion to the position and caste of the purchaser; illicit sale to a Mahar would expose the vender to a fine of perhaps only a few annas, while to sell to a Brahmin would ensure, to even a licensed vender, imprisonment or a crushing fine. It was by the stringent enforcement of the law that morality in this particular period was maintained; and so effective was the policy that, for years after the fall of the Peishwa the remembrance of it deterred the lower orders from excessive indulgence. A few extracts from the Peishwa's Diaries bearing on these points produced by Mr. G. G. Thakar of Poona, at his oral evidence before the Committee, are printed after his evidence. From these it will be seen that the manufacture of liquor for the people at large was never encouraged. From an extract produced by the same witness from a report by the Honourable Mountstuart Elphinstone it appears that drunkenness, the peculiar vice of the lower orders, was unknown in the Maharatha Country due to the discouragement of the sale of spirituous liquors. Mr. Elphinstone himself advised Government to prohibit it altogether as the revenue from that source was insignificant. Mr. William Chaplin, Commissioner in Deccan, wrote in 1822: "Drunkenness is by no means a prevalent vice in Poona where few stills are worked and the Collector is of opinion that not half a dozen quarrels in the course of the year originate in intoxication." The Portuguese Government in Salsette appears to have had an arrangement similar to that prevailing in the neighbouring territory subject to the Peishwa. They levied a duty from Bhundarees for permission to draw the juice of the brab tree, farmed the exclusive right of selling toddy and mhowra spirit, and charged the Bhundarees a still-tax for the right of distilling and selling spirits in their own houses. The duty levied from Bhundarees was a tree-tax or tree-rent, giving the payer the sole right to the tree, fruit, leaves and juice, called *bud dene*.

55. *The policy adopted by the British.*—In the possessions which the British acquired and held at the commencement of the last century they continued the levy of a ground rent on brab and date trees, which was already in existence, but gave in farm the direct taxes on toddy and toddy producing trees, combining it with the farm of the monopoly for the manufacture and sale of mhowra spirits. The immediate effect of this combined monopoly was to raise the revenue but the plan was not palatable to the toddy-drawers, the Bhundarees, nor looked on with favour

by Government. The revenue had increased, and so also the consumption of spirits, while the quality of the article sold had deteriorated. Government, therefore, in 1808 introduced into Salsette, and perhaps into the Surat mahals also, the Bengal still system and did away with farming. The system appears to have been very similar to the "daily tax system" prevalent to some extent in Bengal, to a later date, and described in section 64 of Regulation XXI of 1827 of the Bombay Code. By it the Bhundaree paid a tax according to a fixed rate per still, under a license entitling the holder both to distil and sell spirits made from toddy. This system prevailed for eight years, *i.e.*, till 1816, by which time experience had shown the extreme difficulty of bringing every still under the operation of the law, and of preventing the illicit manufacture and sale of liquor. From 1815-17 the sudder distillery system was introduced. A space was walled round in some convenient locality and the Bhundaree allowed to set up stills therein, paying a duty in Salsette of four annas per gallon of spirits removed and in the city of Surat, where Parsees were distillers, of Rs. 20 per six Bengal maunds of raw mhowra, the distiller being allowed to take the spirits to his shop and there retail it. It does not appear that sudder distilleries were established in the mahals surrounding the city of Surat; the liquor monopoly seems to have been farmed. The direct management by Government of the sudder distillery in Surat continued to a late date, but in other places where the system had been established it terminated in 1827. It had, however, been completely successful in preventing the illicit manufacture and sale of spirits, and in bringing the consumption of liquor under control; but its financial results, in Salsette at least, had not been fortunate. To offer equal advantages to all the Bhundarees many distilleries were necessary. Each distillery had its superintendent and establishment, and the consequent expense was sufficient, in the opinion of Government, to overbalance the patent advantages of a greater regularity in the collection of the duty, and of a complete control over consumption. In the other territories which in 1818-19 came under the British Government, the farming of the duties in spirits was the system which obtained, except in some of the coast villages of the Southern Konkan, where the direct management initiated in 1812-13 remained in the hands of the Government officers. In the cities of Ahmedabad and Broach only were new sudder distilleries established. The impression of Government at this time seems to have been that the sudder distillery was the best, in fact the only system but that it was only in large cities that it could be remuneratively worked, and that in all other places, with the exception for special local reasons of some mahals and villages in the Konkan, the farming of the duties was less troublesome and fiscally more advantageous.

In 1827, when Regulation XXI was passed, some modifications and alterations in the manner of levying and collecting the Abkaree revenue were introduced. The sudder distilleries of Surat, Ahmedabad and Broach, were not interfered with, except that in the first the duty was removed from the raw mhowra and levied on the manufactured spirit. In Salsette the distilleries were handed over to a farmer: and in the coast mahals of the Northern and Southern Konkan, where hitherto the Bhundarees had enjoyed a freedom of manufacture and sale of liquor in the payment of, in most cases, a light direct tax, a new impost of eight annas per gallon on manufactured spirits, was also farmed. The Bhundarees of the mahals along the coast between Salsette and Damaun, however, vigorously and successfully resisted the levy of the impost by a general strike. Consequently, the measure was suspended, and from 1829 the Bhundaree was required to sell at a fixed price the spirits he manufactured to the farmer, who alone was vested with the right of sale by retail. By farming to the highest bidder the duties imposed directly on manufacture soon lost their distinctive character; the farmer of duties became virtually a monopolist of the manufacture and sale of spirits; the price he paid for the farm represented the duty on consumption, and he recouped himself for his trouble and expenses by establishing such a system of his own as he considered would be most productive, with little or no regard to the specified rules of duties and the terms of his contract. In Salsette and the coast mahals of Bassein and Mahim the farmer sublet his farm, and the sub-farmer allowed the Bhundarees to distil in their own houses and sell wherever they chose. As long as the Bhundaree paid he was free to manufacture and sell as much as he could. In Sanjan the farmer dealt directly with the Bhundarees, or Tulwadees as they are there called, and taxed them at rates varying according to the number of trees they undertook to tap. The payment of the tax demanded (about two or three rupees) entitled the Tulwadee to a still and a shop. As a rule, however, he with his family managed to drink all the spirits he made, and had no need of setting up a shop. This was the introduction of the "Outhputtee" system. A special duty of 8 annas per gallon of spirits imported into or exported from the limits of any farm was also at this time levied by Government, or by the farmer, according to the terms of their mutual agreement. In the Bankote mahal of the Ratnagiri zilla alone did Government directly manage the tree-tax. There a small special establishment was maintained to collect the tax and superintend the manufacture and sale of spirits. The system was to limit the number of shops, to allow 27 cocoanut trees to a shop, and to charge eight annas per mensem for each tree. With the exception of the establishment just mentioned, and those required for the distilleries at Surat, Broach and Ahmedabad, Government provided no special agency to enforce compliance with the provisions of the law and the terms of the contracts, but entrusted those duties to the ordinary revenue establishments. The following have been considered by Mr. Bell as a fair exposition of the Abkari arrangements in the Presidency in the year 1832-33.

In the cities of Ahmedabad, Broach and Surat there were sudder distilleries.

In districts where cocosnut, brab and date trees did not grow, the right to manufacture and retail spirits was farmed.

In the districts in the Surat zilla where these trees grew, a similar monopoly, including that of purchasing the toddy extracted by the Tulwadees, was farmed. In other districts where these trees grew, excepting the Bankote mahal and the Sanjan taluka, the monopoly of the purchase of spirits manufactured by the Bhundarees and of the retail sale thereof was farmed.

In the Sanjan taluka the "Outhputtee" fees levied from Bhundarees or Tulwadees who had permission to distil and retail spirits was also farmed.

In the Bankote mahal the management was immediately in the hands of the Government executive officers. In all districts where ground-rent or *Booth denek* was levied on date or brab trees, this cess was collected as an item of land revenue by the Government local establishments.

The supervision of the Abkari by Government was directed rather to the securing of the revenue than to the restraint of the consumption of spirits.

From this time the general question began to occupy the more serious attention of Government, but no material change was for years introduced, except in the coast mahals of the Konkan. A sudder distillery was established in 1834-35 in Kaira, but in the rest of the Presidency the farmer retained his position. In 1833 Mr. Giberne, the Collector of Thana, was forced to report to Government that the farming system in Bassein was a failure owing to the open opposition of the Bhundarees, who, chaffing under the yoke of the farmer, tried to ruin him by continually assaulting and harassing his agents, and even by setting fire to his warehouses. Mr. Giberne in his report reviewed the condition of the Abkari revenue in his district, recommended the further trial of the existing system in Bassein, notwithstanding the lawlessness of the Bhundarees; and advised the withdrawing of restrictions on the removal of surplus spirits from Bankote to Raighur and the recognition of the "Outhputtee" system in Sanjan, and the working of it by direct Government agency. Government on considering this report looked on the Bhundarees as a class for the sale of the produce of whose trade less restricted market should be found, but whose attempt to coerce Government should be vigorously put down. They, while expressing a disinclination to make any sweeping alterations without further information, introduced some important modifications. They formally recognised the "Outhputtee" system in Sanjan, but ordered its continuance in form. They directed the Collector to fix the price at which the Bhundarees should sell to the farmer. They permitted the importation of spirits from the coast villages inland free of duty. They allowed the Bhundaree to sell to the farmer of another mahal if his farmer declined to take his stock. They forbade the distillation of mhowra in places where toddy spirit was manufactured and consumed. They affirmed the right of a farmer to take measures for ensuring that the distiller sold him all the spirits he distilled, and required that the number and situation of the shops in a farm be fixed. Notwithstanding these provisions the Bhundarees in Bassein continued to be discontented and unruly, and murmurings were heard from the same class in other mahals. Mr. Simpson, Collector of the Konkan, and his assistant, Mr. J. M. Davies, went carefully into the subject of their alleged wrongs. Portions of Mr. Davies' letter to Government on the subject dated the 25th June 1836 are worth recording here. He reported:—

"The little Island of Karanja presents also a picture of depravity and poverty, in spite of its fruitful soil and its secluded peasantry, abounding as it does in the baneful material, the manufacture of spirit has been pushed to its utmost possible extent. The cheapness of the article brings it within the power of the very poorest of the poor; men, women and children, indulge in the poison, to an extent almost incredible. Last year, and this, twelve thousand rupees have been paid to Government for the privilege of forcing upon a wretched community the consumption of upwards of 50,000 gallons of spirit—fifty thousand gallons among a population of 4,000 of whom, perhaps, not more than two-thirds are allowed to drink it. A case of murder was reported this very week past, which is itself a dreadful lesson. Six individuals including a boy of twelve, and another of 14, maddened with spirit, murdered a man in the most horrid manner, the youngest boy held the feet of the victim, while his elder brother strangled him. They had been drinking spirits.

"If I may be allowed to offer an opinion, I would attribute the increase in the consumption of spirits to the prevailing system which, while providing carefully for the realization of the revenue, leaves the manufacture uninfluenced. Uninfluenced did I say? I am wrong. The present system encourages the manufacture. The liquor drawers strive against each other for the only door of access, the farmer's shop. Father and son may be seen shouldering each other at the retailer's door. On the other hand, the heavy amount for which the farmers have made themselves answerable, the sale of a whole year bargained for in blind anticipation, urges them to extend their sale to every village, to every house, to every individual.

"The manufacturers, if left to themselves, should only supply a limited extent of country. The production of spirit would be confined to those places where the material abounds. To

carry spirit to the distance spots, and there await a demand, would materially add to the cost of production and would increase the difficulty of extending the consumption. Under the farming system the manufacturers are spared a thought on this subject. They have only to make the spirits, and convey it where they will, they find retailers and shops ready to receive them. It reminds one of the man, who, after having raised the Devil, was puzzled how to get rid of him again. The fiend is raised in the shape of spirit manufactured, and the only way of getting rid of him is by encouraging the sale of his prototype. Truly the moral end is wanting here.

"It is with the greatest respect and deference for the opinion of my superiors that I would humbly advocate the expediency of checking the evil in its very birth, by taxing the trees to such an extent as would make the manufacture difficult and expensive. If the vicious spirit of the people still called for spirit, they would, at all events, have to pay dearer for it. If (as it may be expected) it was put in a measure beyond their reach, the object would be accomplished. But the intermediate agents I would expel instantly. Self-interest at all times, and necessity at others (that viz., of carrying through a desperate speculation) urges them to extend the evil to the greatest possible extent."

Mr. Simpson remarked: "The use of ardent spirits has been, in no degree, lessened but on the contrary has increased by the restrictive measures attempted, while the gain (the chief gain) has gone into the hands of speculating farmers, who make their profit out of the wretched toddy drawers, by doling out to them the very lowest possible price for their liquor (sometimes even rejecting altogether); and who do all they can to corrupt the community by contrivances studiously calculated to encourage the consumption of the deleterious article in which they deal, and of which they are the State Patentees.

"'Shall we buy evil and indent with vice,' and shall we, for the consideration of a few thousand rupees, make spirit to flow like water in the land, and sell and foster, for money, all the misery that attends an abundance of cheap spirits! Forbid it mercy, forbid it morality, forbid it policy. Yet such is our course, such is the actual effect of the farming system in Salsette and Karanja."

The result of the investigation by Messrs. Simpson & Davies was to urge strongly on Government to do away with farming gradually in all the districts of the Konkan where the cocoanut, date and brab tree flourished, the substitution of a consolidated tree tax, and the issuing of licenses to individual Bhundarees. This recommendation was based on a consideration not of any wrong actually suffered by the Bhundarees, but of their equitable right to share in the varying profits of the trade. Government thereon ordered that farming should be discontinued on the expiry of the term for which the existing farms had been granted; that the Revenue Commissioners draft an Act legalizing the imposition of a tree tax fixed at a maximum of three rupees a tree; and that, pending the passing of such an Act, the Collector control the manufacture and sale of spirits under the provisions of Chapters XI and XII of Regulation XXI of 1827. The intention of Government in giving the last direction is not quite clear, as these chapters provide for three distinct systems—suddur distillery, the daily tax, and the farming system. The Collector of Konkan at once set to work to obtain the consent of the Bhundarees to a measure the main feature of which was the imposition of consolidated tree-tax. He was, however, only partially successful, the Bhundarees of the coast mahals of Bassein and Rajpoore alone coming to terms. The scheme he proposed was sanctioned as a temporary measure by Government, though differing considerably from the plan they had previously sketched out. The arrangement was for the Bhundarees to manufacture spirits on their own account under the superintendence of a farmer of excise; to retail within the limits of the farm on payment to the farmer of an excise duty of four annas per gallon of spirits or one anna per gallon of raw toddy; to sell spirits to the farmer without payment of excise; and to pay to Government two rupees yearly for each tree tapped. This plan was introduced in 1836-37 and is the origin of the "bud dene" system.

The difficulties in the way of a proper settlement of the abkari question were still far from being satisfactorily removed; accordingly Government appointed a Committee in 1837 composed of Mr. Giberne, President, and Messrs. Davies, Young and Davidson, members, to advise Government as to what step should be taken. The Revenue Commissioner was especially asked by Government in their letter No. 1702, dated the 2nd June 1837, to instruct the Committee to view as a paramount consideration the very important object of checking the extended consumption of spirits, the maintenance of the Abkari revenue being an object of secondary importance. The Committee towards the close of the year reported that they were unable to propose any general scheme that would be an improvement on the farming system; they therefore recommended its continuance with modifications, such as restricting the number of shops, prohibiting in certain localities the manufacture and sale of other than indigenous spirits, limiting the number of Bhundarees allowed to work stills, and permitting the free use of fermented toddy on the payment of the "bud dene" or ground rent only. They further recommended that new arrangements introduced into Bassein the previous year be not interfered with, as, though no great improvement on the old system, they had undoubtedly brought peace and quiet to a hitherto disturbed district. Government approved generally of the report, but no special instructions were issued, nor was any definite alteration made in the existing arrangements. In their letter to the Revenue

Commissioner No. 3459, dated the 17th September 1838, they laid down, "It cannot be too strongly urged on the Collectors that the object which Government has in view is to restrain and, if possible, to correct and diminish the total actual consumption of spirituous liquors, being fully persuaded that any amount of revenue that may be lost by the efficiency of the system for this will be repaid a hundredfold in the preservation and advancement of moral feeling and industrious habits among the people." The hesitation of Government to move in the matter appears to have arisen from their learning that the Imperial Government contemplated preparing a general Act on the subject. It also appeared from a review and analysis of the Abkari revenue of the Presidency, that the fears they entertained of the consumption of spirits throughout their rule having enormously increased were groundless. The revenue of the zillas exclusive of the Konkan had between 1821-22 and 1835-36 increased only nine per cent. The increase in the Konkan was over one hundred per cent. but their apprehension that this represented a like increase in the consumption of spirits was proved to be groundless, as the price of spirits there had during that time increased in almost the same ratio. That any loss of revenue would be cheerfully borne, if any means could be devised for restricting and diminishing the consumption of spirits without encouraging smuggling, had frequently been asserted by Government and was now reiterated, and the attention of all the officers was directed to the solving of this problem. Propositions of various kinds were made and discussed. One that advocated the granting of farms at reduced rates to men whose moral perfection and philanthropy were to be the guarantee that they would not force the consumption of spirits or make the most of their bargains was actually tried. The extended establishment of suddur distilleries was again considered. Other propositions met with greater success, and the Government had to leave the moral condition of the people to the care of the farmer, theoretically restricted, but practically unfettered. The only tangible result was that some of the defects of the old law were brought to notice, and steps taken for removing them by legislation. While this agitation of the question lasted, Government naturally were averse to making any alteration in the existing arrangements. In 1844 they sanctioned the continuance of the plan introduced in Bassein in 1836-37 owing to the peculiarities of the country and the temper of its people, though they agreed with the Collector in condemning its principle and opposing its extension to other mahals. For 1845-46 and 1846-47, at the urgent request of the Collector of Thana, the collection of the "Outhputtee" tax in Sanjan taluka was brought under the direct management of Government; but in 1847-48 farming was again resorted to, not from any failure of the experiment, but because no special advantage appeared to have been gained thereby. About this time a somewhat important concession was granted to the manufacturers in suddur distilleries in sanctioning the suppression of shops in the town of Belgaum is the only other alteration Government made previous to the passing of Act III of 1852. These shops were closed as they were supposed to offer great facilities to the European soldiers at that station for obtaining spirits. In 1820 the manufacture and sale of spirits in the camp and city of Poona were placed under the control of the military, who confined its sale to the camp. This plan was adopted in Nuggur in 1830 and partially in Belgaum in 1832 and it was in order to assimilate the management in the latter station to that prevailing in Poona and Nuggur that these shops in the native town were suppressed.

The defects in the old law which were brought to light during the discussion of the question were, according to Mr. Bell, the absence of any provision authorizing the introduction of other than the systems defined in Chapters XI and XII of Regulation XXI of 1827; the illegality of curtailing the limits of suddur distilleries; the imperative necessity of accepting the highest offer for an Abkari farm; the absence of all check on the retail sale of other than country spirits; the illegality of altering the form of license prescribed by law; the want of provisions for legally controlling the manufacture of spirits for exportation and removal; the unequal incidence of the customs duty on spirits removed by sea and on spirits removed by land; and the limitation to the Collectors and their Assistants of the power of taking cognizance of breaches of the law.

56. *Expression of Public and Official Opinion in 1852.*—The public of the Presidency seems to have been active even at this early date against the spread of intemperance in the province. The views prevailing may perhaps be judged from a memorial submitted to Government by the people of Satara in the year 1852. The memorialists wrote:—

"That we are now under the Government of the English is by no means in itself a cause of sorrow to us; but are filled with anxiety and alarm in view of the fact that the evil of strong drink so invariably follows the introduction of British rule. When this great evil once gets a footing it cannot without much difficulty be eradicated. All remedies fail.

"If Government once begin to raise a revenue from this source, there seems little or no hope that it will ever be relinquished at a future time.

"If the object in view in imposing a tax on distilleries and liquor shops is to save people from intemperance, then would it not on every account be better to suppress them altogether and thus nip the evil in the bud? The remedy now resorted to by Government seems wholly inadequate: for, notwithstanding the tax imposed, drunkenness and ruin continue to spread on all sides.

“Possibly it may be said that it is not the duty of Government to interfere with the wishes of the people in regard to what they shall eat and drink. But let the ruin caused by intoxicating drinks be considered. The Government should not forbid the use of that which is nutritious and beneficial; but it is the bounden duty of Government to save the people from ruin, when they, through ignorance and folly, are rushing into it.

“It may be thought that some are required by their religion to use intoxicating drinks, and that to suppress the distiller and grog-shops would be an unjust interference with the religion of such parties. But the use of spirits is not required by any religion whatever.”

In the very interesting statistical report of the Kolaba agency written by Mr. Hearn in 1851 and published in 1854 as No. VII of the New Series of Government Records there are several allusions to the drinking propensities of some sections of the people, and from the following extract he seems to have thought that the vice was on the increase, at any rate among the Kunbis:—

“The crime of drunkenness it is evident is on the increase and the great number of liquor shops confirm this. How often are people to be seen returning from bazars in a state of intoxication? The demon of drinking is now making more victims in this land than all the plagues put together; it follows then as a matter of course that the Kunbi's moral character is becoming debased; and his strength is being sapped imperceptibly. The question is, how are all these failings to be remedied?”

Of the Kolis he remarked:—“They are the greatest drunkards among the Hindus. Indeed, mostly all the Kolis are inveterate drunkards, and something ought to be done to curb their passion for liquor. I believe there are only a few, perhaps half a dozen who abstain from it.”

57. *Act III of 1852.*—In 1852 an Act was passed to remove the defects noticed above and a general power was given to Government to introduce any system when local circumstances required special treatment. On its becoming law the Revenue Commissioners were asked to prepare a joint report detailing the arrangements necessary for the introduction where peculiar local causes required of such a system of assessment and collection of the revenue derivable from the manufacture and retail sale of spirits and to frame rules for the guidance of Collectors in the management of this branch of the revenue generally. The Commissioners accordingly submitted the report known by revenue officers as the Abkari Joint Report No. 6 of 1852, dated the 13th October, which they supplemented in 1855 by their report No. 2 of the 6th January. Regarding the first point to which their attention was directed by Government, the Commissioners seem to have ignored the existence of any peculiar causes requiring special arrangements, notwithstanding that their existence had been one of the principle reasons for passing the new Act, and that the Collector of Thana had brought them specially to their notice. That officer strongly advocated the appointment of a special agency in the coast districts, where the “Outhputtee” and consolidated tree-tax systems ruled. The Commissioners, however, contented themselves with merely recording their disapproval of his scheme, and advocated the universal adoption of the farming system. They assigned as a reason for rejecting a proposition for a system of separate licenses, that it would cause much extra labour to the revenue establishments, who had already so much to do. As seems to have been observed by Mr. Bell it seems to have escaped them that, since Government had frequently affirmed that what was most to be desired was the reduction of the consumption of spirits to a minimum, even at a loss of revenue, they were amply justified in proposing the application of a portion of the fast increasing receipts from this branch of revenue to the establishment of an efficient supervising establishment. As to the second point in their instructions the Commissioners apparently considered that by recommending the farming system for universal adoption, by granting licenses for the sale of European spirits on a maximum payment of Rs. 25 per annum, and by framing forms of licenses and of passes, the preparation of district rules for the guidance of Collectors was unnecessary. These forms were full of restrictions of such a character that, without an active agency to enforce them, they could not but become a dead letter. Some of the clauses forbade the distillation of spirits above a certain strength, the removal of spirits from the distillery to the shop without a pass, adulteration, subletting the farms, the sale of more than one seer to any one person in one day, the keeping the shop open after sunset, etc. In their supplemental report the Commissioners argued at great length whether the amount of toddy that might be retailed to one person in one day should or should not be defined. They insisted on the farmer's keeping simple accounts for Government inspection, and submitted to Government for decision whether the abkari farms should be sold by shops or by mahals, the Commissioners being divided in opinion on this point. Government decided in favour of farming the shops in a mahal to one person, on the ground that the farmer of a mahal had greater interest in the suppression of smuggling and clandestine sale, and would co-operate with the Collector for their suppression more efficiently than the separate farmers of several shops; and that his risk of loss being greater, the greater would be his care to act up to the terms of his contract. As to the report generally, Government accepted and approved of it. Still the local officers who had charge of the coast districts of the Konkan, seeing the inapplicability of the orders to many of their districts, retained the old system and in time gained the Commissioner's consent to that course. The provisions of the new Act regarding the manufacture of spirits for exportation

did not come into full operation till 1856, when the Bhandoop and Caranja distilleries were placed specially under the Commissioner of Customs, and the duty hitherto levied as customs was fixed at nine annas one pie the gallon and was declared to be levied under section 6 of the Act. The question whether it was better to give shops in farm separately or by mahals was re-opened in 1857, the Government declared its future policy to be the putting up to auction yearly each shop separately, and the reduction of the number of shops to a minimum; affirming that though the increase of the Abkari revenue was not an immediate object, yet, so far as an increased impost tended to restrict consumption by raising the price of spirits, it was a valuable instrument which should not be neglected. Under the system of farming the revenue was small and so the temptation to drunkenness strong; among the Panval Agris, for instance, there was scarcely a sober man in the village after eight at night.

58. *Mr. Bell's Report.*—In 1861, in connection with a draft Opium Bill prepared by Mr. Spooner, Government made an effort to put the excise system on a better footing. The Commissioners were desired to draft an excise bill, but, from press of work, they begged to be excused, and in 1864 Government entrusted the duty to a Special Commission. In 1865-66 the Survey Commissioner remodelled the tapping knife system in Umbergaon. Meanwhile, in consequence of frequent changes among its members, the Commission had failed to complete their draft Excise Bill. Pending these discussions Act IX of 1867 was passed to regulate the excise administration of the Town and Island of Bombay, and various improvements were introduced in different districts. [The farming system continued to be that generally in force up to 1878.] In 1868 Mr. Bell, C. S., was entrusted with the work, and in the following year he submitted an elaborate report dated 1st October 1869. The report gave rise to a discussion which lasted over several years without leading to any satisfactory conclusion. The main principles suggested by Mr. Bell for the preparation of a scheme for the sound management of excise revenue were:—

- (a) that without a complete control over the manufacture of spirits no real control can be exercised over its sale,
- (b) that any excise duty that is to be levied should fall on the article before its removal for consumption,
- (c) that the manufacturer, and not his servant, should be held responsible for the payment of the duty,
- (d) that the duty on fermented or comparatively harmless liquors should not be the same as the duty on spirituous liquors, and certainly should not be heavier,
- (e) that to enforce restrictions, and generally to carry out the provisions of an excise law, an efficient establishment is indispensably necessary,
- (f) that the cost of such an establishment should be the first item defrayed from receipts.

Mr. Bell recommended the adoption of the central distillery system; he reported that a violent reduction in the number of licenses would not necessarily cause a corresponding decrease in consumption, but might afford opportunities for illicit manufacture and sale. With the help of statistics he tried to prove that an increase of revenue did not necessarily mean a corresponding increase in consumption; within the ten years before his report the revenue had doubled itself, while the consumption of country spirits had apparently increased only about 50 per cent. Mr. Bell concluded that drunkenness had not in his days increased to any alarming extent and that the increase in the consumption of spirits was not disproportioned to the material improvement in the condition of the people. He appended to his report the views of several local officers on the subject. Mr. Trevor, the First Assistant Collector, observed:—

“In the matter of Abkari administration, the question of revenue is avowedly of minor importance. The main object to be kept in view is to lessen the consumption of intoxicating liquor, and to improve the quality, i.e., lessen the deleterious effects of what must be consumed. The arrangement by which liquor-farms and retail licenses are put up to auction appear to me to be specially calculated to defeat this object, and to hold out inducement to adulterations and to the promotion of drunkenness which no multiplication of restrictions can ever effectually counteract. The system of farms (mutkas) is more especially open to this objection, inasmuch as it confers on the successful competitors in the auction a sort of monopoly in their respective districts, and every facility for combination to aid them in evading obnoxious conditions and realizing the utmost profit out of their speculation.

“In the ‘Outhputtee’ and survey systems the temptation to adulterate and to push the sale of liquor is much lessened. Licenses are readily and cheaply obtainable, and the holders are secure of being able to renew them next year should they desire it, instead of being bound to make all the profit they can out of them this year. Both systems, however, are more complicated and restrictive than seems to me desirable, while they fail, as do the others also, to impose any effective practical check upon consumption or to protect the revenue against illicit manufacture.

“I am very respectfully of opinion that all attempts to attain these objects by throwing difficulties in the way of purchasers, enhancing the price of licenses, whether by putting them

up to auction or other means, fixing the rates at which liquor shall be sold retail, and multiplying restrictions of different kinds, must be futile so long as there are thousands of trees from which the people can, and do obtain spirit almost without fear of detection, and at little more cost than the trouble of distilling it. The only effect of such attempts is to put a premium on illicit manufacture and sale, and to drive those persons who do take out licenses to evade the restrictions imposed on them and to sell adulterated liquor.

“In order to secure the end desired some means must be found to limit the supply of raw material and to enhance the cost at which spirit can be produced; when these objects are attained, the retail price may safely be left to regulate itself.”

Mr. Trevor recommended that the practice of granting licenses to the highest bidder should be altogether abolished, licenses being granted on payment of a fixed fee, sufficiently heavy to guarantee that they are not asked for where they are not required. Mr. Hope, the Collector of Surat, remarked :—

“I do not consider that the Abkari system in my district is a good one though perhaps not as good as any other now in force. The vice of drinking is on the increase, and I would advocate more restrictive provisions on the sale on the one hand, and revenue measures to diminish the production on the other.”

59. *Sir Charles Pritchard's Reforms.*—The evils noticed in Mr. Bell's days were, in the meanwhile, accumulating. Mr. John Nugent, Assistant Collector, Thana, in his letter no. 44, dated the 18th June 1868, observed :—

“Thirty years ago the habitual spirit drinkers formed at the utmost only ten per cent. of the entire population. Some of my informants put the average as low down as even five per cent. Now at a moderate estimate 75 per cent. are drinkers. In some portions of my districts I am informed that 80 and even 90 per cent. of the population drink. Amongst the Katkuris and Thakors the very children are taught from their earliest infancy to drink the country liquor. In fact they may be said to suck it with their mother's milk. The lower orders of Musalmans drink as freely as the Hindoos, perfectly disregarding of all the precepts of the Koran. Brahmins and Prabhus are not above others owing to the soft impeachment. They too, but as a rule, privately and in their own houses, drink the country made spirit. The immense increase in the consumption of intoxicating liquor is due to various causes. A universal taste and liking for liquor has sprung up and is still spreading daily in every place and in all ranks of society. The demand has created a supply and greater facilities are now afforded for obtaining liquor than previously existed.”

It was becoming impossible to supervise the countless stills that were at work all over the district, and the abundance of spirit and lowness of the excise made liquor so cheap that drunkenness was universal. In addition to these evils a marked increase of smuggling followed the enhanced excise rates which were introduced into the Town and Island of Bombay in 1874. The work of introducing a new excise system was entrusted to Mr. C. B. Pritchard, C. S., the Commissioner of Customs. Mr. Pritchard's recommendations were embodied in Act V of 1878, and the new system was introduced from the 1st of January 1879. The mixed interests of the landholders and the Bhandarees, and the dislike of the consumers to a system which increased the price of liquor, made the carrying out of the desired reforms a task of much difficulty. The main principles of the reform were, (1) to confine the manufacture of mhowra spirit to central distilleries and to collect the excise revenue by a still-head duty fixed according to the alcoholic strength of the liquor; and (2) to introduce a tree-tax on all tapped palm trees and to regulate the palm tax in places where palm juice was distilled so as to correspond with the still-head duty on mhowra liquor and equalise the price of the two liquors. The next step was to separate the excise cess from the *bud-dene* cess, and to strip the *bud-dene* cess of the privilege of tapping, and distilling and sale. This was effected by fixing in addition to the old *bud-dene* cess a district excise tax on each tree tapped. As a temporary measure, and pending the introduction of a general rate of taxation after the enforcement of the Anglo-Portuguese treaty of 1879; the new excise tax was graduated on a scale falling from a highest rate in sub-divisions near Bombay to a lowest rate near the Portuguese settlement of Daman. The chief remaining provisions of the new system were: (1) the dividing of the district into three ranges, each range being placed under a European Inspector with a staff of sub-inspectors and excise police; (2) the buying of all rights under which landholders were free from the payment of excise taxation; (3) and the leasing for Rs. 32,000 a year of the excise rights of the Jawhar State. Under Act V of 1878 with a separate department and a sufficient staff the abkari system in the Presidency was revolutionised and the old farming system was abolished nearly everywhere, the central distillery system with high rates of duty varying in each district, which were steadily increased from time to time, being introduced in its place. This system was accompanied with the grant of monopolies and with a “minimum guarantee” the amount of which was fixed by competition. The result was the general complaint of the people not that the administration encouraged drinking but that it was too severe in its restrictive measures and enhanced the price of liquor to a height which was resented by both the distiller and the people. As a matter of fact the measures taken by Government since 1878, like

all other restrictive measures, were short lived and the consumption of liquor began to find its old level within the next decade.

60. *Change in Policy.*—From the General Administration Report of the Bombay Presidency for the year 1882-83 it appears that the country liquor traffic formed by far the most important subject of abkari administration in this Presidency, contributing 97 per cent. of the total abkari revenue. The country liquor taxed and consumed was of two kinds, *viz.*, (a) distilled spirit and (b) toddy or the sap of the palm-tree. Almost all the spirit made and sold in all the districts of Gujarat and the Deccan was distilled from the dried flower of the mhowra tree, which grows abundantly in many northern districts. Mhowra flower was also imported in large quantities from the Central Provinces. In the Town and Island of Bombay and in the Districts of Thana and Kolaba both mhowra spirit and spirit distilled from toddy were sold, while in Ratnagiri and the coast talukas of the Kanara District toddy alone was used. The spirit consumed in the above-ghat talukas of Kanara and in the districts of Belgaum, Dharwar and Kaladgi was for the most part distilled from molasses (*jagri*). Toddy was consumed to a greater or less extent in every district of the Presidency.

In former years the revenue from country liquor was generally raised by selling at auction the monopoly of the right to manufacture and sell spirit over specially specified tracts of country. Each farm usually comprised only a few villages, but in some districts whole talukas were sold in single farms. The farmers paid lumpsums for their privileges and were then free to make and sell as much liquor of as many kinds and strengths as they pleased altogether uncontrolled by official interference. In most districts the toddy farms were sold along with spirit-farms but in a few places the right to draw and sell toddy was sold separately. This system had the advantage of being simple and easy of management, but it left both Government and consumers very much at the mercy of the farmers. Government could only realise in any year just as much revenue as the farmers chose to guarantee, and the farmers often combined to keep down prices at the auction sales. The system provided no check whatever against the immoderate sale and consumption of cheap liquor, while it allowed also monopolists to put on sale weak and inferior spirit and to charge for it any prices they pleased. It left Government in ignorance of the quantities of liquor made and consumed, of the cost of its manufacture, of the rates of duty realised upon it, of the strength and the selling price of the liquor sold, and of the amounts of the profits derived by the monopolists from their farms.

The most important reform in abkari management as yet effected had been the gradual abolition of this lax farming system, and the substitution for it of one under which the manufacture of spirit was carried on under Government control and supervision. A fixed rate of duty (in the shape of still-head-duty on liquor made from mhowra and molasses, or of tree-tax on toddy liquor) was paid on every gallon of spirit that passed into consumption and the farmers were obliged to sell liquor of good quality at fixed strengths within fixed maximum prices. Government was thus enabled to raise or lower the rate of duty levied as may be desirable for fiscal purposes, to regulate the selling prices of spirits as may be necessary, to check immoderate consumption and drunkenness, and to secure for the public a supply of good wholesome liquor at reasonable prices with reference to the requirements and conditions of each district in the Presidency. At the same time, the use of smuggled liquor was checked by special establishments, costing more than a lakh of rupees a year, which had been employed to prevent the illicit manufacture of spirit in British districts and the illicit importation of spirits from foreign territory. Government also rented at considerable cost the abkari management of most of the Indian States in the Konkan, Deccan and Southern Mahratta Country in order to prevent the manufacture there of spirit for illicit importation into British territory. An enormous reduction was made in the number of stills worked, and the number of shops at which country spirit was sold was also reduced. Measures were taken to separate the spirit and toddy farms in order to give free scope to the demand for toddy, which was in some quarters believed to be choked by the farmers, who were more interested in the sale of spirit than of toddy. During the ten years ending 1883-84 the number of shops in the whole Presidency was reduced from 3,440 to 2,945. The still-head duty in the Town and Island of Bombay was increased from Re. 1 to Rs. 2½ and the consumption reduced from 900,000 gallons to 700,000. Through this operation of Government the rate of tax was generally increased three fold, and the selling price by 60 per cent. On the other hand in the Excise Administration Report for the year 1883-84 the Commissioner observed: "There is no doubt that many natives now habitually drink spirit who a few years ago were total abstainers; and I do not think that the enhancement of the liquor-tax, or any other measure that Government could introduce, is likely to have any effect in arresting the spread of that habit."

61. *The Mhowra Bill of 1882.*—In 1882 Government introduced into the local legislative council a bill with the object of taking powers to make rules to regulate the traffic in mhowra flower in all parts of the Presidency. The grounds urged in favour of the bill were that the offence of illicit distillation of spirits from mhowra flower was rife in many parts of the Konkan, especially the Thana and Kolaba districts, that mhowra flower was openly hawked about the villages even in parts of the country where the tree did not grow, although it was not used as food for either man or beast, that it was quite a common thing to find stores of mhowra flower in *rayats'* houses in localities in which all distillation had been prohibited and that experience had shown

that it was not possible to put down the illicit distillation without some such measure as was proposed. The Governor-General however refused his assent mainly on the ground that the scope of the bill was too extensive, that other remedies should be tried first and that further enquiry was required to ascertain whether the mhowra flower was ever used as food in the Thana and Kolaba districts. Government appointed a Committee to make the further enquiry desired by the Government of India. Two separate reports were submitted, (1) by Mr. Mulock, Collector of Thana, and Mr. (afterwards Sir) James Campbell, and (2) by Mr. King, Collector of Kolaba, and Mr. Campbell. Messrs Mulock and Campbell recalled attention to the extreme intemperance for which Konkan had been noted from the earliest times and produced a letter from the Civil Surgeon of Thana pointing out that the heavy drinking in the Thana district was a fruitful source of disease and degeneracy of the race; they remarked that the district officers' main difficulty was to devise some system which, while checking inordinate drinking, would bring the manufacture and sale under supervision and yield a fair income to the state and that any rate of duty was incentive to illicit practices, though the higher the rate the greater the incentive. They found that illicit practices were rife in those districts where the mhowra tree grew, that mhowra flower was not extensively used as food for men or cattle in the Thana district and recommended that the possession of mhowra flower should be declared illegal except under license; they also recommended that the number of licensed spirit shops be increased until no two were more than 5 miles apart and that the maximum quantity of spirits which can be removed from a shop should, between 1st June and 1st November of each year, be increased from one gallon to four gallons. The reason for the last proposal was that the cultivators require spirits daily during the transplanting season. Messrs. King and Campbell reporting on Kolaba district expressed similar views regarding the use and prevention of the possession and sale of mhowra flower in that district and proposed the cutting down of all mhowra trees. A second bill applicable to Thana and Kolaba only was placed before the Government of India in 1884, but they asked that the question should be reconsidered because mhowra flower might be used as a food in times of scarcity. Other measures were accordingly tried by the local Government but they did not go into the root of the matter. Illicit distillation with all its evil consequences spread to the coast districts where there was no mhowra flower. Drunkenness was rampant and there was a general disregard of law and order which called for the employment of additional police at the expense of the people. A third bill was put forward in 1892 and on this occasion it was passed unanimously by the Legislative Council adding section 18-B to the Abkari Act and received the assent of the Governor-General. It applied first to the districts of Thana and Kolaba only. By further legislative enactment it has subsequently been extended to the districts of Broach, Surat (Bulsar Division), Nasik (excepting Peint) and Kaira. The Hon'ble Sir Charles Pritchard who was in charge of the bill in his closing speech stated that he was unable to hold the view that the liquor traffic was not a legitimate source of revenue. A similar sentiment was expressed by the Abkari Commissioner in his letter no. 6332, dated the 24th November 1886, when there was a movement in favour of total abstinence in the Thana and Kolaba Collectories; he said: "The question for decision is, shall we sit quiet and allow the movement to continue and to spread and thereby to forfeit a large amount of revenue, or are measures to be adopted which will bring the people to their senses?"

62. *Licenses for Life and Auctioning of Duty.*—In 1886 and 1887, licenses for life were issued in Bombay City at fees to be assessed by the Collector. As these have expired, no further extension of the privilege has been given. In 1887-88 an experiment was made in the Thana and Kolaba Districts, in the direction of the levy of the whole of the taxation in the shape of direct duty by putting the duty itself up to auction. This experiment, however, resulted in a lamentable failure.

63. *Increase of Duty and Check on Consumption.*—The Bombay Government in their Resolution No. 3426, dated the 28th May 1888, recorded the following opinion on the effect of increase of duty in the consumption of spirits: "It has been frequently shown that the immediate effect of an increase of duty is a decrease of consumption; but the taste for liquor can be temporarily checked only, not suppressed, and after a time consumption again increases." In paragraph 3 of their letter to the Government of India No. 9255, dated the 6th December 1889, the local Government explain:—

"As regards the consumption of spirituous liquor, it is somewhat remarkable that the attempts of Government to check consumption by raising the price of licit liquor and cutting off as far as possible the sources of illicit supply have not to the extent which might have been expected reduced the normal tendency to increase with increase of population, rise in wages and general prosperity which has been in operation for a long period. The causes of more recent origin which have operated to counterbalance the effects of increased taxation are believed to be that the habit of drinking liquor is gradually spreading among the mercantile, professional, trading and artisan classes whose caste or religious prejudices against the use of spirits are growing weaker year by year. Many members of those classes of native society who formerly consumed opium as a stimulant have now given up the use of that drug and have in lieu of it resorted to spirits. At the same time the number of moderate consumers of liquor of all classes and habits has largely increased, notably in towns in which the growth

of manufacturing and other industries provides a large and increasing population drawn from the lower castes with employment at high wages. On the other hand, the measures adopted by this Government have exercised a most salutary effect in preventing the general drunkenness that formerly prevailed amongst the lower classes in certain districts."

64. *High Consumption.*—The Indian Excise Committee, which was asked to make enquiry into the reasons for the high consumption of liquor in the Presidency, higher than elsewhere, and whether this fact was connected with the operation of the district monopoly system and the low rate of taxation prevalent in the Presidency, found that the province consumed more than one-third of the distillery liquor that was drunk in India and had a consumption per head five times as great as that in other areas with which comparison could be made. The area of highest consumption was limited to the city of Bombay and the adjoining districts of Thana and Kolaba, together with those of Surat, Broach and Khandesh. The extremely large consumption of liquor in these districts was reported to be due to a variety of causes, chiefly the natural inclination of the people to drink, the large floating population of all races, the damp and unhealthy nature of the climate, the general prosperity and the high cash wages earned, the low rate of taxation which was necessitated by the abundance of material for illicit distillation and of opportunity for smuggling from Indian States and the readiness of the people to resist measures of repression. The consumption was found to be also high in the southern coast districts with their damp and unhealthy climate and the Panch Mahals and Kaira Districts inhabited by Bhils and other jungle tribes. The rest of the Presidency, except the cities and cantonments, was reported to be comparatively abstemious. The Committee also found the district monopoly system, then existing, to be a contributory cause of this high consumption and were disposed to think that had the liquor trade been more directly under the management of Government, more might have been done to reduce the heavy consumption.

65. *Orders on the Indian Excise Committee's Report.*—In issuing orders on the report of the Indian Excise Committee, the Government of India asked this Government to treat toddy spirit as foreign spirit, to limit its production to the Dadar Distillery and gradually to enhance the taxation to the full tariff rate levied on imported spirit. They also asked for a general rise in the duty on country spirit. The contract distillery system was gradually extended and certain central distillery tracts were brought under that system.

66. *Mr. Logan's Observations.*—In submitting his annual Excise Report for the year 1907-08 Mr. A. C. Logan, Commissioner of Customs, Salt, Opium and Abkari, quoted the following figures in referring to the popular belief that the gradual perfecting of the abkari administration has encouraged drinking in much the same proportion as it has increased the revenue :—

1867-1868.

(Excluding the Town and Island of Bombay.)

Liquor shops (country spirit)	4,673.
Consumption (strength varying from 11° to 75° U. P.)..	1,884,422 gallons.
Taxation, license fees, etc.	Rs. 23,22,864.
Population	9,842,028 souls.
One shop to every	2,106 souls.
Consumption	14 drams per head.
Area	61,771 square miles.
One shop to every	13 square miles.
Taxation	3-8 annas per head.

1907-1908.

(Excluding the Town and Island of Bombay.)

Liquor shops (country spirit)	2,218.
Consumption (25° U. P.)	2,704,354 gallons.
Taxation, license fees, etc.	Rs. 76,01,522.
Population	14,547,204 souls.
One shop to every	6,559 souls.
Consumption	8 drams per head.
Area	75,896 square miles.
One shop to every	34 square miles.
Taxation	8-4 annas per head.

Mr. Logan observed, however :—“It is certainly lamentable that the working classes should spend so much of their earnings in drinks and it must be admitted that in general the

number of shops now existing is not excessive, it is certainly so in many of the large towns and perhaps in some districts. I have already dealt with this subject in a separate report, and need therefore say no more now than that the department should earnestly set its face against any further multiplication of shops on the plea of meeting illicit distillation. With the new highly paid staff that danger should be met by adequate repressive measures rather than by introducing the competition of the licit dealer, and thus bringing temptation in the way of those who would otherwise have escaped it."

67. *The Foreign Liquor Committee.*—In 1908 the Government of Bombay appointed a Committee consisting of official and non-official members under the chairmanship of Mr. A. C. Logan, Commissioner of Abkari, to investigate into certain matters connected with the imports of foreign spirits into Bombay. The general conclusions arrived at by the Committee will be noticed in the Chapter on "Foreign Liquor".

68. *Excise Advisory Committees.*—In the year 1907 the Government of India desired that local opinion on the question of fixing the number and sites of liquor shops should be consulted more systematically and recorded more definitely than had hitherto been the case and suggested the appointment of small local committees to be formed for the purpose. Such committees were constituted for Bombay City and the larger municipal towns of the mofussil and Sind in the year 1908-1909. The functions of and the work done by the committees are referred to in Chapter XI on "Advisory Committees".

69. *An Interesting Experiment.*—In the year 1907-08 a liquor shop at Kirkee selling about 10,000 gallons of spirit was purchased by the licensee at an extraordinarily high rate. The suspicions of the excise authorities being aroused, Government temporarily ran the shop themselves in order to see if the business could be paying. As a result of the experiment they came to the conclusion that the auctioneer purchaser in order to pay his expenses and make a profit must break his license conditions or cheat his customers or both. He breaks his license conditions (1) by selling outside authorised hours, (2) by disregarding the maximum selling price and (3) by selling short measure. It does not appear that any advantage was profitably taken of the results thus arrived at by Government or any scheme devised to prevent the sale of liquor by short measure. In fact from the figures of sale for the year 1907-08 it appears that the bids left a margin of profit for honest dealers in a few districts whilst elsewhere they left the purchaser to face a loss.

70. *Increase in Consumption.*—In the year 1908 the Bombay Temperance Council petitioned Government stating that the result of their policy was that the consumption of liquor was increasing out of all proportion to the legitimate wants of the population. For instance the total number of gallons of country spirit 25 U.P. that passed into consumption in the Bombay Presidency proper in 1891-92 was 2,457,541, whereas the number of gallons of the same strength for 1906-07 was 3,386,060, an increase of nearly 38 per cent. in 16 years. Now the population which in 1891-92 was 16,018,161 was estimated at 15,323,310 in 1906-07, i.e., there was a decrease of nearly 5 per cent. The subjoined table was given as a bird's-eye view of the growth of consumption and decrease of population.

Year.	Consumption in gallons.	Increase per cent. over 1891-1892.	Population.	Decrease per cent. over 1891-1892.
1891-1892	2,457,541	..	16,018,161	..
1906-1907	3,386,060	38	15,323,310	5

It was not the consumption of country spirits only that had increased. That of foreign spirits too had also considerably been increased from 131,653 proof gallons in 1890-91 to 201,420 gallons in 1906-07, an increase of nearly 53 per cent. in 17 years. The most noticeable increases were to be seen in Bombay (from 56,744 gallons in 1890-91 to 134,597 gallons in 1906-07, an increase of 137 per cent.), Khandesh (from 2,787 to 4,249, an increase of 52 per cent.), Sholapur (from 2,372 to 3,423, an increase of 44 per cent.), Dharwar (from 2,845 to 6,664, an increase of 134 per cent.), Kolaba (from 359 to 1,394, an increase of 288 per cent.), besides minor increases in other places. Lord Sydenham (then Sir George Clark) in reply admitted that there had been an increase of consumption and regretted the fact. In part he attributed it to the increase of wage as drink was one of the luxuries of the poor, more especially where, as in India, the poor have at present few or no other sources of recreation. In part, however, it was, in his view, an unreal increase due to the diminution of illicit consumption as the control of Government was gradually asserted. He was unable to say what part this factor played in the recorded increases. He also admitted the increase in the consumption of foreign spirits.

71. *Hours and Days of Sale.*—Under the standing orders of the 24th February 1860, liquor shops in the Presidency were closed at sunset. These orders were superseded in 1876 when Government, in sanctioning certain proposals for the Abkari farmers of the Poona, Satara, Sholapur and Ahmednagar Districts, accepted the change in the closing hours to 9 p.m. (Bombay time). From a long time the shops have been closed during the Moharrum and in 1911 Government

appear to have had under consideration the question of closing shops during the more widely celebrated Hindu holidays. In the towns of Karachi and Hyderabad shops were in that year closed on two days of the Holi festival and the opening and closing hours of all liquor shops in Bombay City were fixed at 9-30 a.m. and 9-30 p.m. respectively. In the same year the sale of liquor under a license on board the coasting steamers plying between Bombay and several coast towns from Karachi to Mangalore was permitted for the first time. In 1912 Government were prepared to accept the closing hours fixed by an advisory committee provided it was not earlier than 8 p.m. (standard time). In 1914 a special closing hour, *viz.*, 2 p.m., was fixed in Bombay for the second day of the Holi festival. In the mofussil districts there was some diversity of views in general, but there was a consensus of opinion with regard to making the closing hours earlier than it was before, while, save in respect of a few districts, no change was suggested in respect of the opening hour. In coming to decision in this matter Government had to consider the case of each district on its merits and to view it from three different standpoints, *viz.*, (1) whether the demand for spirit and the facilities for illicit consumption were both comparatively small, (2) whether the demand was considerable and the danger of encouraging illicit practices not material, or (3) whether the demand and the facilities of illicit practices were alike considerable. If a district fell into either of the first two categories, it was considered to be a sign that a curtailment of the hours of sale in its case was likely to lead to a decrease in real consumption and that it might be tried, but if the district fell into the third category any marked restriction on the hours of sale was thought only likely to lead to a transfer of consumption from licit to illicit and to be consequently inadvisable. In 1918 the mill-hands in Bombay passed a resolution petitioning Government to close country and foreign liquor shops at 8 p.m. every day and to close them entirely on holidays. Government did not take any action in the matter; country liquor shops were then already closed during the Holi and Moharrum holidays. A proposal made by the Commissioner of Excise in 1919 that, following the practice in Madras, shops in mill areas may be closed on pay day and the day after was rejected by Government as impracticable. They sanctioned, however, the closure of shops in Sholapur on mill pay days at 5-30 p.m. A proposal made by the Poona Advisory Committee to close shops entirely on Sundays or at an early hour on week days was accepted by the Government of Bombay (Transferred Departments) in 1921. They negatived, however, a proposal to close shops in Satara City at 4 p.m. on market days. Government had also under consideration the closing of liquor shops during the mill hands' midday recess and on pay days, but they did not arrive at any conclusions, apparently leaving the matter to be considered by this Committee. In municipal areas shops are now being closed on Holi and Moharrum holidays and a similar procedure will no doubt be followed in other parts of the Presidency.

72. *Licensing and Revenue Functions.*—In reply to a petition made by the Poona Temperance Association in 1913, proposing *inter alia* the separation of the licensing from the revenue functions, Government explained :—

“Government cannot give any countenance to the suggestion of the Association that the authority granting licenses should be distinct from that which collects the revenue from those licenses. It seems to be based on a misapprehension of the term ‘revenue department’ and of the duties of the revenue officer. The term revenue department is used merely as a convenient phrase and the officers of the revenue department who grant licenses are the officers who are responsible for the good administration of the country.”

73. *Age Limit.*—In 1914 Government raised from 14 to 16 the age limit to which the sale of liquor to minors and their admission to shops is prohibited. It was thought that a youth of 16 was ordinarily a person earning his own living, that he was no longer under the control of his own parents and that therefore it would be inexpedient to apply prohibition to such a person.

74. *Decrease in the Rate of Duty and Reduction in Strength.*—In 1915 the sale of country liquor of 20 U.P. was stopped in Bombay City and only 25 U.P. and 60 U.P. were allowed. Similarly in the districts it was reduced generally from 25 U. P. to 30 U. P. and the duties were considerably increased. From a question put in Parliament in that year it appears that the consumption in Bombay City was 443 gallons per thousand of population against 170 gallons per thousand in the city of Madras.

75. *Opening of 25 Shops in Kaira District.*—In 1915, 25 liquor shops in the Kaira district were opened. The reasons assigned by Government for this measure were explained by them as follows :—

“A comprehensive examination made last year brought forcibly to notice the fact that large quantities of illicit liquor are consumed in the district and that the prevalence of illicit distillation is one of the conditions that help to keep alive the spirit of lawlessness on the part of a section of the population. Government have accordingly decided to take special action to suppress the practice. One of the preventive measures is to increase the number of shops, as the evidence conclusively showed that the paucity of the existing shops and the difficulties in the way of obtaining a supply of licit liquor merely fostered illicit distillation without in any way promoting the cause of temperance.

“ In fixing the locality of the new shops the only consideration has been the supplanting of illicit liquor and every care has been taken to avoid localities where the people are not addicted to drink or where the establishment of a shop would encourage the drinking habit. ”

76. *Introduction of the Madras Auction System.*—In 1917 it was found that the system under which the right of retail sale of country liquor was decided had proved unsatisfactory and that a change was necessary in the interests of the general administration. The system in force of separate shops with a fixed fee assessed on the sales of the previous year, and renewal from year to year to the same holder, provided his management was good, was based upon the existence and observance of a maximum selling price, and on the selling of full measure within the maximum price fixed. A large majority of officers were of opinion that it was most difficult to enforce the maximum selling price; such enforcement could be generally disregarded, either by price above the maximum being taken, or by the giving of short measure or *kasar* which was variously estimated from 10 to 20 per cent. on the quantity sold. The very large profit thus made by the licensees formed a fund for the bribery of the subordinate excise staff.

In spite of the failure of the monsoon in 1918 resulting in a widespread distress in many parts of the Presidency, the gross excise revenue surpassed all previous records and exceeded that of the year previous by the sum of over 54 lakhs, or by 28·6 per cent. For the first time in the history of the Presidency the excise revenue, in round figures, exceeded three crores of rupees, the exact figures being 344·5 lakhs. In 1909-10 it was Rs. 156·7 lakhs, so that a period of 10 years witnessed an expansion of 119·8 per cent. But the large rise in revenue was accompanied by a decrease in consumption of country spirits. In the administration report of the year 1918-19 the Commissioner of Excise, however, observed :—

“ In the large industrial centres the wages of labour increased with the cost of living. The enhancement in the rise of country spirit was no more than commensurate with that of other articles of consumption and consequently the extra cost of drink seems to have had little or no effect in reducing its consumption in the large towns. The general opinion of those who have studied the conditions in Bombay and Ahmedabad is that the mill-hands will not be prevented from drinking by the enhancement of the price of liquor and that the remedy for reducing the consumption of drink in these towns lies in the liberal provision of clubs and other places of recreation where the men can meet and amuse themselves without receiving any temptation to indulge in alcohol.

“ Reduction in the number of licensed shops in a town has little effect on the total consumption of country spirit and by concentrating drinkers in a few shops makes it easier for the shopkeepers to cheat their customers and creates a greater nuisance to the general public than is evident when those who drink are more widely distributed.”

Government accordingly decided to abolish with effect from the 1st April 1918 the maximum selling price, except where it was necessary in the entire absence of competition or in shops near the borders of Indian states and to introduce the auction system already in vogue in Madras. As the change in the method of disposal of shop licenses had not been dictated by considerations of securing additional revenue for any public purpose, Government decided that any extra receipts that might be realised from the change should be earmarked and allotted by Government for local purposes, such as the promotion of primary education and sanitary improvements and other matters of local administration, the difference between the receipts under the new system and those under the old one being earmarked for these purposes.

77. *Grant of Powers to Municipalities.*—On March 21st, 1918, the Bombay Legislative Council passed a resolution recommending the grant of power to selected municipalities to determine the number and location of shops within their limits. Government, however, held that the responsibility for the exercise of such power was not one that could be reasonably imposed upon or effectively exercised by a municipality. They resolved to consult more freely the existing advisory committees on the possibility of still further reducing the number of shops in certain areas and of constituting advisory committees for rural areas where such a course seemed likely to be useful. A proposal made at the same time by the Satara Municipality for the removal of the shops in the city to out of the way places was rejected.

In 1921 the Nasik Municipality passed a resolution declaring it to be desirable “ That all sorts of country and foreign liquor shops within the municipal limits should be closed immediately, ” and asked Government to abolish the shops accordingly. The municipality were informed that, until the policy in connection with the question of the prohibition of use of alcoholic liquor was decided, Government were unable to agree to the municipality's request.

78. *Policy adopted by Government after the Reforms.*—The change in the policy of recovering vend fee by the auction system was made on a three-years' basis; the amount realised during the period, over a crore and a half, was a surprising increase on the previous vend fees. The system was continued in 1921, but shops were auctioned only for a period of one year, taking into consideration the prevailing scarcity and the general atmosphere of uncertainty and because it was thought that long periods tended to create vested interests and encourage rash and harassing bids. In the first meeting of the Reformed Legislative Council, held that year, the Honourable

Mr. C. V. Mehta, Minister in Charge of Excise, made a public declaration that it was not the desire of Government to obtain money by the increased consumption of liquor and sketched out the policy of Government in the following words:—

“ Government are determined to combat the drink evil though the problem is complicated in rural areas by physical conditions and the proximity of foreign states which makes illicit distillation and smuggling easy and in urban areas by the competition of foreign liquor and the allurements of other and perhaps more deleterious drugs. The approved remedies of reducing the number of shops and hours of sale of drink and of taxing liquor so as to make it dear have all been tried and require to be continued. But it is doubtful whether it can be shown if that alone will solve the problem. We are entitled to take the credit of having gradually but surely reduced the strength of the spirit drunk, so that in the rural areas at least it is now very largely 60 degrees U. P.; both with regard to the strength and to the quantity the problem is becoming more and more an urban problem. The dearer it becomes the greater will be the incentive to demand higher wages. The problem therefore, does not affect the working classes only, but for the reason above stated and as an economic evil it affects the employers as well as the community generally. It, therefore, requires to be attacked from all sides. I am sure the greater employers of labour will substantially help the scheme for providing healthy recreation and counter-attractions for their workmen to enable them to resist temptation, especially when unfortunately no active anti-drink propaganda exists. It has always been the settled policy of Government to check the growth of consumption by means of these measures without regard to provincial revenues. An extension of the policy is now called for and some direct action is, I think, necessary. I do not propose to place any definite scheme before the Council but I can say that a system of rationing shops is being investigated. The figures of the latest year will be taken as the maximum and no more supplies will be issued. The supplies will be made at as short intervals as practicable, weekly, or fortnightly, and according to the sales of the previous years, the principle being that, if people have been satisfied to drink a certain quantity, that quantity shall not be increased and may be curtailed periodically as experience shows. This would entail no hardship and certainly the growth of consumption should be effectively checked and may lead in the long run to a substantial diminution and, if the people afterwards demand it, even total extinction may not be impossible. In any case the experiment is worth investigating and worth a trial.”

In introducing the budget next year, the Honourable Minister spoke:—

“ I promised last year that a direct check upon consumption would be introduced. For the next year a 5 per cent. reduction on the consumption of 1920-21 will be adopted throughout the Presidency and Sind, and in Bombay City, where the rise in that particular year was unprecedented, a reduction of ten per cent. has been adopted. This is an entirely new departure in the policy of Government which was not even contemplated before.

“ Government desire to continue this policy of gradual reduction, but, as I said last year, the pace and progress must be carefully watched and action each year taken accordingly. If reduction to a satisfactory extent is to be accomplished, this Presidency must be prepared to pay for it. I warned the Council last year that a continuous check upon the consumption involved financial burdens. I cannot believe that the Council will find it too much to withstand the results in the very first year of the policy that they have themselves approved. Future drastic reductions must mean even greater dislocation of finance, and not the least of the difficulties of the problem that the Excise Committee will have to grapple with will be the method of replacing this exhausted source of revenue.

“ I refer to this point in some detail because several honourable members have stated, quite distinctly, that they will agree to taxation for expansion of those departments which directly benefit the people or for the furtherance of a policy they have at heart, such as the abolition of drink.”

79. *Picketing*.—In 1921 an active temperance campaign was carried on in almost all parts of the Presidency, especially in collaboration with, if not at the instance of, the non-co-operation movement party. For nearly four months liquor shops were picketed chiefly by paid agents and as noticed by the great fall in the excise revenue at the end of the year there was a temporary but substantial reduction in the consumption of country liquor in general. The attitude adopted by Government in the matter will be seen from the following reply which they gave to a question on the subject in the sessions of the Bombay Legislative Council held in Poona in July 1921:—

“ Government are in sympathy with all the measures directed to encourage temperance, provided that the methods adopted are not calculated to lead to the inconvenience or annoyance of the public, to interference in lawful vocation and the liberty of the subject or to breaches of the peace and other infringements of the law. The practice of picketing liquor shops has in many instances been attended by some or all of the above consequences ensuing. Government

must reserve to themselves full discretion to make such general or special action as may be found necessary for the protection of the public or of particular individuals. They have not issued any general instructions on the subject, but they expect the magistrate and police to be prompt and vigilant in taking all the measures that may be necessary to prevent or to punish infraction of the law or any lawful order made by a competent authority."

80. *The Appointment of this Committee.*—In view of the activity referred to above and of the prevailing agitation, political and otherwise, both in the public press and outside a number of resolutions were brought forward by various members in the reformed Legislative Council on the subject of excise administration. The one which led to the ultimate appointment of this Committee was proposed by Dr. K. E. Dadachanji, namely :—

"That in view of the necessity to examine the excise policy and administration of the Bombay Presidency this Council recommends the Government to appoint a Committee which will collect evidence, if necessary, in various chief districts of the Presidency and report upon the following points :—

- (1) Prohibition—whether evolutionary or legislative, how to replace the revenue derived from excisable commodities, if absolute prohibition is enforced.
- (2) Whether the fixed vend fee system for the sale of the country liquors should be substituted for the auction system and, if so, in what areas.
- (3) Whether in any cities the excise advisory committees should be converted into licensing boards with power to determine the number and situation of shops for the sale of excisable commodities, and, if so, in which cities and with what changes in the constitution of committees this experiment should be introduced.
- (4) Whether it is necessary to fix a minimum number of liquor and drug shops.
- (5) Whether any variation should be made in the incidence of the duty levied upon excisable commodities to give effect to the policy of raising the maximum of revenue while limiting consumption to a minimum.
- (6) Whether there should be any change in the hours of sale of liquor and drugs.
- (7) Whether any and what amendments should be made in the Bombay Presidency Excise Act and the rules made thereunder.
- (8) And more points which the Government may think proper to investigate."

This proposition gave rise to an interesting and lively debate in the Council. The Honourable Mr. H. S. Lawrence, the Finance Member, explained the position of Government in the following words :—

"Wild statements regarding the demoralisation of the country by the increase of drink have no foundation in fact and when we find that over a period of twenty years the consumption has not increased appreciably; when we remember that illicit distillation was exceedingly rife formerly, and has been gradually reduced; when we remember the increase in population during these twenty years, the vastly greater increase in the dwellers in cities and industrial population, who are peculiarly disposed to seek relief in alcohol, and who have the means of indulging their wishes to a far greater extent than the villagers; and when we remember that in recent years the growth in wages has placed vastly greater resources at the disposal of this particular branch of the population, I suggest that the members of this House will recognise that there is at least *prima facie* a case for Government to claim that their policy in the pursuit of temperance has not been unfruitful."

The Honourable Minister for Excise explained that as a result of the indirect method of taxation hitherto adopted by the Bombay Government the revenue had gone up and the consumption had remained practically stationary during at least the last ten years and that *direct* action was therefore in his opinion found to be necessary. Quoting figures regarding the consumption of liquor in England, he observed that 400 crores of rupees were spent in that country every year by a population of 4 crores which meant one hundred rupees a year per head. The money spent by the poor people in this country on drink was Rs. 40 per head and it was a question whether this country could bear this expenditure on drink. He pointed out that the greatest consumption of liquor was in Bombay City where there were other attractions side by side with liquor in which people can spend their surplus money. He was, therefore, of opinion that drink was as much an economic as a social problem. He further showed the necessity of making every attempt to control foreign liquor also. He finally remarked :—

"I may say at once, Sir, that it is not our intention to appoint a committee anyhow, and I desire to take the best minds in the Presidency, to enlist their help towards a solution of this extremely difficult problem and, Sir, I may ask several associations to elect their representatives on this Committee, and I hope that the question will be given the fullest justice that it demands and that the moral as well as practical aspect of prohibition will be considered."

Dr. Dadachanji's Resolution was ultimately modified and adopted by the Council on 3rd August 1921 as follows :—

"This Council recommends Government to appoint a Committee to consider and report in all their aspects upon the questions of drink and drug traffic in this Presidency and its total prohibition."

The Resolution was accepted by Government and the present Committee was appointed by them on the 9th January 1922 consisting of the following members :—

President :

Rao Bahadur G. K. Sathe, C.I.E., M.L.O.

Members :

H. P. W. Macnaughten, Esq., M.L.O.,

Jehangir B. Petit, Esq., M.L.O.,

B. F. Madon, Esq.,

Ambalal Sarabhai, Esq.,

The Revd. N. Macnicol, M.A.,

Hooseinbhoj Abdoolabhoy Lalljee, Esq.,

Rao Saheb D. P. Desai, B.A., M.L.O.,

B. V. Jadhav, Esq., M.A., M.L.O.,

Dr. S. W. Patil, L.M. & S., J.P.,

Jamshed N. R. Mehta, Esq.,

P. J. Mead, Esq., C.S.I., C.I.E., I.C.S., M.L.C., Chief Secretary to Government.

W. C. Shepherd, Esq., I.C.S., M.L.C., Commissioner of Customs, Salt and Excise.

Mr. Macnaughten soon left India and the appointment of Mr. Fraser Nelson in his place was notified by Government. Mr. Nelson, however, never took charge of his duties or attended any meeting. The Hon'ble Mr. Shepherd, who was appointed a member in virtue of his office proceeded on leave on the 20th April 1922 and the Hon'ble Mr. C. M. Baker, who succeeded him in office, acted as member till the 16th October 1922. Rao Bahadur G. K. Sathe, President of the Committee, died on the 18th November 1922 after a long illness and Mr. C. M. Gandhi, B.A., LL.B., M.L.C., was appointed in his place from the 13th February 1923, after a considerable delay. Mr. P. J. Mead died on the 23rd April 1923 and Mr. H. F. Knight, I.C.S., was appointed on the 15th May 1923 in the vacancy thus caused.

The Members of the Committee, with the exception of the Excise Commissioner and the Chief Secretary or the Director of Industry, are non-officials and represent various interests. It was left entirely to the Committee to decide the lines on which to carry on their investigations.

SECTION II
RECOMMENDATIONS

CHAPTER V.

PROCEEDINGS OF THE COMMITTEE.

81. *Preliminary meetings.*—A preliminary meeting of the Committee was held at Bombay on the 28th January 1922 when it was decided that no quorum was necessary except when the report of the Committee came to be deliberated upon in which case seven members should constitute a quorum.

Another meeting was held on the 30th of the same month when it was unanimously resolved that the Committee should consider the following points and report on them after recording such evidence as they thought proper :—

- (1) To consider the present excise policy of Government and how far it has achieved its aims and objects.
- (2) Whether it is necessary to lay down new guiding principles of excise policy and whether the avowed goal of the policy should be the promotion of temperance by restricting consumption or whether it should be absolute prohibition.
- (3) Whether absolute prohibition is feasible in the Bombay Presidency considering—
 - (a) The facility of obtaining liquor by illicit means from palm trees, jaggery, kaju and other sources ;
 - (b) the proximity of Indian States and Portuguese territory and the impracticability of enforcing prohibition on them as well as on the neighbouring British districts ;
 - (c) the customs and habits of certain classes in the Presidency ;
 - (d) the possibility of serious discontent if those habits are interfered with in the case of classes such as Bhils, Kolis, etc., as well as of the labouring classes in large industrial centres ;
 - (e) the necessity of maintaining a preventive establishment large enough to cope with illicit distillation everywhere, and the possibility of illegal exactions by a large staff of low paid subordinates.
- (4) If absolute prohibition is recommended, to consider and propose to Government (a) the ways and means by which that policy may be carried out and (b) to consider and propose the sources from which the loss of excise revenue can be made up especially in view of the growing demands on revenue required for public services.
- (5) If absolute prohibition is not found feasible, how far and by what means should consumption be controlled and gradually reduced. The means to be considered are :—
 - (a) Rationing of shops ;
 - (b) Increasing the price of liquor ;
 - (c) Reducing the number of shops ;
 - (d) Reducing days and hours of sales ;
 - (e) Reducing the strength of liquor ;
 - (f) Regulating the location of shops ;
 - (g) Restricting or prohibiting the importation and sale of foreign liquor ;
 - (h) Regulating and where necessary, prohibiting certain kinds of licenses ;
 - (i) Prescribing age limit for customers of liquor ;
 - (j) Encouraging temperance work by subsidising temperance associations or by other means ;
 - (k) Restricting or prohibiting the removal of liquor from shops ; and
 - (l) Any other means that may be suggested.
- (6) Whether local option should be adopted, and if so, in what form, to achieve the objects in view.
- (7) To consider the effect of drink and drugs on increase in crime and on the increase or decrease in the output of work.
- (8) To consider the question of prohibiting or restricting the use of opium and hemp drugs.

At the next meeting held on the 3rd March 1922, the Committee's questionnaire, printed as Appendix B to this Report, was settled and it was decided to translate it into four different vernaculars for publication and invite the public, through the press, to give evidence.

82. *Response to the Committee's Invitation.*—Copies of the questionnaire were freely distributed to public bodies and private individuals and officials interested in the question of drink and drugs and they were asked to give their views on all or such of those questions on which they felt themselves competent to express an opinion. The response from the public as well as from officers of Government was on the whole satisfactory and replies were

received from the representatives of the different sections of the public, including members of the Legislative Assembly, the Legislative Council, principal municipalities and local boards, millowners' associations, temperance societies, the Salvation Army, Christian missions, social service leagues, workmen's and labour unions, welfare bodies, liquor trade, the medical profession, representatives of agriculturists, backward and depressed classes and private associations. The official view was ably expressed through a number of officers of the excise and revenue departments. Amongst private individuals the majority of witnesses were Hindus; the Mahomedan witnesses were conspicuous by the paucity of their number; Europeans, Indian Christians and Parsees were, however, fairly represented.

83-84. *Recording of Evidence at Bombay, Belgaum and Poona.*—After replies had been received from a sufficient number of witnesses all over the Presidency the Committee commenced to examine selected witnesses. Meetings were held at Bombay from the 25th to the 29th April 1922, when 25 such witnesses, representatives of the various interests, were examined. These meetings were open to the public. Much interest was evinced by the witnesses, who furnished the Committee with a considerable knowledge of the feelings of the different sections of the public on the liquor question. The Committee then assembled at Belgaum from the 9th to the 11th May 1922. The districts in the Southern Division being on the whole free from the evil effects of drink, not much interest was taken by the public in the Committee's proceedings so far as the number of witnesses was concerned; only six of them appeared for examination out of the total number of eleven witnesses selected. Most of these were however well informed on the subject and their evidence was sober as well as useful. The keenest interest in the Committee's proceedings was taken at Poona, where it assembled from the 15th to the 20th May 1922. Twenty-seven witnesses from the Central Division were examined at this historic place and the evidence furnished by them, written as well as oral, proved itself of the greatest value and interest to the Committee.

85. *Break in Proceedings.*—The Committee resolved to record further evidence of witnesses in the Northern Division and Sind after the rains. The programme of the Committee's tour in the next cold weather was almost settled when at the beginning of September the health of the Chairman, Rao Bahadur Ganesh Krishna Sathe, gave way and he ultimately died of dropsy on the 18th November. The work of the Committee was thereafter held in abeyance till the 13th February 1923, when Mr. C. M. Gandhi, M.L.C., was appointed by Government to fill the vacancy caused by the death of Rao Bahadur G. K. Sathe. A meeting of the Committee was called by the new Chairman on the 6th March 1923 when the course of action to be adopted by the Committee in the future was settled and it was resolved to examine witnesses in Surat, Ahmedabad and Karachi and a few more at Bombay again. A point being raised as to whether the Committee can, without the authority of the Government of India, discuss the question of restricting or prohibiting the sale of foreign liquor, the Committee decided that under the terms of reference they would, without any further authority from that Government, discuss the question and make such recommendations as regards regulating foreign liquor as they might deem proper and then leave it to Government to decide what action they should take on their recommendations.

86. *Recording of Further Evidence.*—The Committee assembled at Surat from the 18th to the 21st April 1923 to examine witnesses selected from the Southern Gujarat and Khandesh Districts. Nineteen such witnesses were examined, who took lively interest in the questions discussed and furnished the Committee with useful information, especially on the toddy question. Representatives of the toddy trade appeared voluntarily before the Committee and a marked feature of their evidence was the open frankness with which they supported the statement of several other witnesses that in the present condition of the trade it was not possible to sell toddy without adulteration. The Committee met at Ahmedabad from the 23rd to the 25th April, where evidence of the local temperance and sanitary associations and the millowners' representatives was useful. The witnesses invited from places outside Ahmedabad did not generally appear. The response from Sind was however the feeblest. Meetings were held at Karachi from the 7th to the 9th May 1923. The attendance of members here was the smallest, only four appearing out of twelve. Out of 21 witnesses invited only 10 attended. The consumption of liquor in Sind, outside the well populated towns of Karachi and Hyderabad, is limited and the people here take as little interest in the drink question as those of the Southern Division. Eleven more witnesses were examined by the Committee at Bombay again on the 22nd and 23rd May 1923. The evidence of the several official witnesses here examined was considerably helpful to the Committee. The Committee then decided to stop recording any further evidence.

87. *Final Meetings.*—The Committee met again in Bombay from the 26th to the 28th June 1923 to consider the evidence recorded by them and to decide on points to be incorporated in the report. Except Mr. Jehangir B. Petit, M.L.C., all the members were present and they first decided by a majority of nine to one that the declared policy of Government should be to aim at the total extinction of the consumption of alcoholic drinks in the Presidency by suitable steps. Several other questions such as those of local option, rationing of country and foreign liquor, reduction in the number of shops, constitution and powers of the advisory committees,

location of shops, sale of liquor "off" and "on", days and hours of sale, foreign liquor, grant of license to hotels, clubs, restaurants and railway refreshment rooms, age limit, assistance to temperance associations and temperance teaching, were discussed in detail and at length and the decisions arrived at by the Committee have been incorporated in the subsequent chapters. Several other points yet remained to be decided. A sub-committee consisting of Messrs. Kright, Madon and Ambalal Sarabhai was appointed to formulate proposals to levy such taxes as would be required to make up the loss in excise revenues, if the Committee's proposals were finally adopted. The report of this sub-committee was considered and was generally adopted by the Committee at their meeting held on the 25th September 1923 when the policy to be recommended with regard to the use of toddy and drugs and the sale of liquor in Indian States was discussed and decided upon. At meetings held from the 20th to the 22nd November 1923 the Committee considered and revised this report in draft.

CHAPTER VI.

EVIDENCE OF WITNESSES ON THE EXCISE POLICY.

88. *The Policy.*—As indicated in paragraph 48 of this Report, the policy now pursued by the Government of India for the control of the consumption of alcoholic drinks in the country was finally laid down by them in the year 1905. In their resolution no. 5001-Exc., dated the 7th September 1905, they stated :—

"The Government of India have no desire to interfere with the habits of those who use alcohol in moderation ; this is regarded by them as outside the duty of the Government and it is necessary in their opinion to make due provision for the needs of such persons. Their settled policy, however, is to minimize temptation to those who do not drink, and to discourage excess among those who do, and to the furtherance of this policy all considerations of revenue must be absolutely subordinated. The most effective method of furthering this policy is to make the tax upon liquor as high as it is possible to raise without stimulating illicit production to a degree which would increase instead of diminishing the total consumption and without driving people to substitute drugs for alcohol or a more or less harmful form of liquor. Subject to the same considerations, the number of liquor shops should be restricted as far as possible, and their location be periodically subject to strict examination with a view to minimize the temptation to drink and to conform as far as is reasonable to public opinion. It is also important to secure that the liquor which is offered for sale is of good quality and not necessarily injurious to health."

The Committee invited the opinion of witnesses generally

- (a) on the policy enunciated by the Government of India, and
- (b) on its actual results as it has been carried out in practice ;

they were asked whether in their opinion it had put an effective check on intemperance, and, if they advocated a change in this policy, what suggestions they would make to improve upon it. If the witnesses were in favour of the total extinction of the drink traffic they were asked to assign their reasons for holding that view. The evidence recorded by the Committee on the question of policy is pretty exhaustive and has been very helpful to the Committee in finding out the views held on the subject by all classes of people, official and non-official, drinkers and teetotalers, educated and uneducated. This evidence can be safely divided into two broad divisions, (1) furnished by officials and abkari contractors and (2) by public bodies and private individuals in general. The former class of witnesses is satisfied generally with the existing policy, suggesting at the most a few alterations here and there in the methods employed by Government in working it out. The private witnesses are in favour of a change by an overwhelming majority.

89. *Officials and Abkari Contractors.*—The predominant western view, which the European officer largely holds, is that there is nothing inherently wicked or harmful in the consumption of alcohol, that harm either to the person who drinks or to those surrounding him results only when the limit of moderation is exceeded. This class of witnesses and a few other Indians have deposed that in the matter of food and dress a man has a right to follow his tastes, provided he does not injure himself or his neighbours or offend against the laws of the state and that total prohibition, even if possible, would be an infringement on the individual rights of subjects. It is, therefore, considered to be the duty of Government to regulate the drink problem not only without interfering with the habits of those who use alcohol in moderation but, on the contrary, by affording them adequate facilities. The present policy is, therefore, sensible and moderate, and takes account of the practical difficulties in the way of temperance reform. Some witnesses have tried to prove that the use of liquor was common in India from the earliest days and that rules were made to provide it to agriculturists, labourers, soldiers and other people and, therefore, the Government policy is not against the traditions of the country.

As regards the methods by which the policy is being carried out, the excise officers explain that the department has so far carried out the instructions of the Government of India without in any way interfering with the habits of the people ; excess amongst the drinking classes has been checked by making liquor as expensive as possible, by reducing the number of shops, by the

detection of offences of illicit distillation and smuggling, by reducing the strength of country liquor, by fixing an age limit and by restricting the limit of possession and transport and the hours of sale. These measures are, in their view, satisfactory so far as they are properly carried out and have put an effective check on drunkenness. As an example, Mr. Gordon, Collector of Kolaba, points out that in that District, which has been notorious for heavy drinking from the earliest days of the British rule, the consumption of country spirit has, since 1906, increased from 1,20,515 gallons to 1,22,819 gallons only, and that on the population figures this amounts to an increase of one dram per head or about 10 per cent., but that it can be accounted for by the largely increasing income of the drinking classes since that time. Looking to the past records of some 60 years ago when the Settlement Officer could say that very often whole villages of Agris, men and women, could be found drunk in the evening, Mr. Gordon would say that the present population is far more temperate than their predecessors. The general alcoholic excess in Surat and other places, prevalent in pre-British times, before the policy was adopted and developed, does not, as pointed out by another witness, occur now.

The measures already adopted by Government, combined with the spread of education and the preaching of temperance, are the best methods of attack. The present policy is actually just one step short of prohibition, which at this stage would be impracticable so far as the drinking classes are concerned. It is urged that those who clamour for prohibition do not represent those classes upon whom they are merely trying to force their own opinions. It is not practical at present because in certain districts it would be utterly impossible to put it into effect, because the public opinion of those chiefly interested has not yet been fully in its favour and because it would merely lead to illicit practices and the use of other substitutes. Mr. Clifford, Superintendent of Salt and Excise, Sind, is in favour of prohibition but not in this country at this time, not until the masses have attained political understanding, are capable of forming opinions on public matters and of giving free expression to them, and are generally able to manage their own affairs. Without the support of public opinion administrative action can never hope to eradicate intemperance. There is not public opinion, to speak of, on the drink question at present, and Government may safely rely upon the spread of education and general enlightenment to stimulate the growth of one and to induce the classes chiefly affected to take an intelligent interest in a matter which vitally affects their welfare. Prohibition is the final measure to be taken at the time when there is only a small minority against it and the liberty of the individual should not be further interfered with until Government are in a position to satisfy themselves that such interference is endorsed by the majority of the people. In the meantime, progress can be made by applying the existing policy more thoroughly and conscientiously. Attempts to enforce prohibition would produce widespread discontent and resentment, Government gaining the approbation of a very small minority and still further alienating the good will of the masses. Liquor is at present the only means of recreation to the poor. Mr. Brander, Collector of Bombay, in his evidence states that prohibition would be regarded by the masses as having no moral basis, but being simply an attempt by the educated classes who do not drink to interfere with the customs and pleasures of the masses. Penal enactments and executive measures which are thus regarded as having no moral sanction and which cause the masses inconvenience and annoyance and can be evaded easily cannot succeed, and if enforced are bound to cause contempt and hatred of law generally. Mr. Covernton, Collector of Kaira, thinks that prohibition without effective methods of prevention would merely result in the law being ignored or evaded and in widespread illicit manufacture and sale of liquor, and that it could be impracticable, except by the maintenance of an enormous preventive staff which would be exceedingly costly and would provide unlimited opportunities for corruption. Mr. Sorley, Assistant Collector of Kaira, holding similar views, adds that prohibition would not stop the consumption of alcohol and that financially it would be ruinous because it would stop the excise revenue and that the money for the costly staff required to run prohibition could be got only by cutting down essential public services.

There is a general consensus of opinion amongst Government officers and witnesses interested in the drink traffic that prohibition could not be effective over the greater part of the Presidency, even approximately, owing to the abundance of cheap material for illicit distillation, mhowra and toddy chiefly, and of natural facilities for evading the law. It is very difficult, if not impossible, to enforce it owing to vast jungles, hills, ravines and areas which would have to be patrolled, to the proximity of a large number of Indian States, and to an extensive coast line with foreign ports on all sides. The Indian States which refused to accept prohibition and foreign ports would be convenient basis for smuggling spirit into British territory and the problem would be fraught with grave difficulty. Even at present in spite of the efforts of Government it has not been possible to stamp out illicit distillation. If licit liquor is abolished its place will be taken by illicit and, therefore unwholesome, liquor. A couple of earthen pots, a bamboo pipe and a little clay are all that is necessary to extract liquor from vegetable products. This can be concealed easily in growing crops and broken up at once on the imminence of detection. The Bhils of West Khandesh and other backward tribes, who are addicted to liquor from times immemorial and are expert in the manufacture of this kind of liquor, can never be weaned from the habit of drinking

and prohibition in their case will only mean the substitution of illicit for licit liquor. Mr. MacGregor, Collector of Belgaum, does not believe in any strength of preventive establishment which can cope with illicit distillation, if partial prohibition raises the accessibility of liquor beyond a certain point, and he thinks that illegal exactions will no doubt be levied by the staff. Mr. Maneklal Lallubhai, Superintendent of Salt and Excise, Thana, similarly argued that if Government prohibit drinking by law, poor farmers who, especially in rice-producing districts, have to work knee-deep in water and fishermen whose occupation exposes them to the inclemency of the weather and others will be unnecessarily harassed by the police and excise subordinates. They cannot and will not give up drinking at the will of Government and will either have to submit to prosecutions or will have to keep the police and excise officers pleased. Amongst the lower classes drinking is not prohibited by religion. Even if prohibition is successfully carried out, it will affect agricultural operations.

Another argument commonly advanced by anti-prohibitionists is that, if people are cut off from their usual peg, they will take to more harmful and deleterious drugs, such as opium, *bhang* and *ganja* or denatured spirits and preparations thereof. Against the argument that prohibition will lessen crime it is held that non-drinking classes do not commit less crime than the drinkers. Against the view that moderate drinking leads to excess, it is pointed out that the proportion of immoderate drinkers, even amongst the illiterate classes, is very small. Europeans, who come to this country from a cold climate and are accustomed to the use of liquor, require it at the end of their day's toil to wear out the effects of an enervating climate and the stoppage of alcohol as a beverage in their case would be a hardship. Finally, there is the example of America as a failure in prohibition. The extracts on the subject, putting the case of the United States from both points of view, attached to Mr. Findlay Shirras' replies, are to the point. Mr. Covernton observes that such success as prohibition has in the United States is due to the fact that public opinion is overwhelming in its favour and that there are numerous unofficial and unpaid agencies who assist the efforts of the excise authorities. In India, public opinion, except among a limited class, is not yet ready for the movement and no material assistance can be expected from non-officials. The class of witnesses holding these views is, therefore, apprehensive of any change in the policy in the direction of a total restriction of liquor.

90. *The Non-Official View.*—The general view of the higher and more enlightened classes of Hindus and Mahomedans about liquor is that even a drop of it is a pollution, and that drink in any form degrades humanity. This idea is as it were ingrained in their very nature and they look upon liquor with horror, partly under the belief that their religions prohibit its use and partly under social pressure. To the European frame of mind unaccustomed to eastern ways of looking at things religious and social, such a sentiment would be strange and incomprehensible. But an increasing, though a small class of scientists and temperance reformers have been rising in the West, more particularly in America, who are gradually getting confirmed in their belief by scientific experiments that the use of alcohol even in the smallest quantity is harmful to the growing protoplasm. Looked at from this point of view and the fact that the rules and regulations prescribing what food should be eaten by a man and what dress he should put on are inextricably connected with religion, the traditional Indian view of drink will not appear so strange as it does at first sight. The recorded evidence of a good many Hindu and Mahomedan witnesses on the policy of Government bears the stamp of the old Indian tradition and sentiment. The habit of drinking whether in excess or moderation is, in their eyes, equally harmful to the individual as well as the State and while appreciating as well-intentioned the policy of Government in placing restrictions on the liquor traffic they wonder why Government should desire not only not to interfere with the habits of those who use alcohol in moderation but should, on the contrary, be solicitous of making due provision for the needs of such drinkers, whose number, when compared to the total population, is not very large. It is as much the duty of Government to stop drinking habits as to prevent gambling, stealing, cheating, perjury, suicide and other offences whether harmful to the individual or to the state. Drinking is a vice and Government should neither provide for it nor derive any revenue from it, as these methods help to spread the habit. It is impossible to open and maintain liquor shops for moderate drinkers without continually adding to the class of drinkers, hard or moderate; this places temptations within easy reach of the people. Such a policy stimulates intemperance instead of discouraging it and multiplies temptations for those who do not drink instead of minimising them. It is both impracticable and inconsistent. The policy of Government should be to root out the evil and not merely to limit its potentialities for evil. Witnesses have not much to say against the settled policy of Government to minimise temptation to those who do not drink and to discourage excess among those who do and to subordinate absolutely all considerations of revenue to the furtherance of this policy but when Government declare that the most effective method of furthering this policy is to make the tax on liquor as high as possible, a strong objection is raised by them as to the wisdom or efficacy of such a measure. The policy is not wholly condemned on the ground of principle, but it is urged that questions of finance are likely to intervene and it becomes

impossible to carry it out. A high tax on liquor never succeeds, except perhaps temporarily, in diminishing drunkenness; increased taxation does not necessarily mean decreased consumption, it only brings increased revenue to Government. Raising the tax does not improve the situation especially for one who cannot do without his daily quota of liquor. The wealthy man will have no difficulty in purchasing his stock; the poor man will necessarily save, if he can, by stinting his food supply and clothing for himself and his family to meet the funds to quench his appetite or find out other sources, criminal or otherwise. Hence the view that though the policy is a fair one, the methods adopted for carrying it out are detrimental and have vitiated all its spirit, one-third of the total expenditure of the province falling on the drinking classes most of whom are poor wage-earners. The masses being illiterate cannot withstand the temptation; the habitual drinker has no value for money. The very sight of the liquor is enough for him. There has therefore been very little reduction in the quantity of liquor consumed while there is a substantial increase in the amount of revenue derived from excise duty. The present policy has brought about a maximum of revenue without attaining a minimum consumption. It has failed to put an effective check on consumption. Moreover, both the licensing and the revenue functions are centred in the hands of the officers who administer the policy, which in actual practice makes it hard for them to subordinate the question of revenue to that of public well-being. After quoting the figures of consumption of country liquor in the Presidency proper and Sind, Mr. R. G. Pradhan, a Nasik witness, observes:—

“The one outstanding fact is that these figures prove beyond doubt that, after the lapse of twenty years, the consumption of country liquor stands at a higher figure than what was at the beginning of the century. It would be unjust to charge Government with deliberately promoting the growth of consumption of country liquor out of a sordid desire to obtain revenue. Nevertheless, the broad fact remains, *viz.*, that their excise policy has failed to reduce consumption. The best that can be urged in favour of that policy is that the expansion of consumption, except in certain areas, has not been great. But this is, after all, a negative merit; what is wanted is a steady and continuous reduction in consumption. Such a position of positive merit cannot be claimed for the policy, which must, therefore, be adjudged to be a failure.

“There can be no doubt that, as stated above, the consumption of country liquor in certain areas shows great increase, so great indeed as to cause grave anxiety and to demand special attention both from the Government and temperance workers.”

The Committee of the Indian Merchants' Chamber and Bureau depose:—

“In actual practice the considerations of revenue, instead of being subordinated to the ideal Government have set before them, have reigned supreme, and it is this fact more than any others which the Committee believe has made the excise policy of Government unpopular. In consequence of this subordination of the ideal to considerations of revenue, the policy laid down in 1905 has not resulted in any effective check being placed on intemperance. The consumption has steadily gone on increasing both in value and volume in spite of the many and frequent increases in duty charges.”

The evidence of Mr. Addyman, Chairman of the Bombay European Association, who is not in favour of total prohibition and who considers the policy of Government to be a very sound one if carried out in actual practice, supports the same view:—

“Whether the methods adopted hitherto to further this policy are in accordance with the expressed views of Government I am very much inclined to question, since my own observations, covering a period of a good number of years, have proved to my mind that facilities for drinking have steadily increased and that no real attempt has been made to minimise temptation to those who do not drink and to discourage excess among those who do, excepting perhaps by making the tax upon liquor as high as possible, a method which has long ago proved to be of no use whatsoever in furthering the settled policy of Government.

“I would much prefer to see more practical methods adopted and it is satisfactory to note that Government have introduced a system of rationing and reducing consumption by a certain quantity every year.”

Major A. Thorne, who approves of the policy in general, considers its results to be bad and proposes the substitution of fermented liquor for spirits; in his view the inferior excise officers hinder the provision of substitutes. Colonel Stanley Evans of the Salvation Army concludes from ordinary observation that drinking has increased tremendously. Mr. Clifford, an excise department officer, is not without misgivings as to the actual results of the Government policy; he writes:—

“I feel some doubt as to what is meant by an effective check. A check which is not effective is not a check at all. The measures by which the excise policy of Government has expressed itself during the last 20 years have undoubtedly imposed a check upon the consumption of intoxicants, and upon intemperance. Concurrently with the

appreciation of these measures, influences have been at work which have counteracted them. These influences are connected with the growth of trade and industries, the movement of the population towards the large towns, the increased earnings of the agricultural and artisan classes, improved communications, leading to much more intercourse than formerly between town and country, and the weakening of the old family, social and religious restraint. As the result of these influences there has been a steady tendency towards more indulgence and, in the big towns and among certain communities, more insobriety. On this tendency the excise measures of Government have certainly placed a check, though the net effect of the tendency and check has been, it must be confessed, an increase in both consumption and intemperance."

As Mr. Raojibhai Patel of Ahmedabad puts it, there is less drunkenness but a larger percentage of the population is drinking; the decrease in drunkenness is due to social causes and the increase in moderate drinking to the execution of the policy laid down by the Government of India, namely, that it is necessary to make due provision for the needs of such persons as are in the habit of using alcohol in moderation. As other witnesses state, the policy was from the beginning based on a false supposition that the drink habit was ingrained in the people and that to curb it, slow and steady pressure was required, but no drastic legislation was needed for its eradication. The policy has given encouragement to the liquor traffic, clothing all its dark side with the moral sanction of Government. Poverty, climatic conditions, social and religious restrictions are more responsible than the policy of Government for keeping down sales. Besides the method of high taxation, Government have laid down that with a view to carrying out their policy of minimising temptation, the number of liquor shops should be restricted as far as possible and their location be periodically subject to strict examination and to conform, as far as possible, to public opinion. The general view among witnesses who are in favour of a change in the policy is that the check exercised by the excise department on the number and location of shops is not enough to minimize temptation and that public opinion is not the guiding force in these matters.

On the question of personal liberty Dr. Enok Hedberg's views might be quoted in full:—

- "Theoretically I think it is a wrong policy for any Government to interfere with people's habits of eating and drinking. It is the sacred birth right of every human being to be free from all impediments—except such as are self-imposed for the benefit of himself, others or both.
- "Practically, however, we all know that this is an ideal which has not yet been reached in any country and we have certainly still a long way to travel before that goal is reached. Till then interference has to be made, whether we like it or not. And this is not the least case with the question of strong drink.
- "When a person or a community is so addicted to alcoholic drink the health of that person or community or the safety of others is endangered, hence the Government has not only a right but is bound in duty to interfere. And so the respective Governments of all the Indian provinces have done *vis a vis* the habit of drink, firstly, by prohibiting private distillation, making it a monopolised state business and, secondly, by gradually reducing the number of liquor shops and increasing the price, thereby making it less accessible and thus minimizing the temptation to drink."

The Committee of the Bombay Mill-Owners' Association point out that all sumptuary laws are odious but in order to prevent moral depravity or to abate a public and growing evil a few wise regulations may be found to be necessary. The non-official witnesses generally are of opinion that no serious discontent is likely to ensue if the consumption of liquor is prohibited, especially if such prohibition is gradual and spread over a number of years. Government were successful in spite of the strenuous opposition of the people, in putting down evil practices which were universally regarded as having the sanction of religion and had become part of the social and religious life of the people, such as those of *sati*, infanticide and human sacrifices, and other practices which did harm to none but the individual who indulged in them, and others like the use of *maddat*, *chandul*, *charas* and *cocaine*. Government did not feel the nervousness in putting a stop to those practices, which they show when called upon to deal similarly with liquor, nor do they feel it in opening liquor shops in localities inhabited by non-drinking classes against their wishes and prejudices and in compelling drinkers of toddy liquor from coast talukas to drink mhowra liquor. As to the declaration of Government in regard to their policy that "it is also important to secure that the liquor which is offered for sale is of good quality and not necessarily injurious to health," so far as the Committee's investigations go, it does not appear that the drinking classes are at all satisfied with the stuff now supplied. Mr. Maneklal Lalubhai, Superintendent of Salt and Excise, Thana, has briefly put the case as follows:—

- "At present liquor is manufactured to the highest strength possible in order to save transport charges and is then watered at warehouses. This water is not distilled water. The watered spirit remains in the warehouse vat for about a week and in shop casks

for about a month. If diluted whisky and brandy is not considered fit for drinking after an hour or two, I do not understand how diluted country spirit can be considered fit for consumption after a week. It is impossible to clean large warehouse vats periodically. I have often noticed a thick sediment in shop casks."

As to the view of the Government officers that the present system prevents illicit distillation, Colonel Evans of the Salvation Army deposed that in his opinion it was a mistake, seeing that in districts like the Panch Mahals the people could distil a tremendous quantity of liquor, if they had a desire to do so, without Government being any the wiser. The fact that there are so few cases of illicit distillation leads him to think that the danger of it being done on a large scale is not very great. He does not think it very difficult to prevent illicit distillation amongst such backward classes as the Dublas of Broach and the Golas of Ahmedabad, who have been drunkards for generations. Other witnesses point out that the high tax on liquor, coupled with facilities for obtaining it, is mainly responsible for this illicit trade, as the former renders the trade profitable while the latter supplies its customers already addicted to the habit of drinking. With prohibition the illicit trade will die a natural death; the public will also give their whole-hearted and genuine support which will then make secret distillation exceedingly difficult. Even if the law is then broken, it will be broken by a microscopic minority. Finally, we quote from the Deccan Sabha's replies:—

"It is often asserted that India abounds in a special degree with articles from which liquor can be manufactured illicitly, and that therefore the suppression of illicit distillation is attended in this country with difficulties which are not to be met with elsewhere. The Sabha believes that there is no warranty for such a statement. Every country has, and must have, in common use many articles from which it is possible to produce spirits, but the preventive establishment should be able to cope with this difficulty. This difficulty is not peculiar to prohibition; it is common to all plans for regulating the traffic. The present Abkari Act has such minute provisions in regard to the storing up of mhowra flowers. If these can be enforced, it is difficult to understand why it should be impossible to give effect to a prohibition law."

The Mill-Owners' Association state that on the plea that because legislative enactments cannot make a people sober therefore the sale of alcohol need not be restricted, every fraud and every breach of contract might be allowed and no protective legislation need be introduced since laws can neither make men moral nor honest.

Several prohibitionist witnesses have deposed that prohibition will improve the economic condition of the masses. At present as the Central Labour Board, Bombay, put it the excise department "suck the very life blood of the poor working classes". The Aryan Excelsior League, speaking on behalf of labour, expressed the opinion that without total prohibition any improvement in the lot of the working classes and their regeneration will remain only a pious hope. Mr. C. S. Marston, District Superintendent of Police, Dharwar, thinks that the policy of Government is driving the lower classes to forego wholesome food in order to buy a drink, the price of liquor being fixed too high. Mr. Maneklal Lallubhai, Mr. M. S. Karaka of Dharwar, and Khan Bahadur Cooper, M.L.C., point out that the rise in the price of liquor must effect the economic condition of the country. The Revd. Dr. Enok Hedberg believes that the Indian people cannot afford to drink much. They are too poor and too backward to allow themselves a luxury that is a constant drain on their wealth, health and strength. In the economic struggle between the nations there is no country in the world that is in a greater need of all its strength than India. The Ahmedabad Sanitary Association quote statistics to show that over 12 to 16 per cent. of the daily income of a labourer of the temperate drinking class, earning about Rs. 2 to 3 per day, is spent on drink. Those who earn rupee one or less have to suffer great hardship as they spend 40 per cent. or more of their income on drink and depend for their maintenance partly or wholly on the earnings of their wives and children. The witnesses with these views conclude that the cessation of the drink traffic will improve the economic condition of the country.

There is a strong view among Indian witnesses that the policy of Government is based upon the ideas of the people in the west, who from the highest to the lowest are given to drinking, and that a national Government would not allow its continuance. The drink habit in India is not indigenous but an exotic and with the progress of time the policy should be changed. The traditions, customs, sentiments and religions of India are all against it. Even the climatic conditions are against it. In a poorly fed country like India it undermines the health of the present generation and paves the way for future degeneration. Mr. G. G. Thakar of Poona argues that, though the drinking habits existed in India in the pre-British period, they were confined to the lowest strata of society for whom liquor was allowed as an exception to the general rule of prohibition; drinking was considered to be a low vice. Even now drinking is regarded with shame, both amongst the literate as well as illiterate classes. Other witnesses point out that the present policy is half-hearted, a compromise with the conscience; in actual practice, its principles are ignored and remain as empty platitudes. The policy has failed to protect especially the industrial classes as is evidenced by the annual reports of the excise department itself.

The Bombay Mill-Owners' Association state :—

“ From the point of view of the Association, comprising as it does a large number of employers of labour, the drink evil amongst the labouring population is undoubtedly a wide-spread one and the Committee hold the view that any restrictions made for the general community will be of special benefit to the latter class. It is within the knowledge of the Committee that owing to the general increase in their pay the mill-hands have started to consume foreign spirits, whereas formerly they were satisfied with a moderate quantity of country liquor, or even toddy.”

Sir Purshottamdas Thakordas points out that it is not a sound policy to count upon excise revenue as a necessity for meeting the expenditure of the Presidency. The acid test by which the success of the policy must be judged is : has it resulted in steadily reducing consumption ; judged by this test witnesses against the policy are of opinion that it must be pronounced to be a failure. Not only has it not succeeded in reducing consumption and checking intemperance, but it has failed even in preventing the growth of consumption. Mr. R. G. Pradhan observes :—

“ The policy of Government referred to in the question was framed nearly seventeen years ago, when the system of Government, both national and provincial, was autocratic and when the question of establishing self-government in India was deemed outside the range of practical politics. It naturally, therefore, takes no thought of the implications of the system of a partially responsible Government which the reformed constitution has brought into existence. Under that constitution excise is a Transferred Department, that is to say, it is a department the administration of which is to be carried on in accordance with public opinion as expressed by the voters and through the Legislative Council. Agreeableness to public opinion is now the criterion of excise policy and administration, and the question whether such public opinion is reasonable or not in the eyes of those who administer the Reserved Departments or of the Government of India is an absolutely irrelevant consideration. Public opinion must be given effect to, whatever view other people might take of its reasonableness or otherwise. It follows from this that that part of the policy of Government which lays down that the reduction and location of the liquor shops should conform to public opinion *as far as it is reasonable* must be modified so as to eliminate from it the consideration that public opinion in order that it may be followed must impress Government as reasonable.”

The beneficial effects of prohibition during ancient times in countries, such as, Greece and Rome and in modern times in countries, such as, the United States of America, the Chili and Uruguay Republics, and Madagascar from 1868 to 1888, are pointed out in favour of a change in policy. Even an official witness like Mr. Hudson had to admit from personal experience “ that Poona was unusually free from drunkenness during the picketing campaign, and that it had an excellent effect on servants and sepoys ”. Several witnesses state that there is a general demand for total prohibition and that no half-hearted measure will satisfy the people and partial prohibition will not succeed. There should be a fundamental change in the policy. As regards the view of the upholders of the Government policy that the spread of education may be trusted to improve the situation they point out that education alone will not solve the problem as the spread of education and the greater liberty enjoyed by the people have led to an increase of liquor consumption. Concerning the Bhils Sardar Naharsingji Ishwarsingji expressed his opinion that it would be absurd to talk of their drinking in moderation. These people are too weak and ignorant to protect themselves ; their present degradation is due more or less to their drinking habits ; and the only method of saving them from their present wretched plight is total prohibition. The evidence of the Revd. Dr. Enok Hedberg as regards the evil influence of liquor on the Bhils is very impressive ; he suggests total prohibition as the remedy against this evil and believes it to be practical, if carried out judiciously. Various reasons have been assigned by witnesses in favour of a change : the consensus of medical opinion in regarding alcohol as a poison, doing harm to the body and brain of the man ; drink impoverishes the nation and stands in its progress ; prohibition increases economical prosperity and diminishes disease, poverty, vice and crime and is the most effective method of preventing the spread of the drink habit ; the habit is of recent growth and can be easily rooted out before it grows. Witnesses generally admit that prohibition will increase the output of labour.

91. *The Committee's Conclusions.*—The Committee have very carefully considered the evidence of witnesses set forth above, one view approving generally the policy in force and the ways and methods of carrying it out and the other looking upon it either as wrong in principle or as antiquated and having outgrown the altered conditions of the country and unsuited to the spirit of the age. They are unable to adopt the view held on one side that the policy is ideal in conception, faultless in its methods and unquestionable in its success ; on the other hand, they are equally unable to agree that it has been an unmitigated failure and has proved of no use to the cause of temperance. While admitting that the use of liquor was known to the people from very ancient times, both in its fermented and distilled form, the Committee has failed to trace any historical

data which would go to show that the liquor traffic was ever regulated by the state or that the latter ever attempted to make it a source of revenue for its support. India has been an agricultural country and the free and untainted atmosphere of her fields was as it were a proof against her people being tempted to wine as a source of relaxation. In Europe the industrial nations are generally the largest consumers of alcohol and even among them the agricultural districts are largely free from this evil. The upper classes of the people of pre-British India appear to be generally free from the vice of drunkenness. History notices the use of liquor by the ruling classes, who were, as is even now the case in some Indian States, steeped in luxury and vice, and by aboriginal and semi-civilised tribes in the hills and on the coasts, over whom the control of religion and civilization was not great. The drinking classes fermented or distilled the liquor only when they required it; the business of selling liquor could not therefore have been a lucrative one as now; it was in the hands of the lowest classes of society and the number of shops must have been very small. Even assuming that consumption of liquor in pre-British days was as large or larger than it is now, still there were two important factors which saved the people from the harm with which they are now surrounded, *namely*, (1) liquor did not cost them anything, which factor at least saved them from an economic and pecuniary ruin, and (2) the lower classes who drank were not, as they are now, huddled in the insanitary environments of large cities, had not to work in the degenerating and oppressive atmosphere of factories and mills and were possibly generally better fed and better clad than their modern degenerating descendants. As soon as the British power began to be established in this country, following the practice in their own country, the British authorities tried to derive a revenue by what they called regulating the traffic for police purposes. This step was meant to stop private distillation; the British Government, though not then firmly established as it is now, was not afraid of popular discontent. This led to the rise of the monopolist or farmer and Government could raise through him gradually as high a revenue from liquor as the capacity of the drinking classes would allow. The farming system was replaced successively, in due course, by the fixed fee, tender and auction systems, but all these were meant to be a state monopoly of liquor and a larger revenue for Government and led to the rise of a liquor selling class whose interest it was to open shops, as many of as convenient as possible, and push on the sale of liquor. The witnesses, therefore, are not far from the truth when they say that the country was spread over by a net-work of shops which became centres of attraction to the poor drinking classes. Side by side, the spread of European education and western ideas weakened the hold of Indian religions and customs on the rising generations and liquor, particularly foreign manufactured, found its way to such of the upper classes of people who were getting imbued with western notions. From the history of the liquor administration as given in Section I of this Report it will be seen that the British Government from the earliest times and the temperance reformers since the last quarter of the 19th Century have been generally alive to the fact that the use of liquor has been increasing on the whole. The remedies suggested by both these parties were a heavy tax on liquor and a reduction in the number of shops; these were adopted and have resulted in an increased revenue for Government which has made the task of the temperance reformer harder and has placed the liquor traffic on a more stable foundation and the creation of a richer and more powerful class of liquor sellers, without bringing about a satisfactory decrease in the consumption of liquor. The solicitude of Government; according to their declared policy, to provide drink for the moderate drinkers only meant opening a liquor shop at any place and increasing temptation, if an application was received, whether engineered or not by the liquor trade, for such a shop, or on the report of an excise subordinate. The public voice was totally disregarded on the ground of its being caste prejudice and class tyranny. Not only has the present policy of Government not succeeded in minimising temptation and putting an effective check on drinking, but it has also failed in subordinating the consideration of revenue to the public interest. Out of a total estimated revenue of Rs. 15,21,49,000 for the current financial year, excise will bring in Rs. 4,01,81,000, the highest under any single head of revenue, except land revenue which will yield Rs. 5,75,11,000. The witnesses representing the public, who appeared before the Committee, were almost unanimously of the view that the excise department is maintained by Government primarily in the interest of the revenues of Government and only secondarily, if at all, for the restriction of the liquor traffic. The feeling in the country is decidedly, so far as the Committee can say from the evidence of the witnesses as well as from the first-hand knowledge of several of its members, against the present policy of Government. Besides the representative witnesses selected by the Committee and examined by them, whose written and oral evidence is printed in Volume II of this Report, the Committee received replies from 132 witnesses which have not been printed as they furnish evidence similar to that printed by the Committee; these replies are also overwhelmingly in favour of a change in the policy and show that the prevailing opinion among the people of the Presidency is that Government are more for the excise revenue than for the cause of temperance. The witnesses' view is that Government should not derive a revenue from liquor and that the Presidency is prepared to make a sacrifice if they forego the income from this source. It has been argued that the witnesses before the Committee have been derived chiefly from the non-drinking and educated classes and that they do not voice the views and the interests of the vast mass of the poorer and uneducated classes who drink; that the evidence before the Committee shows that a feeling against the use of alcohol exists among the higher classes of the people only. A careful analysis of

the evidence will, however, disclose the fact that most of the witnesses tacitly believe and practically take it for granted that the evil of drink exists chiefly among the labourers and working and artisan classes ; it has not penetrated so far to the educated and upper classes of Indian society as to call for a desperate remedy or a tremendous sacrifice. The witnesses who themselves belong to the better class of educated people and are non-drinkers have spoken freely about the harm done to the industrial and poorer people and in many cases have expressed readiness to be taxed if those people could be saved from the ruin, which in their opinion surrounds them. Besides, it would be not quite correct to say that there is no evidence before the Committee which represents and which can be said to disclose correctly the views and interests of the working classes. In the first place we have the most lucid declaration of Mr. Balaji Hari Nirhali, a weaver of Sangamner, as to the views of his own kith and kin on the temptation of liquor shops and the value of dry areas as Sangamner is at present. The other witness of the labouring and agricultural class is Sivram Hari Sonimal, belonging to the mali caste of Poona ; then we have evidence furnished by such bodies as the Tata Workmen's Institute, the Salvation Army, the Aryan Excelsior League, Currimbhoy Mills Workmen's Institute, the Depressed Classes Mission of Poona and the Central Labour Board, Bombay. The Committee tried in Bombay and Ahmedabad to get the deposition of a few mill hands belonging to the drinking class, but the view that drinking is a degradation is so strongly imbued in the minds of even the working class people that they could not succeed in getting such witnesses. The Mill-Owners' Associations have also declared themselves for a change in policy and if prohibition were to the ultimate harm of their workmen or were regarded by them as largely opposed to their wishes it is not likely that these bodies of shrewd business men would, in their own interest, allow discontent and disaffection to spread among them and lose their goodwill by giving expression to the views they have. If local option is granted as proposed in Chapter VIII of this Report the Committee have good reason to think that the drinking classes will by a solid majority express themselves in favour of a change in the policy. Independent witnesses like Brigadier H. F. Burfoot of the Salvation Army, the Revd. Dr. Enok Hedberg and the Revd. O. A. Dalgren, who could have no caste prejudices against the poorer classes or the drinking communities and who should be expected to know well their habits and predilections, have spoken on behalf of the working classes and advocated a change in the policy.

The Committee have examined very carefully and patiently the arguments on both sides and they find that the weight of evidence is for a change in the present policy. This policy, though it received a definite shape in 1889, has been in vogue practically ever since the British rule in India. The people of this country had no hand in its shaping and it is based on sentiments directly opposed to theirs. As the British Parliament has now allowed the people of the country a share in its excise administration, it is but fair that they should be allowed to have a free hand in its shaping. It is true that the people of the Presidency have been saved from the horrors of drunkenness prevailing in the west, but that is due more to the poverty of the country and the prevailing sentiment, religious as well as social, than to any inherent excellence in the policy laid down by Government or to its actual working. However useful it proved itself to be in the past, it is not suited to the stage to which India has now advanced politically. If India is to rise in the scale of nations, economically as well as politically, her people must be further protected from the evil effects of drink and not allowed to be tempted as people in the west are. From the statistics furnished by the Ahmedabad Sanitary Association it is clear that the drinking classes are still in a minority in this Presidency and if the use of alcohol is materially and morally harmful to the people as a whole the Committee see no reason why Government should not interfere in the so-called liberty of the subject in the matter of indulgence in alcohol, which is admitted to be unnecessary for the existence of man and which science of late, and religion long before it, has looked upon as a poison. The Committee does not believe that the attempt gradually to restrict and in due course stop entirely the consumption of liquor will create discontent among the drinking classes or alienate their goodwill ; nor do they believe that prohibition of liquor will lead the people to more harmful drugs, especially if the latter are also prohibited as will be proposed hereafter. They also believe that a further restriction and ultimate prohibition of liquor is practical and can be made effective. The policy of raising a revenue from the sale of liquor is fundamentally against the Indian view in general and to keep the Government of the Presidency for a quarter of its annual income, and as time goes for a much longer and larger proportion of it, at the mercy of the drinking classes is politically unsound and unwise, as was evidenced by the " picketing " movement of the year 1921, which, however, luckily for Government, was not carried on for any length of time. If the liquor revenue is allowed to grow at the present rate the task of the temperance reformer will grow harder and harder and perhaps well-nigh impossible in the long run. The Committee are for these reasons decidedly, and with a substantial majority, of opinion that in the interests of the community as a whole as well as in those of Government, the present policy should be altered as quickly as possible on the lines indicated by them in the next Chapter. This will have the advantage also of removing a popular belief to the effect that though the policy appears to be sound in theory and on paper, Government officers care more for revenue and that, therefore, it has proved ineffective. ✓

CHAPTER VII.

POLICY RECOMMENDED BY THE COMMITTEE.

“All labour expended in producing strong liquor is utterly unproductive ; it adds nothing to the wealth of the community.”—ADAM SMITH.

92. *War and Temperance Reform.*—In the previous Chapter the Committee have expressed the view that the present policy of Government is now antiquated and requires to be remoulded. On the question of alcohol the thought of the whole civilized world is gradually changing owing to the discoveries made from time to time by men of science on the chemical effects and physiological properties of alcohol and the development in the public conscience brought about gradually but perceptibly by the labour of temperance workers in Europe and America. The war brought the question to the forefront and all the nations engaged in it were compelled to employ temporary measures to fight the evil influence of drink on the output of labour. Russia from the beginning of the war and America as soon as she entered it banned the sale of liquor entirely, and other countries, Great Britain included, were compelled to lay down such restrictions on its use as were necessary for the proper conduct of military operations. The economic aspect of the question thus assumed a proportion which it was never invested with before. The success of prohibition, whether total or partial, in foreign lands led the educated and thinking classes in India to enquire as to the practicability of its adoption in their own country and the transfer of the Excise administration to the popular control gave them hopes of making a similar trial among a people, the majority of whom, by tradition and religion, are teetotalers and sober. Hence the crop of questions put on the subject in all legislative bodies, central as well as provincial, and the passing of resolutions with a view to the alteration of the present condition of affairs. Though picketing was made a handle by the political extremists of the country, it showed how a movement against liquor, if properly initiated, could become popular and what a powerful instrument it could become in paralysing Government if the drinking classes could unite with that view.

93. *Case against Prohibition.*—The case against prohibition is this. We cannot ignore the fact that the desire for some sort of stimulant is natural to man. Throughout the world we find intoxicating drugs or liquors used, and the most diverse materials employed for their production. Is it practicable to repress this natural desire completely? No Government can pretend to do it. Absolute prohibition is impossible. The materials necessary for distillation or fermentation are ready to every one's hand, and prohibition or excessive discouragement is certain to lead to illicit practices, which will meet with much encouragement and sympathy. The police will be bribed wholesale and demoralised, and it will be only a step from disregard of revenue laws to contempt for the laws in general. Government need not take any measures which will encourage the introduction of the habit of drinking among classes or individuals at present abstaining, but they ought to reduce all facilities which already exist for the misuse of intoxicating liquors. It is often urged that total abstinence demands the adoption of an unnatural habit of life ; that the desire for stimulants is one of the strongest instincts of human nature and that it cannot be annihilated, but may be regulated, that there is no nation or tribe but has some favourite stimulant. This statement is, however, not quite true. There are many races which exist without alcohol or any other stimulant. It is well known that alcohol was as it were thrust upon the Red Indians, Africans and Australian tribes and almost extirpated many of them. The craving for drink arises, after all, from the ordinary desire implanted in the human breast to be happy. This desire usually cuts both ways ; it sometimes elevates a man above his sphere and, in some cases, indulgence in pursuits which injure his mind or his body degrades him. Indulgence in alcohol in the case of poorer drinking classes becomes one of such pursuits. Even were the assertion that man everywhere resorted to the use of a stimulant a correct statement of fact, it would no more afford a justification for the use of stimulants than the universal prevalence of war is an argument in favour of the lawfulness of bloodshed. By such arguments crime itself might be excused, on the ground that all men everywhere and in all ages have committed crime. Such a specious defence of the use of intoxicants is trifling with the question. If infants live and grow without alcohol, if it be actually poisonous to them, there appears no necessity for its habitual use by adults, and, if so, how can the desire for intoxicating drinks, however widespread and however deep, be a natural instinct of man's nature? And even in the case of those accustomed to the use of alcohol, it has been conclusively proved that its sudden withdrawal is in no way detrimental to health. Experience proves, as stated by a witness at Poona, Lieut.-Colonel Khambatta, that the prisoners in jails, from all of whom alcohol has been cut off from the day of their imprisonment, instead of suffering in health, are really greatly benefited by their involuntary abstinence and complain much less of discomfort than those deprived of tobacco. Wine, therefore, does not come to man as a necessity but as a luxury. Everyone is born a total abstainer from wine and every other kind of strong drink, until, by imitation or persuasion, he is tempted to make a trial

of it; very many pass through the first fourth of their lives before they even commence the trial of it, and when they do commence, it is confessedly for pleasure or for luxury. One of the dangerous peculiarities of alcohol is that it tends to the formation of an evil habit, and that it may cause an overwhelming desire either for the immediate pleasure given or for the later sensation of self-satisfaction and well-being, a very dangerous and insidious effect. The growth of this habit in a parent is marked by a corresponding decline of proper parental instinct; ordinarily kind-hearted people become callous; habits of decency are forgotten and cruelty sits in the place of love on the domestic hearth. The development of the selfish indulgence of drinking is accompanied by a growing indifference to the commonest needs of even the smallest children. While the evil effects of alcohol are too palpable to be overlooked, no case has yet been made out to show its benefit as a constituent of man's dietary. To those who think that absolute prohibition is an impossibility we can only quote the fine saying "the difference between the difficult and the impossible is that the impossible takes a little longer time; and sometimes it does not take so long a time either."

94. *Social Reform and Alcohol.*—It is urged that social reform should precede an alcohol reform. The Committee does not think that this argument will stand a close examination. It is waiting for a stream to run dry before attempting to wade across. Alcohol reform is not only an end in itself but a condition precedent to the satisfactory solution of many other social and economical difficulties. People will not be able to solve several social, educational and other questions as long as they are slaves to alcohol. The anti-alcohol movement and the social movement are complementary and must go hand-in-hand. If either, however, is to take precedence, it is the former, as the drinking classes in India in general have never yet been able to rise higher in the social scale, to improve their economic condition very materially. Alcohol lessens in the masses the habit of saving which ever keeps them depressed and down-trodden. Means should be devised to save for the labourer the money he now uses on liquor and to spend it on his food, clothing, housing and the education of his children; it would help in a way the cause of social reform among the masses. Money being wasted on alcohol by the people, the housing conditions become bad and dirt and disease result. If drinking was stopped, national standards as regards cleanliness, diet, and house life would rise. Drink dulls and deadens all the faculties and under its stupefying influence the workman becomes reconciled to his surroundings, however low and degrading. Rigid economy among all classes is, in the present world crisis, absolutely necessary, and to the habit of economy prohibition of alcohol is the first and longest, if not the only, step. Communities cannot as a whole take intoxicating liquors and attain their highest level of well-being. If the majority of the poor drinking classes are to rise above the line of chronic poverty, they must be emancipated from drink. Many non-drinkers have now taken to drinking; it is no longer regarded as a social disgrace to many castes or classes to drink. Much of this is due to the fact that the people regard the trade as one which is patronised by Government and as such there can be no disgrace about it. They further suppose, and say, that this is one way to show their loyalty to Government. The close connection of Government with the trade, and the fact that it is sanctioned and ratified by special licenses from Government and pushed on by Government officers, have given the trade a kind of eclat which has done away with the old salutary feeling that drinking was a social disgrace. Men are not now put out of caste for being drunk, and as the offence of the vice has been swept away it has become common and even popular among some communities. The moral effects of drinking on the people are certainly bad. There is no peace in quarters inhabited by drinkers or in which a drink shop is located. They make a noise during the night, pick quarrels with their neighbours for nothing, commit theft under the influence of liquor, use obscene words, and ill-treat women. Government may not have wilfully preferred considerations of revenue to the welfare of the people, but ignorance of the subject in former times has introduced and fostered systems directly conducive to the multiplication of liquor shops and therefore to the promotion of drinking. There is also no doubt that mistaken zeal on the part of local officers has often led to the same results.

95. *Individual Liberty.*—It is urged that the evil results of drinking arise from the excessive indulgence of the few, and that it is intolerable to interfere with the liberty of the many because of the folly of these few. It is by no means true that only a negligible few form the victims of alcoholic excess nor is the implication justified that short of excess there is no drink evil. But whatever responsibility for the results rests with the few or the many, the results are there and are inseparable from the traffic. Almost all legal prohibitions in this country are to be found where the whole state protects itself against the actions of a few of its members. The number of people whose acts constitute a menace to the rest is always small. It is with the magnitude of the resulting evil rather than the number of evil doers that the state is chiefly concerned. The burden of the consequences falls on the whole community. If the public safety or the public morals require the discontinuance of the drink traffic, the hand of the legislature cannot be stayed from providing for its discontinuance by the incidental inconvenience which individuals or corporations may suffer. Drinking is not merely a question of personal convenience and liberty. On a matter involving serious consequences to the whole community, every citizen, even the man who never uses the liquor shop, has a right to be heard. Some even

assert that personal liberty is infringed by withdrawing the means of poisoning one's self. The welfare of the country is the supreme law (*salus populi suprema lex*), and no one has a right to do anything, to be anything, inconsistent with that. It is an undoubted and universally acknowledged right of society to protect itself from every evil from which it suffers. The daily working of the public machinery is constantly illustrating this fact. A public nuisance is forbidden by law, and may be summarily abated in all civilised countries. The liquor traffic is such a public nuisance; prohibition should rather be looked upon as the defence of the general good than a breach of personal rights. If there is any habit or practice which brings disease and suffering and disorder, which lessens the power of labour, which inflicts misery upon the people which entails a heavy expense upon the whole community, there can be no doubt of the right and duty of the people to protect themselves by law. Europeans drink to refresh themselves only, but many natives of India, especially the working classes, drink for the express purpose of producing intoxication, and do not give up drinking until they are intoxicated. Therefore, the moral effect must of necessity be evil. It leads them to bad company, to dishonesty. It deprives the drunkard's family of the necessaries of life. It leads to gambling, wrangling and fighting. It keeps many away from their daily work, by which they impoverish themselves and cause a loss to those who employ them. It often leads them to heavy debt, to ill-health, and even to death in various ways. If, as it was said by Lord Beaconsfield, "the one duty of the political power is to promote the social welfare of the people", it is incumbent upon each individual to promote the social welfare of his fellowmen by abstaining from the use of such luxuries as may prove injurious, and involve a waste of money. When the Chinese Government became convinced that the use of opium was degenerating their nation and lessening its economic power and set about to suppress the opium traffic, which had no worse consequences than the sale of liquor, the question of personal liberty was never raised and even now no one would regard their action as despotic. As pointed out by some witnesses, the objection that prohibition is an unwarrantable interference with individual liberty is probably more academic than practical, and is hardly supported by political practice. The organic unity of society is a cardinal principle of political science against which the individual may be said to protest in vain. The oft-quoted passage in which John Stuart Mill condemned the Maine Law, and behind which much of the current *a priori* opposition to prohibition shelters itself, becomes as Messrs. Rowntree and Sherwell observe far less convincing when it is remembered that it depends entirely for its weight upon his assumption that "the act of drinking fermented liquors belongs to acts and habits which are not social, but individual" and the statement is itself sufficiently refuted by other passages of the same essay. For instance, it is Mill himself who tells us that "as soon as any part of a person's conduct affects prejudicially the interest of others, society has jurisdiction over it, and the question whether the general welfare will or will not be promoted by interfering with it becomes open to discussion. . . . To individuality should belong the part of life in which it is chiefly the individual that it is interested; to society, the part which chiefly interests society. . . . Whenever, in short, there is a definite damage, or a definite risk of damage, either to an individual or to the public, the cause is taken out of the province of liberty, and placed in that of morality or law." The same broad truth has been stated in other words by an even greater authority, whose philosophical judgment was certainly unbiased by fanatical considerations. "Every one," says Immanuel Kant, "may seek his own happiness in the way that seems good to himself, provided that he infringes not much freedom of others to strive after a similar end as is consistent with the freedom of all according to a possible general law." Limitation of freedom must be made in the interest of society, as in the case of Sunday rest, workmen's protective laws and the like. Further, degeneracy among children of drinkers makes drinking more than a personal question. The only questions, indeed, in philosophy as in politics, are (1) whether the social consequences of the evil as it exists are sufficiently grave to justify the stringent character of the suggested remedy, and (2) whether that remedy carried within itself a sufficient promise of practical success. In other words, the question is practical rather than philosophical, and to be determined by experiment rather than by logic. Indulgence in liquor is more a binding thralldom of custom than an enjoyment of personal freedom. ✓

96. *Drinking Habits and Law.*—Witnesses like Mr. Brander are of opinion that drinking habits cannot be changed by the power of the state, but that the individual must be educated to observe restraint. We freely admit the powerful influence of personal restraint; we find however that these evils are due to the peculiar nature of the traffic itself; that they are its normal results. Greater self-control and modification of the conditions of sale may, and probably will, result in some measure of improvement but the root cause is deep seated. The conclusion to which we are forced is that if we really wish to get rid of the drink evil we must get rid of the drink. The whole case for prohibition rests upon the serious character of the results of the drink traffic. Every society must needs eliminate from its national life all that makes for inefficiency and must remove those influences which are mostly harmful to the community. If the fruits of the liquor traffic are individual deterioration and national inefficiency, and if these results exist in such volume as to constitute a serious menace to the well-being of the community, no consideration of personal convenience to individuals can, we think, justify the

state in refusing to protect itself against that which is harmful to it. Society can only exist by virtue of a full and normal recognition of the members of the mutual rights of one another. It is observed that one of the early effects of alcohol upon the young drinker is a lessening of that appreciation of the right relation of things which makes him a normal being. When a larger number of individuals through the influence of a drug environment begin to have this lessening of perception of right and wrong, it is time for Government to intervene. But it may be asked in what way are we going to interfere with individual liberty? The more complex our civilization is, the more completely we advance in real civilization and humanity, the more we become a state, a brotherhood, and sisterhood, and a family. There is an interesting dependence of one upon the other, and men are tied together with invisible and innumerable links. We are full of obligations to others. This is what a prohibition law has as an aim.

97. *Moderate Drinking.*—Drinkers generally admit that drinking to excess is bad and that the State has every reason to interfere in that case. What they do not understand is why drinking should be stopped even when indulged in moderation. Mathew Arnold says: "In general wine used in moderation seems to add to the agreeableness of life—for adults, at any rate; and whatever adds to the agreeableness of life adds to its resources and powers." The common excuse alleged for the daily use of a moderate quantity of alcoholic drink is that the system needs a little stimulant. Professional men, whose brain is apt to be overtaxed, and labourers who are overworked frequently justify their use of intoxicating drinks on the ground of stern necessity; alcohol supplies the stimulus of which their mind and body are alike in need. But probably most people habitually indulge in intoxicating drink because they like it, rather than because of any supposed advantage or benefit to be desired from its use. But work, whether physical or mental, extracted from the body or the mind under the influence of alcohol must be harmful; and it is therefore unwise to place dependence upon this deceptive agent. Stimulants do not give strength, but call it forth, and consequently are followed by exhaustion. The very nature of the stimulant is to produce a subsequent depression and to lose its force by frequent repetition. It is considered unhealthy, therefore, habitually to take intoxicating drinks on the ground of the ever recurring sense of the need of a stimulus. The quantity required to produce a given effect has, besides, to be continually increased. It may be possible for the educated classes to have control enough over them not to go to this excess. But it is very doubtful of the common labourer in India to have this capacity so long as he has money in his pocket to purchase his dram. Drunkenness is not a well defined special or specific effect of alcohol. No clear, terse or accurate definition of drunkenness can be given. It is only a conventional name for a certain conventional degree of alcoholic narcosis; the word cannot be used with precision or scientific accuracy. Drunkenness differs in degree, not at all in nature, from both the slighter effects of alcohol and from the graver and dangerous degrees of the "dead drunk" stage. The influence of alcohol upon the nervous system is from first to last narcotic, and the degree of narcosis depends upon the amount of alcohol circulating in the blood and the area of the nerve centres narcotised by it. There is, therefore, really nothing like a moderate use of alcohol and even if there is something like moderation in it, it is this moderate use of it and the drinking customs which are the spring of all the mischief. A craving for alcohol may exist even in cases where there is no question of definite intemperance. The case against even the moderate use of alcohol rests on the appeal to delicate measurements of a man's quickness of response and strength of grip. Scientific investigations have shown that the difference physiologically between drinking smaller or larger doses of alcoholic beverages is one of degree and not of kind. There can, therefore, be no true moderation. It has not yet been clearly recognised that the deleterious effects of alcohol on the body are quite equalled by its deleterious effects on the reasoning faculties and on the character. There is very reliable scientific evidence to show that alcohol, even in small doses, tends to paralyze the higher brain centres. Small doses of alcohol at the outset take away slight disagreeable inhibitional sensations and produce no ill effect on mental capacities. Therein lies the pleasant euphoristic effect of alcohol referred to by Mathew Arnold and therein also lies the greatest danger from alcohol, *namely*, the creation of a desire for more. There is great difference in the toleration of alcohol. The members of the human family do not start equal in the race of life. Their credit balance at the physiological bank varies enormously and this great fact accounts in a large measure for the material differences observed in the evil effects produced by alcohol. We believe that the working classes in India have not sufficient self-control to prevent themselves from going to excesses. There is a growing opinion in the West that a great deal of injury is being done by the use of alcohol in what is supposed by the consumer to be a most moderate quantity to people who are not in the least intemperate. It leads to degeneration of the tissues. It spoils the health, and it spoils the intellect. It has been found that alcohol enters the blood rapidly and leaves it slowly. The result is that the living cells fed by the blood carrying the alcohol continue to be poisoned by it for hours after it has been taken and after the disappearance of symptoms of drunkenness and of impaired working ability. This explains the chronic alcoholic poisoning (intoxication) which frequently results from continued drinking

even though the user may not become drunken. Dr. Norman Kerr, President of the Society for the Study of Inebriety, and Chairman, British Medical Association Inebriates Legislation Committee, says :—

“ I have no hesitation in making the deliberate statement from my own professional experience, that more persons have their lives cut short prematurely by latent chronic alcoholic poisoning, produced by regular alcohol-taking in so-called ‘ moderation ’ long persisted in than by unmistakable drunkenness. As I publicly stated nearly half a century ago my observation is that, apart from the moral and religious aspect of the indulgence, the man or woman who gets drunk for a couple of days once a month, and is during the remainder of the period an abstainer, lives longer on the whole than one who never gets drunk, but who drinks (moderately, respectably, and circumspectly if you will), day in and day out, a steady allowance of a few ounces of an average alcoholic intoxicant.”

The attraction of alcohol for itself is cumulative. So long as alcohol is present in the human body, even in small quantities, the longing for it, the sense of requirement for it, is present and as the amount of it insidiously increases, so does the desire. On the other hand, entire freedom from the agent controls the desire. Some argue that the liquor shop is a necessary convenience to large numbers of the public and therefore should be maintained with improvements ; others that on the ground of its demonstrated incurableness as a source of public and social evils, its demoralising and dangerous character, it should be repressed and, as soon as possible, prohibited. The drink traffic is either to be continued for the sake of the convenience of the moderate drinker or to be abolished for the sake of the multitude to whom it is injurious. For these reasons the thinking minds in Europe and America began to consider even the moderate use of alcohol as insidious and harmful to the community at large and to posterity.

98. *Duty of Government.*—As regards the argument that it is the duty of Government to provide liquor as a beverage, of course, to the moderate class of drinkers we observe that there are certain common, elementary, necessary wants of men and communities which must be supplied, or the communities would perish. Drink, however, does not fall within the range of these primary necessities which the state is bound to supply. A loaf of bread does not in itself suggest to a man another when he has satisfied his hunger. It creates no craving ; there is not in it of necessity what we call “ excess.” In this lies the *essential* difference between the ordinary wants of men and liquor. There is something in the drink itself which *creates* appetite which *stimulates* excess, and this appetite and excess inevitably and inexorably lead to poverty and crime. The difference is in the article itself. Liquor, however, apparently innocent to many people, is, of necessity, harmful to the multitude. Excess is involved in the drink so long as human nature is what it is. It is observed that there are thousands of people who take the drink and are no worse for it and that there is much innocent pleasure associated with the exhilaration of the cheerful glass. Even if this be true it does not touch the point in question, which is whether the use of liquor in the community at large does not deteriorate it as a whole.

99. *Medical Use of Liquor.*—Even the medical use of alcohol has rapidly declined in the West in recent years as shown by the statistics of hospitals and the testimony based on the experience of physicians. All physicians use alcohol in medicine far less than they did years ago. An increasing number of physicians do not prescribe it at all. In 1915 alcohol was dropped from the United States Pharmacopœia. In 1917 the American Medical Association placed itself on record as opposed to the beverage use of alcohol and in favour of discouraging the medical use. The old theory which prescribed alcohol for any and every disease has long since been discredited. Step by step the progress of science is nullifying the theories on which the physician administers alcohol. The amount spent in English workhouses on intoxicants shows a continual decrease : the testimony of the masters and of the medical officers of workhouses clearly proves that no apprehension need be entertained lest the health of the poor would suffer by the entire withdrawal of alcoholic drinks. In several work-house infirmaries in England, the amount of alcohol administered to the patients is *nil* because the medical officers in charge have ceased to find any value in alcohol either as a drug or as a beverage. The infinitely small fraction of nourishment which is to be found in it is a hundred times as expensive as its real value. Thus to spend money on it is considered to be a great economical blunder. Before the Commission on the Aged Poor it was stated that a teetotaler in a workhouse was a thing unheard of.

100. *Climate and Alcohol.*—The most curious argument brought forward in favour of alcohol is that of climate. If the drinker lives in a cold climate he believes that the climate requires him to take alcohol. If he comes over to the tropical climate still he believes that alcohol is necessary for him. But the best authorities on tropical diseases speak strongly against the use of alcohol. They assert that not only is thereby heat less well borne, but that insolation (sun-stroke) is predisposed to. The common notion that some form of alcoholic beverage is necessary in tropical climates appears to be a delusion. “ Extreme heat,” says Surgeon General C. R. Francis, I.M.S., for some years Editor of *The Indian Medical Gazette*, “ not only depresses the

nervous system but, by weakening inhibitory control, causes relaxation of the blood vessels, and thus promotes a tendency to congestion. Alcohol has the same effect and is not, therefore, a suitable beverage for a tropical climate." Similarly the idea that extreme cold requires a stimulant is equally delusive. Many people in the Himalayas live in the coldest climate without touching liquor all their lives and wade through icy cold rivers to earn their livelihood. If the people working in rice fields and on fishing boats once get accustomed to a temperate life, they will not feel the need for alcohol. Sir John Ross, describing his voyage to the Arctic regions from 1829 to 1833, said :—

"I was twenty years older than any of the officers or crew, and thirty years older than all excepting three ; yet I could stand the cold better than any of them, who all made use of tobacco and spirits. I entirely abstained from them. The most irresistible proof of the value of abstinence from spirituous liquors was when we abandoned our ship and were obliged to leave behind us all our wine and spirits, because we could not carry any in our heavy-loaded sledges which we had to drag nine hundred miles before we got to Fury Beach. There, indeed, we found provisions, but, thank God ! no spirits, and it was remarkable to observe how much stronger and more able the men were to do their work when they had nothing but water to drink."

In fact many of the lowest temperatures recorded in man have been observed in drunken persons exposed to cold. In the South African War the Boers, whilst undergoing the greatest hardships in the field, did almost entirely without alcohol and yet preserved their health and strength to a wonderful degree. During the Great War when food was scarce and drink unobtainable, insanity was actually decreasing in Belgium, Vienna and Berlin. If temperance enforced by the exigencies of a War has in truth exercised a highly beneficial influence on the nations, the problem of retaining its essential benefits is surely one worthy of consideration in any propaganda for the public health.

101. *Life Insurance and Alcohol.*—Along with this improved mental health, in Germany at least, there was better average physical health. This is borne out by the statistics of death amongst the holders of policies in American Insurance Companies. Life Insurance companies were formerly wont to reject applications for insurance from total abstainers or to grant them only at rates of 10 per cent. above the ordinary premium.* At the present time, instead of demanding an additional premium from total abstainers, insurance companies are beginning to make a reduction in favour of this class. No life office will now accept a proposal from one who is not careful and moderate in the use of intoxicants. In some life insurance companies in the West where the policy-holders are divided into two separate sections—the abstainers and the non-abstainers—the mortality each year as compared with the expectation is always from 25 to 30 per cent. less among the abstainers than it is amongst the non-abstainers. The Friendly Societies which insure against sickness have a similar experience. Nearly all insurance companies charge extra rates for those engaged in the sale of intoxicating liquors.

102. *Illicit Practices.*—The strongest argument from the administrative point of view against the prohibition of the use of liquor is that of illicit distillation and smuggling. The anti-prohibitionist argument depicts America as abounding in illicit liquor which as it were has already replaced licit one. We have luckily the evidence, on the other side, of independent witnesses who consider this view to be largely an exaggeration. It is urged, however, that cheap materials and facilities for illicit manufacture and opportunities for smuggling abound in India more than in any other country and that with people who are habituated to drinking for generations these practices are bound to arise or increase, if the licit use of liquor is absolutely stopped. For instance, the Indian Excise Committee of 1905-06 estimated on good grounds that the licit consumption in parts of the Punjab was not more than 50 per cent. of the whole. Against this view it might be stated that alcohol can be produced from so many bases, such as potatoes, grain and fruits, that it is very difficult to say that the materials abound more or are cheaper in India than in other countries of the world. Except for certain backward classes or tribes the people of the Presidency as a whole are sober ; but for this there would have been illicit manufacture on a larger scale than what it is now. As to smuggling, the customs and police arrangements, enforced by the strong hand of the British in India, are so thorough and perfect that, except the officers of the excise and revenue departments, very few people in India would subscribe to the view that means cannot be devised to put an effective check on smuggling, if the mighty Government so desire it. We shall first see how far Government have hitherto been successful in fighting illicit distillation. In order to put down the consumption of *illicit* liquor, which formerly extensively prevailed, the Bombay Government, from the year 1877, have been increasing the expenditure on preventive establishments and obtaining leases of the abkari management in the Indian States. These arrangements have sensibly diminished the consumption of illicit liquor. The investigations of the Bengal Excise Commission of 1883 showed that illicit distillation extensively prevailed in some districts, especially in those in which the mhowra tree grows, those in which the lower classes of the population use country liquor extensively, and generally in wild and thinly populated tracts and that, on the other hand, it was comparatively rare in towns,

* See *The Scientific Temperance Journal* for September 1920, page 143.

thickly populated tracts, and among populations not given to the use of spirituous liquors. The sympathy of the people was entirely with the illicit distiller and the smuggler, who, as one of the witnesses expressed it, 'is always sure of his safety, impunity and friendship of his neighbours. He is sure that his neighbours will not betray him, and in case he is spotted by an outsider the neighbours will never turn evidence against him.' There was a belief that Government had but to raise the duty to place obstructions in the way of the people who wanted liquor, to forbid sales at night, etc., and sobriety and morality must follow. The Commissioners pointed out that the holders of this opinion were unaware to what extent illicit distillation and fraudulent practices were fostered by every movement in a repressive direction, and how careful those who administer this branch of administration have to be not to fall into Scylla when avoiding Charybdis. They further observed that for the detection of illicit distillation the revenue authorities had almost entirely to trust to the police, and experience had proved that the police were of very little use as abkari detectives. Illicit distillation was carried on inside the house and the sale of the liquor in most cases proved nothing, as the distiller was the shop-keeper licensed by Government. They admitted that the police did not help the excise department, but a special abkari staff would consist of men generally of a class lower than the men in the police, and would probably be of very little more use. They would be bribed to blindness even more easily than the police, and would not repay by their additional service their cost to the state. The Excise Commissioner, Bengal, in his annual report for the year 1886-87, stated :—

“ If the object of excise be really and truly the suppression of the use of intoxicating drinks, I have no doubt that a persistence in the fixed fee system will greatly tend thereto ; but it must not be forgotten that there is another aspect in which it has to be regarded. If the restriction is so great as to discourage altogether some from indulging, it must also have the effect of all restrictions carried to excess, i.e., giving an impetus to illicit distillation, and there is nothing that has so much set me against the system as the number of persons I have lately seen undergoing imprisonment in the common jail for offences against excise laws. With the process of manufacture so simple, material close to hand, and, owing to the nature of the country and sympathy of the people, detection so unlikely, it must be difficult to resist the propensity to indulge in what must be regarded by the people as no crime, though illicit.”

In a letter No. 6800, dated the 6th November 1888, Sir Arther Trevor, Commissioner of Abkari, states :—

“ The Panch Mahals is one of the most backward districts in the Presidency. It is situated on the frontier much mixed with and surrounded by native states territory. The people are poor as a rule, and most of them belong to forest or migratory tribes. The mhowra flowers, from which the spirit consumed in the district is distilled, are almost everywhere to be had for the gathering ; and the rugged and hilly nature of the country broken by water-courses and covered in many places by extensive jungles, affords special facilities for illicit distillation to a population accustomed to resort to it.”

The Government of Bengal in their letter to the Government of India no. E. P.-55, the 6th December 1888, observed :—

“ In regard to the remark made in the close of the extract quoted in the second paragraph of your letter that the local demand should not be fully satisfied, but should not be restricted, and that this principle is clearly the only proper basis of a sound excise administration, I am to say that the Lieutenant-Governor agrees with the Board of Revenue that this is a doubtful principle to enunciate. If the capacity of stills and vats is restricted to such a degree as altogether to fail in satisfying the local demand, it is an inevitable consequence that the people will have recourse to illicit distillation, or to some drug more noxious than country spirit.”

Mr. Lallubhai Gordhandas, an excise subordinate, wrote in 1889 that illicit distillation had decreased considerably wherever Sir Arther Pritchard's system was established firmly and that what little illicit distillation there might be in some places must be for private consumption and not for sale ; but that there were districts in which illicit distillation was carried on extensively, owing to the existence of a large number of toddy trees as in sea-coast districts, or of mhowra trees as in Khandesh, Kaira, etc., or from a relaxation of preventive and restrictive arrangements as in Thana and Kolaba. The Government of India in their Despatch no. 12, dated the 26th February 1914, addressed to the Secretary of State, asserted that their primary duty, from all points of view, and one of greater importance even than the reduction of licit consumption was the complete suppression of illicit manufacture and vend and that until this preliminary object had been effected no stability could be looked for in their excise policy, the results of which would be seriously undermined, if they involved any palliation of illicit methods or any undue encouragement of illicit distillation. They dissociated themselves completely from the theory that if the licit supply were

completely stopped, consumption would diminish. No moral principles justified the demoralising effect on large sections of the population of the evasion of laws which it would be impossible to enforce. The Government of India did not in these circumstances consider themselves justified in prohibiting moderate consumption even with a view to check occasional abuse. They would merely attempt by raising retail prices to minimise temptation to those who do not drink and to discourage excess among those who do. Whatever might be the condition in other parts of India with regard to this question the Government of India noted that the Government of Bombay in their letter no. 8992, dated the 2nd October 1913, freely acknowledged that "the amount of illicit manufacture had in the greater part of the Bombay Presidency been brought down to a very low figure." Before the British occupation of the country the distillation of liquor was almost free; the British Government was able, even in the days when its hold over the country was much weaker than what it is now, to stop this free distillation; some illicit manufacture in outlying places did continue as it was inherent in the nature of things, but we find that although the price of liquor is being raised from time to time till it now absorbs a substantial portion of the labourer's daily wages, Government have been able to check illicit distillation. So far as we can see this success is due to the preventive measures. These preventive measures, however, do not go into the root of the matter; which is that the licit liquor is in many cases primarily responsible for the formation of the drink habit in the man who afterwards resorts to illicit distillation. To have a preventive establishment which could stop illicit manufacture only by placing the licit stuff within the easy reach of the drinker is by no means a credit to Government. It is also noticeable that when the tax on liquor is raised by Government as a part of their general taxation policy and a restraint thus placed by them on the liquor consuming public, there is no sudden rise in the number of fiscal offences detected by the excise or revenue authorities; but that as soon as a step is proposed to be taken in accordance with the wishes of the people in the direction of the reduction and removal of shops, alteration in the days and hours of sale or rationing of consumption, these authorities become immediately apprehensive of a rise in offences.

There has been a consensus of opinion among the witnesses and excise and revenue department officers that illicit distillation is possible in rural areas only and that in urban areas it neither exists to any known extent nor is such manufacture on an excessive scale possible without easy and immediate detection; this has been amply demonstrated by the picketing movement of 1921, when the excise department was not able to tabulate a rise in fiscal crimes in urban areas although they were accused of siding with the shopkeepers. With ordinary supervision it is next to impossible even in the fields to carry on illicit distillation to any amount in secret. To distil country spirits it requires a strong fire, and the smoke can be seen. Besides material has to be brought from which to make the liquor, as well as a supply of firewood. The refuse must be cast away, and above all the strong smell of the liquor will spread far and wide, so that detection is not very difficult. So far, therefore, as town areas at least are concerned—and the greater part of the consumption of and the revenue derived from liquor is from these areas—we do not see how a further restriction and gradual extinction of the liquor traffic can lead to illicit manufacture or smuggling. The question of smuggling will be dealt with in Chapter XVIII on Indian States and Foreign Territory. We admit that an immediate prohibition of liquor in all areas would for a time stimulate illicit practices but that in the long run these would disappear. But if the restriction is gradual and if the assistance of the people is sought in bringing it about—as through local option—we have no doubt that the apprehensions of officers for an immediate and palpable increase in crime over large rural areas would not be realised. The restrictions should first be applied, as far as possible and practicable, to urban areas and, if found successful, then to such selected rural areas which are known to be free from crime; when most of the Presidency has thus gone dry, it will be easier to tackle those backward areas which annually yield a crop of fiscal offences. The measures of Government in the direction of restriction, and local option, if exercised by the people, will prove to be very great factors in the education of the Indian communities in temperance and we have no doubt that the healthy and beneficent note thus struck will find an echo in the most hardened drinking classes. The minority of illicit manufacturers who would be resisting the prohibitory regulation or prolonging the alcohol habit would be of less importance than the overwhelming majority throughout the Presidency, who would submit to the law and help on its enforcement. As we just indicated the "preventive" measures of Government do not go to the root of the evil and are not *preventive* at all. The illicit manufacturer is a creature of the licit trade and when he cannot get his dram for money he manufactures it on his own account; the excise officer fully realises this psychological fact and is right in his conclusion that crime will increase. The temperance reformer accepting this as true, looks ahead and is alive to the fact that if prohibition is enforced with sufficient vigilance there will be fewer victims of alcohol as years roll on and that the illicit manufacturer will die a natural death, in a generation or two, as has actually been the case in those few States of America which adopted prohibition years ago. Under the existing policy only excessive drinking is discouraged by

Government ; not only do they see no harm in moderate drinking but even consider it to be their duty to supply the need of the moderate drinker. Drinking is, therefore, one of the pleasures recognised and legalised by the state ; it is neither a crime nor an offence ; illicit manufacture alone is a crime, but only a fiscal one. The wrong lies not in the drinking but in defrauding Government of its revenue, as in the case of illicit manufacture of salt. Liquor and salt are in this respect, as it were, on an equal level and footing. The backward classes are not slow in discovering this identity and illicit manufacture to them and their neighbours is one of the ways of defrauding Government of their revenue in the satisfaction of their craving for drink. The Indian as a rule does not consider it his duty to give information to authorities regarding fiscal offences, but once drinking is placed on the same footing as theft or any other moral crime and he is made to feel that he is taxed to relieve the burden of the drinking classes, we feel certain that the complaint of excise officers that people do not assist them in the detection of crime will disappear. Prohibition regulations are said to breed contempt for law ; this may be true, perhaps, in America and there too only so far as the reckless and hardened drinkers are concerned. In India the majority of the population is still sober and the typical drunkard of the West has yet to be born. The so called contempt for law is gradually decreasing and will, in due course, disappear. In the meantime it has not materially shaken the foundations of the American nation. We quote from the "New York Evening Post" :—

"How shall this determined opposition to the law be met ; if it were general, if it were nation wide, it could be met in only one way—by repeal of the flouted law. But it is not general. All this tremendous machinery for making or smuggling and delivering liquor exists only in a few spots on the map. New York, Chicago, San Francisco, Boston, places like these, are as wet as they dare to be. But the great stretches of country in which the mass of people live know of the spectacular battle between officer and bootlegger only as they know of any other distant events. Over most of the country prohibition is a common place fact. Not all New Yorkers are yet aware that the United States did not go dry all at once. It has been going dry for a generation, before the 18th Amendment completed the movement. The spirit of violation which is so conspicuous in a few centres like New York is absent from the rest of the country."

The very fact that liquor had to be smuggled into the United States at enormous expense and great risk to life and liberty is a proof that there was a serious shortage of alcohol and that to this extent prohibition had become immediately effective. The smuggling from Canada is confined to the region within motoring distance of the borders of Quebec. For many years after the abolition of slavery the British Navy was employed on the coast of Africa to catch slave ships. Although this illicit traffic existed slavery was not held justified. The Committee, however, believe that much importance need not be attached to the illicit manufacture and sale of liquor. For a powerful Government, which has effectivley checked the illicit manufacture and sale of opium and salt, a prohibitory measure regarding liquor would not be at all difficult. Moreover, the enforcement of prohibition is, as pointed out by some witnesses, much easier than the enforcement of restrictions on the sale and use of liquor. If liquor or drugs are once allowed to be sold, it is extremely difficult to restrict their sale or use, as a method to circumvent the law is immediately discovered and the liquor or drug finds its way to whoever may desire to use it. The material which is the handiest and cheapest from which liquor can be manufactured is the mhowra flower. The steps hitherto taken by Government under the Mhowra Act have proved conclusively that illicit distillation of mhowra liquor can be checked by an organised collection and removal of mhowra flower, as was formerly done by distilling contractors in some districts. At present illicit distillation takes place not only to satisfy the needs of the distiller himself, but also to compete with licit liquor. The excise reports show a number of cases of importation, exportation and transportation as well as of unlicensed sale. If the liquor traffic disappears, illicit sale will become extremely difficult and illicit distillation will be confined chiefly to supply the needs of the individual who resorts to it. The extinction will hence in a way reduce illicit practices instead of encouraging them.

103. *Drink and Crime.*—Ruskin has said that "drunkenness is not only the cause of crime, but that it is crime ; and that if any encourage drunkenness for the sake of the profit derived from the sale of drink, they are guilty of a form of moral assassination as criminal as any that has ever been practised by the bravos of any country or of any age." The Committee tried to obtain information from witnesses as to whether there was in this country any connection between alcohol and crime. There was a vague impression among some that there was some such connection, but no statistics to prove this are available. On this point Messrs. Rowntree and Sherwell observe : "when the utmost that can be urged has been allowed for, the fact remains that an appeal to the general criminal statistics by no means justifies the claims often made in behalf of the prohibitory system." It is interesting to note that the French anarchists are said to be often the staunchest anti-alcoholists.

104. *Experience of America and Russia.*—Prohibition in America was first started in Maine. It had its origin in an appreciation of the evils of liquor traffic and its effects upon the people. Those who tried to ameliorate the conditions entailed upon society by intemperance observed that their efforts were neutralised to a large extent by the presence and the temptations of the shops. This naturally led earnest men who were engaged in that work to see that genuine and effective temperance effort must be preventive and protective as well as remedial and reformatory. That was no longer to be confined to ineffective attempts to reclaim here and there one of the numerous victims of vice, but was to include as well a policy of seeking protection for the public from the drink evil. From a question of sympathy extended to unfortunate individuals it became a question of public policies and ultimately fructified into the Volstead Act. The Americans have cheerfully submitted to prohibition not because they generally think the use of liquor to be a moral wrong but because its general disuse has proved to be for the good of their country. It was the "moderate" drinker who helped to carry permanent prohibition and, he has not, as a rule, regretted it. There is some labour unrest on account of prohibition but it is negligible. Old habits are not easily broken and a life-long thirst still haunts its victims. But this passes away in a very short time and very few members of organised labour would now vote to re-establish liquor. There is a considerable amount of grumbling, with a great deal of extra time on the hands of many men who do not know what to do with themselves, but the moral aspect of the community has changed markedly. The task of the Salvation Army, of social and child welfare bodies and of the churches has been reduced by prohibition. The business world is strongly in favour of prohibition, because efficiency and savings have been increased. There is a marked improvement in the statistics of death from alcoholism, *delirium tremens*, pneumonia, tuberculosis and accidents. Before prohibition the Americans drank about half a pint of milk per head per day. The latest figures are over three-quarters of a pint. This is sufficient so far as child welfare is concerned. Professor Rade of Marburg, after visiting America, acknowledged that the second and third generations of Germans in America "gradually developed out of the lower German into the higher Anglo-American" point of view as to drink. The failure of Russia to maintain prohibition was due to her peculiar circumstances. Her political and military collapse could not but entail her moral and social ruin, and her sobriety partook in her general shipwreck.

105. *Alcohol and Drugs.*—It is asserted that prohibition has increased the number of drug addicts in America. But in each case when there has been an increase the officials point out that it is not due to prohibition but to the active enforcement of anti-narcotic drug laws. The drug evil, promoted by desire for financial profit, had long been spreading unobserved when its evil results began to force themselves upon public attention, not only in the states where as it happened prohibition laws were going into effect but also in the "wet" centres. The use of drugs spreads chiefly through bad association and the appeal of commercialism and is not consequent on prohibition. Drug addicts in America are comparatively youthful, which indicates that the habit is not usually built on antecedent alcoholism. Even approximate figures as to the number of drug addicts are scanty. This is of some significance as regards the stories that prohibition was increasing it. Lacking definite statistics for comparison, the claim that prohibition increases the number of drug addicts is without a statistical foundation. In India, however, the danger of alcoholists lapsing into the drug habit is real. Mr. Hudson, Collector of Poona, produced valuable statistics to show the increase in the sale of drugs at the time of picketing. This is one of the pernicious effects of alcohol, from which the coming generations could be freed, if the liquor traffic were stopped. So far as the confirmed drinkers of the present generation are concerned this Committee has proposed measures regarding the sale of deleterious drugs in Chapter XVI.

106. *Labour.*—We now come to the question as to what effect alcohol has on the efficiency of labour. We shall first examine the testimony of scientific observers in the West on the subject. The alcohol tradition and habit have a grip on the wage-earning public. They appear to have no higher idea of pleasure than what is afforded by regular indulgence in strong drink. There is no evidence to show that alcohol is necessary for workmen who are engaged in arduous manual labour, that it gives energy for work, or that it renews strength in the case of the healthy. The efficiency of work of the abstainers and the abstemious is always greater than that of the intemperate, partly because the latter are apt to be irregular in attendance at work. That probably one of the most serious losses entailed upon any people by indulgence in alcohol is the reduced efficiency, the lowered vitality, the slackened energy of the people, is now proved beyond doubt. It is found that alcohol does not increase strength for muscle work, but distinctly decreases it. The reason that many persons imagine that they are working better and with less weariness after taking alcohol is that the alcohol blurs judgment. Thus, one judges that he has accomplished more work than he really has done, while the alcohol temporarily covers the feeling of fatigue. This is soon followed by greater depressions but the drinker seldom realises that this is due to the alcohol, and sometimes uses more drinks to overcome it. Both science and the experience of life have exploded the pernicious theory that alcohol gives any persistent increase of muscular power. Efficiency depends not only on muscular strength, but on endurance and on skill and precision of work. Moderate drinking reduces the worker's efficiency. Careful tests with delicate instruments have shown that even a small quantity of alcohol—no more than that

in a bottle of claret wine—causes disturbances of the mental faculties. It slows reaction time—the response of the mind to signals—or if a choice has to be made the worker answers the signal more quickly but makes more mistakes. With larger quantities of alcohol the reaction is always slower. The alcohol brings on a condition similar to that of fatigue, so that work done is of a lower order than that of which the mind is naturally capable. It impairs the power to memorize, to add, to judge. The efficient workman needs strength and endurance, ability to hold out through a good day's work without undue fatigue. Experiments with individuals and with large bodies of men have shown that even comparatively small amounts of alcohol decrease the amount of work accomplished and increase fatigue. "The prevalence of intemperate habits in a country," as Professor Marshall says in his *Economics of Industry*, "diminishes both the number of days in a week and the number of years in his life during which the bread winner is earning full wages. Temperance increases a man's power, and generally his will to save." Scientific observations show that alcohol has a favourable effect on the work product, whether the muscle is weary or not and that this favourable effect appears almost immediately but that it is very transitory. Immediately afterwards, alcohol has a very decided paralyzing effect. About half-an-hour after taking alcohol, the muscular power reaches a maximum that subsequent doses increase with difficulty. The subsequent paralyzing effect of alcohol outweighs the momentary stimulation, and the total work product obtained with the use of alcohol is less than that obtained without it. These paralyzing effects are not observed to follow the use of tea, coffee and Kola.* It is stated that abstinence from food for three days had no such bad effect on the body as drinking alcohol. Both Destree and Schmiedberg discovered that workmen can do more when fasting than on alcohol. In this respect, then, the hypothetical food, alcohol, is worse than hunger. There is a general agreement that alcohol lowers the output of carbon dioxide in exhalation, which is a reliable index of the muscular work done. Experiments have been made on workmen, giving them varying equivalents of sugar and alcohol. The alcohol ration showed a diminution of the absolute value of muscular work, stagnation and lowering of the upkeep and rise in expenditure of energy in comparison to the value of the work performed. Alcohol is broken up in the organs after laws other than those which govern our foods. It is as easy for alcohol to pass out of the walls of cells as into them. This is not the case with the genuine foods. Just as chloroform and ether can be used occasionally in operations without injury, so alcohol can occasionally be taken without deleterious action. But if taken daily and throughout life it affects the lipoid holding cells so seriously as to bring about all sorts of severe internal injuries. This is because alcohol, as ether and chloroform, in contradistinction to sugar, for instance, dissolves and is soluble in fats. The dissolution of the lipoids causes a disequilibrium of the cell elements. Professor Kassowitz of Vienna affirms that the theory that a substance can, at the same time, be food and poison is "a monstrous paradox". In 1912 the German Imperial Statistical Office published some very remarkable and valuable information respecting the effects of alcohol upon the efficiency and health of those engaged in the higher and lower branches of industry. These statistics are striking as they show on one hand the inability of the heavy drinkers to continue to do the work requiring much skill, care and attention, while on the other hand they show that numbers of skilled workmen, who have become heavy drinkers gravitate to unskilled callings, such as street work and farm labour. Again in the first section the health of the drinkers appears only a little less favourable than the average. A large part of the time the drinkers were under observation they were unable to work. They were sick 12·6 days of a hundred, which is stated to be more than is the case with very old people. Children of parents who are moderate drinkers cut teeth earlier than those of abstainers. It was laid down by Professors Koch and Brouardel, and accepted by the International Congress on Tuberculosis of 1901 in London, that alcoholism not only predisposed an individual to tuberculosis, but accelerated the tuberculous changes and rate of disease, thus lessening the chances of cure. The conditions of life in great populous centres are not so favourable to health and longevity as in the open country, but sobriety and care tend to reduce the disadvantages. In the Peabody Buildings, London, where the conditions of life are by no means ideal—situated as they are in crowded areas, where the density of population both in them and around them is great—the general death rate is lower than in London as a whole, and the mortality of children under one year of age is much lower. This is stated to be due to the fact that the tenants are a selected class, inasmuch as they must be sober and respectable, the drunken and dissolute being excluded. The conditions of life being less favourable in proportion as people are more and more concentrated in large towns and populous centres, strict sobriety is even more necessary in urban than in rural districts. Even in towns the millhand has not generally speaking the same chance of keeping away from the liquor shop, as the classes better-off than him, because the number of these shops in his neighbourhood is, we think, greater than that in other localities. It is the experience of drinkers that the same quantity which would make one feel giddy in the country when in full health and vigour does not have the same effect on him when taken after a hard day's work in the heavy atmosphere of towns.

* See the Article by Prof. E. Destree of Brussels: "The Influence of Alcohol on Muscular Work" (*Medical Temperance Review*, March and April, 1899); his interesting article, "Water as an habitual drink in the Colonies" (*Medical Temperance Review*, 1899) and his book "Theory and Practice of Hygiene," page 947.

107. *Drunkenness and Poverty*.—The great consumption of drink is not amongst the very poor. They have not got the money. Many of them would drink and always drink heavily and continuously if they could. The greater part of the drinking amongst the working classes

is done by those who are in regular, or fairly regular, employment at good average wages, and it is the one great cause of poverty among them. It is the experience in the West that iron workers who get high wages are the hardest drinkers, and it is more difficult to get rent from them than from general labourers. The majority of stevedores and dock labourers are heavy drinkers. Although receiving heavy wages they often ask for an advance. The standard of living among the greater part of them is low and it is a curious fact that the mortality amongst them is the heaviest, more than three times that of the general male population. Prosperity rather than poverty promotes drinking. Drunkenness is a vice which prevails far more in good times than in bad, in wealthy manufacturing districts than in poor agricultural ones. It is when trade is good that the expenditure on drink is the highest; it is when trade is good and wages are high that the Government revenue rises as the outcome of increased drinking. We live in a time whose chief purpose is to promote the economic weal of the country. A great obstacle to the attainment of this end is the use of spirituous liquors, which is continually increasing in spite of heavy taxes. As President Roosevelt once observed, each individual represents a potential addition to the productive capacity and enlightened citizenship of the nation, or, if allowed to suffer, a potential addition to the destructive forces of the community. The use of liquor in a poor country like India will always act as a dead weight in her economical rise and her people must unite to fight against this costly and deleterious luxury. Let the leisure hours of the labouring classes be spent not in the vitiated atmosphere and sickly surroundings of their cells and liquor shops, but in the pursuit of a healthy exercise and intelligent relaxation, and they would not only find their lives the sweeter, their health the better and their homes the happier and brighter for the change, but they would become more useful citizens, and respectable and creditable members of society. We can secure the extinction of the drink traffic as rapidly as we can persuade the labouring classes to recognise its baneful effect. A great many of the views held by working men with regard to drink are born of preconceived notions in which they have been brought up and trained. The contention that the labouring classes will be discontented if drink is removed from them is in one sense true. If their condition is thus improved, they will no longer remain "content," that is, indifferent to their social and political wrongs, "content" to leave the privileged classes in undisputed possession of their privileges. The sobriety of the professional and upper middle classes is not due only to the physical comfort of their surroundings, nor only to the wholesome pressure of inevitable daily work, but in a great measure it is due to these things *plus* the vivid interests their life affords them. We are, therefore, of the view that if the labourer and mill hand could be once weaned from his dram, he would have in hand some money to use on his other wants, such as food, dress and housing, and once he begins to take more and more vivid interest in his surroundings he will not gravitate again to a craving for drink to make him oblivious of his miserable environments, but will be ever reaching forward towards a higher standard of life. Compared to the West, India is an abstemious country. The arguments which are applicable to the Western nations will not all be applicable here. She has not for the present before her the question of pauperism. But we would point out here that in England it has been noticed that no teetotaler is as a rule an inmate of a pauper house. It is not easy to say what is exactly the percentage of pauperism caused thereby from drink, but there is ground to believe that a very large proportion (said by moderate men to amount to three-fourths) of those who become occupants of work-houses, or who receive out-of-door relief, reach their state of destitution through their own drunken habits or those of their close relations. The majority of the Royal Commissioners on the Poor Laws say: "A great weight of evidence indicates drink as a most potent and universal factor in bringing about pauperism.... We estimate that at least one-half of the total cost of pauperism is swallowed up in direct dealing with sickness."

108. *Loss in Revenue.*—Witnesses in favour of the continuance of the present policy fear the great loss in revenue which the closing of liquor shops will entail; they point out that the present financial position is such that the nation cannot afford to close on itself the source from which not only a part of the general expenses of the state is met but from which the expenditure on such important services, as education, medical, etc., is defrayed. According to their view, good money will be simply thrown away. Even if taxes would be raised from other sources they should be reserved to meet the charge on primary and technical education, sanitation and other growing necessities. We think, however, that if the labouring population were to become sober, what was lost to the Excise Department would, to some extent at least, be compensated for by the increase in other Central, Provincial or Local taxes as a result of their increased thrift and sobriety. They would spend more on necessities or other amusements. Were the Presidency to cease from the use of intoxicating drinks, a substantial sum would be annually saved, or rather would be set free to flow in productive and useful channels, which would to some extent make up the contingent loss to the revenue that might possibly have to be put to the debit side of the account. A widespread adoption of total abstinence would also lead to a readjustment of expenditure and might result in great economies on the part of Government. The advantage of the liquor tax is not in any sense an economic one. The buying of alcoholic liquor does not create any new wealth. The buyer of a drink contributes to the coffers of the State a certain amount of the price which he pays. As the drink is of no economic advantage to him, he is certainly no better off when he pays his tax to the state in this way than he would be if he paid

it directly. When he is in some way prevented from spending his money on drink, he will be economically better off if he is taxed directly the equivalent of the fraction of the price of the drink which goes to the state; he would have left in his pocket at least the rest of the price of the drink. It is estimated at present that for the three crores or more of revenue which now Government derives from liquor, there is a substantial sum which the drinking classes actually pay from their pockets to obtain their drink. This argument would apply equally well to all taxes on luxuries. The only economic advantage to the country from any tax on luxuries is that it tends to repress the consumption of luxuries. If, it is argued, there are other and more effective ways of repressing the consumption of the luxury in question, it can hardly be considered an economic loss to give up a less effective method of repression in favour of a more effective method. When the deliberate purpose of the liquor tax, according to the Government policy, is the repression of liquor traffic, it is a poor argument in favour of encouraging the continuance of liquor consumption in order to provide revenue for the state. Under a popular Government there is no power of raising taxes except through the consent of the people who pay them. If this consent can be more easily secured from a direct form of taxation than from an indirect one, as on liquor, Government should propose the former rather than the latter. If the people are so unwise or so disloyal that they will not vote for direct taxes nor will they vote for any candidate to the Legislative Council who proposes to tax them directly, the only wise thing to do, since revenue is necessary, is to tax them indirectly. In Chapter XV, the Committee have shown what, in their view, are the most satisfactory means of replacing the excise on liquor by other indirect and direct taxes the payment of which would be more economical and less ruinous to the people.

109. *The Committee's Views.*—From the considerations set forth above it will be seen that the Committee have attempted to study carefully in all its aspects the question of prohibition as it has been discussed in this and other countries. As they concluded in the last Chapter the present policy of Government in regard to excise should now be changed and modified completely. The policy which Government should, in their opinion, lay down in the future, and with as little delay as possible, should be to aim at the total extinction of the consumption of all alcoholic drinks, including toddy, *by suitable steps*. The Committee do not approve the idea of laying down, as suggested by most of the witnesses, a definite time period within which such extinction should necessarily be brought about; nor would they prefer to prescribe an undefined and undescribed period, leaving it to Government to carry out the final extinction of consumption according to their wishes and convenience and the fiscal and other exigencies of the state. They, therefore, recommend the extinction of the liquor traffic to take place by suitable steps which they will indicate in the succeeding Chapters. These steps recommended by the Committee will, in actual operation, lead to extinction within a definite maximum limit of time and may hasten such extinction, but not delay it, should people and Government combine to bring it about sooner. In fact, our scheme has been so devised as to admit of the whole traffic in liquor being totally abolished as soon as desired by the community, but will not, if once adopted and properly acted upon, delay the closing of the last liquor shop in the Presidency beyond a calculable limit of time. Different countries have different methods of fighting the drink traffic. America's special method is prohibition. Scandinavia's is disinterested management; Germany fights by the method of scientific investigation; the time limit was a plan of campaign invented in England. Even in Great Britain there are some small towns and villages owned by big landlords, where practically prohibition is in force. These are known to be more sober, thrifty, prosperous and happy than the localities in their neighbourhood. In Scotland alone out of less than 1,000 parishes, 200, or about one-fifth of the whole, are absolutely destitute of any place either for the sale or the manufacture of drink. Prohibition to make or to sell liquor reigns absolute; and what is the result? The people are contented, prosperous and happy. We are of opinion that looking to her past, India must aim at, though she cannot adopt immediately, the policy adopted in the New World, if she wishes to avoid the chasm of drink which gapes before the nations of Europe. If prohibition is finally adopted throughout the province, its benefits will be incalculable when one considers that the coming generation of young people will not know from personal experience or observation what a liquor shop is. It will remove temptation from grown up men who are now unable to resist. We are not fighting against drunkenness alone, but also against that terrible widespread intemperance, short of drunkenness, which, in due course, we are afraid will sap the minds of our people, lower their morals, undermine their physique, and fill their homes with misery. We are not, therefore, in favour of restrictions, as proposed in some European countries, or of "partial" prohibition as it is called in our proceedings. We believe that restrictions, however severe, will not in the long run succeed in any country, much less in India where the control of the people over their minds in point of alcohol is small, the state of education backward and the "tolerance" to alcohol poor; it is an avowed fact that the masses of the people drink not for the sake of pleasure but for intoxication. Except complete extinction of consumption, no other remedy is possible or practicable. All kinds of legislative experiments are being tried all over the civilized world, covering increased taxation, both of the article and the licenses, increased punishment to the victim and to the victim creator, more care over the conditions under which intoxicants can be sold, the elimination of private interest, and the substitution of company, municipal or national ownership, but in every case

the evil is known to remain, which lies in the intoxicant itself. What is needed is a more direct and open antagonism to strong drink. It is no longer a question of compromise. The evil is too deep seated to be cured by any less radical measure than total abstinence. Under our no-shop system, the difficulty of securing drink will materially diminish drunkenness. It will remove the public temptation, break up the treating system and prevent the formation of drinking habits. It is a decided advantage to the weak-willed drinker who desires to abstain from strong drink, and to the careless labourer who will drink when drinking is respectable and convenient, but who will not do so at the cost of personal inconvenience, public obloquy or at the risk of being exposed to the law. The effective strength of an army, Lord Roberts used to say, is always proportionately greater according to the number of total abstainers in the ranks, a statement which might be so adopted as to apply to civil life. The problem which the moderate drinker is trying to solve is how people can get a decent supply of liquor without the community being demoralised. Mr. Caine stated that "he tried in vain to puzzle that out for 25 years, but had failed." He did not know by what method drink could be sold without demoralising the community. Indians are not fighting systems, they are fighting the drink; they do not trouble themselves about methods, they look to results. In the words of Mr. Gokhale :—

"I myself feel that in a country like India the only real policy that will do in this matter is a policy of total prohibition. The most logical and natural position for Indians to take up was that the state should have nothing to do with the liquor traffic. If their wishes were consulted in the matter, that would be the policy they would endorse. There were other ways of raising the revenue much less harmful than that of the excise. Even the salt tax, much as I object to it, was more capable of being defended than the excise revenue, for in the latter case so much money was taken out of the pockets of the poor and so much misery was added into the bargain."

110. *Legislation Recommended.*—In order to carry out the policy we have recommended the present Abkari Act is not sufficiently effective. Mere executive orders of Government under this Act will not do. The whole scheme as laid down by us in the subsequent portion of this section of our Report will require fresh legislation and the Legislative Council will have to consider whether the evils of drink which threatens the community are such as to justify the passing of a prohibitory law. In our opinion such legislation is justified on the broad ground that injury done to the community at large can be redressed adequately by the state. Government, having for its purpose the welfare, convenience and advantage of the great masses of the people of the province, should lend its power in making impossible as soon as they can a traffic that has stood in the way of the economic, intellectual and moral rise of the working classes. It is argued that a man cannot be made good by law; that is true. But what is meant by that is that though a man cannot be made good by law, yet he can be stopped being made bad by law. The modern drinking customs in India are a result of a traffic established by law, and they ought to be disestablished by law. The extinction of the liquor traffic is in harmony with the general trend of legislation, which aims at saving and protecting life, saving men from the cupidity of employers, saving men from their own ignorance or their own carelessness. Law compels special health regulations in lead works, prohibits the sale of explosive and poisonous ingredients, except under stringent conditions. It is becoming generally recognised now that the state, in its modern role of physician, can, if it will restore and keep in health the body politic, enforce the extinction of the liquor traffic by law. It is not the people who license liquor shops; they cannot do away with them, if they choose. They are planted in their streets by authority which is outside and independent of the community whose welfare is so deeply affected by them. It is, therefore, for Government to remove these shops from their midst, if the people ask for their removal. There would be no reason for the regulations which govern the manufacture and the sale of strong drink, were it not that it is acknowledged to be essentially different from any other articles of common consumption. What the state controls, it can, if required, forbid; and it should not be forgotten that, with all that is yet wanting or wrong in the law, its historical attitude to the traffic in strong drink has for long been that of restriction and repression as towards a dangerous traffic. Much of what accrues from the excise may be said to have the character of fines paid to society. It is this attitude—repressive, restrictive, jealous, prohibitory—that Government should now seek to encourage and advance to its ultimate issue, so far as the law is concerned. In Great Britain the whole problem has been profoundly modified since the war. It used to be stated that men could not be made sober by Act of Parliament, and the corollary was suggested that it was waste of time to legislate or to regulate for the purpose of achieving the impossible. This view cannot be sustained after the restrictive action taken by British Government to increase the output of munitions. The need for legislation to extinguish the liquor traffic in the Presidency is becoming every day more urgent and cannot be long delayed. The examples of the American Republics prove that the old objection that people cannot be made sober by law cannot be sustained.

We have already dealt with the objection that prohibition of alcohol is a breach of personal liberty and that such a law would be flouted by the people. All social order rests on common interests, lays down various limitations of liberty without which no social life could exist; along with social protection there must be social duties. If a Government makes laws with the aim

of removing some national or communal evil, every subject's duty is to submit to it, even if it is considered to be strict. When the public good is at stake everyone must submit. Most sanitary laws contain regulations which limit personal independence more than the extinction of the liquor traffic would do; there are personal rights which ought not to be violated, such as liberty of speech and opinion, but the liberty of using alcohol is not so valuable that it may not be abridged. The abkari law now in force limits a great deal of the people's liberty concerning the distillation and sale of alcohol. If this limitation is legitimate in principle the extermination must also be so legitimate. The state has the right and duty to interfere with drinking customs, whether moderate or immoderate, in order to protect its citizens. The simplest and most logical way in our view would be to prohibit to every one the use of alcoholic drinks.

111. *Grounds for Legislative Action.*—The tendency in Europe is to look upon alcohol as either harmless or beneficial when taken in small quantities, and to condemn only the excessive use of it. In America people look upon alcohol with a kind of abhorrence. This abhorrence is not based upon the belief which exists in India that even the minutest quantities of alcohol are necessarily harmful and that even the most moderate drinker is, therefore, doing himself irredeemable harm. It is rather based upon the observation that, in a large way, alcohol does great social harm. There is, therefore, little inclination to inquire precisely how much alcohol can be taken, without harm to the taker. Comparatively few people are capable of making that calculation, or, having made it, to stop at the right point. The problem, therefore, is this. Can drunkenness, which every reasonable person desires to see reduced, be more effectively controlled by recognizing the propriety of moderate drinking while discountenancing heavy drinking and punishing drunkenness or by discountenancing all drinking whatsoever and penalising all manufacturing and selling of the intoxicants? State restrictions can be directed against every act which tends, in the large, to produce social harm, even though in many individual cases the individual act would not possibly be shown to have resulted in any direct harm. The case of sexual immorality is given as an illustration. It would in many cases be difficult or impossible to prove that any direct social harm had resulted. But in the interest of social control laws are enacted so that this powerful instinct can be held in check. We never discuss the distinction between a moderate and an excessive amount of sexual promiscuity, nor decide at what point it becomes excessive. This is also brought out by another comparison. Excessive indulgence in laughing gas would, if it were generally practiced, probably, let it be supposed, be as harmful socially as excessive indulgence in alcohol, or as excessive promiscuity. If there were a powerful tendency leading a vast number of people, to this kind of excess, there would be a need for a powerful engine of social control. It is not too much to expect that a kind of emotional abhorrence would develop towards any indulgence whatever in laughing gas. The more powerful the tendency towards excess, the more powerful, uncompromising and intolerant the opposing tendency would have to be if society should save itself from destruction. If there were a mild tendency towards the excessive use of laughing gas, society would probably not concern itself very much about it. It would not be necessary that it should. Law reflects the opinion of the people adopting it as to the object with which it deals. A people that approve of duelling will enact no law that condemns it. It is not to be expected that theft will be prohibited by a state that recognises no moral wrong in thieving. Writers on prohibition sometimes contend that the law, so far from increasing the purity of civic life, has been productive of serious and widespread demoralisation. Inadequately supported by the public, it has intensified temptations which have corrupted the police administration and undermined the popular respect for law. The chief objection to a liquor traffic extinction law would be that it would be greatly evaded. But the use of it would be not so much to deprive the confirmed drunkards of their liquor as to remove temptation from those who have not yet reached that stage. It is true that the drinker will endeavour to violate the law just as the thief or the murderer violates the common law; that is, as it were, a part of his business. No law secures implicit obedience from every member of the community. Least of all one which places restrictions upon so powerful an appetite. In Western countries the charge that prohibition does not prohibit does not come from the enemies but friends of liquor. Liquor dealers oppose prohibition professedly on the ground that prohibition does not prohibit; yet they are raising millions of pounds and using all their energy to defeat every effort to prevent prohibitive legislation. A prohibitory law will not suffer by comparison with any other laws for the suppression of vice or crime. If a prohibitory law were not very difficult to enforce, there would not be the slightest reason for having a prohibitory law; it would argue that there was no very strong desire to drink liquor. If there were no strong desire to drink liquor it would not be worth while having a law to prevent drinking, however harmful it might be to those who saw fit to drink. Wherever there are powerful motives leading to excess and harmful results following that excess, there must be the necessity for legal control, and great difficulty in effecting that control. In the drink question there is a powerful and widespread desire which leads large numbers to excess, and the results of that excess are exceedingly harmful. We believe that, if once a law was passed in the Presidency for the extinction of the liquor traffic, its enforcement would be a far easier matter than it has proved to be for the United States up to the present. There is hardly a difficulty encountered here which would be serious. If Americans want their country to be done dry, they have to fight for it, not only before the law is passed, but afterwards. But in India a law passed is in almost every case a law enforced.

India has the finest Civil Service and Judiciary in the world. She has the best revenue officers in the world. Her statistics are the simplest and the most reliable. If Government wish, they certainly can suppress the liquor traffic. We agree that any law without the people behind it could never be permanently effective. But we have no doubt whatsoever that if the policy recommended by us is once declared by Government, the people as a whole will support any law which may be passed for its successful carrying out.

112. *Conclusion.*—To sum up, the past policy of Government in regard to excise is declared to be “to minimise temptation to those who do not drink and to discourage excess among those who do,” and “to the furtherance of this policy all considerations of revenue must be absolutely subordinated”. This policy, as it has been carried out, has proved partially, but only partially, successful. It has prevented any rapid increase of drunkenness and any widespread growth in the habit of indulgence in liquor in the province. At the same time it is evident that this success is of a limited and precarious character. In the industrial centres there has been a steady growth in this habit, a growth that is the more serious when one remembers that the industrial population is mainly recruited from districts where there is little drinking, and in the industrial centres there has been also a steady increase in the evils that commonly accompany habits of indulgence in liquor. Thus, as India advances, as it appears to be likely that she will steadily advance, in the direction of the increased industrialisation of her population, there is great reason to fear that excessive indulgence in intoxicants will become more and more common. There is little doubt that the unnatural and squalid conditions under which the people in industrial centres have so often to live and the strain of continuous and depressing labour in factories drive the people to the stimulus and excitement that indulgence in liquor affords. It is probably the case that an improvement in the conditions of living lessens this temptation, and it is a very hopeful fact to learn that these industrial workers on returning to their villages, where there are few temptations presented to them, are often able and glad to escape from the evil habit they had acquired and to live sober lives. While, no doubt, much may be done by improving conditions of city life to lessen this evil, this Committee has to deal with facts as they are and to discover how, facts being as they are, the danger to the industrial community may be avoided as far as possible. There is, further, the fact, which this Committee is bound to take into consideration and which the evidence that has come before it has confirmed beyond all question, that there is in India a very powerful and widespread sentiment which condemns on the grounds either of religion, tradition or habit all indulgence in intoxicants and which demands that the traffic be brought to an end in this country. This sentiment, which is an ancient and deep rooted one among both Hindus and Mahomedans, has been further strengthened and made articulate by the revival of nationalist feeling and by the desire to make the views and opinions of the people operative in the government of the land. It is impossible, and it would not be right in the circumstances of to-day, to ignore the strongly expressed desires of a very large proportion of the population. There can, of course, be no doubt as to the desire of what are usually considered the higher classes of Hindus and Mahomedans. Out of 145 witnesses, most of them belonged to these classes 88 declared themselves to be in favour of prohibition of the traffic. Almost all of these 88 were Indians, while of the minority of 57 who did not desire prohibition a considerable proportion were not Indians. It is, however, often maintained that there is a very large non-articulate population who would not agree with the prevailing view placed before the Committee and who themselves belong to “drinking classes”. The few witnesses from these classes that gave evidence before the Committee did not—if we exclude some Parsees—support this opinion. In the case of a mali from Poona and a weaver from Ahmednagar District the testimony given was to the effect that even these classes would rejoice to have the temptation to drink removed from them and would vote that it should be removed, if the opportunity was given to them. Other evidence in regard to the habits of the mill-workers when they return to their villages on holidays, as well as the fact of such movements against liquor drinking as that which has appeared among the Kaliparaj people of Gujarat, confirms the view that the sentiment against indulgence in liquor is very widespread among all classes of Hindus and Mahomedans and can be described as prevailing throughout the whole province, even where it is not given effect to in practice. In view of these facts and the confirmatory testimony that comes from other parts of India, it seems to the Committee that the policy that Government has set before itself requires to be brought more fully into agreement with popular sentiment than it has been in the past. The position has been admirably stated in the evidence which the Bishop of Bombay submitted to the Committee. “If the situation is”, he says, “that the vast majority of responsible persons are against the consumption of alcoholic liquors and that large numbers of irresponsible persons abstain from them on account of custom or religion, and that only a relatively small number of people consume them . . . that is a situation which does not exist in Europe and which provides all the conditions for a system of total prohibition”. A consideration of these facts has convinced the Committee that the strong demand throughout the country, which has been expressed by so many witnesses for a change of policy in the direction of further restriction and in due course of the total extinction of the liquor traffic, must be recognised and accepted. The Committee recommend that Government declare that the total extinction of the liquor traffic by suitable steps is the goal of its excise policy. These steps will be indicated hereafter.

CHAPTER VIII

LOCAL OPTION

113. *Earlier Proposals.*—In 1888 the Government of India received memorials from certain associations in Bengal proposing, *inter alia*, the introduction of a system of local option as regards the establishment of liquor-shops. All the local Governments were consulted on the subject. No formal rule or procedure was then prescribed in this Presidency requiring the wishes of residents to be ascertained or local public bodies to be consulted before a shop for the sale of intoxicating liquors was opened in any locality. The revenue authorities were supposed to make such enquiries as they considered to be necessary to determine whether the shop proposed to be opened was really required and generally unobjectionable. Mr. (afterwards Sir) Arthur Trevor in his report no. 1085, dated the 1st March 1889, stated :—

“ Any genuine expression of public feeling would naturally receive full consideration ; and I believe no complaints have been made either to this office or to Government that the reasonable representations of any persons likely to be affected have been disregarded. As a rule, they are not sufficiently interested to make any, uninvited ; and if invited, would simply become the tools of wire-pullers on each side. There are few abkari contractors who would find much difficulty in getting up a petition, if they thought it would do any good, for the opening of a shop wherever they wanted it ; and they generally have rivals or enemies who would have as little difficulty in getting up a counter demonstration. ”

In the Central Provinces the practice was to ascertain, usually through the excise daroga, whether the classes who consume liquor demand a shop at any particular place. In Bengal instructions were issued in 1886 that local opinion should be considered, though not necessarily followed. The local Government considered it to be their duty to ascertain the sentiment and desire of the community amongst whom liquor-shops were introduced, to comply with it whenever possible, and not to overrule it except under circumstances where such a procedure could be easily justified. They thought that the introduction of local option in this country would create class tyranny. In the Punjab there was not a single instance in which a shop was opened in villages in opposition to the wishes of the inhabitants. On receiving the opinions of the various local Governments the Government of India came to the conclusion that local option could not be successfully administered in any part of India. They argued that any such scheme pre-supposes the existence of a highly developed system of local or municipal institutions, to which representatives are elected by the mass of the people and in which all conflicting interests command their due share of attention. In the communities in which such institutions are to be found, the necessary control over the actions of the representatives is secured by the right of periodical appeal to the judgment of the people. In India there is no representation of this character ; the electoral system, so far as it has been introduced, rests upon the narrow basis of a restricted franchise and large masses of the people and those the least able to make their voices heard are without representation of any kind. No effective check could, therefore, be placed upon the capricious exercise of the power of granting or refusing licenses, if it were entrusted to municipal committees or local boards. In their despatch to the Secretary of State they stated :—

“ We fear that the advocates of temperance in England, who press for the adoption of this system of administering the liquor traffic, are not well informed regarding the peculiar structure of Asiatic society in general, and of Indian society in particular. To attain even a partial success ‘ local option ’ demands a certain homogeneity of character, tastes and moral standards in the community into which it is introduced. In India this condition does not exist ; society is not so much an aggregation of individuals as of classes, and, moreover, of classes whose habits, opinions and views of right and wrong are widely divergent. On such elected bodies as exist there are no representatives of the great mass of the people, and if the licensing power, unaccompanied as it would be with any kind of responsibility, were entrusted to municipal and district boards, it seems very probable that it would be exercised without much forbearance or regard for the susceptibilities of those chiefly interested. It is idle to expect the difficult problem of administration of the liquor traffic to be solved by the votes of the representatives who are subject to those disabilities, and, in our opinion, no system of ‘ local option ’ could be devised that would not, under the conditions that have to be dealt with, be doomed to failure. ”

This view was approved by the Secretary of State. No general instructions on the subject were issued by the Government of India. In the debate which took place in the House of Commons in 1889, referred to in paragraph 39 of this Report, the introduction of local option was hinted at as the remedy for the defects in the excise system. The Excise Commissioner, Central Provinces, referring to this observed that before the decision of a complicated question of that kind was made over to a partially educated and ill-informed majority, it should be clearly shown that a real evil exists and that the arrangements were radically defective. Moreover, even if these points had been proved the expediency of handing over the decision of Indian excise questions to a native majority seemed very doubtful. In England there is no mass division between classes who drink and those who do not drink, and abstention from drinking is not a leading principle of any of the chief religious bodies. In all ranks of society there are

people who consume spirits in one form or another, and the educated and wealthy are as much interested in the drink traffic as the poor and ignorant. A decision by local option would not therefore in England merely be a decision by tradition or caste but would generally be the result of reasoned opinion based on an examination of the facts of the case, and on a conviction of the terrible evils which actually result from excessive drinking. Here in India the case is widely different. Abstention from drinking is a principle of religion both with Brahmins and Mahomedans, and all the powerful influence of religious prejudice and caste traditions would be brought to bear on the decision of the excise question. A decision decreeing the abolition of liquor shops in a certain area would, moreover, affect but slightly, if at all, the comfort or the habits of the majority of the individuals by whom it should be arrived at. It would leave them much as they were and would mainly influence those numerous members of the poorer and lower castes who are not bound by their religion to abstain from drinking, and to whom the occasional indulgence in a stimulant, weaker in most cases than beer or claret, is sometimes a necessity and rarely, if ever, a serious injury. Care should of course be taken to avoid offending the prejudices of those who object to drinking in any form but to allow them to deprive a minority of an occasional and generally innocent indulgence, simply because their principles do not permit it in their own case, would be a mode of procedure totally opposed to every axiom of sound and equitable government. In forwarding these views to the Government of India, the Chief Commissioner, Central Provinces, stated that among the aboriginal tribes of those provinces drink was a part of their religion and figured in all their simple ceremonials and that to place these untutored people at the mercy of Brahmin voters in the matter of the use of liquor would practically be tantamount to a violation of the Queen's proclamation. The Government of India in their despatch No. 29, dated the 4th February 1890, came to the conclusion that the introduction of local option was merely impracticable and impossible and would throw the whole administration into confusion; they doubted, for instance, whether a Sikh community would quickly submit to the total prohibition of liquor by a Mahomedan majority. They pointed out that the difficulties even in the way of ascertaining what public opinion on the question of drink really was and of determining the amount of deference that may reasonably be paid to it were very serious. The widest divergence exists both in respect of the extent to which the habit of drinking is practised and of the degree of disapprobation with which it is viewed, and it is difficult to determine what meaning to attach to public sentiment on the question of drinking in a locality where one portion of the community regards drinking as a social or even religious duty, while another portion regards the consumption of spirits in any form or quantity as a positive sin. All Europeans and Eurasians and many natives of India, especially the aboriginal tribes, would regard severe restrictions on drinking as an unnecessary and tyrannical interference with their modes of living. The only general principle which the Government of India were therefore disposed to lay down in the matter, as stated in paragraph 39 of this Report, was that efforts should be made to ascertain the existence of local public sentiment and that a reasonable amount of deference should be paid to such opinion when ascertained.

114. *The Hon'ble Mr. Ranchodlal Chotalal's Proposals.*—In 1895 the Hon'ble Mr. Ranchodlal Chotalal submitted to the Government of Bombay for consideration a draft of a local option bill; he was of opinion that the vice of drinking was fast extending and that Government should do everything possible to prevent its extension before it became uncontrollable. He was, however, informed that it was doubtful whether even in England the balance of opinion was in its favour, but that it was clear that there was at any rate no chance of its being tried with success, except in places where the practice of accepting the decision of a majority of the members of the community in matters affecting the general welfare is established. In India there was no such practice; society was, for the most part, divided into castes or classes which manage their social affairs independently of each other. An attempt to introduce local option in this country could, therefore, result only in tyranny, the inclinations of the lower castes being subjected to the traditional rules of the higher. In the greater part of the country there would under such a system be no open sale of liquor at all but, as experience has completely proved, the consequence would be illicit manufacture and sale with probably no decrease or even with an increase in the actual consumption and with all the demoralising results attending habitual breach of the law on the part of the same classes of the community. Government were, therefore, unable to give more weight to public opinion than they were giving under the orders of the Government of India quoted in paragraph 113 above.

115. *Recommendations of the Indian Excise Committee.*—The Select Committee on the Bengal Excise Bill of 1904, having considered the progress made in India since the policy of the Government of India in regard to the question of the introduction of local option was laid down in 1890, arrived at the conclusion that local option properly so called was no less impracticable in 1904 than it was fourteen years ago. Although this question was beyond the terms of reference to the Indian Excise Committee of 1905-06, still in view of the importance attached to the subject the Committee noticed it in their report and stated that whether it was in itself a desirable measure or not local option as understood in America was no more possible in India in 1906 than it was in 1890. The Committee accepted the definition of the term "local option" to be prohibition in its more rational form; they pointed out that action in this direction had never up to that date been taken in England, nor did the Royal Commission on the liquor licensing laws

recommend that it should be attempted ; and that where it had been tried, as in America, the best temperance opinion was doubtful of its entire efficacy. Even the Committee of the Calcutta Temperance Federation in a letter dated the 7th April 1906, stated that after a full consideration of the question they could not name even in that city a registry of voters qualified to decide the questions at issue. The Indian Excise Committee recommended, however, that measures should be taken to secure a reasonable degree of conformity with local public opinion as to the location of shops. The Government of India accepted the recommendation and issued orders for the appointment of local excise advisory committees ; these will be dealt with in Chapter XI of this Report. The Bombay Temperance Council, becoming dissatisfied with the work done by the local advisory committees, applied to Government in 1908 to bestow upon the people the full right of local option with reference to the number and location of shops and the hours of sale ; in spite of contrary assertions sometimes made, the council was convinced that the operation of local option laws in the British colonies had been successful. The reply they received from Lord Sydenham, the then Governor, was :—

“ And now I come to the question of local option which I understand you to advocate. I need not say that local option does not exist in England, or that it does not exist in any country that has not practically manhood and sometimes womanhood suffrage. I have been in places which were nominally prohibitionist, and I was not at all impressed with what I saw. I do not know how local option works in New Zealand, where it was largely carried by women’s votes ; but I have heard that it does not do all that was expected. In India I confess I cannot see how what you call ‘ genuine local option ’ is to be introduced unless you are prepared to give all classes the franchise and to believe that they will know how to use it. Failing this, must not local option mean that a small minority of persons, who can get drink wherever they like, will be able to prohibit the large majority of poor people from ever obtaining it ? I do not think that Mill’s arguments which you quote goes as far as that, although I agree that a minority has a right to prevent members of a majority from becoming a public nuisance. The effect of local option is only to prevent drinking among the poor classes. The man of moderate means will always get liquor if he desires it, and it is a great mistake to think that the habit of drinking—I do not mean drinking to excess—is confined to the poorest classes in India.”

116. *Resolutions in the Legislative Council.*—Efforts were made in the Bombay Legislative Council with similar results. On March 13th, 1911, the Hon’ble Mr. Gokuldas Parekh moved :—

“ That Government would be pleased to give a trial to the principle of local option within specified areas in which the majority of inhabitants express a desire for the removal of liquor shops from such areas.”

Again in the Council meeting of April 1912, the Hon’ble Mr. Karandikar moved a resolution in favour of experimental prohibition in selected areas. Both resolutions were opposed by Government and rejected.

117. *Local Option and Advisory Committees.*—The question of local option was again raised in 1912, by Sir Herbert Roberts’ deputation referred to in Chapter III, paragraph 39, of our Report. The members of that deputation appeared to aim at a system of local option throughout the length and breadth of India, not only in urban but also in rural areas, by the grant of licensing powers to non-official excise advisory committees. The Secretary of State expressed before the deputation his desire to see the apparent anomaly of the double function exercised by the same officer as a licensing as well as a revenue authority gradually disappearing. In their despatch No. 12, dated the 26th February 1914, the Government of India expressed the opinion that the danger to be anticipated from the grant of full licensing powers to advisory committees possessing a non-official majority was that a system of local option would thereby be created, the effects of which could not but be antagonistic to genuine progress in the cause of temperance. It was only too likely that, if non-official committees received full licensing powers, one of two tendencies would at once manifest itself ; if the temperance element prevailed, shops would be abolished at the first opportunity, and an immense field would thus be thrown open to illicit manufacture ; on the other hand, in more backward areas, the apathy of the members would afford openings to those interested in the trade and licenses would be indiscriminately granted. In accepting this view generally the Secretary of State expressed a hope that it might be found possible to limit the functions of the advisory committees not merely to questions of the number and location of shops, but that it might also be within their recognised sphere to call attention to special cases and localities, in town or country, in which it might seem desirable and likely to be in consonance with the wishes of the inhabitants that the ward or special area should be kept altogether immune from the sale of intoxicants ; in this connection the Secretary of State referred to the instance of the Khondmals sub-division in Bihar and Orissa where the aboriginal tribes, accustomed to heavy spirit drinking, petitioned for and obtained in 1910 the entire removal of country liquor shops from their area (*vide* Chapter III, paragraph 51, of this Report).

118. *Proposal in the Imperial Legislative Council.*—A proposal for local option on the liquor question, presented to the Imperial Legislative Council at a meeting held on the 8th March 1918, was rejected ; but Sir George Barnes, speaking on behalf of the Government of India, said :

" If a local Government should in future recommend the closing of all liquor shops in any particular area, I do not think the Hon'ble Members would find the Government of India standing in the way of the recommendation." A similar proposal giving advisory committees power to decide the number and location of liquor shops, brought forward in April 1919, was lost by a close vote, 16 to 15.

119. *Witnesses Against Local Option.*—The witnesses who are in favour of the continuance of the present policy of Government are generally, but with some notable exceptions, against the introduction of the principle of local option in the Presidency. Excise officials argue that ordinary people, especially in villages, are not sufficiently educated to weigh the *pros* and *cons* of a case and being unable to exercise an independent opinion can be easily swayed by interested parties who have influence in the locality and it would be very difficult to ascertain that the demand for local option really originates from those affected by it; that the local option principle would be a means of harassment in the hands of unscrupulous persons and the rights should be exercised by the drinking classes alone as otherwise the non-drinkers might make a political use of the privilege; and that the minority, who cannot possibly be weaned from the evil of drink all at once, will be subjected to undesirable tyranny by the majority. Some non-official witnesses have expressed a similar opinion on different grounds altogether; if alcohol is injurious in its effects, it is bad everywhere and it should be stopped everywhere; public opinion is so strongly in favour of prohibition that local option is needless; there should be prohibition for all communities and localities alike; the grant of local option will create "artificial agitation" which will have for its object the prohibition of drink but which will not take into consideration the value of real temperance work by educating public opinion and giving those who drink better and nobler forms of amusements; it will be difficult to obtain a unanimous verdict when there are different communities and different religious views on the subject and local option will be exercised by a majority against a minority. Mr. G. G. Thakar of Poona is against the principle of local option on the ground of practicability; he fears that its introduction will be attended at every stage by numerous administrative difficulties caused by the complex conditions of Indian life; the voters, the method of voting, the questions to be voted upon and the methods of carrying out the results of voting will be difficult subjects to deal with; financial anomaly may be caused by different local areas coming to different conclusions; shops in wet localities contiguous to dry areas will raise friction; there will be questions of meeting deficits if areas go dry too quickly and vested interests may perhaps circumvent local opinion. Mr. Gordon, Collector of Kolaba, who when examined by the Committee, expressed himself in favour of local option and suggested that it should be given a careful trial, was at first apprehensive that at present it would mean putting the matter into the hands of the upper classes who have little sympathy with the point of view of the drinking classes and that it would also result in sudden decision being taken in the heat of the moment by irresponsible people, which would afterwards be regretted. Major Bhatena and Khan Bahadur Cooper would wait until the people are sufficiently educated and the franchise is extended. Mr. Covernton, Collector of Kaira, stated that public opinion in Gujarat, except among a limited class, is not yet ready for the movement; he did not know that the drinking classes themselves would vote in favour of prohibition if a vote were taken among them, but perhaps it would be easy to obtain from them such a vote. Mr. Clifford, Superintendent of Salt and Excise in Sind, is also opposed to the grant of local option until the masses have learnt to think for themselves and a genuine public opinion on excise questions comes into existence. Mr. Brander, Collector of Bombay, is entirely opposed to local option at present; as the local people concerned are not yet alive to general considerations of the policy which Government have to take into consideration. In his opinion, the regulation of shops should be wholly in the hands of excise officers. Mr. Hotson, Collector of Sukkur, thinks that theoretically there is a good deal to be said for local option, but in practice it means the coercing of the dumb many by the noisy few.

120. *Witnesses in Favour of Local Option.*—Witnesses who are for the extinction of the liquor traffic are generally in favour of granting local option. They desire that the power of restraining the issue of licenses for the sale of spirit should be placed in the hands of the local inhabitants who are most deeply interested in and affected by the traffic; the existence of a shop in a locality is regarded as an annoyance to respectable people and therefore as wrong and the people of the locality should therefore have a right to protect themselves; local option is an effective method and being based on self-determination is sure to enlist public opinion of the locality in favour of reform; it is more democratic than mere prohibition by law; it will have the double advantage of respecting the feelings of the people and sharing with them the responsibilities of the sale of liquor. Mr. Hudson, Collector of Poona, is in favour of trying the experiment in cities, such as Poona, but is opposed to any attempt to apply the principle in rural areas. Mr. Taunton, I. C. S., who represented the Shikarpur Advisory Committee, has no objection to leaving the question of closing shops to a referendum of the people of the locality, but thinks that there should be a substantial majority. Mr. Bharucha, Collector of Thana, is generally speaking in favour of the introduction of the principle as that gives an excellent opportunity to the locality to go dry or regulate the drink traffic; in spite of the difficulties of the masses being illiterate and of the clash of dry and wet areas, Mr. Bharucha is for giving local option an honest trial. Mr. J. F. Edwards, Editor of the *Dhnyanodaya*, would introduce the

principle immediately because of its democratic and educative value, its training of the people in public spirit, and its helping to guide India's political aspirations into worthy and constitutional channels; local option was the method whereby the United States reached its prohibition enactment, the people thereby indicating what they desired and being assured of obtaining it; and because it has been effective in Ceylon and some parts of India. Even Mr. Covernton, whom we have quoted above as a witness against local option, says:—

“*A priori* in a district where illicit distillation was difficult in itself, and where there were no adjoining Indian States or other places from which liquor could be imported, there would be a much stronger case for local option (assuming that absolute prohibition is really permissible and not an interference with individual liberty), and it could be tried in such a district with much more success than elsewhere.”

121. *Methods Suggested by Witnesses.*—As to the methods by which the principle of local option should work, different views have been expressed. Witnesses are not always very clear on this point; but it may be deduced from the evidence that on the whole they prefer the plebiscite though there is a strong body of opinion in favour of granting local bodies authority to close shops, an opinion which is shared in by the Collectors of Thana and Poona; the latter states:—

“The conditions should be (1) the municipality should decide in favour of the experiment by a two-thirds majority, (2) the municipality should pay all the expenses of ascertaining the popular will, (3) all adult males should be allowed to vote, or if this is not feasible, then every adult male who pays any direct municipal tax, however small, (4) the question at issue should be a straight one ‘Do you wish all country liquor shops to be closed in this city next year?’”

Some witnesses propose the appointment of local option committees elected by municipalities and local boards or special bodies working under a central authority; others propose the grant of powers to excise advisory committees. In villages it is proposed to give powers to panchayats. A witness suggests that the unit should be the whole district; another, that authority should be given to small groups.

122. *Local Bodies and Local Option.*—In regard to the grant of licensing and other powers to local bodies the evidence is again divided. Some of the witnesses who are against prohibition fear that they will use these powers unfairly being composed of Brahmins, not representing the poor and illiterate classes; these bodies are yet in their infancy and the responsibility should be thrown on them gradually; they are too much mixed up with politics. Mr. Hudson deposed that at present there is a serious danger of local boards being captured by doctrinaire politicians, who know very little about the wishes of their constituents and nothing whatever about the problems of excise administration. Mr. S. D. Smith, Deputy Commissioner of Salt and Excise, would grant the powers to local bodies provided the franchise is extended so that the bodies become more representative of the people than they are at present. These witnesses are generally in favour of making the local bodies responsible for raising, as a safeguard against indiscriminate action, any revenue which may be sacrificed by the exercise of the authority that may be granted to them; though doubt is expressed as to whether they are financially in such a position. The latter view is also expressed by witnesses who are for the prohibition of spirits, though they would approve of the idea of granting the powers in question to local authorities. They think, however, that it would be unfair to saddle them with the responsibility of making up the deficit; excise revenue is local revenue which now goes to Government and to ask a local body to raise the revenue would not be in consonance with the excise policy of Government which lays down that “considerations of revenue must be absolutely subordinated”; it is the duty of Government to raise the revenue; to ask local bodies to do so would be to place a penalty on those who tried to go dry.

123. *What is Local Option.*—By local option is meant the right of the community to determine by direct vote whether or not the liquor traffic may be legally carried on in a given area. The practical policy advocated is to give the locality concerned a direct popular veto over the issue of liquor licenses. It places the responsibility for the continuance of the traffic on the people themselves. Its advocates argue that a traffic, so essentially mischievous, defying all attempts to keep it in bounds, ought not to be thrust upon a locality which emphatically expresses its desire to get rid of it. The law must afford protection in the hands of willing communities, and thus set up a bright and purifying example to others who are still in darkness. It would be a better educative measure if the liquor shops are closed by the will of the people itself than by orders of Government. It would influence the better minds of people in localities where the traffic continues and strengthen them in their determination to fight against its evil influence. Local option is like a half-way house to strict and consistent prohibition. It may prove the stepping stone to a wider prohibition. It is the automatic register of public opinion. There is no control so good as the public control. Local option, according to Messrs. Rowntree and Sherwell, should educate and set free the latent progressive resources of each locality and definite results will be reached the most quickly by giving large liberty to the localities to carry out experiments. If communities possessed this power, reforms which are now long delayed and difficult of realisation would be accomplished with comparative ease. Progress is almost indefinitely retarded when the most forward places have to wait for the most backward. The experience, say these authors, of the United States of America, Canada, Norway and Sweden, extended

over many years, indicates that the power of local veto would be successfully exercised in many rural and suburban districts, and, possibly, in some small towns. It is objected that it is purely permissive. It is an enabling Act, not a compelling one. It provides needful machinery, but does not set it in motion. Local veto is just. It gives the people who are most directly affected the power of self-protection. It is democratic. It appeals to the people as no other method of dealing with this question does. In the West it is found to be successful in operation. The difference between prohibition by State and local veto is one of area only—the same principle runs through both. The veto may not be an ideal method. Direct legislative action by the representatives of the people may be more in accord with perfect theory but public opinion in some Western countries has gathered round the principle of local veto, and there is a ripeness for an experiment of this kind. Local option would at least enable the people to defend themselves from the aggression of the shops in their neighbourhood. A settled conviction is everywhere expressed that the licensed temptations to drink are far too many and that legal powers should be granted to localities to diminish them. The common sale of drink is fraught with mischief to the community, perilous to individuals and destructive to home happiness. The locality ought, therefore, to have the power to exclude it like other noxious trades.

Liquor will not be altogether banished from no-shop areas. A certain class of inebriates will have drink, even if they have to go miles for it. Others will succumb to open temptation, but may escape if drinking is not eternally thrust on them. In no-shop areas, however, the drunkenness born of the facility of opportunity and the more casual habit of treating will disappear. Local option is a means of securing State and national prohibition. Some of the chief advantages of local option, as developed in the United States, are : it appeals to the people ; it holds the ground gained, proceeding no further or faster than the sentiment in each locality demands ; the people educated by the contests and experience in their localities are prepared to vote later for the State, what they have found good for their village, town or city ; it gets results where more theoretical and extreme measures get little support.

124. *Methods of Application.*—The method in which the local option applies is : discussion in small areas builds up a local opinion; in such a small area prohibition can only be enforced partially; but as it spreads, the areas are linked up, until the whole district and then the whole province go dry. In practice it is found that public opinion against the liquor traffic does not grow at the same rate over large areas. Some areas are ripe for prohibition, whilst others remain untouched by any agitation. Under local veto the whole question becomes one of self-adjustment—no locality needs to wait for another nor is a drastic remedy enforced on an unwilling people. The educative effect of areas going dry cannot be over-estimated. Their examples become contagious and the no-shop plan is adopted with increasing rapidity. Some fluctuations may, as feared by some officials, be expected ; but it may be safely anticipated in this country that once a locality has by its own deliberate choice driven the liquor shop out of its borders it will keep it out. It is sometimes objected that local option will solve the problem best where there is no problem to solve, and will not be applied where the need for it is the greatest. The underlying assumption that local option will not be adopted in heavy drinking areas is one for which there is no warrant in experience. The experience of Norway and Sweden on this point may be referred to. Before the enactment of local veto, intemperance in both these countries was appalling, worse than in any other nation in Europe. In 1855 an Act was passed giving local veto or option over the sale of spirits. It was adopted in 2,200 out of the 2,400 rural districts of Sweden, and, as in the case of Norway, the country districts freed themselves and have kept themselves free. Whenever an opportunity has been given, it has been found that not only do people desire the veto power, but that they will use it when granted. It is sometimes assumed that rural districts would be amongst the first to avail themselves of local option powers, but we think that its operation would not be confined to these areas. Denmark has had a form of local option by which parishes have been permitted to vote on the liquor question. Such votes are not binding on the Government but have been considered to be advisory, and while the Government have yielded for the most part to the desires of the people as expressed in such elections there have been instances where Government have gone against the expressed will of the people voting for local prohibition. When a locality votes for prohibition another vote cannot be taken for five years. The new constitution of the German Republic gives to the people the right of initiative which provides in reality a form of local veto on the liquor question on the initiative of 10 per cent. of the voters.

125. *Local Option in Great Britain.*—On June 18, 1880, Sir W. Lawson's local option resolution was adopted by the House of Commons for the first time by 229 votes against 203. It read as follows :—

“That inasmuch as the ancient and avowed object of licensing the sale of intoxicating liquors is to supply a supposed public want, without detriment to the public welfare, this House is of opinion that a legal power of restraining the issue or renewal of licenses should be placed in the hands of persons most deeply interested and affected, namely, the inhabitants themselves, who are entitled for protection from the injurious consequences of the present system by some efficient measure of local option.”

Mr. Gladstone wrote in September of 1894 :—

“I am friendly to local option, but it can be no more than a partial and occasional remedy.”

Writing later in the same month, he said :—

“ I have in no respect receded from former declaration as to local option. My opinion in its favour remains unaltered, but I hope more may be done for coping with the frightful evil than local option, if it stands alone, seems likely to effect. ”

On the 10th April 1906, on the motion of Mr. L. Jones, M.P., the House of Commons passed the following resolution by a majority of 271 votes to 44 :—

“ That this House notes with satisfaction the principle on which these laws are based, namely, that the people ought to possess the power through a vote of the local electors to protect themselves against the admitted evil of the liquor traffic. ”

In referring to local option Lord Morley said to one of the Indian Temperance Deputations referred to in paragraph 49, Chapter III of this Report :—“ I have always held that doctrine very strongly and I hold it now ; and though I think there are a great many English ideas that cannot well or wisely be transported to India, this certainly is an idea that I hope will take root there. ” The Scottish Temperance Act enacted in 1913 to keep public houses closed till 10 a.m. and give local veto powers exercisable in 1920 provided *inter alia* that a poll may be taken in specified areas on the following resolutions : (a) no change ; (b) limiting resolution ; (c) no-license resolution. Fifty-five per cent. of the valid votes recorded suffice to carry no-license if the total poll be not less than 35 per cent. of the electorate. A bare majority suffices for the other options.

126. *Local Option in Other Countries.*—In the United States, the State of Maine, having decreed prohibition, other States began to spread the propaganda, but mainly proceeded by way of local veto, with the result that even before the Great War commenced, over sixty per cent. of the population and over eighty per cent. of the area of the United States was already under prohibition. When the Volstead Act was passed comparatively very few States had enacted prohibition in a drastic form. Many of them had given each locality total veto power, and many hundreds of counties and townships had ended the license system by prohibiting the common sale of intoxicants. Thus the State of Massachusetts was divided into 349 cities and “ townships ” including rural areas and nearly 300 had voted and secured prohibition. Sunday closing and closing on all election days was the law in every State. The Dominion of Canada is under the Canadian Temperance Act of 1878, which gives to every city and country a popular veto by manhood suffrage to suppress the common sale of intoxicants by bare majority vote. The Canadian Provinces have for themselves also generally conceded a local option to every village and township to prohibit ; but in some parts this requires a three-fifths vote. Generally every administrative council can determine if they will have any, many or no licenses. In some cases their determination has to be ratified by popular vote. Newfoundland, which is outside the Dominion Parliament, has long had local veto power and greatly used it. In Nova Scotia, New Brunswick and other provinces under local veto the liquor traffic has been suppressed in most of the counties and it now has but relatively little hold in the remaining counties. Prince-Edward Island had local veto, and has now adopted State prohibition throughout the Province. In Central and South America temperance workers have the same end in view ; in British Honduras, Argentina, Uruguay, Chili and in the West Indies, in Jamaica, Bermuda, St. Lucia, and the Bahamas, the people enacted local option long ago. In Europe much has been achieved in the way of local option. All rural Sweden possessed local option and most of its parishes have prohibited the common sale of spirits at least. In rural Norway it was commonly prohibited and in 1894 an Act gave men and women over twenty-five years of age in towns the power to veto all spirits and many towns which have polled up to now have suppressed the traffic considerably, Switzerland has a referendum power, under which any division can demand a poll on prohibition or any constitutional question. Several British Colonies in South Africa and Australia have enacted local option in some form or other.

127. *Local Option Nearer Home.*—In the course of a debate on a proposal made a few years ago in the Ceylon Legislative Council to introduce a moderate form of local option in the Island, the Colonial Secretary declared on behalf of the Government :—

“ It is a drastic thing to place in the hands of the people power to prevent a person getting a drink at the close of his day's work if he wants it. It is an interference with the liberty of the subject, of which we often hear in other cases. ”

Since then local option has been granted to the people of Ceylon. Twenty-five per cent. of the electors in any district may demand a poll on the subject, and all the drink shops in the area must be closed if seventy-five per cent. of the electors require it. In 1921 in about half of the districts of the Island this had been accomplished, and the most recent reports record further closings. During the last six years 402 taverns have been closed by resolutions of the licensing boards and 275 by ballot. In 1921 a Local Option Bill was passed in the Punjab, Lahore, Amritsar, Multan, Amballa and Jullundar all voting dry. The Baroda State has a restricted form of local option which permits the people by a 60 per cent. vote to prevent the issuing of a new license, or the suspending of an old one.

128. *The Committee's Vicus.*—In the last Chapter the Committee have recommended that the policy of Government should in future be the total extinction of the traffic in alcohol, and that this goal should be reached by suitable steps. These steps, which will be indicated in the coming

chapters will have to be taken by Government themselves, if the Committee's scheme is approved. They desire, however, that all the methods which would spread sobriety in the Presidency should be availed of as far as practicable. Local option is the only method in which the people themselves can take part with Government in fighting drink; not only will they thus help Government materially as well as morally in fighting the evil, but will themselves get trained in the art of Government and democracy. The influence of such an authority, if wisely wielded by the people, cannot be exaggerated as an educative factor; India has only just commenced to learn from the West the art of democratic Government and looking to the illiteracy of the masses the introduction into the community of any such factor would be most welcome. The question of drink is one in which all the different sections of the community are deeply interested, whether they be drinkers or not, and if there is any topic outside politics on which these sections can meet and be brought face to face with one another in a common cause it is this one of the liquor traffic. Hence its great value in the political education of the masses. The majority of the members of this Committee would, therefore, be loth to miss the opportunity thus offered of spreading temperance as well as political education among the people. This view could be carried further, we know, inasmuch as the extinction of liquor shops can be left to be carried out by local option alone. One of our members, though agreeing with the others in so far as the broad policy recommended by us is concerned, would prefer to exclude all Government interference in its working and leave the matter entirely to the option of local communities. We have no doubt whatsoever that if the people were left to solve the problem themselves they would in no time close all shops and make the Presidency dry, indeed sooner than under our scheme; the officers who oppose the grant of powers to the people do foresee some such "catastrophe." We would, however, prefer to proceed with greater circumspection and caution and thus avoid inconvenience to the drinking public as well as friction between the communities exercising the right of option. We do not, therefore, propose that the Presidency should be given the power to go dry merely by local vote; we suggest the introduction of this principle, as will be seen hereafter, as but one of the steps which should lead ultimately to the extinction of the liquor traffic. While admitting the possibility, in a limited number of localities, of the misuse of the authority, on the whole we think the advantages which will accrue from the application of this principle over the greater part of the Presidency will far outweigh its drawbacks. Moreover, we propose to grant option to localities in a limited sense and with certain restrictions and conditions which will meet with these difficulties.

129. *The Committee's Recommendations.*—As one of the steps to bring about the extinction of the consumption of alcoholic liquors we, therefore, recommend Government to pass legislation to grant local option to the people of a definite area to declare their intention to stop the liquor traffic in that area, such legislation providing for a reasonable time for Government to take action to carry out the intention so declared. Local vote, as it is understood in the West, is the power to decide whether the liquor traffic should be allowed to continue in a particular locality, or whether it should be restricted or discontinued altogether. The policy proposed by us has as its object the extinction of the traffic within a well defined but reasonable period of time. The authority to allow the continuance of the traffic, even in a restricted form, would work against the intentions of this policy. We cannot, therefore, suggest that the power of continuing the existence of shops should be vested in the people. Some witnesses in favour of prohibition were against the grant of local option as they feared it would, owing to the illiteracy of the people, prove an instrument for the continuance of the traffic. Under our recommendation the people of a locality will have power only to close the existing shops, but neither to continue their existence nor to open new ones. As it will be the declared object of Government to close liquor shops it will be the duty of excise and revenue officers to help the people in coming to the right decision, and there will be less cause to fear official pressure on the local voters. We leave it to Government and the Legislative Council to define the area, the people of which should have power to declare their intention to abolish liquor shops. Witnesses have suggested units as small as the ward of a town and as big as a whole district. The consideration of the definition of the unit would depend largely on the machinery which will be employed in obtaining a vote and to some extent on the fact whether "on" shops will be allowed to be continued (*vide* Chapter X, paragraph 147). We prefer a direct vote, as our object is to make local option educative and popular. Representatives to municipalities and local boards are elected by the people for a specific purpose, namely, the municipal and local self-government duty which they have to perform and not on account of the interest they take in temperance. Local veto would lose its force as an educative and democratic factor if it was exercised through an indirect vote, that is, if power was given to local bodies or even special committees appointed for the purpose. If this view is adopted and if a referendum is to be granted to the people as we recommend, the unit of area need not necessarily be very large. It is an admitted fact that the "on" shops existing all over the Presidency are a nuisance and sometimes a terror to their locality. We have the evidence of the District Superintendent of Police, Thana, to show that it is not uncommon for the police to detect criminals or their associates at these shops. Apart from the temperance side of the question, many people, whether they be drinkers or not, would prefer their removal. We sincerely hope that these "on" shops will disappear as rapidly as possible, but if in any locality their existence is continued the grant of option to the people in the neighbourhood would place in their hands the power to save themselves from the nuisance. In such a case the smaller the area the better. On the

other hand local prohibition in towns or wards of towns, municipalities and villages cannot be strictly enforced so long as these units are bordered by those in which liquor shops exist. The Committee have no definite opinion to express in the matter and would leave the question to be decided when the Act is passed. Under the proposals made by us in Chapter XV a part of the deficit which will take place in revenue by the abolition of excise will have to be met by local taxation. We do not, however, approve the idea of making a particular locality directly responsible for the loss which will result in revenue from the exercise of local vote. It is possible that too large a number of localities may at once decide to go dry from the very beginning of our scheme, before the taxes which we have proposed to replace the excise are fully realised, and Government may not be in a position to meet the combined financial obligation. We suggest, therefore, that our scheme of local option should provide a reasonable time for Government to take action to carry out the intention of a locality. The local option enactment should make it clear that the delay was due solely to financial and no other considerations. As to the question of franchise, suggestions have been made by witnesses that either drinkers or non-drinkers should be allowed to vote, or adult men alone or women alone. If this measure is to have an educative value, we cannot approve these ideas. We think that all adult men and women of the area which is exercising the right of vote should have an equal right to vote. As a preliminary to the introduction of local option the United Provinces Excise Committee, 1921, suggested the formation of a much wider electorate than any now existing. As our scheme of local option only authorises a no-shop vote, once the locality has gone dry, either by its own vote or by the working of the scheme proposed by us, no further option can in the nature of things be exercised by it. But if a locality has by majority decided to continue the traffic, it should be given a chance to decide again. We recommend that the vote on local option should be taken at fixed periods in areas which have not gone dry. It has been suggested that there should be a substantial majority before an area is allowed to go dry, say, either two-thirds or three-fourths. We do not doubt that in most of the localities the majority will be so substantial. We leave it to the legislature to decide what that majority should be.

130. *Conclusion.*—We think that no scheme of excise reform which really aims at the promotion of sobriety can be complete unless the people themselves are associated in its working. Official evidence is against such a proposal ; it tells us that no such thing as local option is possible in this country. The people of this country have behind them a historic past, great in achievement, of which any nation may well be proud. Centuries before the arrival of the Europeans, there was in this country a regular and settled form of Government, under which the people enjoyed some measure of local self-government. It is scarcely reasonable to hold that those who inherit such traditions are utterly incapable of exercising their judgment in a matter closely affecting their material and moral welfare. The traditions, habits and customs of Indians are generally opposed to this vice. It can, therefore, be checked easily by the hearty co-operation of the people with Government. But such co-operation is possible only if some responsibility is thrown on the community, and the people are given some definite controlling influence over the liquor traffic. The adoption of a measure of local option on the lines indicated by us will undoubtedly help the Committee's scheme for the extinction of the liquor traffic. The people are better judges of their wants as regards drink than the Collectors and ought to be given a free hand in their own affairs. The traffic exists only in deference to a real or supposed public demand. It would be equitable and reasonable that the power to decide as to the continuance of the traffic should be vested in the people. As soon as some localities that are ripe first introduce prohibition the results of freedom from strong drink will be brought under the public eye, and the sense of its benefits will spread in due course to the whole Presidency, even before it goes dry under the scheme which we are to explain in the succeeding Chapters. Under the Reforms an extended franchise has been granted to the people. They have now power to send representatives to Councils and the Assembly where questions affecting religions, castes and sects, much more momentous than that of regulating the liquor traffic are decided and yet the country is where it was over thirty years ago in its inability to exercise the power of closing a liquor shop. As we do not propose to grant local bodies the power to decide, there will be no fear of the noisy few tyrannising over the dumb many. The poor dumb creatures will have a voice in the regulation of the liquor traffic. The issue will be a very simple one—shop or a “no-shop”—and the people can be trusted to decide in the right manner.

CHAPTER IX.

RATIONING.

131. *Consideration of the Scheme.*—As indicated in paragraph 78 of Chapter IV of this Report, the Honourable the Minister in charge of Excise in his speech introducing the budget estimate for the year 1921-22 first adumbrated the system of rationing ; officers were then consulted and the Minister stated that the figures of the latest year would be taken as the maximum and no more supplies would be issued. The principle was to be that if people were satisfied to drink a certain quantity, that quantity was not to be increased but might be curtailed periodically as experience required. This would entail no hardship, and might lead in the long run to a substantial diminution in consumption and even to total extinction of the liquor traffic, if people demanded it afterwards. Up to this period Government sought to hold consumption in check

mainly through the steady pressure of taxation ; they now found that a more direct method of gradual limitation was desirable and that a system of rationing shops deserved a trial. The demand is elastic and depends on several factors. As regards towns, a fair approximation should, Government thought, be possible by taking an average per week of three or five years. In rural areas weekly rationing might be more difficult and a longer period might have to be adopted. Officers were first consulted on the possibility of rationing under a system either of auctions or fixed fees. They were of opinion that under either system rationing was possible. The Commissioner of Customs, however, pointed out that the great majority of the people drink on holidays, at private festivals, on bazaar days, at marriage ceremonies and to a less extent on the occasions of births and deaths. If shops were rationed as proposed, liquor would not be forthcoming when urgently required and very great irritation would be caused by the resulting interference with time honoured customs and illicit distillation would come forth to supply the demand. The Commissioner feared a much more serious consequence than this. It would tend to penalise the moderate drinker and to increase drunkenness amongst those who are already-addicted to drink ; for the drunkards would naturally take more trouble to obtain liquor than the temperate men. The Commissioner said :—

“ I foresee that the result of rationing will be to cause great irritation to the general public, to increase drunkenness amongst those already addicted to drink, and to intensify the temptation to every kind of malpractices. We have definite evidence that the unofficial rationing of shops which has been recently carried on by the non-co-operators has directly led to illicit distillation. Rationing is a modified form of prohibition, with the additional disadvantage, not to say injustice, that it penalises the wrong people. The underlying fallacy is similar to that which has prompted much communistic legislation. In the latter case, starting from the premises that private property was the cause of much evil, the remedy proposed was to abolish private property by legislation. By prohibiting a thing you do not remove the desire for it. You probably accentuate that desire. Legislation in defiance of human nature has never succeeded and never can succeed. It will always be looked upon as tyranny. The desire for alcohol is as old as history—probably much older—and no legislation which can be devised will remove it.”

In the opinion of the Commissioner in Sind there was no insuperable objection to the rationing of shops, though it entailed certain of serious disadvantages which would have to be faced. By the adoption of the system Government would commit themselves to an active temperance policy determining periodically the progressively diminishing quantity of liquor which the people would be allowed to drink ; and, if so, the difficulties must be faced. One of the difficulties pointed out by the Excise Officers in Sind was that the rationing of country spirit would drive users of country liquor to the consumption of foreign liquors, that direct restriction of the supply of foreign liquor was not practicable, and that all that could be done was to raise the duty leviable on them.

132. *Orders of Government.*—The following decision was arrived at by Government in their Resolution, Revenue Department, no. 3680, dated the 17th February 1922 :—

“ All country spirit shops should be rationed on the basis of the consumption for the year 1920-21. From that consumption reduced to proof gallons, 10 per cent. should be deducted in the case of shops in Bombay City and 5 per cent. elsewhere to arrive at the ration. The quota of each shop should be fixed monthly and will be the amount (in proof gallons) supplied to that shop in the corresponding month of 1920-21 as shown in the warehouse or distillery accounts *minus* 10 or 5 per cent. as mentioned above. In areas where there are country spirit warehouses the supply would be weekly, the licensees being allowed to vary it according to their requirements, provided the monthly ration is not exceeded. The supply in other places should be monthly. In order to provide for an unforeseen shortage, Collectors should be authorised to allow a deviation from the monthly ration in very exceptional circumstances only, provided the ration for the whole period is not exceeded.

“ In order to prevent unfair competition by shops on Native States borders the existing arrangements regarding border shops in British territory should stand. These shops should be rationed on the basis of the consumption of 1920-21 without any reduction so as to prevent unfair competition with other shops in the neighbourhood.”

While introducing the budget the Honourable Minister announced to the Legislative Council on the 22nd February 1922 this measure as an entirely new departure in the policy of Government which was not even contemplated before. Government desired to continue this policy of gradual reduction, but the action taken each year must depend on the pace and progress made.

133. *The Working of the System.*—The system came into force on the 1st April 1922. As was anticipated, within a few months difficulties, inherent in all temperance measures, arose in the working of the scheme. The weakness of rationing was brought out in the following three ways, namely :—

(a) It was found that certain shops had sold out their ration before the expiry of the month while in certain other shops the whole ration had not been sold. To meet this

difficulty Government had to modify their orders. They permitted the transfer of the ration of one shop to another, provided always that the district ration was not exceeded. The Collectors being authorised to allow deviation from the monthly ration only in very exceptional circumstances, many of them complained regarding the rigidity of this system. Questions were raised :—

(i) whether under these circumstances monthly ration may be exceeded not exceptionally but generally,

(ii) whether the unused balance of previous months should be allowed to a licensee in excess of his monthly ration as a matter of right,

(iii) whether the licensee may be allowed to take more ration from the balance of future months as a matter of grace.

Government preferred to give the system a trial during the licensing period expiring on the 31st December 1922, but ruled that the Collectors had already authority to allow a deviation from the monthly ration and that if they were instructed to interpret the rules liberally, there should be no hardship. Mr. Brander described to us the situation in Bombay in the following words :—

“ It is quite correct that shops which have been rationed for a month sometimes exhaust their quantity by the 23rd of the month, and apply for an advance from the next month's allotment. If shops are rationed for a year, it is possible that by the tenth month they may exhaust their supply, and there would be a temptation to get liquor illicitly particularly in the mofussil. In Bombay a man can go to another shop. When the shops found that their supply was running short, they sold less quantity. Generally, very few of the shops had to close for three or four days in a month. About 50 shops must have taken their ration in advance from the next month's allotment, but the year's ration was never exceeded. ”

(b) There was a noticeable increase in the consumption of foreign liquors. This was, as foreseen, a natural consequence of restricting the supply of country liquor without laying down a similar restriction on that of foreign liquors. There is not at present much disparity between the price of equal quantities of strong country spirit and of the cheap brands of foreign liquors, including those made in India, and apart from the introduction of the rationing system, people are day by day freely resorting to the latter. It is difficult to say exactly how far rationing was responsible for the increase last year. The actual recorded figures of sales are :—

	Beer.	Wines.	Spirits.
April and September 1921	101,607	14,728	66,656 gallons.
April and September 1922	104,734	16,035	82,048 ”

(c) There* was an increase in some districts in the recorded number of offences against the Abkari Act, detected by the preventive staff. In one district alone in three months there were 100 cases in places where illicit distillation was formerly unknown. In a raid made in a village in which there were two shops the presence of illicit stills was discovered in 11 out of 18 houses and was attributed entirely to the introduction of rationing. In the Central Division 522 cases of illicit distillation were discovered from April to September, against 606 in the whole year 1920-21 ; the number for the year 1921-22 was 376.

We only mention here the defects which have been brought to light in the working of the system, without attempting to explain how far they are peculiar to and inherent in the system itself and whether remedies could be proposed for their elimination.

134. *Evidence against Rationing.*—The evidence of officers and witnesses interested in the trade is generally against the gradual reduction of the supply of liquor by rationing. They consider it to be a doubtful experiment and are afraid that if it is carried further than what it is now it will lead ultimately to the use of drugs, increased consumption of foreign liquors and to illicit practices. They further say that it is a clumsy and unfair device and will increase still further the price of liquor ; that rationing must stop the abnormal but not the ordinary sale of liquor ; that it is a doubtful measure as the consumption depends upon crop and marriage seasons ; and that it should be in proportion to the reasonable requirements of the people. The policy of rationing appears to Mr. Gordon, Collector of Kolaba, to be illogical and to fall between two stools ; a gradual and steady reduction in the amount of liquor allowed to each shop may according to him result in farcical situations in that the State will allow a certain amount of drinking to those who can get to a shop first but will attempt to prohibit others. Mr. Clifford is against the system as it cannot be effective in areas where the demand is strong and opportunities of obtaining illicit liquor abound and as the rationing of country spirit shops would lead to increased consumption of foreign liquors, especially in the large towns. The latter view is controverted by Mr. Sorley, Acting Collector of Ahmedabad, who in his oral examination stated that there is no competition between foreign and country liquor, because the classes of people who drink them are different, and that rationing of country liquor is not likely to lead to greater consumption of foreign liquor, which is more expensive. According to Mr. Brander rationing is partial

* Vide Strathie and Chettiyar's Report, page 11.

prohibition and in asserting this he attributes to it all the evils stated to result from prohibition and considers it to be unnecessary inasmuch as the present system of raising the still-head duty as high as possible is in effect a kind of rationing which works automatically and gives no trouble to any one. Some private witnesses consider that the system will not reduce consumption, but would give rise to malpractices such as the mixing up of liquor with water, and to fill the pockets of the middlemen. Even the Rev. Dr. Enok Hedberg appears to have failed in discerning in rationing a powerful instrument in the long run in the hands of the temperance advocates and thinks that it will have very little effect in checking the evil.

135. *Evidence in favour of Rationing.*—Private witnesses are generally in favour of the rationing system, though most of them do not appear to have fully realised its potency and efficacy in bringing about the reform of prohibition. They recognise that the system is desirable and helpful, it will be useful in controlling consumption, it would strengthen temperance workers, that it is necessary if a gradual reduction in the sale of liquor is aimed at, and that it will pave the way to total prohibition. Sir Purshotamdas Thakurdas, speaking on behalf of the Indian Merchants' Chamber and Bureau, declared the policy to be a source of satisfaction to all, if it is to be followed consistently by Government. Even some official witnesses have not shown much opposition to rationing. Mr. Bharucha, Collector of Thana, supports it and Mr. Dalal, Acting Deputy Commissioner of Excise, declares :—

"A courageous step has already been taken by the Government of Bombay in introducing from 1st April 1922 the rationing system in this Presidency. This ought to be welcome by the people as under this system no more liquor will be available for sale at shops than the quantities fixed for each individual shops. I, however, think that the reduction in this fixed limit of supply from time to time to shops should be very gradual and that it will be a question for consideration as to whether a line will not have to be drawn and a minimum percentage fixed for each shop."

Witnesses insist that the principle should apply to foreign liquor as well. Some of them are dissatisfied with the present reduction of 5 per cent. and wish that it should not be too gradual but that it should be increased to 10 per cent. or 20 per cent. the average consumption being taken as that of the last three or five years; or that the supply should be in proportion to the population. The reduction should be large in areas where there is very little opportunity for illicit practices and especially in towns where private efforts could be made in dissuading people from drinking. The rationing should not be on a group basis and, if in a district shops are closed, the rationing of those left should not be calculated on the consumption of those closed.

Either side by side with the rationing of shops or as an alternative, several witnesses have suggested the rationing of individual drinkers. It is considered by a witness to be the acid test of the desire of Government to reduce consumption; Major Bhatena, Superintendent of the Lunatic Asylum at Thana, proposes to improve the rationing of shops by adopting the coupon system which was prevalent in Europe during the great war when all food-stuffs, such as bread, butter, meat, etc., were rationed; he considers the following to be the advantages of the system :—

- (a) By this coupon system not only the liquor-shops are licensed, but their customers are licensed too, thus raising an additional source of revenue from the sale of intoxicating beverages.
- (b) The same system can be readily made applicable to other intoxicants and deleterious drugs.
- (c) There will be a perfect control over the sale of all the intoxicants, which can be readily checked by the number of excise coupons collected by each shop-keeper from his customers.
- (d) The system advocated is in perfect agreement with the excise policy of the Government of India.

Another advantage which other witnesses point out is that it will immediately stop clandestine drinking among non-drinking classes and prevent the drinking classes from going to excess.

136. *Messrs. Strathie and Chettiyar's Report.*—In 1922 Messrs. D. N. Strathie, I.C.S., and Shanmukham Chettiyar were deputed by the Government of Madras to enquire into the temperance measures introduced in certain provinces, including the rationing system of Bombay. These officers consulted the Bombay Government officers and made personal enquiries regarding this system but could not come to an agreement as regards its merits and utility. With reference to the aim and object of introducing the system they, however, independently expressed similar views. According to Mr. Strathie the object was clearly to put a rigid limit to consumption and to bring about total prohibition within a definite period. Mr. Chettiyar understood that each succeeding year the ration allowed to each shop would be reduced and expressed the view that the obvious result of such a system would be to bring about a complete prohibition of country liquor within a fixed period. He further stated that "by adopting this system, Government assumes direct responsibility for the actual quantity of spirit consumed and Government will thereby commit themselves to a policy of which the ultimate issue must be total prohibition within a definite period of time". The Government of Bombay promptly disowned these views by issuing a press note* in July 1923. They thought that the statements made by these officers

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* *Vide Appendix C.*

in an official publication were likely to be construed as an official pronouncement of their policy in the direction of prohibition and unless officially contradicted might create a false impression in the minds of the general public as to what their policy was towards this important question. They declared that although it was not inaccurate to say with Mr. Strathie that the Bombay rationing system was introduced to meet the popular demand for a forward policy in temperance matters, it was incorrect to state or to suggest that Government had embarked on a policy leading directly to prohibition. As a matter of fact Government had not considered what attitude they proposed to adopt towards the question of prohibition and were not prepared to make any public statement of their policy in that connection.

In view of the defects in the working of the scheme, referred to in paragraph 133 above, Mr. Strathie came to the conclusion that rationing was unsound in theory and was already becoming unworkable in practice. He held that it would never be carried out to its logical conclusion, did nothing to solve the temperance problem and brought prohibition no nearer. He strongly advised against the introduction of such a fantastic and impracticable system in Madras. Mr. Shanmukham Chettiyar expresses the view that if the position of Government in relation to the liquor traffic is recognised to be one of direct responsibility gradually to decrease the consumption of liquor with a view to wipe out the evil altogether, then as a means of attaining that goal, the rationing system had many advantages. He stated :—

“ It clears up the position of Government in relation to liquor traffic by definitely committing them to a policy of total prohibition. By attempting to bring about a gradual decrease in the consumption of liquor it gives time for the formation of that strong public opinion which alone is the surest guarantee of the success of any temperance reform ; it gives time for the drinking classes to reconcile themselves to the advent of a day when there will be no drink ; it will enable the State to adjust its financial position which will be the inevitable result of attempting to bring about prohibition by a stroke of the pen. Last but not the least it brings total prohibition within the realm of practical politics and not merely relegate it to the limbo of an unknown future. For the natural consequence of reducing the ration say, by 5 per cent. every year, is to bring about total prohibition at the expiry of twenty years.”

The defects noticed in the working of the system were either inherent in all temperance measures or were remediable by amendment in the scheme. The only defect which Mr. Shanmukham Chettiyar found to be inherent in the rationing system was the possibility of there being no liquor at all sold in certain shops during certain days of the month. On the whole, weighing the defects and merits of the system the balance was in favour of the merits and Mr. Chettiyar strongly recommended his Government to give it a trial in the Madras Presidency.

137. *The Committee's Conclusions.*—The objections at present raised against the rationing system are to some extent due to the fact that it does not fit in quite with the existing policy of Government. This policy is to minimise temptation to those who do not drink and to discourage excess among those who do ; not only is it outside the duty of Government to interfere with the habits of those who use alcohol in moderation but it is positively one of their accredited functions to make due provision for their needs. Hence the methods they would employ, consistent with this policy, were more or less *indirect* ones. The chief instrument in their hands was to levy as high a tax as possible, care being taken that it should not be prohibitive, else it would decrease the revenue, or stimulate illicit distillation or substitution of drugs. Other similar methods hitherto employed are reduction in the number of shops and fixing their location, regulation of the days and hours of sale, reduction in the strength of the liquor sold, age limit and the limitation of the quantity which can be issued at one time. There is no direct interference here on the part of Government with the liberty of the drinker as long as he is prepared to pay the price fixed and accepts the stuff supplied to him under certain conditions. The consumption is thus maintained at a minimum level. The checks so far have but been indirect ones and from the evidence before us we are of opinion that they have succeeded in preventing a rapid rise in consumption, but not in reducing it to a material extent. We advocate a more forward policy and recommend gradual reduction in consumption, and in due course its total extinction. To achieve this end we are going to suggest certain steps, many of which will involve a direct interference on the part of Government in the liquor traffic. One such proposal—grant of local option to close shops—we have already made in the preceding Chapter. We now recommend the definite adoption, under certain limitations, of the system of rationing shops with a gradual periodic reduction in the quantity issued to each. If Government are prepared to renounce their present policy and to accept the bolder one of extinguishing the traffic altogether within a definite period of years, rationing appears to us to be the best solution, particularly as it is already in existence and has been working pretty smoothly for the last two years. When this system was first introduced the Hon'ble Mr. Mehta, Minister in Charge of Excise, declared in the Legislative Council that an extension of the present policy of restricting the consumption of liquor was then called for and some direct action was necessary ; rationing was introduced as, what he called, a direct check upon consumption. The system must have worked satisfactorily in 1922-23 as Government continued it the next year with a further proportionate reduction in the quantities issued to shops. Government had, indeed, expressed a desire to continue this policy of reduction and warned the

Council that a continuous check upon consumption involved financial burdens. The only logical conclusion to which the declarations and actions of the Transferred Departments of Government would, in our opinion, point was the ultimate extinction of the evil and we are therefore not surprised that Messrs. Strathie and Shanmukham Chettiyar arrived at the conclusions to which they did.

138. *The Merits of the System.*—Not only do we consider rationing as the best direct method of fighting the drink evil and bringing about its ultimate removal, but we hold that rationing is itself a "graded extinction" of the traffic. We fear many of the prohibitionist witnesses and even some experienced officers who have investigated the system have failed to see what a powerful instrument it is in the hands of the reformer. This will become more and more apparent as years go by and the quantity supplied to shops gets reduced. Some witnesses find the present rate of reduction in the mofussil, namely, 5 per cent., to be too low. On a mathematical basis they calculate that the traffic will last 20 years more at this rate. They overlook the fact that practically no liquor shops can work at a profit if the quantity sold is reduced below a certain minimum. It may be argued that the shop-keeper will raise the price and keep on his shop till he gets the last ration at the end of the nineteenth year. There is a limit, however, to the price which the customer will be able to pay. There is also a limit up to which the shop-keeper can cheat his customer by adding water, as is feared. The present annual rate of reduction, namely, 10 per cent. in Bombay and 5 per cent. outside, though it may at first sight appear trivial and ineffective, will make itself felt as years proceed. Some of the shops, especially in small towns where the sales are not high, say, below 500 gallons, will not find the business lucrative, however much they increase the price, and will be automatically closed when the ration falls below a certain minimum, perhaps long before the 20 years' period ends. This process will apply to the bigger shops also but will last longer in their case, though certainly not to the full period of 20 years. The present quantity of the reduction which Government are making every year appears, in the circumstances, to be the least, compatible with the end desired by us and we would not prefer it to be reduced particularly in the mofussil, as the system comes into full swing hereafter. Sufficient experience has not yet been obtained of the working of the system, owing to its recent introduction, and the Committees have very little information to guide them on this point. They, however, think that as time proceeds and experience is gained, it may be necessary for Government to increase or decrease the present general rate of reduction or to vary it for different localities. We note that the Collectors have been authorised to transfer the ration of shops which are closed to those which remain open. Such arrangements will give an unfair advantage to some licensees and the results of it will become more and more palpable as the ration is reduced. This authority should be withdrawn from the Collectors as soon as there is a perceptible increase in the number of licenses which are cancelled, otherwise the period for which the traffic will last will be prolonged.

139. *The Chief Defect.*—The chief defect which the supporters as well as objectors to the system find in it is that owing to variations in the demand, due to domestic occurrences and other causes, it is not possible to fix the ration which should be properly allotted to a shop to meet the demand. The system of fixing the rations according to the demands of the previous years is fantastic and illogical, the result being that while certain shops have no liquor to sell others have a superfluity of it which they cannot dispose of. We, however, do not consider this to be a defect. In the first place, the rationing system implies that people should drink less; it places a direct restriction on their enjoyment. If once Government declare the policy of gradual extinction of the liquor traffic it is but in the fitness of things that shops should be closed on an increasing number of days in the month. In urban areas especially there are more than one licensed shop and if the ration of some of them is exhausted earlier, people will resort to the others. In large towns like Bombay, Karachi, Ahmedabad and Poona and in all places where there are more than one shop, no difficulty will arise as people can buy their liquor from shops which are still open. Excise Department officers hold that to obtain liquor the people who usually drink do not mind walking miles. We will discuss below the question whether rationing should apply equally to urban as well as rural areas. We accept here the statement that in rural areas where there is only one shop and if its ration is exhausted before the close of the month, people do go without liquor. This is exactly what the rationing system aims at and it is blamed for achieving its end. The difficulty of the situation is not felt much now, but as rations gradually decrease, most of the shops will close for a longer time in the month. There is an educative side to the question which is not seen at first sight. People will gradually begin to feel the pinch and if they are explained that the step has been taken on their behalf by Government and if they begin to save and enjoy the good effects of "graded extinction," they will receive their first lesson in temperance. It is objected that rationing will make the drunkard drink harder and the moderate user of spirits will miss his quota. At least for the present and in the next few years to come this result is not possible, as liquor will be available for a good many days in the month. When liquor becomes rare and is sold only for a few days in the month the question of "first come first served" will indeed arise. Till then the drunkard as well as the moderate drinker will have the same period within which they can get their dram and the rest of the month they will both go without it. We doubt very much whether we have any such drunkards in India who would and who can afford to drink hard only because they will go without liquor for the rest of the month. Even if we have a few such, the rationing system by making them refrain periodically from drinking will be beneficial to them. It will

be beneficial similarly to the moderate drinker. This species will become more and more extinct, as is the object of our proposals, as rations get reduced, and if any exist and find it more difficult to procure spirits than the hard drinkers, a system of rationing individuals could then be easily devised. The direct interference of Government has for its object to reduce the total consumption of liquor as well as the total number of drinkers. The arguments against the rationing system show that it can, of all other means, best achieve this object, slowly, imperceptibly and effectively. This system working side by side with local option will educate and prepare the people for total extinction. It is pointed out that the shop-keeper will keep a stock in hand to sell at the end of the month at a high price. This will itself be in line with the present policy which is to raise the tax as high as possible. Rationing is ultimately bound to increase prices all round and will thus serve the cause of temperance quicker. Almost all the witnesses consulted have agreed that rationing of country liquor will lead to increase in the use of foreign liquor. This fact is self-evident, and the figures of sale of foreign liquor produced by the excise department confirms this view. The Committee does not wish to labour on this point. The rationing of foreign liquor as well can meet this difficulty. The difficulties in carrying out such a proposal are many and have been discussed in Chapter XIII where what appears to the Committee to be a practical way out of them has been suggested. They would record here their firm conviction that the rationing of country liquor will not be of any use in the pursuance of the policy indicated by them unless and until it is accompanied by a similar method followed in the case of foreign liquors. They fear that if the one-sided rationing system which is pursued at present be followed much further, it will result in patronising the foreign manufacturer without leading to reduction in drinking. The taste for cheap foreign liquors is increasing rapidly in all classes of the drinking community and the present system, if long persisted in without the rationing of these, will result in their ousting out country spirits altogether. The Committee, therefore, earnestly invite the attention of Government to their proposal to give an equal treatment to both classes of liquor.

140. *Rationing and Illicit Practices.*—When the Committee was collecting evidence this experiment of rationing had only been recently introduced and facts and figures were then not available as to its effect on illicit distillation. However, some information seems to have been made available to Messrs. Strathie and Chettiyar, the representatives of the Madras Government of whom we have spoken of earlier, and the observations we make below are based on the facts as given in the Report of Mr. Chettiyar to his Government. It would appear from the information available in the Report that not many people had to go without their usual dram in the first year of rationing because it turned out that shops in many places not only had no shortage but actually a superfluity at the end of the month. Official witnesses before us seem to be strongly of opinion that the rationing was bound to lead to an increase in illicit distillation and some figures as quoted by Mr. Chettiyar would at first sight seem to bear this out, because as recorded earlier (see paragraph 133) 100 cases of illicit distillation were discovered in places where formerly such illicit distillation was unknown. This Committee however is unable to accept this as evidence of the failure of rationing without further investigation. It seems to them that distilling liquor is an art that cannot be practised at short notice by novices and the danger of detection and punishment was bound to act as a deterrent to many. In the areas where these crimes are reported to have been discovered there must have been a sufficient supply for the major part of every month and it is inconceivable to us that people otherwise law-abiding and who had until then not been prone to illicit distillation suddenly not only turned to it but knew how to do it. We consider that these cases require a closer investigation as the facts thereby discovered might point to this sudden increase in crime in the areas in question as being due to causes other than rationing.

We notice in the same report of Mr. Chettiyar that in a raid made in a village in which there were two shops the presence of illicit stills was discovered in 11 out of 18 houses and was attributed entirely to the introduction of rationing. If the facts are as reported, this case presents some very extraordinary features. First of all 2 shops in a village with only 18 houses seem a very ample allowance indeed. We cannot conceive how there could have been—even under rationing which, be it remembered, was only 5 per cent. last year—such a scarcity of the supply in this village of only 18 houses that illicit distillation became rampant and stills were found in as many as 11 houses out of 18. The Committee recommend a closer investigation of this case also, and in the meantime consider that no hasty conclusions should be drawn from this case as to the effects of rationing on the spread of illicit distillation. The utmost that can be said here is that these crimes were a direct consequence of the present policy which gives the population a taste for liquor and that in some places they may have turned to illicit liquor to supply their craving when licit liquor became unobtainable, but the evidence of the above cited cases is to our mind not at all conclusive.

During 1922-23 offences relating to liquor rose from 1,999 to 3,458 and cases of illicit importation, sale and distillation from 1905 to 2884 or by 51 per cent. In Sind the figures of offences relating to liquor were 102 compared with 33 in the previous year. That more cases have been discovered than in previous years can be more easily explained in another way. We know as a matter of fact that the Excise Department felt rather nervous—and perhaps rightly—as to a possible increase in illicit distillation when rationing was introduced. Orders must no doubt have been issued to all executive officers to exercise greater vigilance on

the introduction of rationing and to see that illicit distillation was not freely resorted to and it appears to us that the reported increase in the number of cases discovered is perhaps more a tribute to this greater vigilance that the department undoubtedly exercised rather than to the introduction of rationing. The ration for 1922-23 for the Presidency proper was 2,380,000 gallons whereas the actual consumption for the year was only 1,791,000 gallons. Licit liquor was freely available, indeed more than the quantity which the people could consume or pay for. The decrease in consumption was not confined to this Presidency but was noticeable in other parts of India and was due, perhaps, to the diminishing purchasing power of the people.

141. *Rationing in Rural Areas.*—The objection regarding illicit practices leads us to the question of rationing in rural areas. It has been acknowledged on all hands that illicit practices can and do prevail in rural areas only. For all practical purposes, the drinking population of towns is free from them and it is not possible to distil liquor at home without being easily detected. On the other hand, villagers are comparatively free from the vice of drinking. The consumption of liquor among them is not so large as in urban areas and industrial towns. An idea of this will be gained when we say that roughly speaking the consumption of country liquor alone in the town of Bombay is over a fourth of the total consumption in the whole Presidency. Figures regarding consumption per head in urban and rural areas in the Presidency proper likewise confirm this view :

					Urban areas. Drams.	Rural areas. Drams.
1920-21	..	..	..	..	22·4	7·8
1921-22	..	..	..	..	18·2	6·8

The drink problem is, therefore, more an urban problem than a rural one. The measures for achieving a complete extinction of liquor shops should, therefore, be directed first towards the shops in urban areas and more particularly in large industrial towns. The Excise Department has hitherto expressed its helplessness and inability to fight illicit distillation, if it rose on account of direct measures to bring about the extinction of liquor shops. As these practices can exist only in villages and open fields we propose for the present to push forward the rationing system in urban areas only. In the absence of sufficient experience of the working of the system and in view of the advice given to us by excise authorities we feel diffident in recommending any further extension thereof immediately to rural areas also. But as our scheme involves the final extinction of the shops in the whole Presidency including villages, it will have to be considered how these areas can ultimately be made dry. In the case of "border shops," that is those where the evil of smuggling and rivalry with Indian state territory shops are apprehended, Government have ruled that these should be supplied with quantities based on the actual consumption of the year 1920-21 *without* any reduction. In the case of shops in rural areas an annual reduction of 5 per cent. is being made, based on the consumption of 1920-21. Presumably, Government are satisfied that in those areas there is no danger yet of illicit distillation being resorted to on a large scale due to rationing. We believe that when the danger on this account becomes serious Government will cease making a further reduction, especially in those areas where these practices are principally followed. By that time the educative factors which we have calculated upon in the working of our scheme will come into play. Although rationing may cease in these areas, we believe local option will be brought into force in many of them. The beneficent consequences of rationing in urban areas and local option and other direct and indirect methods which we are going to suggest in the succeeding Chapter will be an eye-opener to the drinking classes in those rural areas where illicit practices prevail. We have no doubt that when our scheme comes into full operation or working order, its beneficial results will be appreciated by the backward races such as the Bhils. Means can then be adopted by Government to reduce among them the licit use of liquor and to extinguish it altogether in the remaining parts of the Presidency. Government must be prepared to face some temporary increase in illicit distillation, if they desire to grapple with the evil. We would even go so far as to say that, if required, an adequate preventive staff might be employed in the beginning. We propose therefore that as recommended by us in paragraph 137 above the system of rationing shops on the consumption of the year 1920-21 with the annual reduction made for the last two years may be continued by Government in all urban areas as a part of our scheme, care being taken that the total annual ration of each shop thus calculated is never exceeded. In the case of rural areas Government might in view of the danger of illicit distillation proceed with caution in those districts where it prevails; reliance might in their case be placed on local option and other educative and preventive factors and the executive authority of Government may be ultimately exercised to eradicate the evil of drink, whether legal or illegal.

CHAPTER X.

SHOPS.

142. *Introductory.*—In the preceding chapter we suggested the extension of the system of rationing shops already existing, and pointed out that this measure in itself is singly sufficient to make the Presidency dry within a fixed period of time. We proposed in

Chapter VIII the grant of option to the adult population of a locality to declare whether it would extinguish the shops in their locality before the period of their existence under the rationing system. If people chose in large numbers to exercise this option, and if the financial proposals made by us in Chapter XV work out to our expectations, the Presidency will become dry within a very reasonable period of time. But the traffic will continue for some time though within more and more reduced limits, and under a policy of gradual extinction the regulations governing the traffic should become more stringent as well as more direct in their action. These in turn will explain to the drinking classes the attitude of Government and prepare them to accommodate their habits and customs to the altered policy of Government; they will also help to bring nearer the day when the last liquor shop will disappear. In this and the following chapters we propose to show how the existing methods could be altered and amended so as to subserve better the new policy of Government as well as to suggest others of a more direct character, entering into the root cause of the evil itself.

143. *The Functions of a Shop.*—We shall first deal with shops licensed for the sale of country liquor. These are regarded by people as depôts established by Government for the distribution of drink. The licensee is not a salaried servant of Government, but he is to all intents and purposes their agent, receiving as it were a commission on the sale of the liquor. Government have the power of closing or opening a shop. The business is, therefore, neither free nor regulated by Government but is practically a monopoly of Government. The latter have from time to time declared that the shops do not exist or are created for the sake of raising revenue, but that they can be treated as a legitimate source of taxation; they have further declared that it should be their duty to see that facilities for drink do not demoralise the people or spread the taste for liquor where it does not exist. If an excise officer is asked his reasons for opening a new shop in a locality he will say that liquor users already exist in that locality; if a shop is not placed there, they will either have to go to long distances to procure drink or to resort to illicit practices; in any case whether to satisfy the needs of moderate drinkers or to check illicit practices the shop must be licensed. The temperance view is that as people of the locality, unless it be a newly developed extension of a town or village, have so long gone without a shop, a substantial number among them must be non-drinkers or not very ardent drinkers; there may be a few men who really do require liquor. If a shop is placed in their midst, it will be a temptation to those who do not drink and it will increase excess among those who do—which is exactly the reverse of the prescribed policy of Government. Even if there is a little illicit distillation it is bound in due course to be detected when the excise subordinate becomes more vigilant and it confines the evil to the drinker himself. The little hardship which the drinking community will suffer in obtaining their liquor from a distant shop will be outweighed by the harm done to the sober community by the existence of the shop.

144. *No New Shop to be Licensed.*—The attraction which a liquor drinker feels for his glass can never be overrated. The poor illiterate classes are more within its grip than the upper class communities. The smell of country liquor and the sight of the shop are enough to drive a man of this class in, provided he has ready cash on hand. The rush to the liquor shop after their closure during holidays, or after a picketing campaign is well-known. When a licensee opens a new business he counts upon this weakness in the poor and anticipates the creation of a custom where none previously exists. The licensing of a new shop therefore is in many cases against even the existing policy of Government and should be deprecated unless it could be proved that a large majority of the people of an area require it and some means are devised to ascertain their views. If Government launch on a policy of extinguishing the traffic and the adoption of direct methods for its achievement, the opening of a new shop will run counter to these. The object of the new regime will be to restrict facilities and obstruct the drinker as much as possible and practicable; as a logical sequence, looking to its functions no new shop can be created by Government and we recommend this suggestion for immediate adoption. If this rule is strictly followed no shop existing in one street or area can be removed to another on any account. The little illicit distillation which may be feared by officials as a result of the adoption of this course in a particular locality must be faced in order to prevent temptation and the spread of the taste for liquor. In England many local licensing authorities are reluctant to grant new licenses. Their idea, however, is to enhance their monopoly value by concentrating the traffic. The value of licensed property in London is said to have grown considerably since 1850, but from a temperance point of view the check thus placed on the increase in the number of public houses is found to be satisfactory.

145. *"On" and "Off" Licenses.*—From the 1st April 1922, the maximum quantity of country liquor which a licensee is allowed to sell at a time to a customer is one bottle in urban and three bottles in rural areas. Previous to that date the quantity was generally limited to one gallon. Presumably this limit was first intended more to counteract illicit sale or *kevat* rather than to prevent the immoderate use of liquor. The latter appears to have been the view of Government in the Transferred Departments when the limit was reduced. The rule is not of much practical utility as it can be easily evaded by the customer either coming to the shop a number of times or sending some one else. Any liquor which is required in large quantities for festival and other occasions is obtained by special permits issued under rules framed by the Commissioner.

No pure "on" or "off" licenses of country liquor exist in this Presidency and there is no experience of these to guide the Committee in deciding which arrangement is the better. The evidence of witnesses on the question whether liquor should be drunk at home or on shop premises is as follows.

146. *Evidence of Witnesses.*—Most of the witnesses examined on this question either did not understand the problem or had no definite well thought out views to express. Official as well as non-official opinion was generally wavering and divided on the subject. Several witnesses not understanding the question thoroughly were for both kinds of licenses "on" as well as "off", as if the present system is anything else; others did not mind whether these were either "on" or "off", each one having its advantages as well as disadvantages. The more well-to-do and upper classes who can afford to do so buy liquor in bottles and consume it at home; the wage earning classes are compelled to purchase it in drams and consume it in shops. In villages, however, where the shops are situated at great distances, it is more convenient even to a labourer to buy a full bottle. On the other hand, better classes who are afraid of drinking in their families resort secretly to shops even in towns. On account of these considerations the question has become complicated and, we are afraid, witnesses have not been free from bias in expressing their views. The better classes of Indians, who have an aversion from alcohol, consider that a restriction on the removal of liquor from shops will reduce consumption as people of these classes will be deterred from resorting to shops. They are also afraid that if country liquor is sold in bottles, to be carried off the premises, a most pernicious influence will be exerted on many who do not visit liquor shops and that the consumption of liquor at home will demoralise their women and children and increase home tipping. They have not been able to see the question from the point of view of the wage-earning drinking classes. The evidence offered by the excise officers on the subject appears to us to be more convincing; Mr. Brander says that restriction on the removal of liquor from shops will encourage illicit practices. The excise department view is that such restriction will lead to excessive drinking at shops and inconvenience respectable people, it will increase drunken brawls and require a larger number of licensed premises; liquor drunk with meals at a man's home is less harmful than that swallowed without food at a bar or shop. These witnesses apprehend no danger of the habit spreading at home. Several private witnesses confirm this view; shops will be congested by the "on" sale of liquor and the habit will gain strength by associating moderate with immoderate drinkers in one place; "off" sale will save annoyance to peaceful citizens from drunkards returning home from liquor shops. Dr. Joseph Benjamin of Ahmedabad points out that the "off" sale of country liquor has been tried with success in parts of the Punjab and in some countries of Europe; even in this Presidency the "off" sale of foreign liquor has resulted in no ill effects. One or two witnesses suggest the sale of country liquor in sealed bottles, through Government agency. The best exponent of the "off" shop system is Mr. Clifford. The arguments adduced by him in favour of the system, in his letter to the Collector of Ahmedabad No. A-1317, dated the 7th May 1919, appear to us to be convincing. Mr. Clifford's experience convinces him that 90 per cent. of the intemperance which exists is due to the temptations offered by the bars and "on" shops; the abolition of these would result in an enormous drop in consumption particularly in big towns and a notable decline in drunkenness. Mr. Clifford does not fear the habit to spread at home; he says, "the frequent appearance of the breadwinner of a family disgustingly drunk and with the bulk of his earnings gone must be more demoralising to his dependents than the presence of a bottle of spirit in the house."

147. *The Method of Sale Recommended.*—If a more active policy against intemperance is to be henceforth pursued, the abolition of the "on" shop appears to us to be one of the most effective methods to be followed by Government. Allowing persons to drink in the premises of a shop has a good many things to be said against it. These shops are the resorts of dirty and diseased persons and the practice of drinking from the same glasses, where there is no time to wash, must be insanitary and unhealthy. Even if the drinker does not imbibe the contagion directly, his body becomes pre-disposed to it, apart from the question whether alcohol weakens it or not. This infection can be avoided by drinking at home in clean vessels. A man in his sober moments may not think of drinking to excess, but when he is allowed to drink in the shop, his surroundings influence him and he might be tempted to drink more than he thought of. If he had carried his portion home, there might be many influences to prevent him from running to excess, such as his wife, children and other relatives. An ordinary labourer can spare a four-anna piece any day on drink, but it will be difficult for him to save two rupees to be spent at a time and even if he is tempted to drink the whole of it within a short time, a casual debauch will do him less harm, monetary as well as physical, than regular moderate drinking. It may be argued that the "off" sale of liquor will inconvenience the poor classes, and the better and richer classes will go unscathed. This we think should be exactly the policy of Government, at least as long as the traffic exists; as the drink problem in India is more a labour question and an economic problem, the wage-earner should be saved first. Witnesses have pointed out that steps which may be taken regarding the method of sale of country liquor should also be taken with regard to foreign liquor, otherwise the former will be at a disadvantage. There are very few "on" licenses for the sale of foreign liquor; these are chiefly issued in large towns and

are attached to shops which have "off" sale licenses; not much difficulty or inconvenience will be caused to people using foreign liquors if these be abolished. The Committee, accordingly, unanimously recommend Government that all "on" licenses for the sale of country as well as foreign liquor should be abolished at the first opportunity, that is, as soon as the old licenses expire. We would, however, make an exception in the case of the consumption of foreign liquors at dak bungalows, *bona fide* hotels, restaurants, and clubs, which people do not resort to merely for the sake of drinking. Foreign "on" sale licenses only are issued to these institutions and the arguments advanced against shops do not equally apply to their case. Before the licenses are issued in their case the excise authorities should assure themselves that these institutions, more especially the restaurants, are genuine and not merely "on" sale liquor shops under the pretence of selling a few nominal articles of food or other drinks. As the new policy of Government will tell more and more on the drinking classes there is a danger of a large number of clubs and restaurants coming into existence especially in towns to supply the place of liquor shops which may be abolished. Consistently with the policy of restricting the issue of licenses for new shops we advise that, as a general rule, "on" licenses should not be granted to the hotels, restaurants and clubs which may be opened in future. Restrictions on the "off" sale of foreign liquor should be placed in the case of licenses granted to dak bungalows, hotels, etc.; though they can be evaded, they might in some cases act as deterrents. At present there is no closing time for the sale of liquor at hotels in Bombay. It would appear advisable to restrict the sale to hours of dinner only.

148. *The Merits of the "Off" Sale.*—Most of the "on" shop-keepers are at present suspected by the excise officers as well as the drinking public generally of two fraudulent practices, namely, selling by short measure and diluting and adulterating the liquor; in the case of those shop-keepers who are licensed to sell more than one strength of liquor we heard the complaints that these were mixed to cheat customers. The practice of selling liquor by short measure is recognised to be so very common and lucrative that it is said when licensees bid for shops they calculate upon this as a source of income; indeed a witness at Surat told us that *kasar* or short measure yields to some shop-keepers more income than the pay of the Collector of the District. The preventive department is unable to stop these practices. If the retail sale of liquor is stopped and it is sold in sealed bottles or half bottles only, both these practices will cease automatically to exist and it will be fair to the customer who will often have a full value of his money and will have no fear of his drink being adulterated, diluted or mixed. Some witnesses have even suggested that country spirits are in some cases adulterated with *dhatura* poison; this might be the case or not but our proposal will eliminate the chance of such harmful practices. The abolition of retail sale of liquor will deprive the liquor shop of all its terrors to the neighbourhood and peaceful citizens will not be harassed by drunkards on their way home from the shops. These shops will cease to exist as dens and meeting places of criminals where the police officer now so easily gets his clue to detect crimes. The difficulty of locating these shops in unobjectionable places will also disappear.

149. *Auction System.*—If the "on" shop system is abolished, the consumption will certainly decrease and with that will also decrease the legitimate as well as the illegitimate income, if any, of the shop-keepers. At present the licenses are sold on a system of annual auction calculated on the quantity of liquor which is rationed to each shop. The shop-keeper is left free to fix his own price on the liquor sold. The auction system may not be the most perfect which can be devised; on the whole, however, we consider it to be the most suitable and do not wish to enter into the question of the relative merits of this and the fixed fee system. We believe it to have been working very smoothly on the whole. As the rationing of shops have been adopted and we hope it will be continued, the principal objection raised against the auction system that the shop-keeper will try to sell more in order to make up his income has been practically removed. The other factor which goes in its favour is that it tends to increase the price of liquor and thus indirectly helps to stop the growth of consumption. We are not disposed to recommend the giving up of this system itself but we should propose a slight innovation in it which would remove altogether the danger of the shop-keeper selling a larger quantity to make up the amount of his bid. In view also of the more active and direct methods of fighting the evil which we are suggesting we do not think that the system of receiving bids on the total quantity of the liquor to be sold during the year can continue. The auction system has helped to transfer to Government a portion of the income which was formerly pocketed by the middle man. The rationing system has further curtailed his income and if this system continues it will go on reducing it as time proceeds. If the "off" sale system is adopted, the shop-keeper will not be able to judge, at least the first year, the quantity which will be sold by him; his income from illegitimate sources will disappear and it will be unfair to ask him to bid on the total quantity to be sold. Bearing all these considerations in mind we propose, whether the "on" shop system is to be abolished or not, that in future the right to sell liquor should be by auction by bids per gallon of the liquor to be sold, whether "on" or "off." In order not to place the country liquor at a disadvantage as against foreign liquor, we propose in Chapter XIII of this report that the rule should apply to foreign liquor also.

150. *Reduction in the Number of Shops.*—The next measure which we suggest for carrying out the new policy is to reduce the number of shops. This measure has already been adopted by Government in keeping down the excessive consumption of liquor. The number of shops which have been reduced during the last 20 years is shown below :—

	1901-02.	1921-22.
Shops in the Presidency proper	2,463	1,726
Sind	296	151

We ask that this policy may be followed more consistently and more vigorously. Shops have not always been closed by Government merely to reduce consumption. For instance, we read in the Excise Report for the year 1904-05 that 48 shops were closed in Khandesh alone in that year during the famine as no offers were made for them during the previous year. In the Report for 1911-12 we are told that 32 shops were closed in 1910-11 for want of bids. We have no information before us to show how many of the shops which disappeared since 1901-02 ceased to exist because there was no custom there and how many were actually closed by Government just to prevent excessive drinking; but we fancy the number of the latter must indeed be very small. At any rate, there is no reduction in consumption corresponding to the reduction in the number of shops and care has been taken to see that the custom of the smaller and more inconveniently located shops which have been abolished is transferred to the larger and better located ones whose monopoly value is thus increased. Even this measure is preferable from a temperance point of view to a larger number of licenses spread all over the Presidency. The excise authorities consider that a limit has now been reached in the reduction in the number of shops. In the report for the year 1918-19 the Commissioner stated that "reduction in the number of licensed shops in a town has little effect on the total consumption of country spirit and by concentrating drinkers in a few shops it makes it easier for shop-keepers to keep their customers and create greater nuisance to the drinking public than is evident when those who drink are more widely distributed." The amount of drunkenness is less marked and troublesome when scattered over many shops and more conspicuous and harassing to the neighbourhood when concentrated at a few. This shows the official view; but we note that this view has sometimes been departed from by officials themselves. During the disturbances in Ahmedabad in the early part of the year 1919, 6 shops were closed by the Collector. After order was restored the shops were not reopened. No requests were made either by the licensees or the drinking public for reopening these which have up to now remained closed. The view held here was, though perhaps dictated by the experiences of the disorder, that the liquor drinking population will readily walk a considerable distance to get their drink and that it is quite unnecessary to multiply the number of shops with a view to meeting their convenience.

151. *Evidence of Witnesses.*—The view of the official witnesses is as we have presented it above. Some witnesses hold that a further reduction may be possible in towns, but not in rural areas. Mr. Brander holds that reduction of shops does not decrease consumption but causes, in the mofussil especially, illicit practices and disorder. Mr. Hotson states that in towns some competition is healthy and in the districts if a man is to walk too far for his drink, he will be more likely to drink too much when he reaches the shop. Mr. Gordon considers that the number of shops existing at present may be reduced on the principle of allowing one to every circle of 4 or 5 miles. Mr. Clifford in his written evidence observes :—

"I would annually reduce the number of shops (at such rates as to close them all in 5 years) in areas where there is no danger of illicit practices on a serious scale ensuing, for instance, where the demand is feeble and where there are no facilities for illicit manufacture. This might be done over greater part of Sind (though it would first be necessary to strengthen the preventive establishments there), in Ahmednagar district, and in the west of Ahmedabad district. There are probably other parts of the Presidency where, as in the areas mentioned, the use of strong liquors is not general among the population, but is confined chiefly to the immediate vicinity of the liquor shops, and where there is reason to believe that a demand has been created by the supply. But I should certainly not recommend this step unless an understanding has been arrived at with the neighbouring provinces and states for the taking of similar measures across the border."

The Bombay Temperance Council considers that the reduction will have a beneficial effect in rural but not in urban areas. Other private witnesses are in favour of a reduction in the number of shops all round; they consider that the greater the number of shops, the larger is the number of drinkers; if they are at a distance, a man will think twice before going that distance, but the temptation is greater when a man finds a shop handy on his way to or from his work or near his quarters; they should be few and far better in central places. Witnesses point out that though consumption may not fall substantially, yet temptation will be reduced in some cases, and that reduction should be made with a view to increase inconvenience; it should be accompanied by rationing, reduction in the strength of liquor and location of shops at long distances. Some propose the number of shops to be fixed on a population basis while others on a scale of distances, the reduction taking place on a fixed scale every year and beginning with areas where

the consumption is the largest ; it is also suggested that when shops have once been closed at one place they should not be opened at another on any account.

152. *The Committee's Conclusions.*—Some authorities dispute the advantage of a policy of reduction of shops and point out, correctly enough, that an increase of drinking in England often accompanies a reduction in licenses. That is said to be due to the fact that the policy of the English licensing authorities has generally been, when closing certain small and insanitary public-houses, to grant an "extension of premises" to others. This procedure has usually resulted in an increase of accommodation and temptative power, in many cases greater than what was possessed by many of the houses which had been suppressed. This perhaps led Mr. Gladstone to say that the mere limitation of numbers was "little better than an imposture." In the way in which the reduction in the number of shops has been carried out in this Presidency and new ones opened, the liquor traffic is not likely to be extinguished nor is this method intended to extinguish it. But we believe that more direct action can be taken along these lines also to attain the object, with as little dissatisfaction as possible. If, as proposed by us in Chapter VIII, the option of closing the shops in their locality was given to the people there would not be much room left for Government to use the powers of closing shops ; we are confident that they will receive more requests for closure than they can, at least in the commencement, comply with. In Chapter XI we propose that powers may be granted to local advisory committees to close down shops ; these committees will take into consideration the case of each individual locality before reducing the number of shops. But there may be areas in or occasions on which it would be desirable for Government to take action. We approve, therefore, the policy of Government in reducing the number of shops and recommend that, whenever necessary, it may be extended more directly and vigorously in the areas to which it can be applied and a substantial reduction should be made in the case of liquor shops. This measure should again apply to foreign liquor shops as well as country liquor shops and in closing country liquor shops care should be taken that the consumption of foreign liquor is not allowed to increase in consequence. It would be against our policy if shops once closed for any reason, whether by Government or the licensees, are reopened on any account at any other place or locality. If the method of reduction in the number of shops was suggested as the only or the principle means of arriving at the extinction of shops there would be some justification for proposing a fixed standard of distance or population according to which the reduction should proceed periodically. As the Committee feels that this measure will not have to be utilised for so general a purpose, it is of opinion that any automatic reduction by any definite fixed percentage for all areas is not desirable ; nor does it think it desirable for the same reason to regulate the number of shops, whether selling country liquor or foreign liquor, on a population basis. Action under this head should be taken by Government, after consulting the excise authorities and advisory committees, according to the needs of the locality and the circumstances of the people.

153. *Location of Shops.*—The question of the reduction in the number of shops leads us to the allied question of their location. We shall first consider the question of location in general ; the question of the location of shops in mill and factory areas will be dealt with in paragraph 156 below. The Bengal Excise Commission, 1883-84, recommended that the Collector should notify to the Municipal Commissioners the sites selected by him for shops in urban areas ; that should the Commissioners object to any the Collector should carefully consider their objection and, if he should not agree with them he should refer the matter to the Commissioner of the Division for decision, pending which he should not allow the proposed shops to be opened on the sites objected to. Some witnesses who appeared before the Commission suggested that the shops should be as near as possible to the police *chowkies* and *thanas* and that, as the spread of drinking has increased prostitution, they should not be located where people may have the opportunity of indulging in two vices in one place. The present method of locating liquor shops has not found favour with temperance reformers. A public meeting held at Poona in 1916 under the auspices of the local temperance association suggested that there should be only two places where shops may be located, one at each end of and outside the town. In 1919 the Satara Municipality asked the Collector to order the liquor shops within its limits to be removed to a suitable distance from the town with a view to decrease consumption.

154. *Opinions of Witnesses.*—The evidence of witnesses, whether official or non-official, on the subject of location of shops is not very helpful. It is definite, however, that shops should not be allowed in the vicinity of temples, in magnificent buildings and prominent localities in mill and factory areas, in pilgrim centres, in slums and by-lanes, in the residential quarters of non-drinkers, near a school, a big market, docks, railway stations, places of worship and of amusement, or near another liquor shop. While some prefer out-of-the-way places, others suggest highways and prominent localities. Shops should not be placed in the midst of people who object to them. In large towns the location of shops is a difficult problem for want of suitable places. The prominent idea in the minds of some of the Indian witnesses appears to be to stop the better class drinking communities from visiting shops secretly.

155. *Committee's Conclusions.*—In the opinion of the Committee liquor shops should not, as suggested by Mr. Clifford, be so situated as to become sources of temptation to passers-by,

The difficulty of locating shops in unobjectionable places will disappear if "on" sale is abolished as recommended by us. In all towns and villages there are main streets with branches on either side and connecting lanes. Sites facing the main streets, especially at junctions or corners or entrances to a village or a town, may be regarded as prominent sites. Those facing the branch or connecting streets, not noticeable from the main street, may be regarded as sites suitable for the location of shops. Back ways and by-lanes which are not conspicuous even from the branch or connecting street, and places outside a village or town might be regarded as out-of-the-way sites for shops. Witnesses fear that these out-of-the-way shops encourage secret drinking; they also become a resort or meeting place of the bad characters of the locality. Shops in prominent localities are admittedly a source of temptation to all classes of people. We admit that the difficulties arising from the objectionable location of shops will considerably disappear once the retail sale of country and foreign liquor is abolished. But whether such sale is abolished or not the necessity for the regulation of their sites does exist as "off" shops will not cease altogether to tempt the passers-by. In Chapter XI we have recommended the grant of powers to Excise Advisory Committees to regulate the situation of shops. It is extremely difficult to lay down a hard and fast rule in such matters and the authority can best be exercised by a local committee after examining the peculiarities and circumstances of each locality. We would, however, propose a few general regulations which Government might lay down till the liquor traffic lasts for the guidance of their officers in all the areas whether committees have been created for them or not. We recommend that shops should not be located on prominent sites such as public thoroughfares and trunk-roads and in prominent places, nor in out-of-the-way places, but that care must be taken to see that they are situated in healthy and sanitary quarters. No shops should be situated in places where they are likely to cause nuisance or annoyance to the public or be allowed near school houses, big markets, places of public worship and public amusements and on roads used by women going to bathe or draw water. In paragraph 144 above we have recommended that in pursuance of the policy indicated by us no new shops should be licensed. For the same reason we now suggest that no temporary licenses should be granted at fancy fetes, fairs, pilgrim centres, etc. We further recommend that Government should make an investigation as to whether permanent shops exist in centres of pilgrimages and in localities and places regarded as holy by any section of the population, and if any are discovered they should be removed to a considerable distance and as far away as possible from such centres and localities. These regulations should also be applicable to the sale of foreign liquors.

156. *Sale of Liquor in Factory Areas.*—We now come to the particular question of the location of shops and the sale of liquor in areas which are largely occupied by labourers, mill-hands and factory workers. Our investigations show that the mill area in Bombay is thickly dotted over with liquor shops and practically speaking liquor is brought to the very door of mill-hands. The evil effects of the policy of providing facilities for the drinker are apparent more in these areas than anywhere else. These facilities are indirectly responsible for spreading drunkenness among the labouring classes though they bring in a maximum revenue to Government from excise. The *per capita* consumption of liquor is greater in Bombay than in other parts of the province. As the mill-hand returns periodically to his native village there is the danger of his spreading the habit to rural areas. As we regard the drinking problem as an evil more from the economic than the social point of view, we would advise the taking of immediate steps to remove the temptation from the home of the workman. This can in our opinion best be done

- (1) by reducing the number of shops in industrial localities,
- (2) by prohibiting the retail sale of liquor,
- (3) by regulating the location of shops, and
- (4) by determining the days and hours of sale.

We have therefore no hesitation in recommending that in all mill and factory areas the number of such liquor shops as are in the immediate vicinity of mills and factories affording facilities and temptation to mill-hands coming out of them should be closed. We are supported in this recommendation by the Resolution of the All-India Industrial Welfare Conference held in Bombay in April 1922 that all welfare work will continue to be hampered till the complete removal of the drink evil is secured by the immediate closing of all liquor shops in industrial areas. The other shops in the areas which are not so situated and are therefore allowed to remain open should be turned into "off" shops. As a further precaution we suggest that even all these "off" shops, so created, should be closed on those holidays on which mills are closed. For instance, in Bombay all the shops in the town should be closed on these days. The temptation to drink is the greatest on the day when the mill-hands' pockets are full. There is evidence to show that everywhere drinking is at its maximum on pay days and holidays and that labourers are slack in returning to work after the overnight debauch. The excise report for 1912-13 says that the withholding of the pay of the mill-hands till after the Holi-festival, a practice which was adopted by some of the cotton mills, probably did as much to reduce the

amount of drunkenness during this period as any other practicable measure. We wonder whether some such measure cannot be tried with advantage. The chief difficulty in closing shops on pay days is due to the fact that the workmen belonging to the different factories do not receive their pay on the same day. We propose, therefore, that all shops in an industrial area, whether selling country liquor or foreign, should be closed on pay days, provided a substantial majority of factory owners agree to fix a particular day for the payment of wages. As this step is desirable even from the factory owners' point of view we have no doubt that they will agree to fix such a day. The danger of the man drinking after the pay day is much less, more particularly if the hours of sale are fixed as proposed by us in the next paragraph. If the rationing system is introduced as we have recommended in the preceding Chapter, year by year the shops will remain automatically closed for a number of days in the year. The first objection that will be raised to our proposal will be that factory and mill-owners will not consent to fixing a particular day in the month on which the men should get their wages. It appears from the Madras Excise Report for the year 1917-18, paragraph 68, that in that province the system has been found to be workable. It was worked successfully by the Central Control Board for liquor in England. At present the mills do not have the same pay day every month. Government departments, such as the mint and the dock-yard, the port trust docks and railway workshops have their own days for payment. These considerations and the discontent which they would raise among labourers as well as the possibility of their drinking on the next day the shops were opened prevented Government in 1919 from following in Bombay the system prevalent in Madras. We think, however, that it is practicable for Government, the port trust, the railways and other bodies and private factories to unite and fix a common day as in Madras. If required, legislation might be resorted to for the purpose of fixing the day. We understand the mill-owners in Bombay generally make payments on the 15th and the last day of every month. The other objection that will be raised is that men will resort to shops in the outlying areas, such as Bandra, Kurla and Thana. But, if such practices were followed in general it would be easy to close these neighbouring shops also. The procedure indicated by us in this paragraph will in a way be educative, provided "on" sale is abolished, and will slowly wean the men from the habit of drinking and accustom them to the future when they will have to go without liquor. The savings which they will thus compulsorily make can be utilised by them in making them and their lives better and in educating their children. Indian labour will thus become cheap as well as efficient and Indian industries will be able to withstand foreign competition. Indirectly it will increase Government revenue and within a short time replace partly, if not wholly, the income which will be lost in excise.

157. *Days and Hours of Sale.*—With the introduction of the rationing and "off" sale systems and of the regulations which we have proposed for industrial areas, the regulations fixing the days and hours of sale lose much of their importance. Under the stress of these methods the Presidency will become drier and drier every year. The Committee, therefore, do not propose to lay down detailed rules in the matter. The witnesses consulted are generally in favour of reducing the number of these. They propose to close shops on market days and holidays and fair days, and some of them to keep them open on as few days in the month or week as possible. A variety of hours has been suggested for the opening and closing of shops, a longer period being sometimes recommended for rural areas. In the foregoing paragraph we have already proposed that shops in factory areas should be closed on factory holidays and on pay days. For the reasons just stated we would leave the days for sale to be regulated by the different methods proposed by us, except that we would recommend the closure of shops, whether "on" or "off" selling country liquor or foreign, in all taluka towns on market and fair days. A large number of people from outlying districts flock here on these occasions with their pockets generally full. The liquor shop is bound to be a great temptation in their case and to offer them a facility in such cases goes directly against the gradual extinction policy, the object of which should be to train the people by degrees to give up the use of liquor. The regulations governing the days of sale which obtain at present should of course continue and may become more stringent as areas get dry. As regards the hours of sale we would make them more uniform in their application, to country as well as foreign liquor shops and to the different localities, and would reduce them, whether the "on" sale is abolished or not. We recommend that all liquor shops should be open from 10-30 a.m. to sunset in urban areas and from 10-30 to 12 noon and 3 p.m. to sunset in rural areas.

158. *The Price of Liquor.*—The price of liquor could be regulated with any one of these three objects in view :—

- (a) to enhance the revenue of Government,
- (b) to keep down the consumption, and
- (c) to eliminate the chances of illicit distillation.

Though it is against the policy of Government to derive a revenue by stimulating increased consumption, excise on liquor is considered to be a legitimate source of income and it is not

infrequent that it has been increased, first on foreign and then on country spirits, solely with a view to balance the budget. We consider such enhancements administratively unjust and economically ruinous. An increase in the tax means increase in the price of liquor and as a large part of the income is derived from the labouring classes, the incidence of the tax falls heavily on them and in turn leads to a rise in wages. This method of indirect taxation may be convenient on political grounds, but is detrimental to the moral and material interests of the nation. A more direct taxation such as on the necessities of life may be disagreeable to the labourer, but it has at least the merit of not doing him the harm which liquor does. We are, therefore, against the policy of increasing the price of liquor with a view to balancing the budget. On economic grounds we are also against the increase in price merely for keeping down consumption. The drink bill of any country in the world increases with the enhancement in the price of spirits and this method of tackling the problem only delays the day when the country can become dry. The excise report of the year 1918-19 states that "the general opinion of those who have studied the conditions in Bombay and Ahmedabad is that the millhands will not be prevented from drinking by the price of liquor. The policy of Government has been to increase the price up to a limit which will not keep down the revenue or stimulate illicit distillation, that is to say, it should not prove prohibitive. In those districts where illicit distillation is rife, the price of liquor cannot obviously be kept much higher than that at which the illicit manufacture can be sold; as a matter of fact the price of liquor even in such areas is considerably higher than that at which liquor can be distilled privately. We hardly believe, therefore, that the present price has much to do in keeping down illicit distillation, though theoretically there may be some truth in the idea. In our view, there are no methods, other than preventive or educative, to fight illicit practices. Official witnesses have warned us that the present prices have served to control consumption and that they cannot bear a further increase. In fact some of them and other private witnesses are for a reduction in these prices as they act as a toll on wages and make drunkards and their families more miserable and discontented. Some prohibitionist witnesses see in large and sudden increases in prices and in making them prohibitive, along with reducing the strength of liquor, a method of extinguishing the traffic. The Committee accepts the view that an increase in the price of liquor does not help the cause of temperance. The other methods suggested by them are sufficient and they recommend that the price of country liquor should not be increased any further. We do not propose to extend this recommendation to foreign liquors, especially the cheaper brands, which compete with country liquor. The reasons applicable in the case of country liquor do not apply to foreign spirits, which are mostly used by those classes of people who can afford to pay higher prices without doing harm to themselves.

159. *Strength of Liquor.*—During the Legislative Council debates in August 1921 the Honourable Mr. Lawrence said, "One of the principal measures of temperance reform which Government have taken is the substitution of weak liquor for strong and this is one of the factors to which may be attributed the restriction of the total consumption of proof spirit." With the object of encouraging the substitution of weak spirit for strong the duty on the former was reduced in 1914-15 by annas 4 per gallon in certain areas, and in 1916-17 the duty on the latter was raised by 3 annas, in each case without altering the maximum selling price. From the 1st April 1921 when weak spirit secured a sound footing, this differentiation in its favour was discontinued. At present the strength of country liquor for sale is 30, 40 and 60 U. P. in different places. The object of Government is to reduce it gradually to 60 U. P. uniformly. A further reduction would make the stuff insipid and useless as an alcoholic beverage. Witnesses in general approve of the weakening of the strength of liquor; the injurious elements are proportionately lessened thereby, though there may not be a reduction in total consumption. Some are however afraid that people will either drink in larger quantities or use foreign liquors. They propose, therefore, that the quantity of liquor sold to individuals at a time should be limited, the strength of foreign liquor should side by side be weakened, and the rationing system introduced. We have Mr. Sorley's evidence that in Ahmedabad at least reduction in strength had no influence on the consumption of foreign liquors. We approve of the policy of reducing the strength of country liquor along with that of rationing the supply to shops. If the retail sale of liquor is abolished people will be induced to purchase liquors of a reduced strength as they will find it cheaper to buy it at one time. We have no particular recommendations to make in the matter. We consider it unfair not to reduce simultaneously the strength of foreign liquor and have made certain proposals on this subject in Chapter XIII of this Report to which we here invite attention.

160. *Dilution of Country Liquor with Water.*—Country spirits are at present distilled at a high strength at certain distilleries and are distributed direct in casks. The spirit supplied is ethyl alcohol. Complaints have been received that the liquor is sometimes transported in metal-vessels instead of in wooden casks. Liquor contractors were formerly prohibited from using these vessels. We suggest that a rule be laid down forbidding their use. The liquor distilled at high strength is diluted with water at warehouses or distilleries to its prescribed sale strength before it is distributed to the shops. Shop-keepers are not allowed to add water. There is a strong popular belief among all classes of country liquor drinkers that the liquors should be distilled weak and not reduced by the addition of water.

They consider that liquor distilled weak is healthier and lasts longer, than liquor diluted after distillation. The latter very soon becomes unwholesome, turns sour, and affects the liver and digestion. The reduction of liquor by the addition of water is regarded as very harmful. Our enquiries did not elicit any valid and convincing reasons to support the popular view. We note that scientific investigations have led to the conclusion that diluting alcoholic liquors with impure water does not destroy the disease germ, but rather tends to keep it in a condition which enables it to increase and multiply when transplanted to a genial soil, the most genial of which being the blood of the person who has indulged freely in alcoholic drinks. One witness suggested that the water added should first be distilled. The "off" shop system of sale will remove the danger of liquor being either diluted with water or two different strengths of liquor being mixed by shopkeepers. We hope that the excise department will see that the water used at distilleries and warehouses for the purpose of dilution is as pure as possible, if not actually distilled. In this connection we invite attention to the conclusions of the Foreign Liquor Committee regarding the reduction of spirit in bulk (*vide* Chapter XIII, paragraph 179).

161. *Age Limit.*—Sale of liquor to a person below the age of 16 has been prohibited. A few years ago this limit was 14. A very large number of witnesses are in favour of increasing this limit. The scientific view is also in favour of keeping the limit as high as possible as drinking in youth injures the growing protoplasm. We recognise the difficulties in the working of this rule, but we see no harm in keeping the age as high as possible. The danger of giving alcohol to young children who are forming their tissues is recognised by the English law; the "Children's Act" forbids parents to give alcoholic drinks to their children under five years of age, except in extreme cases. Alcoholism contracted in youth invariably becomes the most serious of all alcoholic conditions. In pre-war days sailors under twenty years of age employed in the British Navy were not allowed the usual rum ration then issued. We recommend that the sale of liquor to customers 20 years of age and below should be prohibited. In order to enforce the rule with strictness, persons under that age should not be permitted on the shop premises. A complaint was made to us that a license was actually issued to a boy attending a high school in Bombay. We propose therefore that no employee in the shop should be less than of this age.

CHAPTER XI.

ADVISORY COMMITTEES.

162. *Recommendations of the Indian Excise Committee, 1905-06.*—In Chapter VIII, paragraph 115, we referred to the recommendations of the Indian Excise Committee regarding the appointment of local excise advisory committees for securing some conformity with public opinion as to the location of shops, and the acceptance by the Government of India of these recommendations which are incorporated in paragraphs 240 to 244 of the Committee's report. It recommended that in the Presidency town the duty of locating shops should be undertaken in the first instance by a local committee consisting of the representatives of the municipal corporation and the police department presided over by the Collector in whom the final control should vest. Outside the Presidency town they recommended no change in the rural and the smaller urban areas, but suggested that the settlement of the sites of shops in the larger cities might with advantage be carried out by the Revenue authorities in concert with a local committee properly representative of the population affected. The Government of India approved generally of the application of these principles to towns with a population of about 20,000 and left their extension to smaller areas to local Governments; they observed, however, that members of district and taluka local boards were rarely in a position to gauge the requirements of the rural population in the same way as the leading citizens of large towns can judge the number of shops required in the smaller and more densely populated areas with which they are familiar.

163. *Appointment of Local Advisory Committees.*—The Government of Bombay accordingly proceeded in 1907 to appoint the Committees. For the City of Bombay it consisted of—

- (1) The Collector of Bombay (Chairman).
- (2) The Municipal Commissioner for the City of Bombay.
- (3) The Commissioner of Police.
- (4) Two Municipal Councillors elected from each ward.

The work of the Bombay Committee having been found to be satisfactory, Committees constituted on similar lines were appointed in the Presidency proper in 1908 and in Sind in 1909, first for the larger towns with population consisting of 20,000 and over.* In places distant from head-quarters the Assistant or Deputy Collector was to preside. It was considered inexpedient to have a non-official majority; the decision was to rest with the Collector. As the functions of the Committee are generally not known, not only to the non-official members but also

sometimes to the revenue officers presiding, we give them here as they were published by Government in paragraph 7 of their press note no. 10430, dated the 13th October 1908 :—

“ The Committees may be called on, as proposed by the Commissioner, to give their opinion as to the maximum number of shops to be maintained in future in the local area ; they may also be invited, as suggested by the Government of India, to propose the minimum number of shops required for that area. If they recommend reduction, they should propose the stages by which the reduction should be carried out ; and they should indicate what reductions and changes of site (if any) they regard as at once desirable. They may also give their advice on the question of closing hours, and, if festivals and fairs take place within their limits, on the question of temporary shops at such fairs and festivals. The Collector should convene the Committee, or direct it to be convened, whenever he deems it necessary, and not less often than once in every three years.”

Government further ruled that the reports of the results of the Committee's meetings and of the Collector's decisions thereon should be communicated to the Commissioner of Abkari and that any case in which the Commissioner was unable to approve the Committee's recommendation should be submitted to Government for orders. From the evidence of witnesses before us we are unable to say whether this rule is invariably observed at present or not. In 1909 Government issued a press note stating that as far as they were able to judge from the papers, the local Committees discharged their duties with judgment and discretion ; on the Committee's recommendations they fixed 9 a.m. as the hour for opening liquor shops in the mofussil and approved earlier closing wherever that was proposed. In 1910 the Poona Temperance Association submitted a memorial to Government making suggestions for enlarging the scope of usefulness of the Committees. These were generally rejected, but Government promised to consider in due course the extension of the system to rural areas. With reference to the suggestion for the grant of executive powers to the Committees, Government observed that they were responsible for the control of all excise arrangements and that they could not exercise their executive powers otherwise than through their executive officers. In 1913 Government decided to extend the system to such rural and small urban areas, as, having regard to the incidence of consumption and the existing number of shops, are likely to afford scope to local Committees for the exercise of their functions. Committees were accordingly created for the talukas of selected districts. The Committees thus appointed were instructed to adjust the number of liquor shops in their respective areas so as to secure gradually a scale not exceeding one shop to 6,000 people, due regard being given to geographical distribution. In regard to a suggestion made to them that the Committees would better attain their end if they met more frequently, Government thought that the orders in force, which allow of a general review being taken of the situation once in three years and of the Committees being consulted when any important change in the location of liquor shops was proposed, were sufficient, and that nothing was to be gained by more frequent discussion when no changes were contemplated.

164. *Suggestions made by the Deputation of 1912.*—The deputation which waited upon the Secretary of State in July 1912 (*vide* Chapter III, paragraph 49) recommended an enlargement of the powers and functions of the advisory committees and a modification of their constitution. The question having come under close examination so recently, the Government of Bombay did not consider that any further extension of the system could then be undertaken with advantage. Dr. Sarvadhikary's deputation which waited upon the Viceroy pointed out that the effect during the short period that the system of local advisory committees had been in force had been little more than the closing of unprofitable shops and the shifting of a few unobjectionable sites ; the number of shops closed during 1910-11 was 105, during 1911-12, 63, and during 1912-13, 120. The Government of India were then of opinion that the danger to be anticipated from the grant of full licensing powers to committees possessing a non-official majority was that a system of local option would thereby be created, the effects of which could not but be antagonistic to genuine progress in the cause of temperance. That Government thought that it would not be merely unwise but dangerous to local Governments to surrender licensing functions to committees possessing non-official majorities. In agreeing generally with these views the Secretary of State pointed out

- (1) that the widely spread establishment of the advisory committees in municipalities and rural areas implied the practical acceptance of the principle that licensing was a function which, without sacrificing the avowed aims and the responsibilities of Government, should be exercised in concert with local advice and as far as possible in deference to local option ;
- (2) that it may be possible not to limit the functions of the committees merely to questions of the number or location of shops but that they may well serve as a channel through which local opinion may be consulted as to matters of excise, for instance, methods of trading, hours of sale and generally as to abuses and irregularities ; and
- (3) that, while their powers were of a consultative nature there was no reason why these bodies need necessarily have an official majority.

The Secretary of State awaited with interest the report of the Government of India on the experiment which was then being made in Calcutta of instituting licensing boards with full and final powers of determining the number and location of licensed shops. The Government of Bombay declared, however, in the local Legislative Council that they had no intention of modifying the existing arrangements. In regard to the proposal to establish licensing boards, they thought that the transfer of the powers in question would give opportunity for undesirable intrigues and possible corruption.

165. *Further Extension of the System.*—About the year 1914-15 nearly 25 additional shops were created in the Kaira district to counteract illicit distillation, but no steps were taken to establish a single advisory committee in the whole district. In the case of shops opened at fairs and festivals excise committees were consulted only at those centres where they were created by Government on the principles laid down by them. In 1916 Government again declared that they were not then disposed to alter the constitution of the committees so as to have a non-official majority on them, or to invest them with the power of inspecting liquor shops, but were prepared to extend the committee system to smaller municipalities and rural areas, and committees were appointed for a few more areas. In the same year a memorandum was presented to the Secretary of State for India by Sir Herbert Roberts asking for a further extension of the system of advisory committees and licensing boards in the various provinces of India. The memorialist asked that in every case the non-official members should be in a majority. The Government of Bombay were not in favour of having a majority of non-officials. The Government of India, however, thought that the main object of the committees, which are of a purely advisory character, being the expression of non-official opinion, there was an advantage in their constitution being predominantly non-official. They admitted that, with a non-official majority, certain views might be over-represented, but considered that it was not a material objection although it pointed to the necessity for improving the system of representation. The Government of Bombay accordingly decided to adopt the system followed in Madras under which there is an equal number of officials and non-officials as members, and the President of the Committee (i.e., the Collector) is empowered to co-opt an additional non-official member from those classes of the community which do not regard drinking *per se* as a vice; the power to be exercised only when the representation of these classes is not sufficiently secured by the personnel of the other non-official members. The existing committees have been constituted in accordance with this decision. In March 1918 the Legislative Council passed a resolution recommending the grant of power to selected municipalities to determine the number and location of liquor shops within their limits. Government signified their inability to accept this recommendation on the ground that the responsibility of deciding on the number and location of liquor shops within a municipal area was not to be reasonably imposed upon or effectively exercised by a municipality.

166. *Evidence of Witnesses.*—The work done by the Committee is shown in detail in the replies of the Ahmedabad Sanitary Association. The establishment of the committees is the only concession hitherto made to localities in the direction of local option. The popular view is that these are merely advisory boards to be consulted only when the Collectors desire; the officials, as true exponents of the Government policy and with their superior knowledge of excise matters, are unable to use the unasked for advice of the unofficial members, and their solicited advice, if disagreeable to the official view, is seldom used. The Committees have proved themselves powerless and therefore unable to exercise any very appreciable influence on the checking of the evil. Khan Bahadur Ardeshir Navroji, a liquor contractor, points out that their recommendations are hardly carried out, and hence they cease to take keen interest in their duties; as another witness put it they merely register the decrees of the executive and have no determining voice. Their functions and duties are not clearly prescribed; there is no scope of work for them and the committees have proved unworkable. The supplementary reply given by Dr. Benjamin to no. 13 of the Committee's questionnaire tries to explain in full, with facts and figures, how even in a large town like Ahmedabad the committees have no real voice. A responsible witness like Sardar Khan Bahadur Adarjee M. Dalal suggests that in some cases local influence has been brought to bear on the committee in favour of or against the location of a shop—a statement worth considering in view of the fact that the committees have practically an official majority. The witnesses further suggest that the committees should be elected by municipalities and local boards, supplemented by the nomination of a few respectable persons. The remedies proposed to improve the committees is to create one for every town or village having one or more shops, to appoint a non-official President, to fix an elected and a non-official majority on the committee; their decisions on all excise matters should be final, their meetings should be regular and frequent and open to the public and they should have powers of supervision and inspection. Except excise officers and abkari contractors, witnesses are not generally in favour of the drinking class being represented on the committee. Official witnesses complain of lack of interest on the part of the committees in their duty and of paucity of attendance at meetings. According to Mr. Maneklal Lallubhai they do not render any assistance to the department but merely find pleasure in putting obstacles; the members are affected by personal or sectional interests and never care to study any question; they object to the suggestions

made by officers without attempting to solve the difficulty. The Collector of Thana deposed that the members are appointed at random and they form their opinion without any responsibility. In spite of the fact that there is practically an official majority on the committee, Major Thorne, Cantonment Magistrate, Poona, goes to the length of saying that some members are suspected of blackmailing shop-keepers. Mr. Covernton is not in favour of an elected majority as that might involve difficulties in practical working owing to intrusion of local politics. Mr. Hudson, though he finds the committees composed of temperance fanatics with very little knowledge of excise difficulties, considers these to provide a safety valve occasionally affording an opportunity for useful discussions and explanation of excise policy; yet he admits that in the Poona District they have been instrumental in reducing the total number of shops. The experience in the Kolaba district is similar. The Collector of Belgaum deposed that the lack of interest on the committee's part was due to apathy, as their advice is often not listened to. Mr. Brander finds the suggestions made by the Bombay Advisory Committee to be unsound, and the committee useful only as affording an opportunity to explain the Government policy, but he calls it a "democratically" and "popularly appointed body" and quotes it in his favour when it supports his policy against reduction of shops and rationing of liquor; it has given valuable opinions on general questions when facts and figures are placed before it. The official witnesses are, however, generally against the grant of any executive powers to the Committees. Mr. Clifford, however, states:—

"I find no fault with the constitution of these committees, but I do not think that the gentlemen who served on them can be induced to devote more attention to the drink problem than they do at present, not that the committees can be of much use, unless their powers and responsibilities are increased and the members feel that their time and energy is being usefully employed. I would convert these advisory committees into local licensing boards (one for each district and each municipal area) whose decisions should be subject only to the approval of Government. I would entrust to them not only the power of determining the number and location of shops in the areas allotted to them but the selection of licensees and the fixing of fees (as I have suggested in my reply to questions 9 and 10 auctions and big license fee should disappear, and Government should depend for its excise revenue on the duty), the hours of sale, and the conditions of the license generally."

167. *The Committee's Views.*—Our investigations lead us to the conclusion that on the whole the committees have not been very helpful in reducing consumption of drink. A few Collectors might here and there have listened to them, where the temperance movement was strong. With very little authority and without any guarantee of their voice being heard it was too much to expect that the committees would be able to carry out their primary function, which was that of giving expression to local opinion. The constitution of the committees should be improved and their functions and powers should be clearly defined and enlarged. If the policy suggested by us and the measures indicated in the last three Chapters be adopted, it is evident that the institution of these committees cannot be allowed to remain unaltered. As local option begins generally to be exercised, many localities will become dry; the "off" sale of liquor and the rationing system will remove considerable difficulties in the location of shops and in fixing the hours and days of sale. The areas for which the committees will be required will gradually lessen in number, and some of the work which the committees now do will disappear. If the measures already suggested by us are made use of, the extinction of the liquor-shop can well be accomplished without resorting to the aid of advisory committees. But we see in the latter an institution already in existence which we can utilise for furthering the new policy. The committees would assist Government directly in their policy of local option. Their primary object is to obtain through them an expression of the local view and as such they have a highly educative value. They can be utilised to carry out generally, in those areas which will remain wet till the shops are finally closed, the measures which we have recommended. They will afford training ground to the people in democracy and administration. As our idea is to close as many liquor shops as possible with the concurrence of the people of a place and to place direct restrictions on liquor with their help, we recommend that all town and city municipal areas as well as rural areas in which there is one or more liquor shops should have advisory committees. In urban areas the committees shall consist of two-thirds elected and one-third nominated members; the two-thirds should be elected by municipalities and by such other public bodies, where they exist, as temperance and sanitary associations, social service leagues, labour unions and large employers of labour in such proportion as shall secure a proper representation of the interests of these bodies. One of the members to be nominated by Government shall be an officer of the excise department who should act as secretary to the committee and be held responsible for bringing up all matters before it. In rural areas district advisory committees should be created with a similar constitution. The powers of the committees both in urban and rural areas shall be to decide on the following questions:—

- (1) reduction in the number of shops,
- (2) fixing the hours of sale,

- (3) location of shops, and
- (4) fixing the strength at which liquor should be sold.

All these questions should be referred to the committees and the opinion arrived at by them by a majority should be respected and carried out. If the Collector differs from this opinion, he should refer the matter to Government for their final decision. The number of shops which the committees can close in their triennial term of existence shall not exceed one-third of the total number of shops in their area. One-fourth of the members, on a requisition to the Chairman signed by them, may insist on a meeting being called within a month. The life of the committee should be for a period of three years. The committees thus constituted and improved will be of great help and assistance to Government in furthering the objects of the new policy and will command the respect of the people and most of the objections now levelled at them by all classes of witnesses will disappear. The primary object of local option—the instruction of the people of a locality in temperance—will be fulfilled more effectively through this form of it than any other. The opportunity afforded to the people of the Presidency, till the liquor traffic lasts, in training themselves in this direction should not be lost sight of. The powers of Government to nominate a third of the members of the committees and to exercise a final veto on such of their decisions as are objected to by the Collectors is a sufficient guarantee that the interests of the drinking communities who are in a minority and the financial interests of Government themselves would be safeguarded.

CHAPTER XII.

SPECIAL LICENSES AND DISINTERESTED MANAGEMENT.

168. *Special Licenses.*—Very few specific proposals have been made by witnesses regarding the issue of special licenses. The general idea appears to be to abolish them altogether. These licenses are chiefly for the sale of foreign liquor and are issued at present at railway refreshment rooms and to places of amusements, such as theatres and cinemas. In Chapter X, paragraph 147, we have already dealt with the issue of licenses to hotels and restaurants. No licenses are now issued to clubs for the sale of liquors to members only. As people do not resort to these merely for the sake of drinking we do not recommend the stoppage in their case even of the retail sale of liquors. But we are afraid of drinking clubs springing up, taking the place of "on" shops and therefore think it prudent to issue licenses to existing clubs for the retail sale of foreign liquor only and to stop the sale of liquor at those which may hereafter be created. At present there are no clubs on any appreciably extensive scale where country liquor is sold. The clubs and gymkhanas where foreign liquor is sold are generally European concerns, with the exception of a few frequented by Indians in large towns. The sale of country liquor should not therefore, on any account be allowed at these institutions. We propose that, till the liquor traffic is finally abolished, special licenses should be issued to existing clubs, gymkhanas, etc., for the sale of foreign liquors to their members, unless it be proved that people resort to them merely for the sake of drinking, on the same terms as clubs are licensed in Great Britain as regards fees and should be made to conform to all the conditions of the license. The "on" sale of liquor prevails at railway refreshment rooms, dining cars and steamers. Witnesses have pointed out the possibility of persons other than *bona fide* passengers resorting to these for drink; some of them propose to abolish them altogether. There is no danger at present of the working classes resorting to them, but as liquor gets more and more scarce, the hard drinkers who could afford may turn their attention to railway refreshment rooms for an occasional drink. As it is not our policy to prohibit at once the use of liquor we would recommend that the "on" sale of foreign liquor at these rooms as well as dining cars and on board steamers may be allowed till the use of this liquor is finally stopped in the Presidency. The Indian Excise Committee pointed out that care should be taken to limit the holders of such licenses to their legitimate business; for instance, a railway refreshment room licensee should be prohibited from establishing a bar, as is not frequently done, for sale to persons other than travellers, or from conducting a wholesale or retail business in his refreshment room premises, except under a license of the class requisite to cover the business done. We suggest, however, that the railway refreshment room keeper should be made responsible to see that he issues the liquor to *bona fide* passengers only unless the customer drinks it with his dinner. In paragraph 155 we have recommended that no liquor shops should be situated near places of amusement and that no temporary licenses should be granted at fancy fetes, fairs, etc. Licenses for the sale of foreign liquor are at present issued to theatres, cinemas and such other places of amusements existing in large towns. The case of these is quite different from that of clubs and railway refreshment rooms. We see no reason why the people attending these should have a drink in the theatre or cinema premises and not anywhere else. The retail sale of liquor on these premises will run counter to the "off" sale system which we have recommended and oppose our general policy. For each and all of these reasons we are of opinion that the sale of liquor on the premises of theatres, cinemas and other public places of amusements should be entirely stopped. In Scotland intoxicating liquor is not sold in theatres, except during the same hours as in the public houses. In February 1921 a contractor was engaged for the supply of light "refreshments," including liquors, to

the members attending the first meeting of the Reformed Legislative Council held at the Town Hall, Bombay, and the usual fees charged to him were reduced, under special orders from Government. Under the proposals set forth by us all such "occasional" licenses will in future cease to be granted.

169. *The Disinterested Management System.*—In connection with the grant of special licenses the Committee considered a proposal to introduce a form of the disinterested management system to last as long as the liquor-shops are licensed. As we have no experience of such a system having been worked in India we have to rely on that gained in foreign countries. The results of the working of some of these systems in Europe and America are given by Mr. Clifford in his letter no. A-1317, dated the 7th May 1919, which is printed after his written evidence. Disinterested management schemes have been tried in Scandinavia, such as the Gothenburg System; in Russia, where the vodka trade has a national monopoly; in South Carolina, where the modification known as the dispensary system was adopted. In a smaller way trust companies such as those established by Earl Gray in Northumberland, which conducted public-houses where food was provided, have experimented on these lines in different parts of the United Kingdom, generally under conditions exceptionally favourable to these experiments. The results obtained afford no grounds for belief that, in large towns or in large areas, where this type of shops was the only one, the problem of drink could be solved on these lines. The pseudo-respectability of such shops is a special danger to the young. It has been found that to expect these shops not to make people drink is simply asking them to do what is impossible. On the other hand, it has been argued that great communities, deeply sensible of the miseries caused by intemperance, witnesses of the crime and pauperism which directly spring from it, conscious of the contamination to which their younger citizens are exposed, watching with grave anxiety the growth of female intemperance, believing that not only the morality of their citizens, but their commercial prosperity is dependent upon the diminution of these evils, seeing also that all that general legislation has been hitherto able to effect has been powerless to produce any perceptible decrease of intemperance, it would seem somewhat hard, when such communities are willing, at their own cost and hazard, to grapple with the difficulty and undertake their own purification that the Government should refuse to create for them the necessary machinery, or to invest them with the requisite powers. In favour of the company system is urged that a trade universally recognised as dangerous is taken out of the hands of the private dealer, who naturally seeks to extend it, and is brought under effective restriction and control, that bye-laws for the regulation of the trade can be readily enforced and adapted to the special needs of the locality and that the system enlists the active co-operation of good citizens, and is responsive to enlightened public opinion.

170. *The Gothenburg System.*—The Gothenburg system of regulating the liquor traffic has been so called after the Swedish city of that name which furnished the first example of its use. Under this system all liquor licenses of a city are let to a "disinterested corporation", which volunteers to operate the business for the public benefit and to retain for itself a nominal profit, the balance being divided among public enterprises or devoted to the relief of the poor. The system, or modified forms of it, has been in force in Scandinavia and Finland for a number of years. In 1855 the Swedish Diet passed a law called the "King's Law" granting local option to rural districts and provided for the establishment of companies ("bolags") for the monopoly of spirits in towns and cities where people desired them. The exercise by the people of the local option thus granted soon drove the sale of spirits out of rural Sweden. Ten years after the passing of the Act of 1855, a number of public spirited gentlemen in Gothenburg, actuated by philanthropic motives, formed a company for the purpose of purchasing all available licenses. Their object was to carry on the trade in drink in a "creditable manner" and for the pecuniary benefit of the rate-payers. They reduced the hours of sale and desired to remove the motives of personal gain which stimulated the shopkeeper to push the trade; but they overlooked altogether the possibility of the self-interest and cupidity of the rate-payers being stimulated by the public profits. Stockholm adopted the system in 1877 and thereafter the "bolag" system became the usual policy in the towns and cities of Sweden. The result was that while local option made most of the rural districts of the country dry, the consumption of spirits remained almost at a standstill in towns and cities and that of beer enormously increased. Drunkenness did not decrease in the latter, but some of its incidents grew worse. While the local option system prevailing in the rural districts of Sweden proved that legislative prohibition will secure national sobriety in proportion to the extent to which it is accepted and applied, the Gothenburg System taught that as long as the nature of alcohol and the physical constitution of man remain unchanged even were it possible to have the traffic conducted by the most disinterested agency in the country it must ever be the same in its direful results. Sweden at present is under the Bratt System, which is a modified form of the old Gothenburg System. This system was inaugurated in Stockholm in 1914 and later introduced throughout the country. Under the Bratt System the retail sale of alcoholic liquors on the premises is entirely in the hands of special societies which pay all their profits to the State. So far as the sale of liquors for consumption off the premises is concerned, the card system is in use. Every citizen, with the exception of drunkards, paupers and criminals is entitled to receive an order book through which he may purchase

each month a prescribed quantity of distilled liquors. Those who are in charge of sale thus know (1) to whom liquors are sold, (2) how much is sold and how often sales are made to any one person. The system is liable to this abuse that persons who are not entitled to liquor or want more get it through those who do not drink.

171. *The Norwegian System.*—The history of liquor legislation in Norway has been similar to that of Sweden in many respects. Up to the year 1814 partial prohibition very largely prevailed in the country. Then followed a period in which the liquor traffic was given free rein, with the result that Norway had, up till the middle of the last century, suffered so terribly from drink that it came to be regarded as one of the most drunken countries in Europe. It was practically deluged with spirits; the physical aspect of the people was wretchedly deteriorated, and their besotted appearance and disorderly character were without a parallel in modern History. In 1845 the government became concerned at the grave state of matters, and passed an Act dealing stringently with the manufacture and sale of spirits and granting local option to rural districts. This measure prohibited the carrying of spirits without license in rural districts for sale in any quantity whatever. The communal and municipal authorities were enabled thus not only to restrict, but in many cases to prohibit entirely, the sale of spirituous liquors within their respective jurisdictions. Their powers were exercised with great firmness and a marvellous decrease in the consumption of liquor followed with a marked improvement in the social condition of the people. In 1871 an Act was passed authorising towns and cities to organise "samlags" (companies) with power to take over the monopoly of the spirit traffic. In 1894 the licensing of private parties in cities was abandoned and the people were required by a new law to choose between prohibition and the "samlag" plan. At present the rural districts are governed by the law of 1845 and the urban districts by that of 1894. Norway has thus been for many years under the Gothenburg System. Every sixth year the people have an opportunity by vote to decide the question of setting up new "samlags" or the continuance of the old ones. At the last voting in 1919, the manufacture and sale of brandy and wines containing more than 12 per cent. alcohol was prohibited. As in the case of Sweden it was found that while there was an enormous decrease in the total consumption of spirits in rural (prohibition) areas there was a large increase in the "samlag" cities. The crime record of Christiania since the inauguration of the company system grew more and more unsatisfactory.

172. *The Swedish and Norwegian systems compared.*—The bolag system in Sweden developed two conspicuous weaknesses: the better class of people, save in rare cases, would not take any hand in the bolag liquor business, and the licensees and companies had a tendency to drift into the hands of politicians and old time saloon-keepers. The other weakness of the Swedish system lies in the fact that the bulk of the profits go to the relief of the tax-payer, which acts as an inducement for its retention. The Norwegian legislators attempted to steer clear of this disadvantage by providing that the profits should go to charity and charitable institutions. The result was that Norway was overrun with alleged charitable institutions. This became an unbearable nuisance, and after 1900 the Storting enacted that the bulk of the profits shall go into the national treasury. The two systems differ in another important respect. The Swedish plan is to serve food with drinks, provide reading matter, and make the establishment an agreeable place to spend a leisure hour. The Norwegian plan provides no food and no furniture, and compels customers to leave as soon as they have swallowed their dram. From a temperance standpoint the results of the Norwegian plan have been found to be less discouraging than those of the Swedish plan. In the local option elections in both Norway and Sweden the issue has been almost invariably between the liquor element upholding the samlag and the organised temperance societies demanding prohibition.

173. *Grant of Licenses to Temperance Associations.*—The disinterested management systems of Scandinavia have been found to be totally inadequate to solve the alcohol problem. Nothing short of a total extinction of the liquor traffic would eradicate the evils arising from a free or restrained use of liquor. But if Government once launch on a policy of gradual extinction, we do not see any reason why this method may not serve as one of the suitable steps for its execution. Disinterested management has certain obvious advantages such as those which have been referred to above. The system is bound to fail so long as there are no other direct checks on the use of spirits. If the total supply of liquor becomes gradually curtailed, we see no reason why private disinterested agencies for the sale of liquor should not prove helpful to Government in their efforts to educate the masses in temperance and to wean them as rapidly as possible from the use of liquor. The private dealer will always have an interest in pushing his ware, adulterating it and supplying it to minors, drunkards and other persons to whom its sale is prohibited by law, or selling it outside the days and hours fixed by the law: his propensity to bribe the excise subordinates has been admitted on all hands. We recommend, therefore, that when licenses are issued and bids are accepted at auction, any society or association registered not with a view to make profit, desiring to further the cause of temperance, should be given preference. On the whole, there is not much temperance activity in the Presidency, except in large cities like Bombay, Poona and Ahmedabad. These disinterested associations will only receive preference over other persons bidding at auction and Government will not suffer in point of revenue. They will conduct the business more honestly than private licensees and

there will be no likelihood of the public being cheated on one hand and the Government on the other. Mere preaching of temperance has not been found to be effective. A temperance association shop, with temperance sign-boards and placards, in a locality of drinkers would bring the drinker more in direct touch with the temperance movement. The grant to them of licenses will give the temperance associations an opportunity of increasing their usefulness and activity. Although we are not in favour of adopting the disinterested management as the sole means of reducing the liquor evil, we approve of its being tried as one of the educative measures which we have suggested to abolish finally all liquor shops.

CHAPTER XIII.

FOREIGN LIQUOR.

174. *Adulteration in Foreign Liquors.*—In an article on "Adulteration" in "the Encyclopedia Britannica" (Ninth edition), it is stated that port wine is adulterated with gum-dragon, and coloured with German bilberries and fortified with the washings of brandy casks, while salt of tartar is employed to produce an artificial "crust." Sherry is manipulated with cheap brandy, sugarcandy, bitter almonds; blood is used to colour it, and gum-benzoin to give it softness. For pale sherry, plaster of Paris or gypsum is largely used in plastering, and, by this means, a cheap, dry wine is produced, charged with sulphates of lime and potash. Claret is composed of cider, and coloured with cochineal. Champagne is made of rhubarb stalks, goose-berries and sugar: "the product," adds the writer, "being largely consumed at balls, races, masquerades and public dinners." A vast amount of the spirit which passes under the name of brandy is really either beet-root spirit, or grain whisky, coloured and aromatised with Hungarian oil, etc. Gin (article "Gin") is made from oil of turpentine and aromatic substances, without any juniper berries at all. It is then mixed with alum, potassium, acetate of lead and sulphate of zinc. To give pungency and mellowness, cayenne pepper is freely used. "The grossly sophisticated liquors," continues this writer, "which are largely consumed under the name of gin, are most detrimental in their effects." These statements are not made from the temperance point of view but they have a special interest in connection with our present subject. It has also been asserted by experts, as the result of investigations carried on at the instance of the French Academy of Science, that not more than one per cent. of the alcohol distilled annually in France is produced from the grape, the remainder being obtained from grain, apples, pears, potatoes and beet-root. From potatoes, an alcohol is obtained called *amylic* or fusel oil which is largely employed in the adulteration of wines and spirit. The action of the last named alcohol on the body is very marked, producing insensibility and coma, followed by muscular tremours; and in whatever form it is presented, whether a wine or spirit, it is an extremely dangerous adulterant to ordinary alcohol. The noxiousness of country liquor has often been referred to. The Bengal Excise Commission reported that the point was greatly exaggerated. The common belief in those days was that the cheap imported liquors were more harmful than the worst sort of any country liquor and it was sought to justify this view by the fact that more premature deaths took place among educated "young Bengal", who affected a taste for foreign liquor and spirits, than among those who were satisfied with the more homely articles.

175. *Distinction between Country and Foreign Spirits.*—Country spirit is plain spirit made from materials recognised as a country spirit base, is of strength readily ascertainable by the hydrometer and is sold at country spirit shops, subject to the local rate of duty; spirit made after European processes as long as it is plain and ordinary plain spirit which is merely spiced to meet Indian taste are admitted to the country spirit market. Foreign spirit includes all other kinds, that is to say, imported spirits, sophisticated and flavoured spirits, and spirits made from special bases such as malt and toddy; these are taxed at the tariff rate of duty and sold at foreign liquor shops. For convenience of administration the term "foreign" is extended to denatured or methylated spirit, which is subject to special rules in regard to both manufacture and sale and which will be treated in Chapter XXI of this Report.

176. *Application of the Licensing System to Foreign Liquor.*—*The control of foreign spirit in this Presidency outside Bombay City did not begin till long after a considerable degree of control had been established over the manufacture and sale of country spirit. Beyond providing for the warehousing of spirits landed in Bombay, Regulation XXI of 1827, the first abkari law for the mofussil, while enacting certain restrictions on country liquor and toddy did not touch foreign spirits at all. For many years subsequently both wholesale and retail vend of such spirit and of rum from Bengal and Ceylon were carried on without license; and the tendency of the shops to increase in certain districts was checked only by the action of the magistrates, who in their own responsibility prevented the establishment of shops without their permission. The first movement towards legislation was caused by the complaints of the country spirit farmers who began to find their own business suffering from the competition of the foreign spirit. Accordingly, the next abkari law for the mofussil, Act III of 1852, introduced a provision requiring the

* Vide Report of the Foreign Liquor Committee, 1908-09.

taking out of a license on a fee to be fixed by Government for the retail sale of all spirit however or wheresoever manufactured, and under this a form of license was prescribed with the following as the chief conditions :—

- (1) that only foreign spirits, wines and beers should be sold in the shop,
- (2) that ordinarily not less than a whole bottle should be sold to Indians ; but any quantities might be sold to Europeans, except soldiers,
- (3) that no person should be allowed to get drunk on the premises.

This act did not apply to the City and Island of Bombay which had special regulations of its own. Licenses for foreign spirit were in force there from 1812. Hotels and taverns where Goa liquor was sold paid license fees. At all these places foreign liquor was or might be sold along with country spirit and toddy. Under a later law, Act XIII of 1856, licenses were granted by the Commissioner of Police ; but the fees went to the municipality. In 1855 they amounted to Rs. 25,000. Wholesale shops were at last brought under the licensing system by Act IX of that year. The division of foreign liquor from country liquor shops took place in 1878-79 but foreign liquor might still be sold by the glass in country liquor shops till the 1st of August 1884.

In 1869 Mr. Bell recommended a closer regulation of the foreign liquor trade and the separation of licenses into wholesale (*i.e.*, sales of not less than a dozen quarts), retail "off" and retail "on". After nearly ten years' discussion of his proposals Act V of 1878 was passed which brought the import, export, transport and sale of foreign spirit under the complete control of Government.

177. *The Views of the Indian Excise Committee.*—The Indian Excise Committee of 1905-06 state that it is not the policy of Government to allow imported liquors to become articles of common consumption among the Indian population and their sale is limited to places where there is a European, Eurasian, Parsi or other population that uses them. The duty on foreign liquor is generally speaking very much higher than that on country liquor. Foreign liquors are not such as can easily be made illicitly in India. They have been allowed freedom from many of the restrictions that are imposed on country liquor ; there is, generally speaking, no fixed strength or limit of possession for private purposes and no pass is required for transport from place to place ; foreign liquors are imported into British India by sea or land, or made in British India. The Indian Excise Committee came to the conclusion that in the results of the analysis made by Major Bedford (*vide* Chapter III, paragraph 46) there was nothing to support the allegation that foreign liquor, or any particular variety of foreign spirit, is more deleterious than country liquor, but that in the absence of control by the exporting countries of the compounding of spirits exported, there was a danger sufficient to make periodical tests necessary, while thorough control of similar operations conducted in this country was eminently desirable. These remarks applied to spirits only. The Committee observed that much of the wine imported, if not absolutely injurious, was spurious and was commanding an increasing sale among the richer Indian population on account of supposed tonic properties which it did not possess. The prices at which many brands were then put upon the market raised a doubt as to their fitness, while the ignorance of the public was a reason for protection. The Committee proceeded to say :—

"Another branch of the business in which control over quality is undoubtedly necessary is the compounding of foreign spirits in this country. This is a trade which has grown rapidly of late years. High over-proof spirit, imported at a price at which no local distiller can make it, is broken down to varying strengths, sometimes as low as 70 u.p., and after being mixed with some flavouring essence is bottled as whisky, gin or brandy. This, when put upon the market, enjoys a sale in competition with country spirit, which is rapidly increasing. In the Committee's opinion the trade is by no means to be encouraged, and, if allowed at all, should be kept under control. If the spirit itself is held innocuous, it is absolutely necessary that both the essence used and the proportion of it should be under strict rule and that the process of adding it to the spirit should be duly supervised. The colouring matters employed also need examination."

The limits which the Committee with the concurrence of Major Bedford recommended to be placed on the strength of foreign liquor were those enforced in England under the Food and Drugs Amendment Act of 1870, namely, 25 u.p. for whisky and brandy and 35 u.p. for gin. Concerning facilities for drinking the Committee stated :—

"Shops for the consumption of foreign liquor on the premises are not necessary to meet the needs of the bulk of the native drinking population, whose ordinary liquor is country spirit, tari or country beer, nor for the most part are they wanted for the European, Eurasian or Parsi communities whose requirements are met by other licenses. To the native middle classes, who are not usually addicted to taking liquor, they afford facilities for acquiring the habit, both by encouraging the tendency to imitate western customs in this respect and by their superior attractions and real or fancied greater respectability as compared with the country spirit shops."

The general conclusions of the Committee with regard to the use of foreign liquor by the Indian population was :—

“The consumption of foreign spirit is progressing out of proportion to the increase in the population both of the classes that habitually use it and of the country as a whole. The cause is to be found partly in the replacement of wines by whisky among the classes referred to but much more largely in the growing consumption of foreign spirits by the middle class of the native population which did not formerly use them. The remedy is an increase in the taxation together with a strict limitation of the number of shops particularly those for consumption on the premises.

Foreign liquor does appear to offer special attraction to many of the middle classes who would perhaps abstain if only the country liquor were available. It does appear desirable to discourage their consumption of it by all reasonable means. At the same time some increase of such consumption is probably an inevitable consequence of the adoption of Western manners and customs, of the slackening of social ties and religious beliefs, and of the growing preference for a town life. In any case it is an unsatisfactory phase of the transaction which Indian society is undergoing.”

The Bombay Chamber of Commerce took so serious a view of the increase in the importation of cheap spirits that it suggested either the prohibition of import of spirits below a certain age or the regulation of the taxation inversely to value.

178. *Major Bedford's Analysis.*—As regards the allegations of the deleteriousness in the case of foreign liquor, Major Bedford reported :—

“From the point of view of noxiousness, there appears no objection to be taken to the Bombay or Madras cheap imported spirits. They contain very moderate proportion of by-products and are of weak alcoholic strength. It might, therefore, be fairly argued that they are less likely to be injurious to health than a corresponding amount of the higher grades of imported spirits. No minimum limit of alcoholic strength for imported spirits has been fixed in India, and it is very questionable whether it would be advisable to do so. The weaker such spirits are the less noxious, bulk for bulk, would they appear to be (given also low proportions of by-products).”

On analysing the best sample of French Vermouth, Major Bedford observed :—

“The enormous fixed acidity (tartaric acid) points to the Vermouth having a vinous rather than a spirituous basis. Such a large acidity is very undesirable from the point of view of wholesomeness.

If Vermouth were consumed in the same relative daily amounts as country spirits we should be likely to hear complaints as to its causing digestive and other troubles. If we compare this Vermouth (procured from one of the best known firms for its manufacture) with most of the Indian spiced liquors the comparison is in favour of the latter as regards wholesomeness.”

Major Bedford found that the cheap imported spirits were “plain” or “neutral” spirits made in a patent-still from any cheap fermentative basis and flavoured either with essences of brandy, whisky, rum, gin, etc., or with small proportions of these spirits. Nearly all cheap imported spirits are much weaker alcoholically than the spirit they counterfeit. These spirits were generally sold over 25 u. p.; the margin of profit would scarcely allow of their being sold at this strength. This is, according to Major Bedford, an advantage in favour of cheap liquors; he reported :—

“It appears that such opinions as at present obtain as to the necessarily inferior hygienic quality of cheap imported spirits have been hitherto chiefly based on the consideration that because the valued characters (*e.g.*, delicate bouquet, mellow taste, etc.) of the more expensive spirits are absent in the case of the cheap and more or less fictitious varieties they, therefore, are also of correspondingly noxious quality. In other words, that because they are ‘cheap’ they must be ‘nasty’ (*i.e.*, deleterious). As a matter of fact, most of these cheap spirits may be claimed to be ‘purer’ (*i.e.*, to have less by-products); and to be also, from the point of view of containing less alcohol, more wholesome.”

From commercial as well as hygienic points of view Major Bedford was against the interference on the part of Government in the sale of cheap foreign liquors. But the real objection to this class of spirits which Major Bedford overlooked was that, owing to its extreme cheapness, it competed to an undesirable extent with country spirit and that it promoted increase of consumption by the people of India through the position popularly assigned to it as being in essence the drink of the European.

179. *The Foreign Liquor Committee, 1908-09.*—In 1908 the Government of Bombay appointed a Committee consisting of :—

Mr. A. C. Logan, I.C.S., (Chairman),

The Hon'ble Mr. H. E. E. Proctor,

Mr. Chunilal H. Setalvad, Barrister-at-Law, Fourth Presidency Magistrate,

Dr. Samuel A. Powell, B.A., M.D., M.Ch., Police Surgeon,

Dr. Kavasji Edalji Dadachanji, L.M. & S., Member of the Municipal Corporation, Bombay,
to investigate the following matters connected with the imports of foreign spirits into
Bombay :—

- (1) The extent to which crude potato and similar spirit, or liquors manufactured from such spirit are imported into Bombay, and their ports of origin ;
- (2) The destination of these imports ;
- (3) Their treatment by importers, and the various derivatives which are sold as spirits or wines ;
- (4) Their descriptions when sold in foreign liquor shops ;
- (5) The present consumption of foreign liquor ; whether it tends to increase and what classes consume it ;
- (6) Whether any restrictions on the sale of foreign liquor beyond those now in force are desirable ;
- (7) Whether correct description should be required as a condition of retail vend ;
- (8) Whether the liquors described under (1) are more harmful to Indians than country spirits manufactured under supervision.

The conclusions at which the Committee arrived on these points were :—

- (1) Nearly the whole of rectified spirit comes from Hamburg and Trieste, two-thirds of the brandy comes from Hamburg and most of the remainder from Bordeaux, Antwerp and the Charente ; the whisky is imported chiefly from Glasgow and the rum from Hamburg and London. The imports of fictitious port and sherry come principally from Hamburg and Liverpool.
- (2) A very large amount remained for consumption in Bombay while the remainder according to various witnesses was destined chiefly for the adjacent Indian states, the Central Provinces, Berar, the Nizam's territory, Rajputana, the United Provinces and even the Punjab and Quetta.
- (3) The bottled spirits and wines do not require any manipulation at the hands of importers, for they are already reduced to the strengths allowed in India and come out corked, capsuled and labelled for sale. Of the spirit coming out in bulk, that which has already been converted by essences into the form of specific liquors requires only the operations of reducing and bottling. The Committee observed : " Common, *i. e.*, undistilled water, and as we have had ocular proof, sometimes very dirty water, is used for reduction, but as 10 per cent of spirit is supposed to be sufficient to kill all microbes, this practice, though reprehensible, is probably not of serious consequence to consumers."
- (4) The descriptions were given by the Committee in detail.
- (5) A taste for foreign liquor is becoming diffused among all classes, from the highest to the lowest ; the attractions of the liquor from several points of view are such that nothing but its comparative dearness stands in the way of its rapidly coming to supersede country spirit in all places where it can be procured. In Bombay City where the cheapest kinds are practically as cheap as country spirit it is actually beginning to supersede the latter.
- (6) The committee suggested several restrictions the principal of which was to raise the price of the cheapest foreign liquor to a point at which it will be beyond the means of the lower classes of Indians.
- (7) The Committee suggested certain regulations regarding labelling.
- (8) If the natives of the country must have spirit of some kind it is obviously in the interest of temperance to confine them as far as possible to their national liquors which do not tempt to excess ; and in the sense that foreign spirit does tempt to excess, and if made as cheap and accessible as country liquor would probably produce far more drunkenness and demoralisation than now exists, the committee held that it might be considered as likely to prove the more injurious of the two and, therefore, needing all possible restriction.

Dr. Powell, however, in a dissenting minute expressed his emphatic opinion that country spirits are more deleterious than the diluted neutral spirits sold under the names of rum, brandy, etc. That is why drunkenness is never seen in foreign liquor shops. Dr. Powell had met with many cases of death from acute alcoholic poisoning or temporary insanity but could not recall one due to cheap foreign spirit. It is the experience of officers in charge of the lock-up that country spirit intoxication and its after-effects are more prolonged than those arising from cheap neutral spirit. Dr. Powell added :—

" It is common knowledge that a raw pot-still spirit is more injurious than a matured spirit. The most ardent champion of the pot-still will admit that unmatu-
red

pot-spirit with the feints and foreshots added is more deleterious than an equivalent quantity of neutral spirit of similar age and dilution. Country spirits are all made in pot-stills; they contain a greater quantity of "impurities"; neither the foreshots nor the feints are removed; they are drunk raw without any maturing."

Mr. Clifford, the Assistant Collector of Excise for Khandesh and Nasik, stated in his written evidence:—

"I do not believe that foreign spirit is appreciably more deleterious to health than the country article; but it is certainly more demoralising. I am personally acquainted with several native gentlemen of the better class who are regular customers of foreign liquor and have observed that the temptation to alcoholic excess is much more powerful where a taste for these spirits has been acquired than in the case where country spirits are used. A liking for brandy or rum has a tendency to develop into an irresistible craving for it; the man who would be satisfied with his dram or two of country liquor every evening is, when he transfers his affections to foreign liquor, or spirits, as likely as not to contract the habit of drinking at all hours of the day to the detriment of his health, the impairment of his faculties, and the neglect of his business or profession. I believe that excessive indulgence in country spirits would produce the same effects, but the appetite for the latter is more easily controlled and satisfied, and habitual intemperance among its consumers is comparatively rare. The great bulk of the consumers of country spirit in East Khandesh, West Khandesh and Nasik are of the Kunbi caste. Many of them may be described as hard drinkers but I have never yet met one who is so completely a slave to the drinking habit as are one or two of the native gentlemen above referred to. A Kunbi may drink hard, and yet attend to his fields and be a useful member of society. Foreign spirits too often reduce a man to such a condition that the satisfying of his appetite is his whole object in life. Even among Bhils, a notoriously hard-drinking race, I have not yet met the habitual drinker of the type so common in European countries."

And in his oral evidence he said:—

"Foreign spirit is put up in more attractive form than country spirit. Its labels and its colouring appeal to the eye; its flavour pleases the palate. The country spirit is a stimulant; nothing more. Its pungent smell and disagreeable flavour are against it. Even those habituated to its use gulp it down with closed eyes and twisted features as one does a draught of some unpleasant medicine. The foreign spirit, on the other hand, offers an allurements to each of the senses of sight, taste and smell. It is not necessary to bolt it like a potion. It makes more enjoyable the evening dram of the Kunbi who can afford to indulge in it; and renders more pleasant the means to the grosser end of the Bhil, Mahar, etc. Sentiment enters to some extent into the question of the attraction of the foreign spirit. Many prefer it simply because it is foreign."

The Foreign Liquor Committee further recommended that colouring should be treated as a process of manufacture, which it legally is, and prohibited; the millhand who seeks to intoxicate himself on spirits of wine should not have any temptation added in colour or flavour. They drew attention to the advisability of reducing the number of foreign liquor shops as far as possible; new shops should never be sanctioned except in places where there is a sufficiently large population, neither Hindu or Mahomedan, to afford full custom to the shop. The reduction of shops that sell cheap foreign liquor to the lower classes of Indians is according to the Committee even more desirable than the reduction of country liquor shops; any drastic reduction of country liquor shops which would raise the price of that spirit above that of foreign spirit would be a misfortune from the temperance point of view and therefore care should be taken that the campaign against country liquor is carried out *pari passu* with corresponding action against foreign liquor shops calculated to prevent any transfer of custom from the former to the latter.

180. *Evidence of Witnesses.*—It is acknowledged by witnesses that substantial restrictions on the use of country liquor will increase the consumption of foreign liquors. These liquors were at first used by the better classes only among Indians. Now that there is not any appreciable difference in the price of country liquor, with its strength lowered, and that of neutral foreign spirits, which must be not more than 25 u. p., the working classes who earn higher wages are getting accustomed to the use of the latter. Non-official witnesses are therefore agreed that whatever measures may be undertaken for fighting the drink evil should apply equally to both classes of spirits. They point out, however, that restrictions on the use of foreign liquors will give rise to questions of Imperial policy as, except the small income from the vend fees which the local Government derive, the considerable revenue by way of import duties from this source is credited to the Government of India. Whereas official witnesses fear illicit distillation, it is pointed out that it will not be possible to manufacture foreign liquor at home; even the Indian made brandies and whiskies have failed to imitate those imported into the country. From the official evidence it is gathered that all the restrictions which are proposed in the case of country liquor could be enforced against foreign liquor as well, but that these would

cause great hardship to and resentment among Europeans and Anglo-Indians who consider such liquor as necessary to health and comfort; these classes never drink to excess. Mr. Brander thinks that it is extremely unlikely that the Government of India will ever consent to any restrictions on import of, or, distribution of foreign liquor and that it is quite useless to tackle the liquor problem as a provincial question alone; the Central and Provincial Governments, Indian States and the French and Portuguese possessions in India would all have to adopt a common policy. All that Mr. Clifford considers necessary in respect of foreign liquors is to keep the taxation high and to prohibit sale for consumption on the premises. Mr. Covernton agrees that some sort of restriction would seem necessary in the cheaper forms of foreign liquor where country liquor is restricted. Mr. Amin deposes that the brandy and whisky manufactured at the Alembic Works at Baroda have been ousted out of the market by cheap German brands.

181. *Committee's Conclusions.*—The Committee does not think it possible to wean the wage-earning population of the Presidency from alcohol simply by restricting and ultimately prohibiting the use of country liquor. Any such attempt is sure to lead to a proportionate increase in the consumption of foreign liquor. The introduction of the auction system, the weakening of strength and the rationing of shops have of late increased the price of country liquor and at the same time made it unpalatable to the taste of the ordinary drinker, with the result that there has been a considerable increase in the consumption of foreign liquors in the Presidency proper as will be seen from the figures given below :—

	Imported.			Manufactured.	
	Spirits.	Wines.	Malt liquors.	Spirits.	Malt liquors.
	Gallons.	Gallons.	Gallons.	Gallons.	Gallons.
1916-17	253,842	66,185	764,908	45,943	..
1921-22	425,221	93,435	1,010,776	28,844	66,458

The Committee have therefore in the previous Chapters recommended that the restrictions proposed by them in the case of country liquor should apply equally to foreign liquor. The steps hitherto taken by Government have tended to reduce the use of country made spirit to the advantage of its foreign rival. In the case of imported liquors, the duties leviable under the tariff are credited to Customs, a head in the budget of the Central Government; the excise revenue which is provincial is derived from license fees for the privilege of sale. The foreign liquors are imported into the Bombay Presidency (1) for consumption in the province itself and (2) for transport to other parts of India. As excise is, under the Reforms, a Transferred subject, the local Government and the Legislative Council have control over the manufacture, distribution and sale of country spirits and over the licensing of shops selling foreign liquors. They have powers to grant new licenses for the sale of these liquors as well as to cancel old ones; under these powers they can legally close all the foreign liquor shops in the Presidency, if they thought it fit to do so, or they could place any restrictions on the use of this liquor. Such a step would affect the Central Government revenues, but according to the declared policy of that Government in the matter of excise, the question of revenue is of no consideration and the Committee have no reason to doubt that if the local Government launch on the policy of extinguishing the liquor traffic and the people of the Presidency, even the poorer classes, are willing to bear their share of the burden of the new taxes which they will have to pay as the price of getting rid of alcoholic beverages, the Government of India will, on the question of revenue, stand in the way of a long desired social and economic reform. As a matter of fact Sir George Barnes speaking in the Imperial Legislative Council on the 8th March 1918 has given a distinct understanding on behalf of the Imperial Government that should a local Government recommend the closing of all liquor shops in any particular area that Government would not stand in the way of the recommendation.* The support which that Government may give to the new policy will enhance their prestige in the eyes of the public and the ultimate loss in Central revenues, if any, could be made good by other means.

182. *Age of Foreign Liquors.*—We now come to the specific recommendations which we desire to make with reference to foreign liquors. As in the case of country liquor, we desire to extinguish their use as gradually as possible, and train their consumers to make an increasingly sparing use of them as time proceeds. But as regards the use of cheap foreign liquors by the labouring classes, we would stop it as soon as we can; this is a newly acquired habit and as country liquor will be available for a long time to come, such a step will not in their case prove to be a hardship. The best method of effecting this in our opinion is that no spirit which is not certified to be made out of malt, grape or barley and which is not certified to be seven years old should be allowed to be sold in the Bombay Presidency. This measure and a falling wage market will practically prevent the labouring classes from the use of cheap rums and brandies, whether made in India or outside. While giving protection to these it will affect but slightly the foreigners and others who are habituated to the use of foreign liquors.

*Vide page 85.

183. *Strength of Foreign Liquors.*—To restrict the competition of cheap imported spirits with country spirits, the Indian Excise Committee recommended that the minimum strengths at which foreign spirit should be sold in India should be limited to those which were practically enforced in England, *i.e.*, 25 u. p. for whisky and brandy and 35 u. p. for gin. This recommendation was approved by the Government of India in their Resolution no. 2995-Exc., dated the 16th May 1907. Shortly after the commencement of the War the minimum sale strength of whisky in England was, as a temperance measure, reduced to 30 u. p. In 1909 the Government of Bombay were willing that the rules on the subject in this Presidency should be modified to correspond with English regulations. In Scotland and Ireland laws have been recently passed making this sale strength permanent. While the Government of Bombay have taken the trouble to reduce the strength of country liquor and propose ultimately to bring it down to the uniform level of 60 u. p. no steps have been taken to prevent the use of foreign liquors of higher strengths. If the reduction in the strength of the former is considered to be a wise policy we see no reason for its non-adoption in the case of the latter. We suggest, therefore, that the Bombay Government should recommend to the Government of India that no foreign distilled liquor stronger than 40 u. p. should be imported. No licenses should in future be granted for the sale of any kind of liquor of a strength higher than this. The orders of 1907 which have compelled the strength to be not less than 25 u. p. have placed the country spirits of a lower strength at a disadvantage and given an enormous impetus to the use of cheap foreign liquors. The measure we have recommended will remove the anomaly not only with regard to the strength of country spirits but also with regard to the policy followed in Great Britain.

184. *Rationing of Foreign Liquors.*—In Chapter IX we have proposed the adoption of the rationing system in the case of country liquor as well as foreign liquors. For obvious reasons there are considerable difficulties in the application of the system to the latter, but unless it is applied to both classes of liquor it will not only never lead the Presidency to the desired goal but will simply replace country spirits by foreign liquors. It is argued that the Bombay Government cannot ration foreign liquor shops as they do not control the supply of imported spirits, such supply being under the control of the Government of India. But this Committee believes that it is very desirable to have simultaneous rationing of foreign liquor also; they realise the difficulties of controlling its import and therefore suggest the following method for the same, *namely*, that bonded warehouses should be established one in Bombay and another in Karachi, the only two ports into which liquor should in future be allowed to be imported and that these warehouses should be made responsible for the liquor being issued to licensed traders importing foreign liquor, up to such quantities only as may have been permitted to them for that year. It has also been suggested to us that the Canadian system of Government being sole purchaser and importer be adopted and we suggest that Government might investigate this system and, if practicable, adopt it. If both these methods be found unpractical and ineffective in the rationing of foreign liquor shops, the Committee recommend that the Bombay Government should in consultation with the Government of India devise some other method and introduce a system of rationing foreign as well as country liquor, as, in the opinion of the Committee, without the rationing of foreign liquor the rationing of country liquor will be useless. We might, in passing, refer here to the licensing system recently introduced into Bengal as explained by Mr. Shanmukham Chettiyar. Though the local Government does not control the sources of supply of foreign liquor and therefore cannot ration the same, and though the duty levied on foreign liquor is under the control of the Government of India, yet the local Government can to some extent control its consumption and place it beyond the reach of the poor man at least by increasing the license fees, thereby forcing up the price of foreign spirit. At present the license tax for "off" foreign liquor shops is a fixed round sum. In place of this fixed license tax, it would be advisable to adopt the system of a license tax chargeable on each item sold. The license tax may be levied and paid monthly on the quantities sold to the public, at the rate which will be fixed by Government. This system of levying a license tax on the quantity sold has been adopted in Bengal. Such a system will enable Government to have a greater control over the foreign liquor trade.

185. *Restrictions in the Case of Country Liquor Shops to apply to Foreign Liquor Shops.*—The general policy we have indicated to be followed in the case of country liquor shops should, in addition to the specific recommendations made above, be followed in the case of foreign liquor shops also. If this is done, no new license can be granted for the sale of this liquor, all "on" licenses, except those granted to hotels, dak bungalows, clubs, refreshment rooms, dining cars, and steamers will have to be cancelled. Foreign liquor shops should be gradually closed as opportunity offers so that no such shop is left by the time the last country liquor shop is extinguished, and the rules regarding the location of shops, transfer of sites and grant of temporary licenses should be made applicable to these shops also. The hours and days of sale and the system of auctioning should be similar in the case of both kinds of shops.

186. *Beer.*—Major Thorne proposes to open beer gardens and encourage the substitution of beer for spirits. But it has been abundantly proved that such beverages as beer and cider and light claret have failed to prevent intemperance, because quantity has taken the place of quality, and those Acts which were passed in England, in order, as it was believed, to replace

stimulants by milder drinks have failed in their purpose and have only led to the substitution of one for the other, and in many instances the admixture of both. The Free Beer Act was passed in England in 1830 as a temperance experiment, allowing the absolute free sale of beer as a harmless beverage. It led to increased drunkenness. In 1853 the Committee of the House of Commons declared that the beer shop system had proved a failure. The suggestion that beer and wine are less harmful because they contain a smaller percentage of alcohol was responsible to a very great degree for the substitution of beer for so-called ardent spirits in the early days of the American Republic. The one vital factor which has not been and is not taken into account by those to whom such a suggestion appeals, is that the consumption of beer and wine as well as spirits is primarily due to the demand for the alcohol contained in such liquors, and that the quantity of the drink has invariably been regulated according to the kind of intoxicating liquors consumed, so that the average drink of spirits, wine or beer would contain about the same amount of alcohol. The common opinion that the habitual use of beer is less dangerous than the habitual use of brandy is scarcely justified by facts. The alcohol in each is chemically the same thing, although the amount of it varies in different drinks. The percentage of alcohol in the blood produced by whisky declines much more rapidly from its highest point than does the highest percentage reached by an equal amount of alcohol in stout. This would mean that the stout, or beer, alcohol would remain longer in the blood to poison the tissues of the drinker. In Munich one in every sixteen of the hospital patients is said to die of the dilatation of the heart. This disorder is common in Germany, the land of beer drinking, and proves incontestably that the habit of drinking even such a mild alcoholic beverage as "Lager Beer" is one which is undesirable and unwise. In the non-industrial populations of Southern France, Spain and Italy, alcohol is part of the ordinary dietary, but is drunk in moderation and in the form of natural wines of low strength; chronic alcoholism is a matter of common experience in these communities. International statistics have revealed the remarkable fact that the alcohol vice is most prevalent not in the most ignorant or most despotic countries, but in the commercial countries that use the greatest variety of milder stimulants—Great Britain, Western France and Eastern North America. The tendency of every stimulant habit is towards a stronger tonic. Every poison habit is progressive, and there is no such thing as a harmless stimulant. The man who began with beer might end in spirits. The intoxicating power of beer is sometimes regarded as far greater than can be accounted for by the alcohol it contains. The hops, a plant nearly allied to Indian hemp, from which *hashish* is made, is said to be capable of producing a furious delirium quite apart from alcoholic intoxication. The stupefying effect of beer is said to be due to the chemical constitution of hops; beer has, therefore, an injurious effect on the system in addition to its alcoholic one. By the daily use of much beer the effects of both hops and alcohol would accumulate in the system. At present Japanese brewing companies supply most of the entire beer trade of China, India and the Straits Settlements. Before the war Japan sent 500 gallons of beer a month to India; she now supplies more than ten times that amount. People generally drink beer not because they like the taste or because they are thirsty but because they want to produce a certain sensation of exhilaration and forgetfulness. There has of late been an enormous increase in the use of beer in the Presidency without a corresponding reduction in the use of distilled liquors and the poorer classes of Indians have now learned to relish its taste. We are not, therefore, in favour of a policy of encouraging the use of fermented liquors. We have already proposed the abolition of all "on" licenses whether for the sale of country spirits or foreign liquors. Even if this proposal be not accepted, we strongly recommend that the "on" sale of beer at least should be prohibited.

CHAPTER XIV.

TODDY.

187. *Toddy*.—Toddy or tari is the fermented juice of any kind of palm tree, such as the coconut, brab or palmyra. When the juice is drawn in entirely new pots in which no old fermented toddy is kept it is called *nira* or sweet toddy. It is practically non-alcoholic and entirely harmless if it is drunk within a few hours after it is collected. Fermented toddy is drawn in old pots in which a little old toddy is kept. The Chemical Analyser to Government reported in 1880 that simple mixture with a minute quantity of fermenting toddy is sufficient to establish fermentation in unfermented toddy. The toddy sold in shops is fermented, the fermentation taking place from the time the juice drops into the pot. Sweet toddy, unfermented, cannot usually be obtained unless especially ordered. People habituated to the use of toddy can drink a large quantity of it and that too daily, if it is drawn fermented. Sweet unfermented juice can only be occasionally used and in limited quantities, as it is too cooling in its nature and effects. Apart from its use as a fermented liquor toddy is drawn for other purposes, *namely*, (1) as an unfermented drink, (2) as a base for distillation, (3) for the manufacture of vinegar, (4) for the making of bread, and (5) for the manufacture of sugar. "Fresh" or "sweet" toddy is supposed to have a variety of medical uses and is drunk in considerable quantities in the towns of Bombay and Surat. The Surat District is the largest consumer of toddy as well as of country spirits. A large number of licenses for domestic consumption is issued in this district; the proportion of licenses of all kinds to the population is said to rise as high as 1 to 75. A Commissioner of Abkari once said

“The most worthless people in the Presidency are the people who drink toddy in Surat.” Thana comes next in point of view of consumption. In the south toddy is used chiefly in Dharwar, Belgaum, Bijapur and Sholapur. The toddy drawn from the date tree is largely used; the different kinds of trees tapped in the Presidency proper during the year 1921-22 were :—

Cocoanut	..	..	..	34,837
Brab	..	..	..	18,973
Date	..	..	..	291,877

The average yield of toddy per tree for a year may be taken at 32 gallons. This is a rough estimate, the yield of trees varying considerably according to season and the care given to them. The average period during which a date palm yields toddy is three months (March, April and May), after which it is given rest for 21 months before being tapped again. The privilege of free drawing of toddy is granted to all classes in the Panch Mahals District. The method of raising revenue from toddy which was inherited by the British Government from native rulers has been developed on different lines in different places, owing to the varying conditions of the several localities and to the continuance in four districts of tapping for distillation alongside of that for toddy to drink. The result is a variety in the systems of administration of the toddy revenue similar to that already noticed in the case of the country spirit administration. The general principle underlying the diverse forms appears to be that the taxation of toddy should be on the basis of its alcoholic strength as compared with spirit, and that the rate of duty (the tree-tax) should bear a direct relation to the general productiveness of the trees in particular areas. Where toddy is in use as a distilling base, the rates of tree-tax are enhanced so as to cover the greater portion of the duty on the spirit, the balance being made up by a direct still-head duty. But in all cases toddy is more lightly taxed than country spirits in proportion to the alcohol which they respectively contain.

188. *Chemical Analysis.*—Messrs. Mulock and Campbell in their report referred to in paragraph 61 of this Report stated :—“Experiments made by the Chemical Analyser to Government show that toddy begins to ferment at once. Toddy drawn from a cocoanut palm between 5 p.m. and 5-30 a.m. was found, when tested at 7-30 a.m., to contain 4.1 per cent. of alcohol by volume, and toddy drawn from brab palm between the same hours was, when tested at 7-30 a.m., found to contain 2.3 per cent. of alcohol by volume.” (Chemical Analyser to Government, No. 280 of 7th August 1880.) Another series of experiments recently carried out gave the following : Two samples of cocoanut toddy which exuded during the night were found four hours after the removal of the collecting pots from the trees to contain 9.2 per cent. and 8.8 per cent. of proof spirit. The same samples, 24 hours after removal from the tree, contained 13.7 and 13.5 per cent. of proof spirit. After 48 hours the strength was 13.8 and 13.7, so that the maximum strength appears to be attained within 24 hours. Two samples of date toddy, similarly drawn, were found to contain the following amounts of proof spirit : four hours after removal from the tree, 4.4 and 4.5 per cent., twenty-four hours after removal from the trees, 9.3 and 6.6 per cent. and 48 hours after removal from the tree 9.0 and 6.9 per cent. (Chemical Analyser to Government, No. 822 of 6th February 1883)..... German beers contain from 4 to 9 per cent. of proof spirit, London porter contains 7.34 per cent., Bass’s ale, bottled (Bull-dog brand), contains 13.5 per cent. of proof spirit and the highest figure obtained on testing malt liquor at the Custom House is 15.2 per cent. (Guinness’ stout). The above experiments therefore show that cocoanut palm toddy, two hours after removal from the tree, is as strong as the average of German beers ; four hours after removal from the tree it is stronger than London porter, and in 24 hours it becomes almost as strong as the strongest malt liquor imported. Date palm toddy, four hours after removal from the tree, is as strong as the light German beers, and twenty-four hours after removal is as strong as London porter. In spite therefore of all that has been said about the harmless nature of toddy, it is, except when drawn in entirely new pots (in which case fermentation does not begin at once) and drunk immediately after collection, an intoxicating drink which in a few hours becomes as strong as ordinary malt liquors, and within 24 hours reaches the strength of strong ale.” In point of view of deleteriousness Major Bedford found that tari contained bulk for bulk nearly the same proportion of fusel oil as country spirits of 60 degrees U. P., i.e., nearly four times as much in proportion of alcohol contained. There was present in some samples in great excess a much larger acidity, which is a fruitful cause of indigestion, diarrhoea, dysentery and rheumatism. Its nutritive elements consisted on the average of 2.76 grams per cent. albuminoids and 2.2 grams per cent. sugars. On the whole it showed the lowest alcoholic strength and the highest nutritive value of any intoxicating liquor examined at Kasauli. According to Major Bedford toddies, on an average, have the lowest alcoholic strength and the highest nutritive value. Referring to the belief that old toddy has a specially deleterious action he states that this probably is chiefly on account of its usually very high acidity and the products of its decomposition, rather than from any increase in actual intoxicating effects. Tippu Sultan found drunkenness from toddy so prevalent that he ordered all toddy trees in his kingdom to be cut down. Toddy is a stupefying rather than an exciting drink.

189. *Mr. Bell’s Recommendations.*—Mr. Bell in his report (1869) recommended the adoption of a lenient policy towards the sale of toddy. He observed :—

“I find it generally admitted by those who are in a position to give a sound opinion,

that toddy is, as compared with spirits, a harmless drink. I therefore recommend that Government rest content with the levy of the tree cess, and give licenses for the retail sale of toddy with a free hand. I would levy a fee (say of one rupee), so small that it would not be worthy any one's while to evade it and retail toddy without a license. The toddy drawer would then have a number of licensed distillers and toddy retailers to whom to vend his produce, and I have little doubt that the competition, consequent on the opening of so wide a market, will secure to the drawer so good a price that he will have no temptation to resort to underhand dealings."

190. *The Bengal Excise Commission's Views.*—The Bengal Excise Commission thought that in many places country spirit competed successfully with toddy to the great injury of the people and they accordingly advised the encouragement of the use of the latter with a view to check the former. A majority of the Commission held very strongly that where fermented liquors come into active competition with country spirit the proper policy of Government should be so to shape its excise regulations as to encourage the use of the former; and they believed that if this were done it would be found safe to put restrictions on the manufacture of country spirit in such districts which would be dangerous in other districts. Babu Krishna Behari, one of the Members of the Commission, was unable fully to agree in this view, as he did not feel justified in recommending to Government a policy calculated to encourage the use of any intoxicating drink and he was not satisfied that any real benefit to the cause of temperance would necessarily follow such encouragement even though some decrease in the consumption of distilled spirit might be the immediate result. The majority of the Commission were convinced that fermented liquors were on the whole preferable to distilled spirit, as being more wholesome, less intoxicating, and not so likely to lead to habits of confirmed drunkenness; but they were compelled to acknowledge that there was much to support their colleague's objection. It was notorious that drunkenness was more common during the tari season than at almost any other time of the year, and that much of it was due to that liquor. After a very careful consideration of the whole question the majority of the Commission came to the conclusion that the advantages which they hoped would attend the substitution of fermented liquors for spirit, especially among those aboriginal races who had lately taken to the latter, were so great as to outweigh the objections to giving any direct encouragement to the use of the former.

191. *Lely's Proposals.*—The introduction of the Abkari Act into the Surat District in 1879 gave rise to repeated complaints. These were examined and reported on at length, after personal and very careful enquiries, by Mr. F. S. P. (afterwards Sir Frederick) Lely, First Assistant Collector, Surat. Liberal concessions were made to the Kaliparaj, a backward race which depended largely on toddy. They were given the right to tap a limited number of trees on payment of less than half the fee levied from others. The complaints made by the petitioners were:—

- that they were as badly off as the Kaliparaj, for whom the new system had been somewhat relaxed;
- that the existing taxation of toddy was too heavy;
- that the new system had stopped the manufacture of vinegar;
- that the licenses to sell toddy by retail in the city were disposed of by sealed tender, whereby long-established tradespeople were ousted and made destitute;
- that the prohibition to sell more than four gallons at a time for one person caused loss to the shop-keepers and hardship to their customers;
- that the rule requiring a shopkeeper to keep accounts of his stock of toddy was truly offensive;
- that the imposition of a maximum selling rate was an unfair interference with trade;
- that as the yield of trees varied greatly a uniform tree-tax was not equitable.

After reporting on the complaints Mr. Lely concluded:—

- that toddy growers were entitled to every consideration possible, owing to the manner in which taxation had been imposed;
- that it was not advisable to extend such consideration to the length of reducing the tree-tax in Chorasi, Jalalpur and Olpad as it had been once raised;
- that to avoid hardship and give security to posterity in the future, the toddy tree revenue should be "settled" for a term of years;
- that when no special objections existed growers should be encouraged, if they wished to sell their own produce by retail, and with this view the prohibition of their shops near the city should be relaxed;
- that payment for tapping should not be required in advance;
- that tapping licenses for each year may be issued within one month before the year begins;
- that the manufacture of vinegar should be freed from taxation;
- that toddy shops as a rule should not be put up to auction so long as a shop fee is charged;
- that all police patels should be authorised to give transport passes up to eight gallons.

The remedy suggested by Mr. Lely was to lower the tax and to open shops for the sale of toddy in all villages where palm trees grow.

192. *The Indian Excise Committee's Views.*—The Indian Excise Committee found that although toddy drinking came less under the notice of the public than spirit drinking by reason of its being confined to particular seasons and particular areas, it was nonetheless a grave matter in those periods and localities and that the quantity of alcohol consumed in this form was very large indeed. The Committee recommended that in Surat an endeavour should be made to reduce the high consumption of toddy by enhancing the ordinary rates on all kinds of palms. It regarded with approval the grant of domestic consumption licenses within moderate limits and recommended that they might be made available in all districts. The concentration of drinking toddy in towns results in a public nuisance and the Committee were in favour of a more frequent issue of treefoot licenses. The recommendations made by the Committee were accepted generally by the Bombay Government and the consumption of toddy as a less intoxicating beverage than country spirit was encouraged by Government. The number of toddy shops increased from 1,641 to 2,872 during the years 1905-06 to 1912-13, and the revenue increased was from Rs. 17 lakhs to Rs. 20 lakhs only though the rate of taxation was increased almost 50 per cent. This policy was intended to substitute the use of country liquor by that of toddy. As a matter of fact there was an increase in the consumption of both, demonstrating once more the fact that the general use of weaker alcoholic drinks leads ultimately to the consumption of more ardent ones.

193. *Evidence of Witnesses.*—A majority of witnesses are generally in favour of supplying toddy, if fresh and unfermented. It is pointed out by some, however, that the demand for fresh unfermented toddy is a fiction and that such toddy can never be had in shops. Several witnesses are for continuing the consumption of toddy, whether fermented or not, while a number of others propose its summary prohibition. Detailed proposals for the tapping and sale of toddy have been made by witnesses and the most valuable information on the subject was placed before the Committee during its stay at Surat.

194. *Sources of Revenue.*—The main sources of revenue from toddy are :—

- (i) tree-tax, and
- (ii) vend fees.

The rates of tree-tax vary in different districts and sometimes vary in the same district. Toddy shops are generally auctioned or disposed of on the principle of fixed fee. They are offered for one year to the old holders. For the purpose of calculating the license fee the amount of fee received during the previous year is divided by the number of trees tapped during the period. The quotient represents the license fee per tree for the next year and this multiplied by the number of trees tapped is the fee for the shop for the year. The tree-tax at the rate previously in force is levied in addition. In certain areas, where the average of one year's fee is not likely to work equitably, three years' average is taken.

195. *Policy recommended by the Committee.*—In Chapter VII the Committee have recommended that the declared policy of Government should be to aim at the total extinction of the consumption of alcoholic drinks by suitable steps. They now recommend that a similar policy should be followed by Government with regard to the consumption of toddy so that its use is gradually restricted and ultimately prohibited as soon as the last liquor shop is extinct. Their recommendation, however, does not and cannot extend to pure unfermented palm juice. We shall deal with the latter in Chapter XXII of this Report. Palm juice drawn in fresh lime-washed pots contains almost a negligible quantity of alcohol and is fit to be drunk only occasionally and not regularly as an alcoholic beverage. Toddy, though not as harmful as country or foreign spirits, can yet be classed with fermented liquors, the use of which we have recommended to be prohibited. We believe that most of the evil effects which are attributed to the use of beer (*vide* Chapter XIII, paragraph 186) are common to the use of fermented toddy. It appears, and even the toddy-traders at Surat acknowledge it, that the toddy sold at present is generally adulterated. Though the principal adulterants are water and sugar, it is yet possible that other and more injurious ones are in use. Though toddy may, quantity for quantity, be cheaper than liquor, yet as people drink it not so much for enjoyment as for getting intoxicated, they have to drink a very much larger quantity of it than country liquor and have to spend the same amount of money on it as they would on the latter. The fact that the excise income derived from toddy is much less than that from country liquor is due to the reason that toddy trees are confined to a very small portion of the Presidency and not to the fact that individual drinkers spend less on it. On economic grounds, therefore, as well as on the grounds of health we are not in favour of continuing the use of fermented toddy, after the extinction of the liquor shop.

196. *Local Option.*—Among the suitable steps which we have proposed for the extinction of the liquor traffic, the most important is the one suggested in Chapter VIII, namely, local option. As we now recommend that the policy to be followed with regard to spirits should be followed with regard to the consumption of toddy also, we propose that the people of a definite area should be empowered by legislation to declare their intention to stop the production and sale

of toddy in that area, such legislation providing a reasonable time for Government to take action to carry out the intention so declared, as in the case of local option with regard to liquor. (*Vide* paragraph 129.) Such local option, again as in the case of liquor, should be exercised by a referendum of the people of the locality, adult men and women both being allowed to vote and the vote should be taken at fixed periods in areas which have not gone dry (*ibid*).

197. *Shops.*—In paragraphs 150 and 152 we have expressed our approval of the policy of Government in reducing the number of liquor shops and recommended that this policy may be followed more consistently and more vigorously and that whenever necessary it may be extended more directly and strenuously in the areas to which it can be applied and a substantial reduction should be made, and in paragraph 144 we have suggested that no new liquor shop be created by Government and recommended the immediate adoption of this suggestion. We note that the policy of Government at present with regard to the reduction in the number of toddy shops is the same as that with regard to liquor shops and approve of it and recommend that as in the case of liquor shops no new shop or booth for the sale of toddy or shindi should be opened by Government in any locality except where it is proposed to substitute a toddy shop for a liquor shop as a temporary measure, but not after the traffic in liquor has ceased to exist in the Presidency.

Besides the recommendation which we have made in Chapter XI to grant to local excise committees the power of location of liquor shops we have in paragraph 155 suggested a few general regulations for the guidance of officers in the matter. With regard to shops and booths for the sale of toddy and shindi we similarly propose that these should not be located on prominent sites such as public thoroughfares and trunk roads and in prominent places, nor in out-of-the-way places, but that care must be taken to see that they are situated in healthy and sanitary quarters. No such shops or booths should be situated in places where they are likely to cause nuisance or annoyance to the public or be allowed near schools, big markets, places of public worship and public amusements and on roads used by women going to bathe or draw water. No temporary licenses for the sale of toddy should be issued at fairs, pilgrim centres, etc. Permanent shops and booths, if any, in pilgrim centres and holy places should be cancelled or the shops removed to a considerable distance.

Following upon our recommendation with regard to shops in factory areas, we propose that the toddy shops in the immediate vicinity of mills and factories affording facilities and temptation to millhands coming out of them should be closed. Such other toddy shops in the locality as are not so situated may be allowed to remain open till they are ultimately closed under the stress of the policy recommended by us. These shops and, if necessary, those in the immediate neighbourhood should, however, be closed along with liquor shops on those holidays on which mills are closed and on pay days.

For the reasons stated by us in paragraph 157 in the case of liquor shops, we recommend that all shops licensed to sell toddy or shindi should be closed in all taluka towns on market and fair days.

No toddy should be allowed to be sold after sunset.

In paragraph 161 we have recommended that the sale of liquor to customers below 20 years of age should be prohibited, and that no employee in the liquor shop should be under that age. We do not think it necessary to make a similar recommendation with regard to toddy and shindi. It is not necessary to lay down a limit with regard to the age of persons to whom these can be sold. Toddy, as we stated above, can be classed with fermented liquors like beer which are less injurious in their noxious effects than spirits.

198. *Excise Advisory Committees.*—In paragraph 167 we have submitted proposals for the improvement and enlargement of local excise advisory committees and their constitution in all urban and rural areas where there is a liquor shop. We now add that such committees should be appointed in all other places where there are one or more toddy shops or booths, even though there may be no licensed shop for the sale of liquor and that the powers and functions of the committees with regard to (1) the reduction in the number of shops, (2) fixing the hours of sale subject to no shop being allowed to remain open after sunset and (3) the location of shops should be extended to shops and booths licensed for the sale of toddy and shindi. In the case of toddy shops the committees should, however, have the power of fixing the limit of the quantity of toddy which can be sold at shops, such quantity being calculated by the number of trees which the licensee is allowed to tap.

CHAPTER XV.

FINANCE.

199. We recognise that in a Presidency where approximately one-third to one-fourth of the total revenue of twelve and a half crores is derived from Excise, it is useless for us to make recommendations which would involve the stoppage of this revenue, unless at the same time we can make other recommendations which will show either how this revenue can be dispensed with or how it can be replaced. It appears to us impossible at the present stage of India's progress to contemplate the drastic reductions in all services to the public which would be

necessitated were the revenue to be sacrificed without a substitute. We cannot think that the country would accept such a reduction in Education, Medical, Judicial and Security facilities as would enable us to dispense with 3 to 4 crores of revenue.

We have therefore considered the alternative of finding means to replace the excise revenue by other revenues. The witnesses have made to us a large number of suggestions : (some of them curious such as that the loss under prohibition should be made up by licensing home stills for the production of liquor, or that under prohibition an equal revenue could be raised by heavy fines imposed on drinkers and sellers of illicit liquor.) But no witness has put up to us a comprehensive scheme to deal with the whole loss and the Committee have had to very carefully consider all available alternative sources of revenue.

In the first place, certain questions of principle arise. Should the loss of excise revenue be made up by taking the classes now mainly contributing to that revenue or, in the alternative, should the substitution be made by taxing the classes who do not contribute at present and leaving what is now spent by the "drinking classes" (as some witnesses termed them) to be used by those classes as savings or for improving their standard of life? Again, is it advisable that under prohibition and a system of local option, the substitution of excise revenue should be a duty thrown on the inhabitants of the area which proposes to go dry, or is it justifiable in the alternative to tax the general body of the inhabitants of the Presidency for alleviating the hardship of taxation which might be felt by the inhabitants of these areas which declare themselves for prohibition? To these questions of principle we would reply that in our opinion it is justifiable to make the classes which at present provide the excise revenue share some of the burden of increased taxation and that however attractive in theory it may be that the responsibility of raising extra income for Government should be cast on the areas which go dry, yet looking to the very varied wealth of the various districts of the Presidency and the fact that some of the poorest districts provide the largest excise revenue, it is not practical politics to insist on each area making up the loss in itself, and the general tax-payer of the Presidency must contribute. Further, after considering the various methods suggested for raising taxation, we are of opinion that neither solely provincial nor solely local taxation will be sufficient to make up the deficit.

201. Though the excise revenue in the year 1921-22 was nearly three and a half crores, yet we do not consider that it is necessary to make proposals to show how an additional 3½ crores of revenue can be immediately raised. The present high excise revenue is largely due to the post-war boom and the inflated state of trade. Prices are now showing a tendency to fall and we do not consider that 4 crores can be taken as a normal estimate of excise revenue. We think that if we make proposals which will show how eventually 3 crores of new revenue can be attained by the time prohibition is enforced, this, plus the normal growth of the present source of taxation, will provide all that is required.

202. We therefore have started with the assumption that it is our duty to make proposals which will show how on the completion of the prohibition movement when the whole Presidency goes dry, additional taxation by that time may produce 3 crores of revenue. The suggestions we make are not for immediate introduction in their entirety. We submit that if they are agreed to and the necessary legislation to impose them passed immediately, then they can be imposed by degrees to make up the gradual shrinkage of the excise revenue, that might be reasonably expected.

203. Having accepted the principle that the general tax-payer must contribute towards the deficit, we have considered various methods of provincial taxation. (We have, of course, as far as possible excluded from consideration any taxation which might trench on the resources of the Government of India or which can only be imposed by that Government.) We are of opinion that by provincial taxation, the following amounts could be raised in the following ways :—

	Rs.
1. Succession duty	50 lakhs.
2. Taxation of betting on race courses	20 "
3. Taxation of dealings in "futures" of various commodities	50 "
4. Increase of fees in the High Court, Original Side	Amount not ascertained.
Total ..	120 lakhs.

To consider these in detail—

204. (1) Succession duty, Estate duty, Death duty.—We recognise the difficulties in the introduction of such a tax among a population predominantly subject to Hindu law, but (a) the tax is one which presses most heavily on the persons most able to bear taxation and (b) it is one which does not discourage thrift to the extent which much other taxation does. We are of opinion that it is not impossible for the Government with expert legal advice to devise a method of arranging the tax which will not lead to wholesale evasion nor to unjustifiable hardship on any particular community.

Many attempts have been made in the past to estimate the probable yield of a succession duty, but there are no authoritative figures available to us. The estimate we have given of 50 lakhs is in our opinion very low and will allow for the necessary difficulties of assessment,

collection and evasion during the first few years after the duty is enforced, and we anticipate that eventually a much larger sum could be made available.*

205. (2) Taxation of betting on race courses.—This, of course, implies the taxation of the totalizator. We understand that the Western India Turf Club are not prepared to publish figures showing the actual receipts in the totalizator, but we are informed that during the 1922-23 racing season in Bombay, about 3½ crores were paid into the totalizator. If we add another 1½ crores for receipts in Poona during the season, we should by a 10 per cent. tax on the totalizator secure a revenue of 50 lakhs. In our opinion, the tax of a luxury such as betting is an unobjectionable way of raising money. We would, however, point out that for the revenue from this source to be safe, it would be necessary to use stringent measures, supported perhaps by further legislation, to ensure that outside betting does not take the place of the totalizator.

206. (3) Taxation of "futures".—We believe we are completely in accord with the great majority of public opinion in the Presidency in considering that the speculation which occurs in Bombay City might well bear a share in the provision of the public revenue. We have not been able to obtain any definite figures to show what amount of speculation occurs in Bombay, but we believe that a very small tax on all dealing in "futures" would not hinder the legitimate conduct of "hedging" business and would ensure that speculation did provide something towards the revenue of the Presidency. We recognise that as business is at present conducted in Bombay, it is impossible to secure revenue on speculative transactions, but we consider that Government should take steps to secure by legislation that dealing in "futures" of certain commodities or stocks should only be carried on through the agency of a chartered exchange or recognised association, and that the necessary rules should be embodied to ensure that the members of such exchanges or associations should provide either the machinery through which such a tax could be collected or the information on which assessment could be made. We recognise, of course, that such control originated by Government might not be appreciated by the bodies at present conducting some of the exchanges but the success of the East Indian Cotton Association and public opinion in connection with the Bombay Stock Exchange probably indicate that such control would not meet with public disapproval. We consider that even in the initial stages a small tax on cotton "futures" would produce 30 lakhs of revenue. In 1922, 32,42,627 bales of cotton were received in Bombay. In view of the number of transactions there are of a forward nature in dealing in cotton, it is probable that a very minute percentage on the value of each transaction would yield 30 lakhs. We, therefore, propose that the tax on "futures" transactions should be introduced first on cotton and thereafter the necessary legislation should also be undertaken to secure the constitution of statutory or chartered exchanges, in the stocks and shares, bullion and linseed markets, which should be brought under contribution as necessity arises.

207. (4) An increase in the Court fees paid by stamp revenue on the original side of the High Court.—The alteration of these fees will need the sanction of the Government of India but we do not anticipate that the Legislative Assembly would be likely to reject such a proposal. Unfortunately, we did not obtain in time the figures we hoped for to show what amount could have reasonably been realised in this case; but, in our opinion, it is an impost which should be increased.

208. Believing as we do that it is right that some of the deficit should be recovered from the areas where the Excise revenue may disappear and also that the sources of taxation open to provincial Government would be insufficient to enable the general tax-payer to bear the total cost without hardship, we find it necessary to recommend an increase in local taxation. We consider that the following taxes are available and will yield the following amounts :—

	Rs.
(1) An increase of one anna in the local fund cess on land revenue	30 lakhs.
(2) A tax of Re. 1 per month on every employee	40 "
(3) A license tax for sale of tobacco in any form '	5 "
(4) Transit tax	20 "
(5) Terminal tax	50 "

145 ..

209. Under the Government of India Act these taxes can be raised for local taxation, but we are not in favour of leaving the entire discretion in the matter of taxation to replace the

*To show that the estimate of 50 lakhs for a succession duty is not excessive, the following figures will be of assistance. In the year 1921-22, the income on which income tax was assessed in the Presidency, excluding salary, was 6,523 lakhs. If we assume that 1/5th of this does not represent property liable to succession we get 5,219 lakhs. To capitalise this at a low rate five years' purchase, we get 26,095 lakhs of property. If this property changes hands once every 25 years, there is an annual transfer of about 1,000 lakhs. A 5 per cent. average succession duty would give us 50 lakhs a year from the income tax paying classes alone, i.e., those assumed to have a property of Rs. 10,000 or over. This omits all consideration of the value of agricultural landed property. It may, therefore, be taken that a succession duty with an average rate of, say, 8 per cent. on all property worth more than Rs. 5,000 including agricultural would yield at least 50 lakhs making allowance for all difficulties.

Excise revenue to the local bodies concerned. As pointed out above, the general tax-payer will have to afford greater assistance to areas where the taxable capacity of the population is low and the excise revenue high. On the other hand, in prosperous urban areas local taxation will have to make up a greater proportion of the deficit. We have recommended the principle of local option in various areas and it will be necessary to make out a programme based on whatever eventual taxation may be proposed, by which Government will be able to see in relation to the taxable capacity of the various areas what assistance it can afford from provincial revenues to any particular area which may decide to exercise its option.

We do not propose that the operation of prohibition under local option shall be made directly dependent upon the local body concerned undertaking to make up the necessary deficit by imposing the taxation. We consider that in the local option or prohibition Act, Government would be given power to direct, in the event of an area deciding on prohibition or partial prohibition, that a certain sum calculated on the foregone Excise revenue *minus* the available help from provincial revenues, shall be raised by the local body concerned, and that Government should at the same time indicate to the local body various sources of local taxation which may raise the required amount. The local body should have, however, considerable discretion and latitude in adjusting its scheme of local taxation to the needs of the inhabitants of its own area, subject to the condition that the raising of the specified amount of revenue would be an obligatory duty. We consider that if the raising of the necessary taxation is thrown entirely on the local bodies, in view of the present attitude of such bodies towards additional taxation, prohibition will be impossible. We, therefore, are of opinion that the provincial Government must shoulder the odium of imposing this taxation. On accepting prohibition on a local option from any area, Government will order the introduction of certain specified local taxes which the local body will have to adjust along, with its preceding taxation, so as to enable it to collect and hand over to Government the required quota of Excise deficit.

210. Taken in detail our proposals for local taxation are :—

- (1) *Increase of Local Fund Cess.*—Alternative methods of taxation which will reach the agricultural population are difficult to suggest and we consider that with the post-war rise in prices of agricultural produce the additional one anna per rupee of land revenue will not be a serious burden on the cultivator, particularly as he will be saving his expenditure on drink.
- (2) *Employees' Tax.*—Though we are unable, prior to its introduction, to say whether a tax of Re. 1 a month on every employee would be in practice paid by the employer deducting it from the employee's wages, or by the employer having to give an extra rupee a month as pay, we consider that if the employee pays it, the increased efficiency which will result from his inability to obtain liquor and the higher standard of living which he will enjoy under prohibition will make it justifiable that he should contribute towards the deficit. If on the other hand eventually the employer pays it, he will reap his return in the increased efficiency of his workman. From the census figures we conclude that taking the employees shown under more or less organised industries it would be possible to raise thus 40 lakhs. We for the moment neglect domestic servants and minor occupations to allow for the necessary difficulties of collection and short yield till the tax is in working order.
- (3) *Tobacco License Tax.*—There seems no objection to a local authority imposing a license for the sale of tobacco, and a very small sum imposed on every seller of *bidis* in every municipal area would probably give 5 lakhs at least.
- (4) *Transit Tax.*—It is with some reluctance that we have made this proposal in these days when improvement of communications has done so much for the advancement of the population. It is, we fear, a retrograde step to impose any taxation which may hinder travel. But we are of opinion that such a tax would in larger centres of population be comparatively easy to collect and would also afford a means of taxing those non-residents who, by visits to such areas, enjoy the amenities provided by the tax-payer. We recognise, however, that such a transit tax would be difficult for local boards to arrange but we consider that in municipal areas it could, provided the co-operation of the railways and steamer companies were secured, be effected by a surcharge on all tickets taken from the local railway stations and bundars. For instance, in 1921-22, 3 crores of passengers booked tickets from railway stations in Bombay City. If a charge of one anna per ticket be placed on every ticket taken by these passengers, there would be a yield of 20 lakhs a year. We propose also that the surcharge on tickets other than third class should be proportionately higher than that on third class tickets ; but that season tickets should be exempt, as presumably the holders thereof pay by direct local taxation for the amenities they enjoy in Bombay and other places which might introduce such a tax. We do not consider that a percentage charge on the cost of the ticket is justifiable as the distance travelled on leaving for instance, Bombay, is no criterion of the benefit which the traveller has enjoyed from the beneficent activities of the Bombay Municipal Corporation in providing lighting, drainage, roads, etc. We consider that such a transit tax or "departing traveller tax" could be applied in all municipal areas

where there is a fairly large passenger traffic. It might possibly be applied to all stations so as to enable the local boards to share in the benefit but it is doubtful whether the collection in sparsely inhabited areas would justify the cost. We recognise, of course, that in any such taxation it would be necessary to secure the co-operation of the railway and steamer companies concerned, and that the companies or the Government of India might contend that such a surcharge would exercise a prejudicial effect on their steamer or railway earnings. We are, however, of opinion that a small surcharge on departing travellers would not produce any appreciable diminution in railway and steamer traffic.

It might, further, be possible to impose a similar surcharge on all tickets taken on public tramways, motor vehicle or tonga services, but we have not made any attempt to estimate the yield of such.

- (5) *Terminal Tax.*—This tax appears to us justifiable as at present the major portion of the Excise revenue is drawn from the pockets of the poorer classes of the community and because under a system of prohibition these classes will reap considerable benefit by the lack of opportunity to waste their money on liquor; therefore, it is not unfair that they should be called upon to contribute by taxation to the deficits caused by the abolition of Excise revenue. There is, in this country, a preference for indirect over direct taxation, and a terminal tax has perhaps fewer disadvantages than most other forms of indirect taxation. It is difficult to estimate what yield might be obtained by a general introduction of terminal taxation or its increase in all municipal areas in the Presidency, but as at present Ahmedabad City raises 6 lakhs per annum by a terminal tax, we may conjecture that the introduction or increase of such tax might produce in Bombay City 30 lakhs; in other urban areas at least 20 lakhs. We agree that the scale of terminal taxation will have to be adjusted by each local area to suit its own conditions, but we must express our opinion that Government should see that the terminal taxes should be so adjusted as not to raise the cost of living to the poor to any undue extent and that they should be levied having due regard to the ability to pay of the consumers of the various articles taxed.

211. We are of the opinion, therefore, that it is possible to raise in the Presidency taxation as follows:—

	Lakhs.
(1) Succession duty	50
(2) Betting tax	20
(3) Taxation of "futures"	50
(4) Increase of local fund cess	30
(5) Employee tax	40
(6) Tobacco tax	5
(7) Transit tax	20
(8) Terminal tax	50

which gives a total of Rs. 265 lakhs estimated yield of taxation, apart from what we may get in court fees. This admittedly is not the sum which we have set before us of 3 crores but we are convinced that the estimates given above as to the yield of taxation, being based on what we expect might be obtained immediately on the introduction of any such impost, are extremely conservative and can be reasonably expected after experience in their working of a few years to yield a total of not less than 3 crores. We think it will take some years before the whole of this Presidency adopts prohibition by local option. There will, therefore, be ample time for Government to gradually develop the sources of taxation here suggested and be then ready for the sacrifice of the entire excise revenue when prohibition has finally come.

212. As stated above, we are of opinion that the financial side of the problem that will have to be faced with the introduction of local option, and of the eventual establishment of total prohibition must be borne in mind from the beginning, and that before any steps are taken to introduce any changes into the present Excise system, the necessary legislation should be passed which may enable Government to impose the taxation requisite to avoid financial difficulties. We suggest that any necessary legislation be introduced at once, possibly as an integral part of the local option legislation which will be required, and that such legislation to provide for taxation up to 3 crores having been passed, the various forms of taxation should be introduced as and when they are found necessary.

213. We feel at the same time that this is an occasion when the Government of Bombay can justifiably approach the Central Government once more for a more equitable distribution between the two Governments of the receipts of the income tax. The Central Government as well as the Secretary of State have over and over again shown great solicitude on the question of the drink evil in India and when this Presidency shows its willingness to make the heavy sacrifices that it will be called upon to make if our proposals are adopted, it should, we trust, be able to count not only on the blessings of the Central Government in our new departure but also on substantial practical help in the shape of a more equitable division of the income tax.

CHAPTER XVI.

DRUGS.

214. *Drugs.*—The drugs usually used in this Presidency are opium and hemp drugs. The use of cocaine, which was a recent introduction, has been legally stopped. In the case of opium and hemp drugs Government are actually the manufacturers while in that of country spirits they sell the monopoly of manufacture for a consideration and only keep a surveillance over the output.

215. *Opium.*—Opium required for consumption in the Bombay Presidency is obtained from the Gazipur Factory. The cost price is Rs. 60 per seer. Since 1911-12 the consumption of opium has decreased due to preventive measures, such as restricting the quantity which could be sold to a person. In pursuance of the policy of endeavouring to check consumption by the steady pressure of taxation Government in 1922-23 raised the issue rate of opium from Rs. 45 to Rs. 60 per seer in the Presidency proper and to Rs. 52½ per seer in Sind. In the statement issued by the British Government in 1922 reviewing the action taken by them under the International Opium Convention that Government emphasised that a steady and continuous effort has been made in the last ten years to reduce the practice of opium smoking in British Colonies and Protectorates where it has been prevalent. The general policy has been to exercise a close control over the trade, to bring the average consumption within moderate limits and, as far as possible, to prevent illicit production or introduction of supplies. It does not seem possible to go further, says the report, as long as the production and distribution are not checked in the neighbouring countries and complete suppression will only be attainable by simultaneous measures in all the countries concerned. // ?

216. *Hemp Drugs.*—Hemp drugs are narcotic products of the hemp plant; these are *ganja*, *bhanga* and *charas*. *Ganja* consists of the dried flowering tops of the cultivated female hemp plant which have become coated with resin in consequence of having been unable to set aside seeds freely. *Bhang* is the name applied to the dry leaves of the hemp plant, whether male or female, cultivated; also a drink prepared by infusion of the latter.

Charas is the resinous matter which forms the active principal when collected separately.

Ganja and *charas* are used principally for smoking, *bhanga* principally for the preparation of a drink used for refreshment in the hot weather; *ganja* and *bhanga* are also eaten. *Bhang* is the most innocent. It is considered to be a harmless and refreshing drink and used as such, specially during the hot weather. Next to *bhanga* comes *ganja*, while *charas* is admittedly a deleterious drug and as such requires the greatest check. The taxation and other restrictions on hemp drugs are in direct proportion to their effects on the consumer. The duty on *bhanga* in Sind is lower than that in the Presidency proper as *bhanga* is consumed, especially in the summer, as a cooling beverage rather than as an intoxicant, and there are great facilities for illicit import from Kelat. The policy laid down by the Government of India in their despatch no. 29, dated the 4th February 1890, in regard to the liquor traffic in India was applied by them to the use of drugs as well, namely, (1) that the taxation should be high, (2) that the traffic should be conducted under suitable regulations for police purposes and (3) that the number of shops should be strictly limited with regard to the circumstances of each locality. //

Prior to 1893 little was known with regard to the consumption of hemp drugs for non-medicinal purposes. In March of that year a Commission was appointed to enquire into the cultivation of the hemp drugs and plant in India and the manufacture and consumption of hemp drugs. The following conclusions were arrived at by the Commission:—

- (a) Total prohibition of the cultivation of the hemp plant for narcotics, and of the manufacture, sale, or use of the drugs derived from it was neither necessary nor expedient in consideration of their ascertained effects, of the prevalence of the habit of using them, of the social and religious feeling on the subject, and of the possibility of its driving the consumers to have recourse to other stimulants or narcotics which may be more deleterious.
- (b) The policy advocated was one of control and restriction aimed at suppressing the excessive use and restraining the moderate use within due limits.
- (c) The means to be adopted for the attainment of these objects were:—
 - (i) adequate taxation,
 - (ii) prohibition of cultivation, except under license and centralization of cultivation,
 - (iii) limiting the number of shops, and
 - (iv) limiting the extent of legal possession.
- (d) The method adopted should be systematic and as far as possible uniform for the whole of British India.
- (e) A Government monopoly of production and sale was not recommended for practical reasons, though there was no theoretical objection to it.
- (f) For the purpose of adequately taxing consumption the combination of a direct duty with the auction of the privilege of vend is ordinarily the best method.

- (g) When sufficient provision has been made for restricting consumption of the drugs, by the means above detailed, there should be as little interference as possible on the part of Government with their distribution.

The Commission also made various suggestions with a view to the amendment of the existing system of administration and control in the several provinces. The evidence recorded by the Indian Hemp Drugs Commission on the effects of the use of hemp drugs was vague and unreliable. It was, therefore, decided to devote attention to clear and definite issues, and to discuss under physical effects the alleged causation of specific diseases like dysentery, bronchitis and asthma which were frequently mentioned, under mental effects the alleged causation of insanity, and under moral effects, the alleged connection between hemp drugs and crime.

Regarding physical effects the Commission observed :—

“The medical evidence which has thus been analysed very clearly indicates in the opinion of the Commission that when the basis of the opinions as to the alleged evil effects of the moderate use of the drugs is subjected to careful examination, the grounds on which the allegations are founded prove to be in the highest degree defective. The most striking feature of the medical evidence, perhaps, is the large number of practitioners of long experience who have seen no evidence of any connection between hemp drugs and disease and when witnesses who speak of these ill-effects from their moderate use are cross-examined, it is found that (a) their opinions are based on popular ideas on the subject, (b) they have not discriminated between the effects of moderate and excessive use of the drugs, (c) they have accepted the diseases as being induced by hemp drugs because the patients confessed to the habit, and (d) the fact has been overlooked that the smoking of hemp drugs is recognised as a remedial agent in asthma and bronchitis. The direct connection alleged between dysentery and the use of hemp drugs the Commission consider to be wholly without any foundation.”

The Commission attached considerable importance to the inquiry regarding the connection between insanity and hemp drugs. They stated :—

“Summing up the evidence as to the presence of pathogenetic symptoms in cases of hemp drugs insanity, the Commission consider that, with the exception, perhaps, of the shorter duration of such cases when compared with cases of ordinary mania, there are no symptoms by which the cause of the mental conditions can be determined. The determination depends wholly upon history. The Commission also consider it not improbable that there are no typical brain lesions peculiar to hemp drugs insanity, as they are in cases due to other causes. The careful enquiry which has been made by the Commission into all the alleged hemp drugs cases admitted in one year into asylums in British India demonstrates conclusively that the usual mode of differentiating between hemp drug insanity and ordinary mania was in the highest degree uncertain and, therefore, fallacious. Even after the enquiry which has been conducted it cannot be denied that in some of the cases at least the connection between hemp drugs and insanity has not been conclusively established.”

As regards the moral effects of the drugs the Commission's finding is as follows :—

“In regard to the moral effects of the drugs, the Commission are of opinion that their moderate use produces no moral injury whatever. There is no adequate ground for believing that it injuriously affects the character of the consumer. Excessive consumption, on the other hand, both indicates and intensifies moral weakness or depravity. Manifest excess leads directly to loss of self-respect and thus to moral degradation. In respect to his relation with society, however, even the excessive consumer of hemp drugs is ordinarily inoffensive. His excess may indeed bring him to degraded poverty which may lead him to dishonest practices and occasionally, but apparently very rarely indeed, excessive indulgence in hemp drugs may lead to violent crime. But for all practical purposes it may be laid down that there is little or no connection between the use of hemp drugs and crime.”

According to the Commission the moderate use of hemp drugs is the rule and the excessive use comparatively exceptional. The moderate use practically produces no ill effects. In all but the most exceptional cases, the injury from habitual moderate use is not appreciable. The excessive use may certainly be accepted as very injurious, though it must be admitted that in many excessive consumers the injury is not clearly marked. The injury done by the excessive use is, however, confined almost exclusively to the consumer himself; the effect on society is rarely appreciable. The Commission's general conclusions in regard to the total prohibition of *ganja*, *bhanga* and *charas* were :—

“The general view of the evidence relating to the question of prohibition of *ganja* and *charas* brings the Commission to the same conclusion as that which they have framed upon a consideration of the evidence on the ascertained effects alone. The weight of evidence above abstracted is almost entirely against prohibition. Not only is such a measure unnecessary with reference to the effects but it is abundantly proved that it is considered unnecessary or impossible by those most competent to form an opinion on

general grounds of experience; that it would be strongly resented by religious mendicants, by whom it would be likely to become a political danger; and that it might lead to the use of *dhatūra* or other intoxicants worse than *ganja*. Apart from all this, there is another consideration which has been urged in some quarters with a manifestation of strong feeling, and to which the Commission are disposed to attach some importance, *viz.*, that to repress the hemp drugs in India and to leave alone alcohol would be misunderstood by a large number of persons who believe, and apparently not without reason, that more harm is done in this country by the latter than by the former. The conclusion of the Commission regarding *bhāng* has been given in paragraph 564; under all the circumstances they now unhesitatingly give their verdict against such a violent measure as total prohibition in respect of any of the hemp drugs."

217. *Orders of the Government of India on the Commission's Report.*—The views of the Government of India on the Indian Hemp Drugs Commission's Report are contained in their Resolution in the Finance and Commerce Department, no. 1369-Excise, dated the 21st March 1895; that Government were in general agreement with the findings of the Commission. The Resolution states:—

"The prohibition of *ganja* is an interference with the liberty of the people which the Government of India is not justified in undertaking, except upon evidence which clearly establishes the fact that the harm permitted by non-prohibition is great and manifest. Not only is this not the case but the evidence has rendered it abundantly manifest that those who have hitherto recommended the prohibition of *ganja* have so done under an erroneous, or at least a greatly exaggerated, impression as to its real effects. To a million people in India, *ganja* affords harmless pleasure, and in some cases even a beneficial stimulant. It would, in the opinion of the Governor-General in Council, amount to oppression to take active measures to suppress it on the mere ground that it is possible to quote isolated instances in which individuals have received injury from its use. Nor can the Government commit themselves to so unequal a measure as the suppression of the use of *ganja* (which is the form in which the poor man uses the drug) and the permission of the use of *bhāng* (which is the milder form in which the better situated classes enjoy it). There seems to the Governor-General in Council no argument in favour of the prohibition of *ganja* which would not equally apply to the enforcement, by state agency, of total abstinence from intoxicating or stimulating liquors and drugs throughout India, a proposal which is not within the range of practical politics."

218. *The Policy laid down by the Government of India.*—In 1896 the Government of India enunciated the general lines of policy which provincial Governments should bear in mind in improving the local excise system. In regard to *ganja* and *charas* it was laid down:—

- (1) that the cultivation of the hemp drug plant in British India for the production of these drugs should be restricted as much as possible, the production of and the import of *charas* being, however, permitted under proper control and restriction;
- (2) that all *ganja* and *charas* should, on production in or import into any Province, be liable to direct quantitative duty, such duty being realised by means of a system of bonded warehouses, where the drugs should be stored but would remain the property of the cultivators, or importers, and
- (3) that the drugs should be allowed to be freely carried under suitable restrictions, but without payment of duty, from the place of production or import, to a bonded warehouse and from one bonded warehouse to another within the same or in another province, duty being realised there on issue from a warehouse for retail sale in the province of consumption.

As regards *bhāng* it was considered that no attempt should be made to extirpate the spontaneous growth of the hemp plant.

The number of shops for the retail vend of hemp drugs is shown below:—

Year	Presidency	Proper.	Sind.	
1910-11	556	448
1911-12	569	432
1912-13	572	378
1913-14	569	329
1914-15	563	305
1915-16	571	279
1916-17	575	267
1917-18	576	263
1918-19	569	244
1919-20	569	238

The figures given above represent the number of shops for the sale of *ganja* and *bhāng*. Only a few of these shops were allowed to retail *charas*. Some years ago Government directed that absolute prohibition should be applied in all areas of the Presidency proper, except the districts

of Ahmedabad, Kaira and Thana and the Town and Island of Bombay. These areas were excluded because of the relatively high consumption of *charas*, but prohibition was to be extended to them as soon as consumption was reduced to a sufficiently low figure by reduction in the number of shops and high duty. In 1917 the consumption of *charas* in the Thana and Kaira districts was prohibited. The only places in the Presidency proper where the consumption of *charas* was then licit were the Town and Island of Bombay and the Ahmedabad District.

The figures of consumption of hemp drugs in the Presidency proper and Sind for the five years ending 1919-20 are shown below :—

Year.	Presidency proper.			Sind.		
	Ganja.	Bhang.	Charas.	Ganja.	Bhang.	Charas.
	Seers.	Seers.	Seers.	Seers.	Seers.	Seers.
1915-16	43,757	7,341	4,726	979	112,226	7316
1916-17	44,485	7,309	7,302	1,191	111,717	6165
1917-18	44,143	7,788	8,384	1,336	92,426	4290
1918-19	45,402	8,949	8,488	1,937	98,211	4752
1919-20	44,352	8,530	6,069	1,678	120,157	5843

The cultivation of hemp is licensed. In the Presidency proper it is restricted to five villages in the Nagar taluka of the Ahmednagar district. In Sind cultivation is permitted for *bhang* only in Doh Bubak of the Larkhana district. There is no local production of *charas* either in the Presidency proper or in Sind. The harvesting of the crops and the manufacture of intoxicating drugs therefrom must be carried on with the permission of the local excise officers, and under their supervision. All drugs manufactured are taken to be stored in bonded warehouses. Drugs are issued from these central warehouses. *Bhang* imported from outside the Presidency is also warehoused. The use of the deleterious drug *charas* has been restricted in the Presidency proper since 1st April 1922 at a sacrifice of a revenue of rupees two lakhs and a half per annum. From 1st January 1923 the rates of duty on *ganja* and *bhang* in the Presidency proper and Aden were raised from Rs. 20 and Rs. 2-8-0 to Rs. 22-8-0 and Rs. 3 per seer respectively; this increase has not been applied to Sind.

219. *Substitution of Drugs for Drink.*—As it becomes more and more difficult to obtain liquor, the drinking classes usually take to drugs. This is presumably what the witnesses mean who apprehend the danger of drugs, if drink is prohibited. The Collector of Poona deposed that the drug sale increased during the picketing period. The experience of other countries is similar; for instance, Consul-General T. Michell wrote in 1893; “When spirits of another kind are not easily procurable, the habit of drinking ether which is known as “*naphta*” is increasing in Norway, as in Ireland. The difficulty of procuring “*Braendvin*” in small quantities is being steadily surmounted by the facility with which ether can be purchased from chemists. Its use on a considerable scale can be easily detected at fairs and other large gatherings of the rural classes, nor is it little known in the towns among workmen and servants. The abuse of this intoxicant appears to be controlled only by the fear of detection which its pungent odour renders easy.” The drug habit generally follows the drink habit. In a dry population the use of drugs is limited. The use of drugs was increasing in the United States to an alarming extent long before total prohibition. The great drug scare came in June 1919, more than six months before the 18th Amendment came into force. A Committee of the Treasury issued a report which gave reasons for alarm. In 1914 before war time prohibition, it was estimated that there must be a million Americans taking drugs, and the consumption of opium per head was 36 grains, or eighteen times as much as in normal Germany and twelve times as much as in normal France. That was the situation as reported when the great centres of population were wet. The extent of addiction to drugs varied, rising in some places and falling in others. The increases reported were from the larger cities, while the decreases occurred in the smaller cities. In the areas where prohibition has been the longest time enforced, the drug habit seemed to have declined. But where prohibition was resisted drugs accompanied liquor. The drug addiction is less prevalent in rural communities than in cities or congested areas. The increase or decrease of addiction depends on the strictness or laxity of law enforcement at any given moment.

220. *Extinction of Drug Traffic recommended.*—As there is a danger of the users of liquor taking to drugs, if they are gradually deprived of it as we propose, we recommend that the policy applicable to liquor should be gradually extended to drugs; and the traffic in them, except for medicinal purposes, should be extinguished at least by the time the last liquor shop ceases to exist. The income now derived by Government from the use of all kinds of drugs is about rupees 43 lakhs and a half and as most of the evil attributed to liquor arises also from the use of drugs we recommend that these may also be abolished by suitable steps. The total quantity of opium sold should not be increased. With regard to this drug the policy of Government is to reduce the consumption by increasing its price. We approve of this policy and propose that it should be continued and the price increased from time to time and made practically prohibitive until the consumption reaches a minimum when it can be abolished altogether.

Other measures should, at the same time, be adopted, such as the reduction in the number of shops, curtailment of the days and hours of sale, closing of shops in industrial areas, and on holidays, pay days, fair and market days. Excise advisory committees should be consulted on these points and their recommendations in regard to drugs should receive attention as in the case of country and foreign liquor and toddy. Witnesses who have had experience of the labouring classes and medical men have given evidence before the Committee that opium is administered to young children in the shape of *bala golis* by mothers who have to earn a living. The wage earning classes in most parts of the Presidency are so poor that the whole family, men and women and grown up children, have all to work to make their livelihood. Witnesses have deposed that the costly habit of drinking adds considerably to this state of poverty and mothers are compelled to lull their infant children to sleep with opium to enable themselves to go to work. The children so drugged suffer from constipation and other ill effects of opium and there is a danger of the race of labourers thus deteriorating in physis and otherwise. The removal of the temptation to drink will be a welcome step in such cases, but along with that we strongly recommend that the sale of *bala golis* containing opium should be stopped at once by Government, as it constitutes a harmful practice. It is possible that apart from the labouring classes, it is a practice with other classes of the Indian people to administer such pills to infants and young children to keep them quiet or as a remedial measure in case of certain diseases. It is a common belief that ayahs in maternity hospitals and even in private employ use this means of lulling their charges to sleep. There has been some evidence before the Committee in support of this view. The administration of opium to young children should therefore be prohibited as soon as practicable by legislative as well as executive measures. As regards the other drugs in common use in the Presidency we suggest that *ganja* and *bhang* should be prohibited within a definite period of ten years by gradually reducing their consumption. The use of *charas* has already been stopped by Government in the Presidency proper and we recommend that its use in Sind also should be prohibited without any further delay.

CHAPTER XVII.

SUMMARY OF RECOMMENDATIONS.

221. *Policy*.—We summarise below the various recommendations and proposals which we have made in the foregoing Chapters.

In the first place we are of opinion that in the interests of the community as a whole as well as in those of Government the present policy of Government with regard to the manufacture and sale of country and foreign liquor, toddy and shindi, and drugs should be altered as quickly as possible. The strong demand which exists throughout the country and among many classes of the people, as voiced by the witnesses, for an alteration in the excise policy of Government, in the direction of further restriction and in due course of the total extinction of the alcohol and drug traffic must be recognised and Government should declare that the total extinction of this traffic is the goal of its excise policy (Chapters VI and VII).

222. *Local Option*.—The first step which we propose for the adoption of the policy suggested by us is local option. Government should pass legislation to grant option to the people of a definite area to declare their intention to stop the liquor and toddy traffic in that area, and such legislation should provide for a reasonable time for Government to take action to carry out the intention so declared. It should be laid down in the local option law that such delay was due solely to financial and no other considerations. We leave it to Government and the Legislative Council to define the area, the people of which should have power to declare their intention to abolish liquor and toddy shops. We prefer a direct vote, as our object is to make local option educative and popular. We are not in favour of making the locality directly responsible for the loss which will result in revenue from the exercise of local veto. All adult men and women of the area which is exercising the right of veto should have an equal right to vote. The law should only authorise a no-shop vote. Once the locality has gone dry, either by its own vote or by the adoption of the other measures proposed by us, no further option should be exercised by the people. If a locality has by majority decided to continue the liquor or toddy shop, it should be given a chance to decide again, the vote being taken at fixed periods in such localities (Chapter VIII).

223. *Rationing*.—We recommend the definite adoption, with certain limitations, of the present system of rationing the quantity of liquor supplied to shops, with a gradual reduction in the quantity issued to each. Equal treatment should be given to foreign as well as country liquor in issuing the quantity to shops. We do not recommend any further extension of the system of rationing liquor-shops to rural areas where the consumption is small and chances of illicit distillation and smuggling many. Government will ultimately have to adopt the necessary means to reduce the illicit use of liquor in rural areas also, in order to extinguish the liquor traffic in the whole Presidency (Chapter IX).

224. *Shops*.—No new license should be henceforth issued by Government in any locality for the sale of country or foreign liquor, or toddy and shindi, except where it is proposed to substitute a toddy shop for a liquor-shop as a temporary measure (paragraph 144).

All "on" licenses for the sale of liquor, country as well as foreign, should be abolished at the first opportunity as soon as the old licenses expire, except in the case of the foreign liquor licenses granted to dak bungalows, *bona fide* hotels, restaurants, and clubs, which people do not resort to merely for the sake of drinking. Before such licenses are issued the excise authorities should assure themselves that these institutions, more especially the restaurants, are genuine and not merely "on" sale liquor-shops under the pretence of selling a few nominal articles of food or other drinks. As a general rule "on" licenses should not be granted to the hotels, restaurants and clubs which may be opened in future. The sale at hotels should be restricted to the hours of dinner and all "off" sale should be strictly forbidden in the case of hotels, dak bungalows, restaurants and clubs (paragraph 147).

The present system of auctioning liquor and toddy licenses should be continued, but the system of receiving bids on the total quantity of the liquor to be sold during the year should be given up and the right to sell liquor should be auctioned by bids per gallon of the liquor to be sold, during the year, whether "on" or "off". The rule should apply to foreign as well as country liquor (paragraph 149).

We approve the present policy of reducing the number of shops, whether for the sale of country or foreign liquor or toddy, but we recommend that it should be more consistently and vigorously adopted. In closing down country liquor-shops, care should, however, be taken that the use of this liquor is not replaced by that of foreign liquor. The automatic reduction by any fixed percentage for all areas, or the regulation of the number on a population basis, is not desirable. The reduction should be made by Government, after consulting the excise authorities and advisory committees, according to the needs of the locality and the circumstances of the people (paragraph 152).

We have proposed the grant to the excise advisory committees of the power of the location of shops. We recommend, however, that shops should not be located on prominent sites such as public thoroughfares and trunk roads, and in prominent places, nor in out-of-the-way places but that they should be located in healthy and sanitary quarters. Shops for the sale of liquor or toddy should not be located in places where they are likely to cause nuisance or annoyance to the public or near school houses, big markets, places of public worship and amusements and on roads used by women going to bathe or draw water. No temporary licenses should be granted at fancy fetes, fairs, pilgrim centres, etc. Permanent shops for the sale of country and foreign liquor or toddy, if any, in centres of pilgrimage or holy places should be removed as far as possible from such centres (paragraph 155).

In all industrial areas the number of liquor and toddy shops as are in the immediate vicinity of mills and factories affording facilities and temptation to millhands coming out of them should be closed. The liquor-shops in the areas which are not so situated and are therefore allowed to remain open should be turned into "off" shops and all these "off" shops should be closed on those holidays on which mills are closed. All shops in an industrial area should be closed on pay days, provided a substantial majority of factory owners agree to fix a particular day for the payment of wages. If required, legislation might be resorted to for the purpose of fixing the pay day (paragraph 156).

Shops selling country and foreign liquor or toddy, whether "on" or "off", in all taluka towns should be closed on market and fair days. We recommend that the hours of sale should be made more uniform in their application to country as well as foreign liquor-shops and to the different localities. The hours of sale should be reduced, whether the "on" sale is abolished or not. All liquor-shops should be open from 10-30 a.m. to sunset in urban areas and from 10-30 a.m. to 12 noon and 3 p.m. to sunset in rural areas (paragraph 157).

The price of country liquor should not be increased any further. This restriction need not extend to foreign liquors, especially the cheaper brands, which compete with country liquor (paragraph 158).

The Committee approve the policy of reducing the strength of country liquor (paragraph 159).

The sale of liquor to customers of twenty years of age and below should be prohibited. No employee in the shop should be less than of this age (paragraph 161).

225. *Excise Advisory Committees.*—The constitution of the excise advisory committees should be improved and their functions and powers should be clearly defined and enlarged. All town and city municipal areas as well as rural areas in which there is at least one shop for the sale of country and foreign liquor or of toddy or shindi should have such committees. In urban areas, the committees should consist of two-thirds elected and one-third nominated members, the two-thirds being elected by municipalities and such other public bodies, where they exist, as temperance and sanitary associations, social service leagues, labour unions and large employers of labour in such proportion as shall secure a proper representation of the interests of these bodies. One of the members to be nominated by Government shall be an officer of the Excise Department who should act as Secretary to the committee and be held responsible for bringing up all matters before it. In rural areas district advisory committees should be

created with a similar constitution. The powers of these Committees within urban and rural areas shall be to decide on the following questions :—

- (1) reduction in the number of liquor and toddy shops,
- (2) fixing the hours of sale,
- (3) location of shops,
- (4) fixing the strength at which liquor should be sold, and
- (5) fixing the limit of the quantity of toddy which can be sold at shops and booths.

The opinion arrived at by the Committees by a majority should be respected and carried out. If the Collector differs from this opinion he should refer the matter to Government for final decision. The number of shops which the Committees can close in their triennial term of existence shall not exceed one-third of the total number (1) of liquor shops and (2) of toddy shops in their area. One-fourth of the members on a requisition to the Chairman, signed by them, may insist on a meeting being held within a month. The life of the Committees shall be for a period of three years (Chapter XI).

226. *Special Licenses.*—Special licenses for the retail sale of foreign liquor to members only should be re-issued to existing clubs, gymkhanas, etc., unless it be proved that people resort to them merely for the sake of drinking, on the same terms as clubs are licensed in Great Britain as regards fees and should be made to conform to all the conditions of the license.

The "on" sale of foreign liquor at railway refreshment rooms, in dining cars and on board steamers should continue as at present, but for *bona fide* passengers only, till the use of liquor is finally abolished in the Presidency.

The sale of liquor, whether country or foreign, on the premises of theatres, cinemas and other public places of amusements should be entirely stopped.

When licenses are issued and bids are accepted at auction, any society or association registered not with a view to make profit, but with a desire to further the cause of temperance, should be given preference (Chapter XII).

227. *Foreign Liquor.*—As indicated in the foregoing paragraphs the restrictions which we have proposed in the case of country liquor should apply to foreign liquor as well. The use of cheap foreign liquor by the labouring classes should be stopped as soon as possible. No spirit which is not certified to be made out of malt, grape or barley and which is not certified to be seven years old should be allowed to be sold in the Bombay Presidency.

The Bombay Government should recommend to the Government of India that no foreign distilled liquor stronger than 40 u.p. should be allowed to be imported. No licenses should in future be granted for the sale of any kind of liquor of a strength higher than this.

The rationing of foreign liquor should be simultaneous with that of country liquor. This, in our opinion, can best be done by the following method for controlling its import, *namely*, that bonded warehouses should be established one in Bombay and another in Karachi, the only two ports into which liquor should in future be allowed to be imported and that these warehouses should be made responsible for the liquor being issued to licensed traders importing foreign liquor up to such quantities only as may have been permitted to them for that year. (The Canadian system of Government being sole purchasers and importer be adopted, if practicable.) If both these methods be found unpractical in the rationing of foreign liquor shops, we suggest that the Bombay Government should in consultation with the Government of India devise some other method and introduce a system of rationing foreign as well as country liquor.

All beer licenses should be "off" licenses, whether "on" sale of other kinds of liquor is abolished or not (Chapter XIII).

228. *Toddy.*—The policy indicated in paragraph 195 above with reference to the sale of country and foreign liquor should be followed in the case of toddy and shindi as well, so that their use is gradually restricted and ultimately prohibited as soon as the last liquor shop is abolished.

People should, as in the case of liquor, be allowed to exercise local option with regard to the closing of shops for the sale of toddy and shindi in particular areas on the lines indicated in the Report.

The various recommendations made by us with regard to the policy of Government in the matter of liquor shops and excise advisory committees should apply *mutatis mutandis* in the case of toddy and shindi shops also. These are indicated by us in detail in Chapters X and XI of the Report. We are of opinion that as a general rule, no new toddy shop should be opened in a locality, except where it is proposed to substitute one such for a liquor shop, as a temporary measure, *i.e.*, during the transitional period till the liquor traffic is finally extinguished.

No toddy should, however, be allowed to be sold after sunset.

There should be no limit in regard to the age of persons to whom toddy can be sold.

The advisory committees should have power to recommend the limit of the quantity of toddy which can be sold at shops (Chapter XIV).

229. *Finance.*—We calculate that there will be an eventual deficit of 3 crores in the provincial revenues if the consumption of liquor and toddy is finally abolished in the Presidency as proposed by us. To make up this deficit we recommend the levy of the following taxes; the amounts which on a conservative estimate they will yield are shown against them :—

	Rs.
1. Succession duty	50 lakhs.
2. Totalizator	20 "
3. Taxation of "futures"	50 "
4. Increase of local fund cess	30 "
5. Tobacco tax	5 "
6. Employee tax	40 "
7. Transit tax	20 "
8. Terminal tax	50 "

The majority of these taxes, when experience has been gained in their working and the necessary machinery devised, are likely to bring in sums larger than those shown above. Together with the additional income of Court fees and with the natural growth of revenue in the future, this provision will we believe be sufficient for the tentative introduction of a system with total prohibition as its ultimate object (Chapter XV).

230. *Drugs.*—The total quantity of opium sold now should not be increased; the policy of reducing the consumption of opium by increasing its price should be continued, and other suitable measures should be adopted by Government, such as the closing of shops on holidays, fair and market days, etc.

The sale of *bala golis*, containing opium, administered to children, should be stopped, as it constitutes a harmful practice.

Ganja and *bharg* should be prohibited within a period of ten years by gradually reducing their consumption.

The use of *charas* should be prohibited in Sind, as it has already been prohibited in other parts of the Presidency (Chapter XVI).

231. *Indian States.*—Government should try to negotiate and come to an understanding with Indian States with a view to their joining hands in carrying out the policy of total abolition of the liquor and toddy traffic in the Presidency, and if such negotiations fail Government should adopt the necessary measures to protect their borders (Chapter XVIII).

232. *Government Servants and Temperance Work.*—Temperance associations need not be subsidised, but as a part of the policy Government may, in view of the prevailing impression on the subject, be pleased to indicate that they will appreciate good work in the cause of temperance done by their officers in the excise, revenue and other departments (Chapter XX, paragraph 245).

233. *Temperance Teaching.*—Lessons on temperance should be incorporated in much larger number, at least six in each vernacular text-book from standard 4th and upwards and instruction in temperance should be given in primary, secondary and high schools and Government should consider expenses on that account as expenses for which grants-in-aid should be given (Chapter XX, paragraph 250).

SECTION III
SUBSIDIARY QUESTIONS

CHAPTER XVIII.

INDIAN STATES AND FOREIGN TERRITORY.

234. *Leases of Abkari Management in Indian States.*—One of the difficulties felt in the excise administration of the Presidency is the smuggling of country liquor into British territory which generally takes place at those points where this territory impinges upon Indian States and Portuguese possessions. The systems of excise administration in these, especially in Gujarat where British territory is surrounded by and interlaced with state territories, are such as to render it difficult to prevent the entrance of cheap spirit into British tracts. The cheapness of liquor, the number of shops and the general want of control in these states first prevented the raising of price in British territory. The policy of obtaining leases of the Abkari management in Indian States has therefore been followed by the Bombay Government for a long time. These leases last for a term of years and liberal annual compensation is paid to the States. By the year 1885 the Abkari management in most of the States from which smuggling was formerly rife, especially in the Konkan, Deccan and Southern Mahratha country, was leased by Government. These States were induced to place their excise administration under British control so that the restrictions on consumption which were applied in British territory were enforced on them. Government were thereby enabled to apply the central distillery system in these states as well as in their own contiguous districts and to raise the excise rates in the state territories to the desired level. The case of the Gujarat States was, however, different. The contrast which the situation in Gujarat presents to that of the rest of the Presidency with reference to the State territories can be seen at a glance at the map. Barring the frontier of Khandesh for a distance of about 150 miles, and barring also the Nizam's dominion which marches along the eastern frontiers of the districts of Khandesh, Nasik, Ahmednagar, Sholapur, Bijapur and Dharwar almost in a regular line for a distance of about 700 miles, and with which the mutual retirement of liquor shops and stills to a distance of 3 miles on either side of the frontier has been agreed upon, the rest of the Indian State territory with which the larger block of the Presidency south of Daman is concerned consists of but one first class State and a number of petty holdings of small extent and importance, all imbedded in the midst of British territory. British Gujarat, on the other hand, is, as it were, surrounded by a sea of, and intersected by, innumerable gulfs, creeks, and lakes of state territory, which includes the large and important States of Baroda, many other smaller States, and a number of petty talukas and thakorates each owned by a separate Chief or Thakor. The prevention of smuggling across the borders of the States in Gujarat, was, therefore, more difficult than across those of the states in the rest of the Presidency. In 1887 an agreement was made with the Baroda State providing for the introduction of the central distillery system in a portion of the state, and elsewhere for the maintenance of a narrow-belt of land exceeding two miles on each side of the border, in which shops and sales were entirely prohibited. Previous to that the sudder distillery system had been in force in six mahals of the Navsari division and in the rest of the state the right to sell country liquor was leased out to contractors, who procured the liquor from wherever they liked or manufactured it themselves. In the case of the leases which expired on 31st July 1914 or subsequently have been renewed for 10 years the annual compensation has been generally fixed provisionally, being calculated on the average revenue of the three years preceding the renewal of the lease and is subject to adjustment by a lump payment at the end of the third, sixth and tenth years of the lease to bring up the total to the actual revenues realised, on the understanding (1) that there will be no adjustment if the actual revenues realised fell short of the aggregate compensation up to date and (2) that the aggregate compensation paid for the 10 years of the lease shall not be less than ten times the provisional compensation fixed at the beginning of the lease. The provisional compensation is thus of the nature of a minimum guaranteed sum which must be paid irrespective of the actual amount realised. The states pay nothing for the Government establishment maintained for the administration of their revenues or for the other expenditure incurred in connection with the detection of excise crime, *e.g.*, rewards, and are entitled to the full receipts realised. The states where Abkari management is leased by Government, and compensation is paid to them are shown below :—

	Excise Compensation.				
	Rs.				
Akalkot	19,200
Aundh	11,500
Bavisi Villages	2,549
Bhor	38,150
Chickli	1,599
Daflapur	450
Ghodasar and Haldarvas	2,450
Jamkhandi State and Inamdars	43,600
Jath	4,700

			Excise Compensation	
			Rs.	
Jawhar	47,400
Kathi	10,414
Kurundwad (Senior)	9,706
Do. (Junior)	17,696
Mahi Kantha Agency	1,06,666
Miraj (Senior)	41,500
Do. (Junior)	5,700
Mudhol	22,400
Nale	3,186
Nawalpur	1,107
Phaltan	9,000
Raisingpur	1,034
Ramdurg	12,600
Rewa Kantha Agency	78,589
Sangli	82,600
Sachin	32,000
Singpur	4,278
Wudikar's Estate	58
Jaghirdar of Bhagdari	907

235. *The Policy Suggested by the Indian Excise Committee.*—With regard to the prevention of smuggling from Indian States the policy suggested by the Indian Excise Committee, 1905-06, was "The isolated references by individual provinces in respect of particular shops or areas, not infrequently couched in somewhat technical language, have not carried conviction to Indian rulers who possibly did not understand them and, if they did, did not recognise that they were put forward in pursuance of the Government of India's policy as a whole, but regarded them as aiming at securing revenue for the Government at the expense of the native states. What appears to the Committee to be necessary in the first place is an explanation, personal if possible, of the Government's policy to the rulers and an invitation to co-operate."

236. *The Object of Government in Making the Leases.*—The main object of Government in taking over the abkari administration of small states, more especially in areas such as Surat, where the drink habit is prevalent, may be defined to be not so much the protection of revenue as the discouragement of indulgence in drink, as the removal of temptation to that habit. The principal means which Government employ to effect this object are suitable increases of taxation and the regulation of shops, together with the suppression of illicit distillation. The action of Government, which is designed to achieve results over wide areas, would be hampered unless Government were in a position to control the excise arrangement in Indian State villages which are interlaced with British territory. It is therefore considered essential, in the interests of sound excise administration, that the abkari arrangements of petty states should be run by the British Government. When the excise administration of a state is taken over by Government the state is treated as part of the adjoining British district and the rates of duty, sale strength, etc., obtaining in the latter are made applicable to the former. This is obviously necessary, as otherwise, the object in taking over the administration is frustrated. In accordance with this principle the system of rationing country spirit shops, which has been introduced in the Bombay Presidency with effect from 1st April 1922, has been extended to the leased areas in Indian States. This has given rise to misgivings and one state at least has asked that, if in the interests of an active temperance policy the Government of Bombay consider it necessary to adopt measures which tend to reduce the excise revenue, it should be protected against such loss by a guarantee that the minimum compensation shall in no case fall short of the average revenue of the last three years.

237. *Committee's Suggestion.*—The Committee has no detail suggestions to offer in the matter. They are of opinion that the policy, they have indicated for British territory should as far as possible be adopted by all the states within, or bordering on the frontier of, the Bombay Presidency. They have no doubt that if this policy be adopted by Government, most of these states, especially those which do not derive much revenue from the sale of liquor, will be prepared to adopt it in their territory. It will not be possible for them to resist the development of public opinion among their subjects long enough. In fact a few important states have already taken the lead in the matter. The distillation, import and sale of country liquor has been prohibited in the state of Limbdi since November 1921 and that state has entirely foregone the whole revenue derived from this source without adopting any ways and means to make good the loss. A similar policy has been adopted also by the Bhavnagar

Darbar and a revenue of Rs. 18,000 derived by it from the sale of liquor was foregone. The excise prohibition laws made by the Darbar are strictly enforced and though the Darbar have reason to believe that some liquor is smuggled into their territory they consider it to be inevitable and hope that the practice will slowly disappear. The example of Bhopal, which is outside the limits of this province, could also be cited. We recommend that Government should try to negotiate and come to an understanding with the States within the limits of the Presidency and, if they do not succeed, to adopt the necessary measures to protect their borders. Some at least of these States, we believe, will only be too glad to fall in with the new policy.

238. *Goa Territory*.—In a letter No. 6800, dated the 6th November 1888, the Commissioner of Abkari says that the Portuguese Government is bound by treaty obligations to assimilate its abkari arrangements in Goa to those of the adjoining British Districts, that is, of the Ratnagiri District generally and the Malwan and Vengurla Talukas in particular on the north and the sea coast talukas of Kanara on the south. This undertaking is to be interpreted as :—

“Coupled with an obligation on our part to consider as a whole the circumstances of the territories affected, not to insist upon alterations of rates which are sudden, excessive, and of questionable expediency, and to condone a certain inferiority in Portuguese to British rates for a time at least and as long as the Portuguese Government are making reasonable efforts towards assimilation.”

The Commissioner then characterised the system in force in Goa as in reasonable accord with the British system. The sub-republic of Goa will ultimately have to fall in a line with the policy adopted in their neighbourhood. In the meantime, as in the case of the Indian States, Government should adopt measures to protect their borders.

CHAPTER XIX.

CANTONMENT AREAS.

239. *Sale of Liquor in Cantonments*.—We do not believe that there will be any practical difficulty in applying our scheme to areas where troops are posted by Government. Under the Cantonment Act, 1923, the sale of liquor to troops in the areas which are notified as cantonments or in the vicinity of these cantonments requires the written permission of the Commanding Officer. Even ordinarily, all licenses contain conditions against the sale to European non-commissioned officers or soldiers or to sepoys in uniform. The Indian Excise Committee, 1905-06, reported that the presence of troops and the number of camp followers which that entails always lead to heavy consumption; out of the 55 cities in India of a population of 50,000 and over, of which statistics were available, 34 where there were troops drink 25 per cent. more country spirits per head of their population than the 21 where there were no troops.

240. *Excise Receipts in Cantonments*.—Under an order issued by the Government of India on the 17th July 1862, the abkari receipts and charges of military cantonments are treated as receipts and charges of the civil department. In the case of those cantonments, however, which are situated within Indian States territory this order is not always observed. The Bombay Abkari Act, 1878, is applied to the Baroda Cantonment and the excise from liquor collected there is credited to Central revenues; no contribution is paid out of it to the cantonment or to any other local fund. In the case of Deesa the excise revenue of the cantonment is credited to the Bombay Government, a small sum being paid to the Palanpur Darbar in consideration of their refraining from opening any liquor shops in the vicinity of the cantonment. The income from the liquor traffic in the civil stations of Rajkot and Kolhapur is credited to the station funds there.

241. *Army Temperance in India*.—In 1836 the Duke of Wellington recognised the necessity for reform in respect to drinking in the army in England. In a general order dated March 2nd of that year, he stated that he was “convinced that if a system of temperance could be generally established in the army, it would be greatly for the advantage of the efficiency and discipline of the troops, and be the means of preventing most of the crime and irregularities to which the British soldier is addicted,” and that he was “desirous that it should be encouraged by every legitimate means.” The movement initiated by Wellington entered the British Army in India. In 1862 temperance associations were organised under the common name “Soldiers’ Total Abstinence Association.” In 1863 the Royal Commission on the Army in India reported in favour of stopping the sale of spirits at canteens, military hospitals, barracks and aboard ships. Speaking on the subject the Duke of Connaught stated in 1885: “Experience has taught me how much crime in the army in India is either caused or aggravated by drink.” When Lord Roberts became the Commander-in-Chief of the Army in India in 1888, he recognised the Soldiers’ Total Abstinence Association under the name “The Army Temperance Association.” He also introduced the plan of admitting moderate drinkers as “honorary members.” This was one of Lord Robert’s schemes to win favour for the institution with the officers of the army. As a result of his labours and that of his successor, Sir George White, the Association now includes a large part of the entire British Army in India in its membership. It is officially recognised and supported by Government. The effect of this movement in promoting discipline

among the troops has attracted much attention. In an official report in 1898, the following statistics were given of the criminal record of the members of the Association and of those who were not members :—

	Members of Army Temperance Association.	Non-Members.
Year 1898—		
Number of soldiers included in return	18,663	48,842
Convictions by Court-Martial	77	1,777
Convictions by Court-Martial per 1,000	4.12	36.38
Summary punishments for insubordination	741	4,509
Summary punishments for insubordination per 1,000	39.70	92.32
Admissions to hospital	3,891	14,827
Admissions to hospital per 1,000	209	302

In 1877 Mr. Caine, speaking before the National Convention for the Prohibition of Liquor Traffic, New-Castle-on-Tyne, observed that out of 75,000 men in the British Indian Army over 25,000 were total abstainers. As a result of the temperance movement admissions to hospital for alcoholism in the British Army in India decreased —

Years.	Admissions.
1887—1891	3,625
1892—1896	1,379
1897—1901	1,206
1902—1906	1,012
1907—1911	299

242. *Army Temperance in England.*—By order of the Commander-in-Chief Lord Wolseley careful and exhaustive experiments were made in the British Army in England for the purpose of testing the effects of poisons in reference to the physical endurance and staying qualities of the troops. For instance, one regiment was deprived of every drop of stimulant while another belonging to the same brigade was allowed malt liquors at a canteen and a third, a ration of grog in the form of whisky. The experiment showed that the whisky soldiers were especially active at first but showed notable signs of fatigue and lack of spirit and endurance after the third or fourth day. The beer soldiers showed the same signs in a less degree, while the abstainers from every kind of stimulant “increased in staying power, alertness and vigour every day.” As a result of these experiments the British War Department decided, not because of principle but to promote the physical endurance and general efficiency of the troops engaged in the Soudan Campaign, not to permit a single drop of stimulant except for hospital use, either to officers or men. In the words of Lord Wolseley, “Temperance means less crime and more thrift, and more of comfort and prosperity for the people. Nearly, all the crime in the army can be traced to intoxication, and I have always found that when in any army or body of troops in the field there was no issue of spirits, or where their use was prohibited, the health, as well as the conduct of the men, were all that could be wished for.” At the British Medical Association at Dublin (August 1887) Sir Thomas Crawford, M.D., K.C.B., Director General of the Army Medical Department, in the course of his address, as President of the Public Medical Section, stated, “There is evidence of perceptible deterioration or degradation of type in the lower orders of the people, and it is to this point I desire to draw your special attention.” He then proceeded to give statistical evidence of this fact, based on the measurement and strict investigations of army recruiters and surgeons, which showed a decidedly inferior physique in recruits for the army compared with those of twenty-five years ago. The President traced the causes of the physical deterioration to alcohol and said, “I remember, when stationed at Manchester with the King’s Own Light Infantry, being much struck with the diminutive stature of the people generally, and on questioning a brother officer of local knowledge and experience as to the cause, I received for reply, ‘Gin and tobacco,’ and if the consumption of these and other similar articles become still more general than it is at present the result must be a marked physical deterioration of the race.”

243. *Application of the Committee’s Scheme to Cantonments.*—For the reasons indicated above the Committee consider that for the well-being of the British as well as the Indian Army, from the military point of view, such a step has much to commend itself. We do not wish to suggest an interference in military administration, but we merely refer to the liquor shop system prevailing in military areas. A large part of the population of these areas consist of camp followers and other civil population and in their interest as well as to avoid the risk of smuggling, the excise policy applicable within military areas should be the same as in the rest of the Presidency. Liquor, if it is found to be necessary for supply to British troops, can be distributed to them by the army authorities, care being taken that it is not passed on to the Indian population. The fact that the Turkish soldier was a total abstainer has not detracted from his ability

to carry arms, for he is counted one of the most formidable fighters in the world. One of the greatest feats recorded in history is that of the defence of Kars, during the Crimean War in 1854. The Russians made a most determined attack but they were unsuccessful. Sir Fenwick Williams, who commanded the united forces in the defence, declared :—

“ Had not the Turkish army at Kars been literally a cold water army I am persuaded they never would have performed the achievement that crowned them with glory.”

We hope that as soon as it is possible the use of liquor in the army, European as well as Indian, will be prohibited. In the meantime, our proposal will assist in removing the temptation from Indian soldiers, most of whom are by caste and religion total abstainers.

CHAPTER XX.

TEMPERANCE REFORM AND TEMPERANCE TEACHING.

244. *Temperance Associations.*—A majority of witnesses are in favour of Government encouraging and subsidising temperance societies, while others consider that such patronage is unnecessary, either as these bodies are useless or as temperance work should not be carried on by the public with state aid. Various methods have been suggested for carrying on the temperance propaganda, most of which in our opinion would, in the present circumstances of the country, prove either futile or unpractical. These proposals include the provision of sanitary houses, cheap literature, places of amusements and recreation, reading rooms, libraries and museums for the poorer classes, workmen's clubs, institution of lectures, *bhajans* and *kathas* and the supply of harmless non-alcoholic or semi-alcoholic drinks, sugarcane juice and cheap tea and coffee. Temperance associations appear to be keen on having the privilege of visiting and inspecting liquor shops. Temperance work is confined to associations working on Western lines or to missionaries, working in a few places, who are powerless against the existing evil. It usually consists of a few sermons or lectures, sometimes illustrated by charts, and the posting of a few placards illustrating the ravages of alcohol. Such propaganda might produce a nominal effect on the better class of hearers, but leaves the illiterate and working classes untouched. In rare cases an indigenous reformer, like the late Daduram of Kaira, or Viswanath Bawa, who professed to be his disciple, arises who commands a large following, or a spontaneous movement takes place in a backward community, like that of the *Kaliparaj*. These movements, although temporarily helpful to the cause of temperance, are primarily religious or semi-religious, and the drink habit asserts itself again in the communities concerned, as it did after the picketing campaign was over. If the scheme put forward by the Committee in Section. II of this Report is accepted, there will not be much room left for the work of temperance associations and the Committee does not approve the idea put forward by a large number of witnesses of subsidizing these associations.

245. *Temperance Work and Government Officers.*—Witnesses suggest that Government themselves should carry on temperance work, that Government officers should help and co-operate with temperance associations, that Government should encourage temperance by employing teetotalers and giving them preference at the time of promotion and that officers in the revenue, police and excise departments should themselves be made to carry on temperance propaganda. A few witnesses doubt the desirability of entrusting this work to excise officers. The Collectors of districts to whom this question was put are of opinion that Government officers have no time for these duties and, even if they had, they should not be entrusted with them. From the examination of witnesses and from our general experience we find that there is a very widespread opinion among almost all classes of the Indian population that the excise policy of Government is influenced very largely, if not wholly, by the consideration of the high income it brings to the provincial Governments as well as to the Government of India, and that all classes of Government officers do their best to thwart any measure suggested or devised by the public for lessening the evil effects of the liquor shop system. Whether this policy will be modified in the direction which we have indicated in this Report or is retained as it was formulated more than 30 years ago, the fact remains that the regulation by Government of the alcohol traffic should not be influenced by any consideration of the revenue they bring in. The British Government have declared this again and again ever since the inception of their rule in India and it is highly desirable on political, if not on temperance, grounds that the popular view referred to above should be corrected. As a corrective the best method which suggests itself to us is that Government officers should actively take interest in temperance work and take every opportunity, while at headquarters or on tour, of declaring to the people that the object of Government is gradually to diminish and ultimately to extinguish the traffic in all liquors. From a temperance point of view action on these lines by responsible Government officers will prove highly beneficial in the case of large masses of drinkers. We, therefore, recommend that as a part of the policy Government might, in view of the prevailing impression on the subject, be pleased to indicate that they will appreciate good work in the cause of temperance done by their officers in the excise, revenue and other departments. This rule, if approved, might be incorporated in the Government Servants Conduct Rules.

246. *Temperance Teaching in Schools.*—We now turn to the question of temperance teaching in schools. The Indian Excise Committee of 1905-06 indicated that a way in which Government can perhaps exercise an influence on the minds of people with regard to temperance was through the Department of Public Instruction. Country lads coming into towns for their education are sometimes corrupted by town habits, and a stricter supervision of the management of hostels might do something to check their contamination. The Committee suggested that the example of the educational authorities in the Punjab and Bombay, who had agreed to arrange for temperance teaching in schools, might be followed. In 1907 the Government of India suggested to local Governments that a few sensible lessons on the subject of temperance should be incorporated in the sanctioned readers in schools. In 1910 the Bombay Government informed the Bombay Temperance Council that lessons on the subject of temperance had been introduced into the vernacular readers and that the teachers of primary, secondary and high schools and of the training colleges had instructions to inculcate temperate habits on any occasions that may arise in the ordinary course of their duties. There was at that time only one lesson each in readers Nos. V and VII and Government were forced to announce in the Legislative Council in January 1911 that the question of introducing additional lessons on temperance in the vernacular readers would be considered when the books were next revised. Dr. Sarvadhikary's deputation (*vide* paragraph 49) pressed for a definite order requiring scientific temperance teaching in all schools and colleges by way of affording them greater light regarding the effects of alcohol and by encouraging them to combat the evil wherever it existed, and suggested that the Educational Departments of the different Provincial Governments be asked to give such instruction in class books dealing with general hygiene and physiology or in the recognised readers. In his despatch No. 77, dated the 29th May 1914, the Secretary of State suggested that the syllabus of lessons on temperance, which received the support of the British Medical Association and was issued by the Board of Education in 1909, might be adopted for use in schools in India, and that at least two or three lessons a year should be based upon it. The Government of India requested the local Governments that the officers be urged to see that the lessons therein suggested were included in the readers in use in schools and that they were not neglected. The Bombay Government did not consider it desirable to introduce lessons on temperance in the first four vernacular readers as these are for the most part used by pupils of tender age. The two lessons in readers Nos. V and VII, which interpreted temperance to mean total abstinence, were removed and the insertion of three new ones, one in each of the readers V, VI and VII, based on the syllabus of the Board of Education was sanctioned. No steps were taken by Government for Anglo-vernacular schools or the inclusion of temperance lessons in moral and science readers issued by the Government of Bombay. The Excise Report for the year 1914-15 stated, "apart from the efforts of private organised bodies and individual workers it is interesting to note that in the year under report Government themselves have taken a long step towards the cause of temperance by introducing temperance teaching in schools. With this view the lessons in readers V and VII are being revised and a lesson is being inserted in reader VI of the revised vernacular reading series so as to furnish a graded set of three lessons on the lines of the temperance syllabus of the English Board of Education. Further, inspecting officers have been directed to satisfy themselves that the temperance lessons in the readers are not neglected by teachers. The question of the insertion of such lessons in the English readers used in European and Anglo-vernacular schools and the giving of temperance lectures every year is still under consideration." Yet Mr. Gilder in his evidence states, "It appears from the answer to a question on the subject at a meeting of the Bombay Legislative Council held on the 7th July 1919, *i.e.*, five years after the Secretary of State's instructions, that since the 1st April 1913 five editions of the Gujarati 5th book, four editions of the 6th book and three of the 7th had been printed, and yet the Government of Bombay could find room for one lesson (lesson 8) in the Gujarati 5th book in the year 1917, and one lesson in each of the 6th and 7th books (lessons 11 and 31 respectively) in the year 1918. In other words the Government of Bombay took eleven years to introduce as many as three lessons in the vernacular readers."

247. *The Advantages of Temperance Teaching Discussed.*—In the West particular value is set upon the right training of children in temperance. The truth that "prevention is better than cure" is emphasised in regard to the question of alcoholism, and it is regarded that the surest means for arresting national intemperance is the wide dissemination of scientific information regarding the nature and properties of alcohol, and the provision of suitable education, not only in elementary schools, but also in schools of higher grades. In actual practice education and legal restrictions and restraint are not opposites, but co-relatives. Education prepares the way, legal action crystallises the public sentiment formed by education, and then the very law itself becomes an educative force and a powerful moral agency. We educate the public in the laws of hygiene, but we need the Public Health Acts to cleanse the foul sewer and to demolish the slum. So with the drink problem. We should enlist in every way the aid of moral forces, education, etc., to drive out the desire for strong drink, and grant the power to the community to prevent the continuance of the liquor traffic. The influence of education on

intemperance is slow and indirect while the causes which make for intemperance are direct and powerful. Such a dominion and despotism cannot be overthrown by education alone, or the hopes of a future generation. False ideas about the value of strong drinks must be rooted out by stronger exertions. The work of enlightenment concerning drink is not enough. Hence the proposals we have put forward in Section II. One single shop will mock the united efforts of the whole educational department. The supporters of the liquor traffic generally advise a morally developing method, as temperance education, instead of the removal of the temptation. In the words of Martin Luther they lay straw and fire together and tell them not to burn. The liquor temptation should be dealt with like other public temptations, such as, obscene literature and unclean cinematograph exhibitions. The argument that indulgence to a dangerous extent in alcoholic liquors is the mere result of ignorance, and, that with an increase of education there would be such a decrease of intemperance that all extreme and arbitrary measures for the suppression of intemperance would be unnecessary and unwise is fallacious. The desire or craving for alcohol in those who have once begun to taste it and to be led away by it is soon as strongly developed in the educated as in the uneducated classes. This is a very common experience in India and is confirmed by many witnesses. Education of itself is no check to a course of intemperate life. All temperance teaching will not immediately yield visible results for good. It is varying in quantity and quality. In some cases it results in life-long abstinence, in others in greater sobriety than otherwise probable. Often it brings a more sympathetic understanding of the efforts to do away with the drink habit and traffic. It may show itself in responsiveness to the proper training of the second generation in habits of abstinence and in personal influence against the formation of any drink habit by youth. The fruit of education always ripens slowly. Men and women who have been taught the truth about alcoholic drinks as revealed by science change, to a certain degree, their attitude towards the use of intoxicants. We have suggested various methods of delivering the Presidency from the course of drink; but all efforts, religious, social, or legislative, in order to be permanently successful must include the necessity of each member of the community abstaining from all intoxicating liquors. The facts in regard to the pathogenic, economic and social effects of alcohol should be more widely known and appreciated, especially its effect in deadening the sense of moral responsibility and arousing the baser sensual and animal nature, together with its narcotising power over the desire for betterment, and its baneful influence in making men and women contented with a sordid and squalid environment and a low standard of life and comfort.

248. *Temperance Teaching in the West.*—Definite temperance instruction, showing the action of alcohol on the human system, is now being given to a very large number of children in the public schools throughout Great Britain and Ireland. The American system of temperance teaching in schools, which has been adopted in Great Britain, is said to be far the best. It was inaugurated by Mrs. Mary H. Hunt and is based upon class-books, such as those of the New Century Series. It keeps the teaching running through the whole course of the school, varying its copies and methods according to the development of pupils. Much of the temperance instruction in England is due to private initiative. Lectures in high schools and schools of the army and the navy are delivered by the Band of Hope Unions. In Belgium temperance teaching is authorised by the education department, a half-an-hour's lesson being given each year in all classes. In Germany, Roumania, Sweden and Switzerland a few hours in each year are devoted to the subject in the upper classes. In the United States, temperance instruction has been obligatory since 1882, the last of the States coming under the law in this respect in 1902. The subject is obligatory in the first year in the High School. In Norway, five lessons yearly are given to scholars of the ninth and tenth years. In Denmark some of the larger communes provide instruction in the upper classes in connection with the lessons on hygiene. In France, temperance instruction is connected with the subjects of hygiene, morals and languages, arithmetic, and natural history; and, in Luxemburg, with the study of arithmetic and languages. In Italy occasional lectures are delivered in various places. In Norway the subjects of hygiene and temperance are obligatory, five lessons being given in the seventh year. In Austria, the teaching is given in connection with the subjects of natural history, chemistry and nature study. In 1900 the Board of Education caused an inquiry to be made among some 400,000 school children in Lower Austria as to the use of alcoholic liquors. The result showed that practically the whole of the children of the working classes consumed beer and wine, but as a rule did not indulge in spirits. In 1902, a law was passed making provision for temperance instruction in primary schools in connection with the subjects of natural history, chemistry, etc. In 1912 the Ministry of Education issued an order providing that instruction in reference to alcohol shall be given in every school to all normal school pupils, the instruction to cover the physiological results, the social dangers from alcoholism, and the economic evils consequent upon the widespread use of this drug. Educational committees have also been asked to invite the professors in their schools and colleges to consultation concerning the methods to be adopted for the training of school teachers in these subjects, and, in Hungary temperance teaching is classed with hygiene and care of the body. In Sweden, the subject is taken in all grades in connection with the study of natural history, religion, and history. In Switzerland, the teaching is helped by means of magic lanterns, wall pictures, and reading lessons. An

admirable text-book by M. Jules Denis is widely circulated among school teachers. In Geneva every elementary school has been supplied with fine anatomical diagrams showing the effect of alcohol on the human organism. In Galicia the school law provided for the teaching of the physical effects of alcohol. The younger children were taught simple lessons from charts, and the higher classes from text-books, but all the students in the State schools and universities from the third form up were instructed as to the nature of alcohol and its influence upon the human system. In Serbia, the subject is taken in classes mostly in connection with the reading lessons. In Japan, since 1890, the question has been occasionally dealt with under the head of school hygiene, and the school doctors have called special attention to the evil effects of alcoholic drinks. In France anti-alcoholic teaching is obligatory in connection with the subjects of hygiene, national economy, and morals; and in the Netherlands, occasional instruction is given in association with various subjects. In Norway, all classes receive the instruction in connection with the lessons on religion, languages, history and geography, while in Serbia the study of hygiene includes the nature and effects of alcohol. In America practical temperance education was part of the regular curriculum in the schools of all the States, by virtue of the National Temperance Educational Law passed in 1882. Many battles were fought over text-books. In 1882 no text-book existed anywhere, with physiological instruction about alcohol adapted to schools. Although temperance teaching was always given in connection with physiology and hygiene, there was an increasing tendency to add lessons upon the social and economic effects of drink, and the number of text-books for higher schools which advocated strict personal abstinence were distinctly on the increase. This improvement was based on the growing strength and clearness of medical opinion, but to transfer that opinion to the school books needed much energy on the part of temperance advocates. The courses often last half a year, and in Illinois and New York four hours a week for ten weeks were given to the subject in the first year of the higher school course.

249. *Opinion in India regarding Temperance Teaching.*—The Bengal Excise Commission had evidence to the effect that the causes that led to drinking among the upper and middle classes were quite different, and had no reference either to the question of prosperity or the merits or demerits of any system of excise administration. The evil in their case was the result of a hybrid civilization and of the force of example set by a foreign and dominant race, whose habits, manners and customs were being aped by the rising generation of half educated students turned out of our schools and colleges. The civilization of the present generation of Indians is one of transition from the superstitions and prejudices of mediæval age to the independence and freedom of manners and thought of the present western races. The barriers of exclusiveness, bigotry, superstition, and prejudice are yielding to the advancing forces of education and intelligence, but the submission reacts on the mind injuriously by the destruction of those beliefs which have hitherto formed the ruling principles of life. The education given in our schools and colleges has done the work of destruction: but it has laid no stronger foundations of moral rectitude, and induced no healthier or more robust modes of thought or habits of self-discipline. With the waning dread of social excommunication, the expiring influence of a moribund faith, and the active propaganda of a new school teaching that the use of liquor is sanctioned by the *shastras*, the young Indian student has naturally made the first use of his so-called emancipation and regeneration to acquire the vices of a foreign race as a sort of fashionable and necessary passport for entry into a region of higher and superior civilization. Our system of competitive examinations with the resulting hard and close study, the absence of healthy exercise, recreation or domestic and social entertainments, combined with a sickly and delicate constitution, have largely helped to induce the vice of intemperance among the middle class people. The reaction of prolonged mental tension induces depression or melancholia which among people with sedentary habits and few amusements must ultimately give birth to a desire for stimulants as an antidote for ennui. The history of the world has proved, what that of India confirms now, that the civilization of Europe has always reacted on the character of the dark races of Asia, Africa and Australia by developing habits of intemperance. A more healthy system of education was therefore suggested to the Bengal Excise Commission. Books embodying principles of abstract social morality which religious susceptibilities would not object might be largely introduced into our educational courses, whilst treatises on the evils of intemperance and the benefits of abstinence might easily find a place in the recognised courses of village pathshalas and anglo-vernacular schools. Our school masters should not be machines merely for transferring their knowledge on general subjects to their students, but they should be real moral preceptors, forming and moulding the character of their pupils for the battle of life. They should by their character and life be living examples of what their students should look on as models worthy of imitation. The student's head also should not be converted into a crammed reservoir of crude ideas without any means of mental digestion from the absence of moral principles. An objection against temperance has been sometimes raised by Indian educationists on the ground that India is still so largely temperate that it would only bring the drink evil before those who would otherwise not be acquainted with it. If this objection is held good, it would be inadvisable to tell children many other unpleasant things which they do not know about. We do not see this argument in connection with any other subject of child training. We do not fear to teach the dangers of poor ventilation for fear that children will therefore be tempted to try the effects

of bad air. The objection might, however, well, be met by teaching the scientific facts about alcohol in connection with other facts pertaining to healthful living, just as other scientific facts are taught concerning earth, air, water, ventilation, exercise and regularity in eating and sleeping. We have no right to withhold from children the facts which will warn them in advance of the dangers of beginning to use alcoholic beverages. Children of the temperate classes in India do know more about drunkenness than what is usually supposed. What we must do is to give them the facts that will help them to understand the danger of taking even in small quantities and the habit forming power of all narcotics including alcohol. Witnesses before the Committee are generally in favour of instruction in temperance being imported in schools and colleges. It is proposed to introduce temperance primers and graded temperance text-books in all day schools, high schools and colleges, to provide every school, village, etc., with charts showing the evil results of drinking, to give instruction with the help of the magic-lantern and to open night schools for temperance teaching.

250. *The Committee's Recommendations.*—We consider that no scheme of real temperance reform can be complete without temperance education. The three solitary lessons to students attending secondary schools are not at all enough for this purpose. We, therefore, recommend that lessons on temperance should be incorporated in all vernacular text books from standard 4th upwards and instruction in temperance should be given in primary, secondary and high schools and that Government should consider expenses on that account as expenses for which grant-in-aid should be given. These lessons should be on scientific lines, implying temperance to mean total abstinence, and giving instruction on the nature and action of alcohol on individuals and society. There should not be less than 6 lessons in each Vernacular Text Book. Graded lessons of this type, with emphasis placed on total abstinence, and stories from Indian literature whether ancient or modern, should find place in all vernacular readers. As far as anglo-vernacular schools are concerned preference should be given to such text-books in English, science, hygiene, etc., which contain lessons on temperance.

CHAPTER XXI.

INDUSTRIAL ALCOHOL.

251. *Major Bedford's Proposals.*—If the scheme proposed by us in Section 11 of our Report is carried out the *mhowra* flower which is at present utilised in the manufacture of spirits will be available for other purposes. The Committee is advised that this base could be profitably employed for the manufacture of industrial alcohol. Not only will the establishment of such an industry continue the means of livelihood to the dealer in *mhowra* flower and afford an employment to those who are at present engaged in the manufacture of liquor, but might perhaps yield a small revenue to Government, if it proves successful. Major Bedford in his Report issued in 1906 stated that many technical difficulties confront the distiller before he can work *mhowra* on a large industrial scale, such as the most suitable yeasts to use and the best methods of washing, fermenting and distilling the washes. With Government assistance a large industrial spirit trade might be fostered and this would also increase the revenue from spirits not only in a very unobjectionable, but in an industrially advantageous direction. Major Bedford thought that Government could do a great deal to foster and encourage the development of the industrial spirit trade in India and that motor industry in all its branches was one of special importance and hopefulness as regards the extension of the trade in industrial alcohol. In support of this view he quoted the following from Mr. Filson Young, a recognised authority on this subject:—

“The movement in favour of using alcohol instead of petrol needs only to be helped by a slight alteration in the excise laws to make the whole matter a very much simpler one, and to put the motor industry on a much sounder basis than it enjoys at present. Alcohol could be cheaply produced in this country and Ireland; it is bulk for bulk a more powerful motive agent than petrol, and it is cleaner and simpler in its action.”

Besides its use as fuel in lamps, stores and motors, the chief industrial uses of alcohol in India are the preparation of soaps, varnishes, paints, shellac, cordite, refining oils, essences, perfumes and drugs. From the Excise report of 1910-1911 it appears that the Commissioner had under consideration an application from a qualified chemist for a license to prepare and sell spirituous tinctures, etc., at Ahmedabad. Major Bedford reported that with proper arrangement and under skilled supervision, a large number of medicines requiring the use of alcohol in their preparation could be made in India at a great saving to Government. He was firmly convinced that in a country like India it seemed necessary for Government to render relatively more assistance in the matter of developing and fostering industries than in the case of European countries, and that to do so is not only to help to make the country more prosperous but in various ways largely to add to revenue.

252. *Recommendations of the Indian Excise Committee.*—The Indian Excise Committee thought that the making of spirit for technical purposes was an industry in which there was room for considerable development and which might be legitimately encouraged by Government. As an instance they pointed out that there were imported into Calcutta, chiefly from abroad, over two lakhs of proof gallons of methylated spirit a year, most of which was used for the shellac

industry. They suggested that Government assistance to this industry could be afforded by the removal of the duty, by the liberal and free grant of licenses to distil and by the simplification of the law and the rules.

253. *The Alcohol Motor Fuel Committee.*—In 1919 the Alcohol Motor Fuel Committee was appointed in England by the British Government to consider the production of alcohol for power purposes. Enquiries that were made in India by the Committee concerning the possibilities and prospects of a surplus production of alcohol beyond the requirements of the local market elicited the fact that there was no prospect in the near future of such a surplus production of alcohol in this Presidency. The price suggested by the Alcohol Motor Fuel Committee ranged from 1s. to 1s. 6d. per bulk gallon of 67 o. p., whereas the price obtaining in India was more than double of this.

254. *Development of Power Alcohol.*—The Honourable Mr. (now Sir) Purshotamdas Thakurdas, in his evidence before the Committee, stated as follows :—

“A good deal has been heard lately regarding the use of mhowra flowers for industrial alcohol. I enclose herewith copies of information supplied to me by the Director of Industries, Bombay. The subject presents difficulties at the present stage, but considering the large quantities of mhowra flowers, etc., available in the country, at fairly cheap rates, there is every reason to believe that some industrial use for them could be discovered if a thorough and systematic enquiry were instituted. This subject is of sufficient importance to warrant the appointment by the Government of India of best experts from any part of the world to enquire into the industrial possibilities of the mhowra and other raw materials now used in liquor distillation. The only practical method of preventing illicit distillation and of discouraging (and ultimately prohibiting) the use of liquor, is to make the raw materials for these fairly costly by diverting them to other productive industrial channels, and for this purpose the spending of even a few lakhs of rupees by Government on enquiry by experts and industrialists would be fully justifiable. I have full faith that if such a patient enquiry is made an economic method of utilizing mhowra, etc., can be discovered to the discouragement of distillation for intoxicating liquors. Until such a use for the raw material for liquor is discovered it is hardly reasonable to consider the possibility of a great reduction in liquor consumption by legislation or executive order.”

The Director of Industries who was consulted by us in the matter writes :—

“In my judgment, it is waste of time to consider this at the present time, especially in India. In the first place, cheap power alcohol can only be made where there is a very large supply of a cheap base and at the present time the cheapest base is probably molasses. So far from being a producer of surplus molasses, India imports about three times as much as she produces. But even in countries where molasses are plentiful, the production of power alcohol has not been successfully established except apparently in one or two special instances. Finally, it must be remembered that the price charged for petrol is a monopoly price and if its market was threatened by cheap power alcohol, the Oil Companies would have no difficulty in reducing the price of their petrol very considerably.”

At present the industrial use of alcohol in India is very small when compared with that of other countries in the West, but as industries develop, the demand for industrial alcohol will increase.

255. *Our Recommendations.*—We would recommend that a thorough enquiry may be made as suggested by the Hon'ble Sir Purshotamdas and some scheme may be devised for the utilization of the mhowra flower for the manufacture of power alcohol. It may be true that the manufacture of industrial alcohol from *mhowra* flower may not be a commercial proposition at present, but as the world's supply of petrol is bound to diminish as time progresses and as India should not remain for ever dependent on foreign countries for her industrial development, it is desirable in the interest of the country that a practical scheme should be devised, by levying protective duties against petrol and foreign industrial spirit, to develop an indigenous alcohol industry, on a large scale. In view of Major Bedford's opinion such an attempt need not be postponed till the manufacture of country liquor from mhowra flower is entirely stopped, but should be made immediately.

We are further informed that like the mhowra flower the mhowra seed can also be utilized for preparing oil, glycerine, soap, etc., and we think that investigation may profitably be carried on into a possibility of developing these industries.

CHAPTER XXII.

PALM JUICE INDUSTRIES.

256. *Sweet Toddy.*—In Chapter XIV the Committee has explained the distinction between “toddy” or “tari” proper, which is fermented and alcoholic, and *nira* or sweet toddy which is the juice of the palm tree. The latter is obtained by drawing the juice in clean or lime-washed pots which do not allow the liquid to ferment while in pots on the trees and the juice so drawn,

if fermented, afterwards cannot be used as an alcoholic beverage, but turns into vinegar. The policy which the Committee has recommended contemplates, after a lapse of a certain period of time, the cessation of the use of all alcoholic drinks, including fermented toddy. The Committee do not and cannot propose the prohibition of the use of palm juice pure and simple, which does not contain any appreciable amount of alcohol and would be useful to the poor as a cheap luxury and even as food. We have evidence to believe that people will not be able to consume as large a quantity of the sweet juice as they now do of fermented toddy. The former is something like sugarcane juice and the toddy-bibber cannot and will not drink it so much as the fermented stuff of which he is fond. If the toddy industry ceases gradually to exist, it is but fair to the owners of toddy trees and to the country at large that the juice of the trees, which remains over after being used for drinking purposes, should be utilized for industrial purposes. The two industries in which it can at present be used are (1) jaggery and (2) vinegar. We shall first examine the existing policy of Government in regard to jaggery.

257. *The Jaggery Industry.*—In 1901 an inhabitant of Baroda, Mr. A. A. Chiplunkar, proposed to Government a scheme for the preparation of jaggery from palmyra and other palm-juice. He pointed out that in certain parts of the Madras Presidency, people prepared jaggery from the palmyra juice which was used for consumption in the same state or for preparing sugar. In that Presidency, though the Abkari Law was similar to the one obtaining in this Presidency the Madras Government had exempted the tapping of palmyra palm trees for preparing jaggery from the provisions of the Abkari Act (*vide* section 15 of Act 1 of 1888-89); while in this Presidency there was no such provision. Even in this Presidency the palmyra, date and other trees were so abundant that hardly one-fourth of the trees were tapped for Abkari purposes. Nobody turned the palmyra juice into jaggery and consequently considerable material wealth was lost to the country. There was apparently no outcome of Mr. Chiplunkar's proposal. In 1903 Government permitted Mr. Chabildas Lallubhai to tap, as an experimental measure, free of any tree-tax, about 50 brab trees on his estate in the Salsette Taluka for the purpose of manufacturing jaggery therefrom. The experiment apparently did not succeed. More recent experiments instituted in Bulsar and Umbergaon Talukas in 1914 and 1915 respectively must have proved more successful. Government, in a Legislative Council meeting of 1917, explained that in order to encourage the manufacture of "gul" from the juice of toddy trees they had sanctioned the exemption from payment of tree-tax of trees tapped for sweet toddy required for the purpose. As regards the education of the rayat they explained that a member of the Department of Agriculture was deputed to Madras in 1915, and to Bengal in 1916 to study the industry and during the previous two seasons a Parsi gentleman in the Thana District had been assisted in its introduction. The system of tapping in Bengal was said to be superior to that in vogue in the Thana District and it was proposed to bring over two Bengal tappers for a few months to instruct the Thana tappers in better methods. Any one who wished to obtain information on the subject had to apply to the Director of Agriculture. Since then permission appears to have been granted more freely to licensees to tap palm juice for the jaggery industry. The following rules were framed by the Commissioner of Excise for the Presidency proper in 1920 :—

- (1) Before any tree is tapped for sweet toddy, the owner must give a notice to the Excise Inspector or Sub-Inspector within whose jurisdiction the tree is situated.
- (2) Such notice shall contain full and accurate particulars of the location of every tree proposed to be tapped, and shall bind the owner to observe all the conditions laid down in these rules.
- (3) Every tree specified in the notice must be marked with a complete ring of not less than hand's breadth round the trunk, so as to be visible from all sides, in the colour and with the materials prescribed for the year and district.
- (4) Tapping for sweet toddy will be permitted without a license any time after the trees have been marked and the notice has been presented personally or sent by registered post, until the end of the toddy year in which the notice was given, provided that the ownership of any of the trees is not changed.
- (5) Upon a change of ownership of any tree tapped for sweet toddy all such tapping must cease until a fresh notice has been given by the new owner.
- (6) No tree may be tapped for sweet toddy in the same survey number in which any tree is licensed to be tapped for fermented toddy.
- (7) Sweet toddy may be drawn only in pots freshly coated internally with lime, or in which sufficient lime has been freshly placed before they are attached to the trees. In either case the lime must be renewed whenever the pot is emptied before using it again for drawing sweet toddy.
- (8) In case of any breach of the above rules, the owner, unless he himself first informs an excise officer of the offence, shall be liable to pay the full tree tax on every tree in respect of which the offence was committed, and all permission to tap any of his trees for sweet toddy shall be withheld for such period as the Superintendent of Excise may direct, in addition to any penalties to which he may be liable under Section 43 (s) (d) and (e) of the Abkari Act if the offence was committed by him.

- (9) Sweet toddy shall not be drawn except between the hours of sunrise and sunset.
- (10) Sweet toddy must be manufactured into jaggery and no such toddy shall be kept until the day following.
- (11) Sweet toddy shall not be mixed with fermented toddy or delivered to any person licensed to tap or sell fermented toddy, or to any person on behalf of such licenses.
- (12) Any person tapping for sweet toddy shall be bound to bring down the pots attached to any of the trees so tapped for inspection on the demand of any excise officer above the rank of a peon.

From the Excise Report for 1921-22 it appears that the manufacture of jaggery from palm-juice takes place on a small scale only in the Kanara Below-Ghat District, that the number of trees tapped for the purpose is 300 and that the excise department has under consideration a scheme for allowing the manufacture of jaggery with such safeguards as will prevent the diversion for illicit purposes of untaxed toddy intended for this manufacture.

258. *Jaggery and Vinegar Industries should be developed.*—The Committee recommends that in view of the policy they have proposed with reference to toddy the manufacture of jaggery and vinegar from palm juice should be encouraged as much as possible. These industries are carried on at present on a very limited scale. They are found to be profitable, but we have no figures before us to show this. The vinegar industry receives consideration only in a few villages of Surat. Mr. (afterwards Sir) Fredrick Lely proposed to grant a monopoly in that district for the exclusive privilege of tapping brab trees for the manufacture of vinegar. It will aid the industries considerably if experiments are made by the Department of Industries on scientific lines and improvements are suggested in the present processes of the manufacture of *gul* from palm juice. Jaggery, which is largely imported, is an ordinary item of the daily diet among a large class of the poorer population of this Presidency, as elsewhere in India, and the utilization of palm-juice for its manufacture on a big scale will not only continue the occupation of the toddy tappers but might afford a means of subsistence to people who will be engaged in this industry. Major Bedford reported that a large vinegar manufacturing industry might be readily developed in India with its plentiful and cheap sources of fermentative bases for spirits. It is high time for Government to make an investigation on this subject also as palm-juice could be spared for the purpose.

C. M. GANDHI,
 *DADUBHAI P. DESAI,
 B. V. JADHAV,
 *H. F. KNIGHT,
 HOOSEINBHOY A. LALLJEE,
 *N. MACNICOL,
 B. F. MADON,
 *JAMSHED N. R. MEHTA,
 SHIVRAM WAMANJI PATIL,
 *JEHANGIR BOMANJI PETIT,
 *AMBALAL SARABHAI,
 *W. C. SHEPHERD.

MINUTE OF DISSENT.

By Mr. H. F. KNIGHT.

My appointment to the Committee was only to give assistance in working out any financial proposals involved. I desire to express no opinion on any Chapter of the report excepting Chapter XV which deals with the financial effect of the proposals. I would also make clear that though I consider that the financial proposals therein are feasible provided the country is willing to undertake the financial burden involved, I would express no opinion as to country's willingness or as to the desirability of imposing this taxation.

H. F. KNIGHT.

MINUTE OF DISSENT.

By the Reverend N. MACNICOL.

I have attached my signature to the Report to indicate my general agreement with the Committee's attitude and recommendations. At the same time I think it right that I should indicate somewhat more definitely my relation to the Report and to its preparation. I was able to be present at most of the meetings of the Committee up till July 1923, and so heard most of the evidence submitted to it. I took part in the discussions by the Committee from the 26th to the 28th June when the general lines which the Report was to follow were determined, and I found myself in agreement with the majority of the recommendations which it was resolved should be made. In the month of July I left India on furlough and, as a result, I was not able to take part in the subsequent discussions or to consider along with my colleagues the actual report as finally drafted. Had I been present at the later meetings I might have felt myself more fully responsible for the Report and for the form in which the conclusions of the Committee have been presented. Not having had an opportunity of sharing in these discussions or of representing my views in regard to the arguments made use of in the Report and the statements included in it, I think it proper to make clear that my signature to the Report indicates only a general agreement with it and does not commit me to assent to all its contents. My agreement with it is, however, sufficiently close to make it possible for me to attach my signature to it.

As regards the recommendations of the Committee I agree with the first of these which urges an alteration in the Excise policy of Government with a view to the total extinction of the traffic in alcohol and drugs. I am also in hearty agreement with the recommendation of the method of Local Option as the chief means by which that goal should be sought. I should have preferred if the Committee had recommended this method alone as that by which the country should advance towards ultimate prohibition of the traffic, and that it should not have associated a system of rationing with it. As regards the taxes which it is suggested might be imposed to make up the probable loss of revenue resulting from the extinction of the traffic, I desire to express my strong opposition to the proposed tax on betting. I am of opinion that it would be deplorable if one source of revenue which we consider to be derived from the corruption and degradation of the people were to be exchanged for another of the same character. I wish, accordingly, to record my strong dissent from this particular proposal.

N. MACNICOL.

MINUTE OF DISSENT.

By the Honourable Mr. W. C. SHEPHERD, B.A., I.C.S., M.C.S.

The problem of control of the liquor traffic is peculiar in this respect, that on no subject is it more difficult to obtain impartial opinions or accurate statements of facts. The fact that the great majority of people find pleasure in drinking alcoholic beverages no doubt tends to induce them to minimise the amount of misery, crime, and economic loss which is caused by excessive indulgence in alcohol, and the value of the trade in liquor is so great that it has immense vested interests on its side. On the other hand, it must be admitted that the zeal of "temperance" reformers induces them to distort and exaggerate the facts. They are usually in a minority and are engaged in a warfare against considerable odds.

2. One can only try one's best to be as impartial as possible, and my first objection to the report which my colleagues have submitted is that it appears to me to be manifestly biassed. The whole of Chapter I of the report is, I think, dangerously misleading. I do not know on what authority the statements in it are based, but they give the impression of having been taken from a work by a strong advocate of total abstinence. It contains a number of disputable and disputed propositions. For example, the description of the nature of fermentation is of highly doubtful accuracy. It reads as if made with the object of creating prejudice. It is true that the Alchemists used the terms fermentation and putrefaction indiscriminately, but one might reasonably prefer the authority of Pasteur who pointed out that the chemical action of fermentation is essentially a correlative phenomenon of a vital act beginning and ending with it. In other words, fermentation is life without air, or life without oxygen. Again the description of conditions in France cannot be accepted as undoubtedly accurate. Against the lurid account of the state of France in 1903 or thereabouts may be placed that of a very distinguished student of the subject, Dr. Arthur Shadwell. Writing about the year 1910 he says :

"The writer has made extensive enquiries on this head in France. There is drunkenness, but outside Paris and the seaports it is rare. Employers of labour in all the principal industrial cities, including the mining districts of the North, agree on this point."

I do not think that any one reading Chapter I of the report would realise that the question whether the Gothenberg system in Norway and Sweden and the recent Prohibition law in the United States of America have been really beneficial or not, is a subject of acute controversy, and that it is not possible for an impartial critic to assert that they have proved successful.

I do not myself see any reason why Chapter I should have been included in the report at all. The fact that the liquor question has been almost everywhere a matter of serious concern to Governments is not disputed. The steps taken to deal with it are by no means necessarily relevant to the subject matter of the report. A mere description of these is obviously useless, and no real attempt has been made to estimate the value of the various forms of legislation in combatting intemperance.

Chapter II is perhaps useful in view of the fact that the evidence taken by the Committee showed that quite a number of educated people believed that the practice of drinking intoxicating liquor had been introduced into India by the British Government. But this ignorance of history on their part, while it may fairly be considered to affect the value of their evidence, hardly justifies the treatment of the subject at such length in the report.

On Chapters III and IV I venture to remark that the criticism which I made on Chapter I also applies, namely, that a mere statement of the facts and arguments is in itself of little use in the absence of any criticism of them by the Committee.

I now turn to the specific recommendations of the Committee. I regret that I am compelled to dissent entirely from the most important of their conclusions, namely, that total prohibition is the goal to be attained. The important section 91 appears to me to be full of statements of very doubtful accuracy. The report states that "the Committee has failed to trace any historical data which would go to show that the liquor traffic was ever regulated by the State, or that the latter ever attempted to make it a source of revenue for its support." Our information, especially for early times, is scanty, but there are indications of very early attempts to control and regulate the places where liquor was sold. The laws of Manu, as I have pointed out in my Note, printed as an appendix to this minute of dissent, lay down certain restrictions and permissions. There is evidence that in Mogal times revenue was derived from toddy farms. In the times of the later Peshwas there is no doubt whatever that abkari revenue was derived from direct taxes, such as tree-taxes, still-taxes and shop-taxes. This is proved from the Peshwas' own accounts and is mentioned by Mr. Bell whose report is referred to in the Report. Of course in the extremely unsettled condition of India for centuries before the British administration it was impossible to raise a large regular revenue from this source. But it is not correct to say that attempts were not made to raise revenue.

As regards the effect of the policy pursued by the British Government in this Presidency, I venture to think that enough importance has not been attached to the fact that the Government took over the systems which they found in existence and only gradually modified them.

The statement in the report that "as soon as the British power began to be established in this country following the practices in their own country the British authorities tried to derive a revenue by what they called regulating the traffic for police purposes" is one for which I can find no warrant. The further statement that "the country was spread over by a network of shops which became centres of attraction to the poor drinking classes," seems to ignore the fact that prior to the introduction of any effective measures to regulate the liquor traffic by the British Government there were on the average during the ten years prior to 1865 in one taluka of the Thana District alone no less than 1,885 stills and 2,301 shops and that the total number of shops in the Presidency was reduced by 1867-68 to 4,673, to 2,218 by 1907-8 and to 1,673 by 1920-21. Further we are dealing not with the previous policy of Government but with their present policy. It is with reference to that policy that the report says "not only has the present policy of Government not succeeded in minimising temptation and putting an effective check on drinking, but it has also failed in subordinating the consideration of revenue to the public interest." In my Note presented to the Committee I gave figures showing that so far from the first of these statements being true the effect of the passing of the Abkari Act of 1878 and the measures taken under that Act was to bring the *per capita* consumption of licit liquor in 1921 down to about half what it was in 1868. No attempt has been made to impugn the accuracy of my figures. As regards the second statement, the raising of the cost of liquor by increasing the taxation on it was the principal means by which the result referred to above was obtained, and if this is so, I fail to see how it can be said that the consideration of revenue was not subordinated to the public interest. It could only not be so if the increase of revenue was accompanied by an increase in consumption, which is not the case.

In paragraph 93 of the report a purely imaginary contention on the part of the anti-prohibitionists is put forward and demolished. This is that the almost universal use of alcoholic stimulants is a justification for indulgence in them. I am not aware that any such contention has ever been made. The fact that except in the case of some of the lowest savages the use of alcohol is almost universal is merely a proof that there is a general human desire for it, and that consequently attempts at prohibition by law are unlikely to succeed. No one has ever urged as far as I know that alcohol is a necessity. The fact that infants do not use it seems hardly to the point: infants do not indulge in gambling or other forms of amusement which are admittedly injurious in excess. The fact of the very general use of alcoholic liquor may fairly, I submit, be employed as a ground for believing that the evil effects of it may be exaggerated. If it was half as injurious as the advocates of prohibition contend, the most efficient nations would be the most sober, whereas the fact is almost the reverse. This, while it cannot be taken to justify excessive indulgence in alcohol, does give reason to believe that the injury caused by it may be over-estimated.

I do not for a moment deny that in industrial countries the problem has become extremely serious. Nor would I deny that the increasing substitution of spirits for fermented liquor is a grave danger. I have indicated this in my Note. But it is unscientific to attempt to cure an effect without dealing with the cause, and the cause is the conditions of life imposed on the mass of the people by our modern industrial system.

This Presidency except in a few large towns is as yet happily free from the evils of industrialism, and the consumption of alcohol in it, as I have shown in my Note, is infinitesimal compared to that in Western countries.

From the position taken up in paragraph 97, I must emphatically dissent. It is opposed to common sense and general experience. Comparatively few of the greatest men have been total abstainers. Mr. Gladstone confessed to an almost undue weakness for port. The younger Pitt was accustomed to drink a bottle of it before making an important speech. The nations which are accustomed to use intoxicating liquor in large quantities are not, as I have already pointed out, the least efficient. The level of intellectual attainments and intellectual distinction is not lower among individuals who drink than among those who do not. Almost every statement in the paragraph is of a highly controversial nature. The same may be said of paragraphs 98-101. For the arguments against the principle of State Prohibition, I would refer to my Note in which they are discussed at some length.

I now come to paragraph 102, on the subject of illicit practices. This is perhaps the most important point of all. Whether Prohibition is theoretically justifiable or not, it is no use passing a Prohibition Act if it cannot be enforced. The manner in which the subject has been dealt with in the report shows, I think, that my colleagues realise that here lies the weakness of their case. The report refers to the United States of America. It says: "The anti-prohibitionist's argument depicts America as abounding in illicit liquor which as it were has already replaced licit one. We have luckily the evidence on the other side of independent witnesses who consider this view to be largely an exaggeration." I have made a careful study of this question and obtained information wherever I could. The evidence is, I think, overwhelming that liquor can be obtained with perfect ease in the United States of America, by anyone who can afford to pay for it. I may quote the statement of an American of high position, quoted in the *Times American Supplement* that there must be something wrong about a law which is habitually disobeyed by all the wealthier and more distinguished and intellectual of the inhabitants. I

have the evidence of distinguished English visitors to America, one of whom states that they discuss prohibition "over the walnuts and the wine." I have the direct evidence of an American lady who does her own distilling because the illicit liquor is of such bad quality. I have the evidence of an American medical missionary—himself a strong teetotaler—who holds that prohibition has done more harm than good because it has induced a number of young Americans of the upper classes, particularly girls, to drink who never drank before. Finally I have the evidence of the extraordinary prosperity of the Bermudas and the controversy about the 3-mile limit. I do not know who the "independent witnesses" are. But I do know that the Committee of Fifty who were almost all strong advocates of temperance were of opinion that State Prohibition in the United States of America was a complete failure. It is as I have remarked in my Note impossible to treat this Presidency as if the conditions were similar to the United States of America. Illicit distillation has always been very difficult to check in areas where the raw material is easily available.

The statement in the report that "alcohol can be produced from so many different bases, such as potatoes, grain and fruit, that it is very difficult to say that the materials abound more or are cheaper in India than in other countries of the world" shows, I regret to have to say, an inadequate knowledge of the methods of distillation. Potatoes are not by any means easily obtainable throughout the Presidency as one would have expected my colleagues to know. The extraction of alcohol from grain requires a very elaborate plant. But it is perfectly easy to extract alcohol from mhowra and such extraction has been made from time immemorial. The same is the case with the juice of the toddy palm. In places where mhowra trees do not grow and toddy palms are rare there has been little opportunity for the manufacture of spirit, and this has been largely the cause of the temperate habits of the people of the Deccan. Recently we have had cases of distillation from jagri owing to the high price of liquor, where it had never been known before. It is easy to distil liquor from jagri. But until the introduction of rationing the practice was practically confined to the Lamanis of Bijapur and Dharwar.

The report goes on to say "as to smuggling the Customs and Police arrangements enforced by the strong hand of the British in India, are so thorough and perfect that except the officers of the Excise and Revenue Departments very few people in India would subscribe to the view that means cannot be devised to put an effective check on smuggling, if the mighty Government so desire it." It is difficult for a Commissioner of Excise to transcribe this statement without a smile. He only wishes it were true. Unfortunately it is not. Government of course desire to put down illicit practices. It is in their interest to do so, both from considerations of revenue and in order to promote temperance. But the fact remains that in many parts of the Presidency illicit distillation is so easy and so difficult to detect that there is no doubt that a very large amount of illicit liquor is consumed. I would draw attention to what I have said about the Nawapur taluka in my Note.

But I regret to say that my colleagues have gone a step further. In their anxiety to minimise the effect of illicit practices they have actually suggested that the remarkable rise of 50 per cent. in excise crime contemporaneously with the introduction of "rationing" was due to a circular of the Commissioner's warning his officers to be on the lookout for such increase. The Prohibition garrison must indeed be reduced to the severest straits if they have to have recourse to such an argument. In the first place it is not true. No such circular was issued. I append a copy of a circular which I issued *after* the reports about excise crime had justified my apprehensions. The circular did *not* enjoin special vigilance on the officers of the Department. It assumed that they would take the necessary measures, and merely asked for more detailed information. In the second place it requires very little knowledge of political economy to know that if the supply of a commodity is artificially restricted its price will rise. Nor does it require any very profound knowledge of history or of human nature to predict that when people are deprived of the power of obtaining licitly what they want, and the means of producing it illicitly are easy, they will resort to illegal practices. "Rationing" has enhanced the price of liquor so greatly as to put it beyond the means of the poorer classes. They have therefore been reduced, as the reports of detected cases show, to obtain it either by illicit distillation or illicit import. As Commissioner of Excise I should be extremely gratified if a mere warning of mine had such an effect on the Department as to stimulate their energies to such an extent that they detected 50 per cent. more offences than they had ever done before. But unfortunately I never issued such a warning, and if I had, I fear it would not have had the effect suggested. There is a much simpler explanation, namely, that the increase of 50 per cent. in excise crime is a real fact. I may add that until recently it is probable that with the strengthening of the Excise Department illicit practices did decrease. But we carried our restrictions on the obtaining of licit liquor too far. Before the introduction of rationing excise crime had shown a tendency to increase. The introduction of rationing however was accompanied by a sudden jump in crime. It is difficult to regard this as anything but an example of cause and effect, apart from the direct evidence on the subject. The same thing was observable when State Prohibition was introduced in the United States of America. It was also observable when an innovation which increased the price of liquor was introduced in 1888 into the Thana District. The price of licit liquor was

greatly increased, and the cases of illicit distillation rose from 373 to 606. On this point I would ask the readers of this minute to refer to the note appended and to the last Administration Report of the Excise Department. I will only add that recent figures of crime show a still more alarming increase.

On the specific recommendations in the report I venture to make the following observations.

My objections to local option are not founded on any objection to the principle but are :—

- (1) that in this country it is extremely difficult owing to the general absence of public spirit to get any reliable expression of opinion. The general apathy is such that the opinion would almost certainly be on the one side that of a few Temperance enthusiasts, and on the other that of the local liquor shop-keepers ;
- (2) all that local option could do would be to close the shops in a particular area. It would be in practice extremely difficult to prevent the import of liquor from adjacent ' wet ' areas. This is a reasonable inference from the enormous increase in the import of liquor from Indian states due to the difficulty of obtaining it in the British districts.

To what I have already said about rationing I would add that the argument from the fact that less than the ration has been consumed is fallacious. The only possible reasons for the public not buying the full quantity are either (a) that they do not want it, or (b) that they cannot afford to buy it. If (a) were true, then it would be difficult to see the point of rationing at all. If (b) is true, as it undoubtedly is, it is only fair to presume that it is the high price of liquor which is responsible for the heavy increase in the illicit traffic. I understand that my colleagues would confine rationing to urban areas and allow the shops in rural areas to remain unrationed. The obvious result will of course be to make the rural shops adjacent to urban areas extremely profitable. The remaining recommendations are chiefly directed towards an increase in the severity of restrictions already in force. The objection to them is that the present restrictions combined with the great increase in cost of liquor are already driving people to obtain their drink illicitly and that a further stiffening of them will merely produce an increase in excise offences without any counterbalancing benefit.

I do not propose to say anything about the financial proposals except that they seem to emphasize the very great difficulty which the Finance Member would be in when he attempted to balance a prohibition budget. I think they would be received by the public with extreme indignation.

I have now noted the main points on which I dissent. But I fear that I must say that I disagree with almost all of the conclusions at which my colleagues have arrived and can accept hardly any of the arguments by which they support them. There is only one important point on which I agree with them and I am glad to be able to conclude this minute by referring to it.

The report suggests the abolition of all ' on ' licenses for places maintained merely for the purpose of supplying liquor. I believe it would be a good thing if this were done. There are no doubt difficulties in the way. But I feel sure that it would decrease the amount of drinking. I would not of course restrict the amount of liquor which might be sold for consumption off the premises, except in so far as to fix a minimum quantity of one pint to be purchased at a time. It is true that it has been argued that drinking at home may demoralise a man's family. But on the other hand it may be urged that his family are likely to exercise a restraining influence on him. And the possibility of obtaining small quantities of drink at a time and drinking it in company with others under the conditions prevalent at most of the existing ' on ' shops is likely to induce a man to drink more than is good for him. If the shops were used in any way as clubs where people might congregate to discuss matters of public interest there might be something to be said for them, but as far as my information and observation go, they are not so used in this country.

W. C. SHEPHERD.

No. GI.—18.

Bombay, 8th December 1922.

The information already in possession of the Commissioner makes it clear that illicit distillation, import and sale of liquor is everywhere on the increase. It is obvious that if the illicit trade assumes very large proportions it will not only seriously affect the revenue but will nullify the efforts of Government in the direction of promoting temperance. It is of the utmost importance that we should retain our control of the drink traffic. It is the duty of the Deputy Commissioners and Superintendents to devise the necessary measures for dealing with the

situation and the Commissioner has every confidence that they will do so. But it is necessary that he should be fully informed of the facts regarding the illicit trade, and at present he is not. The returns submitted to his office are defective in this way, that they do not give any information as to the nature of the cases reported. Figures only are given and these are merely of the number of offences. A case, *e.g.*, of illicit distillation may be very trivial or very serious—it may involve one man or half a village. The Commissioner therefore desires that in future information regarding illicit distillation, import, or sale should be submitted in the accompanying form.

W. C. SHEPHERD.

To—The Deputy Commissioners of Salt and Excise.

Number of persons concerned.	Caste or religion.	Number of stills discovered (in cases of illicit distillation).	Quantity and strength of liquor seized.	Place of offence (and in case of illicit import, place from which imported).	<p>Remarks.</p> <p>In this column any exceptional features should be recorded and it should be stated if possible whether the offence is due to the high price of licit liquor and whether the liquor was distilled for general sale or for private consumption by the distiller and his friends.</p>

NOTE ON THE DRINK PROBLEM, WITH SPECIAL REFERENCE
TO CONDITIONS IN THE BOMBAY PRESIDENCY.

BY THE HONOURABLE MR. W. C. SHEPHERD, B.A., I.C.S., M.C.S.

The terms of reference to the Excise Committee are so wide that they practically cover the Drink Problem in all its aspects. The intention of the mover of the Resolution in pursuance of which the Committee was appointed was, however, evidently to cause a searching inquiry to be made into the policy of Government in dealing with the problem, and the main duty of the Committee is therefore to consider what action, legislative or administrative, should be taken by Government. In order to come to any conclusions in this respect it appears to me that the Committee must in the first place clearly formulate the principles which should govern the action of the State in dealing with the question; and in order to decide the manner in, and the extent to which these principles should be applied it must be provided with clear information regarding the relevant facts.

As a member of the Committee, it will be my duty to place my opinion before it. What that opinion may be worth I am obviously not in a position to estimate, but I feel justified in giving it in some detail because my position is peculiar. As administrative Head of the Department which carries out the policy of Government, I have necessarily had to make a special study of the subject, and have access to a large amount of information which is not within easy reach of the general public. Also I have been for many years a Magistrate and District Officer and in those capacities have had exceptional opportunities of becoming acquainted with the habits, customs and points of view of the people of this Presidency. Much curious and interesting information is obtainable from evidence recorded in criminal and revenue cases, and an officer who has had to spend a large portion of his official career in or near villages, and has been compelled to interest himself in almost every matter which affects the daily life of their inhabitants must necessarily obtain a considerable knowledge of the conditions under which the mass of the people live, and their more salient characteristics. This is my excuse for inflicting upon the Committee the accompanying note.

In this note I propose first of all to discuss the general principles on which a Government should act in dealing with the question. I then propose to examine the facts with which it is necessary to deal, and consider what action should be taken in accordance with the principles which may be considered to be established.

I quote the following passage from Lord Bryce's work, "Modern Democracies":—

"Since the principle of protecting a man against his own propensities when these are injurious to the community also, is deemed legitimate if sufficient grounds for interference have been shown, the question comes in each case to be what grounds are sufficient, and how to balance the admitted discomfort to some individuals who need no protection against the admitted benefit to those who do need it."

Lord Bryce is, of course, referring to interference by legislative or administrative action of the State and the principle he lays down is that such interference is only legitimate if sufficient grounds are shown for it, that is to say, if the injury to the community is so serious as to necessitate interference by the State in the general interest. Whether this is so or not is a question of fact. The main point to bear in mind is that interference by the State is justified not for the benefit of the individual but for the benefit of the community.

This principle has been accepted by all civilised countries in modern times. No one would now venture to deny that in the interests of the community control over the drink traffic is essential.

The two most important facts in regard to alcoholic liquor are (1) that it is pleasant, and (2) that if consumed in excess it produces drunkenness.

The pleasure which it produces is almost universal; it is rare to find a human being who does not feel it, and even animals experience it. So long as alcohol is taken in moderation no violent reactions ensue, such as are experienced in the case of most drugs. The quantity of alcohol however which can be consumed with impunity varies in different persons. No fixed rule can be laid down, and those who indulge in it have perforce to learn by their own individual experience. This experience is frequently bought by mistakes which vary in their consequences according to the character of the individual. And there is also no doubt that in some cases—though there has been a tendency to exaggerate the number—alcohol like other drugs loses in effectiveness as the system becomes accustomed to it, and the quantity taken is increased, with the result that a morbid craving is produced. From the point of view of the community we are also concerned with the fact that alcohol taken in excess deprives a person of his normal self control. A man suffering from a form of partial and temporary insanity is likely to be a nuisance and often a danger to his neighbours.

It may be observed that the problem is unique. There is no drug, except alcohol, the desire or liking for which is practically universal; there is no drug except possibly opium or nicotine, the injurious effect of which, if taken in moderation is so small. The injurious effects of alcohol taken in excess are unlike those of any other drugs in that they are far more liable to cause injury or annoyance to other members of the community. And owing to the universality of the desire for alcohol and the ease with which it can be obtained, the cases of excess in the use of it are far more numerous than those of excess in the use of any other drug. A fact which is worth noting, and which has perhaps not received the attention it deserves, is this: the demand for State control of the liquor traffic, or State interference with it on the ground that it is productive of injury to the community is quite modern. Such State control as was formerly exercised was mainly for revenue purposes, though in some instances no doubt it was used to mitigate an obvious public scandal, as for example, the control of public houses in England in the 18th century. Sometimes as for example during the reign of Shahjehan, and again in the time of the Peshwas, a serious attempt was made to prohibit the use of alcoholic liquor amongst Mahomedans in the former case, and high caste Hindus in the latter. But this prohibition was undoubtedly on religious grounds, and not on any general principle of the duty of the State in fostering the well-being of the citizens. It was not a general prohibition and did not extend to people whose religion did not prohibit the use of liquor. Manucci for instance was permitted not only to distil liquor but to sell it, and this was recognised as a general privilege of Europeans in Mogal territories. There is no reason to suppose that the Peshwa's prohibition was intended to apply to Hindus of the lower castes. The toddy tappers of the Konkan pursued their ancestral avocation, and their business was taxed for the support of the Peshwa's Government. Though liquor shops were abolished with, I believe, one exception, in Poona—a Brahmin stronghold—they were permitted to exist outside the city for the use of the troops. There are definite indications that in Ancient India liquor was a source of public revenue, and was not discouraged, for we find ordinances expressly providing for comfortable and convenient drinking places.

A little knowledge of the conditions of the greater part of India until modern times is sufficient to make it obvious that no general prohibition could have been enforced. The duties of the superior officers of the State almost throughout the history of India were mainly to maintain troops, to raise revenue, and to dispense a kind of rough justice. Government in the larger towns was of an organised character, but outside them the villages almost universally administered their own affairs. With the mechanism at the disposal of Governments of those days, no considerable control was possible, nor is there any indication that it was attempted. We may occasionally hear of drastic efforts like that of Tipu Sultan who ordered all toddy trees in his kingdom to be cut down, but this order, like, probably, most others of a similar kind, was only very partially carried out.

The fact that the control of the liquor traffic was of interest to Governments in India from very early times disposes of a theory which I have recently seen stated that it was the British Government which introduced liquor-drinking into India. There is no foundation for this theory which is on the contrary inconsistent with all the facts of which we have historical knowledge. There is in fact no reason to suppose that in this respect the inhabitants of the Indian peninsula differed in any marked degree from the inhabitants of the rest of the world. The allegation that the system of control followed in this country under British rule has increased drinking stands of course on another footing, and will be examined in its proper place. *

There is I think no doubt that in modern times and under modern conditions of civilisation the subject has in Europe and America assumed a different and more serious aspect.

If in older days there was no possibility of effective State control of the liquor traffic, it may be admitted that there was also no very great or clear occasion for it. Before the invention of railways or metalled roads travelling on a large scale or for long distances was a difficult and lengthy business. Great industrial enterprises were unknown. Most people spent the greater part of their lives, many people spent all their lives in or near the place in which they happened to be born. Facilities for production on a large scale were absent. Consequently if a man wanted alcohol, he had to obtain it from small local vine-growers, toddy-tappers, or distillers or to make it for himself. It seems probable that as the output of small private stills would necessarily be very limited in quantity the bulk of the liquor drunk was fermented. In the toddy tree-growing areas of this Presidency there were in the early days of British Rule a very considerable number of small stills, but it is likely that the amount of distilled liquor drunk was small in comparison with fermented liquor. This seems to have been undoubtedly the case in other countries where vines could be grown wine was drunk, usually a very light wine. Where vines could not grow fermented liquors such as beer and cider were manufactured either for private use or local sale. No fermented liquors contain a high percentage of alcohol, and they have these other characteristics that they are usually drunk as beverages and frequently contain nourishing ingredients. The popular belief that toddy is a food as well as a drink is so definite and widespread that it is improbable that it has no foundation. Consequently the form in which alcohol was consumed was mainly one in which it was fairly innocuous. We have further to consider the influence of the fact that when people do not travel much, they become very well known to their neighbours and excess in drink is probably kept down by strong local public opinion.

Accurate statistics are of course only obtainable in highly civilised modern States and consequently cannot be used to prove any of the foregoing propositions. But they are supported by natural probability and by a good deal of direct and indirect evidence. I feel convinced that one reason—probably the main reason—why the drink problem has so recently attracted serious attention is that it is a modern problem. The real evil is due to two facts which have only become operative in modern times. The first is that distilling is now carried on by large firms with an immense output. The second is that modern industrialism which concentrates large numbers of people into towns, in gloomy and insanitary dwellings, and has been accompanied by increasing severity of the struggle for existence, has led numbers of the working classes to seek relief or forgetfulness in the effect produced by strong spirits, the inferior qualities of which can be obtained at a very low price. Alcoholism in these circumstances is an effect of misery rather than a cause of it.

It will be observed that the conditions under which alcohol is consumed in this Presidency differ materially from those under which in Western countries excessive drinking has reached a pitch which has attracted the earnest attention of those interested in social reform. The influences which in Western countries have driven large masses of people into the towns are happily non-existent except in Bombay City and to a much less degree in Ahmedabad. Elsewhere, we find that indulgence in alcohol is conditioned partly by the ease with which the raw material is obtainable and partly by climatic influences. If we consider the tracts in which spirits are most largely consumed we find that they are those in which strong distilled liquor affords some relief against unpleasant or unhealthy occupations or climatic conditions. The wild tribes who inhabit malarious jungles certainly believe that spirits have a medicinal influence in counteracting the effects of cold and damp. The Konkan rice-growers who during the transplanting season spend long hours standing in water, and exposed to heavy rain find that spirits have a warming and invigorating effect. The fishing castes largely indulge in them for similar reasons. But the use of spirits amongst these classes is of very old standing and the only class of people amongst whom there are indications of an increase in the consumption of distilled liquor is that of the artisans and operatives in two large towns. I can find no evidence of any regular or habitual indulgence in the agricultural classes. Custom demands the use of liquor at certain public and private festivals, but except on these occasions the consumption of spirits is very small.

It appears, then, that the agitation in favour of total abstinence from alcohol on other than religious or kindred grounds is due mainly to the fact that the evil effects of indulgence in alcohol are more marked and more widespread in Western countries than they were formerly. Temperance Societies and Temperance propaganda are in all countries of very recent growth. Less than a hundred years ago they were unknown. It is not an unreasonable inference that the evil which they condemn has also only recently become important. It is true that the agitation synchronises with a great increase in the accuracy and completeness of statistical knowledge, and with a remarkable advance in medical science. But these facts do not afford a sufficient explanation in themselves. In the ancient Greek Republics, the citizens of which were as highly intelligent, and as interested in public affairs as any of whom we have historical knowledge, teetotalers were looked upon as eccentric and probably dangerous persons, and were undoubtedly very rare. And even now doctors are far from unanimous regarding the injury caused by indulgence in alcohol. In fact the latest authoritative pronouncement on the subject, that of Lord D'Abernon's Committee of 1917, does not support the view that alcohol taken in moderation is injurious.

The agitation against alcohol as a social evil appears to be almost confined to countries where industrialism has made very rapid progress, and where spirits are largely consumed. We find it most active in the United States of America and in England, where great numbers of people are concentrated in towns and engaged in factories and in Norway and Sweden where possibly on account of the climate (as also in Scotland) the use of distilled liquor is general. We do not hear much of it in Southern Europe where the staple alcoholic drink is wine, or in Holland, Belgium, Denmark and Germany where the ordinary drink is beer. In England and the United States of America it is mainly an urban problem, and is of importance because such a large proportion of the population is concentrated in towns.

The agitation in the Bombay Presidency is at first sight difficult to understand. The urban population is comparatively extremely small. The consumption of alcohol is, as I shall show when I come to deal with the figures, very much less than in the most temperate Western countries. Over large areas the amount of alcoholic drink consumed is absolutely insignificant. One would have thought that here, if anywhere, the matter was not of such importance as to call for drastic interference on the part of the State.

A careful investigation of the facts however will I think make it clear that the agitation is not so unnatural as might first appear.

It is not only recently that the policy of Government in dealing with the liquor problem has been called in question in this Presidency. Criticism of that policy has been going on for at least 40 years. It culminated in the attack made on the Government of India in the House.

of Commons by Mr. W. S. Caine in April 1889. It arose again in Poona in 1908. It has recently received a considerable stimulus from the action of the United States of America in introducing Federal prohibition. It is true that the demand for State interference in the direction of prohibition has been mainly confined to the educated classes, and amongst them to those whom it is the custom to describe as "politically-minded." But it has also usually been a feature of the propaganda of religious and social reformers, though with them it has taken the form of an appeal to the people, not an attack on Government. Though doubtless a great deal of the political agitation was carried on with the object of discrediting Government, and to a certain extent, of injuring it by depriving it of a source of revenue, it would be unfair to lay too much stress on these motives. A great deal of it is honest and disinterested, and it is necessary seriously to consider the arguments on which it is based, and the feelings which have given rise to it.

It appears to be based mainly on the following three propositions :—

- (1) The use of alcohol is condemned both by the Hindu and Mahomedan religions.
- (2) Drinking alcoholic liquor is a dangerous vice, whether it is taken in moderation, or in large quantities.
- (3) The policy at present pursued has caused a large increase in the consumption of liquor.

In dealing with the general principles which ought to guide us, we have to consider the first two propositions. The third is purely a question of fact, and will be discussed later.

Regarding the first proposition it may be said that it is somewhat dangerous to base legislative action on religious precepts. Most religions enjoin the practice of a large number of virtues, but it is not ordinarily considered within the province of legislatures to insist upon their enforcement by law. It is true that legislative action has not infrequently been taken with the object of compelling persons to profess a particular form of religious doctrine, but it is not, I imagine, proposed to defend legislative action in the matter of the liquor traffic on grounds which would justify any form of religious persecution. Legislation based on such grounds would, even if only applied to Hindus and Mahomedans, constitute an extension of legislative functions the desirability of which is at least doubtful. Moreover the objections are particularly serious in such a Province as Bombay in which there are four different religions of importance, and where a large number of persons professing some form of Hinduism and a not inconsiderable number of Mahomedans do in fact indulge in alcoholic liquor. It might of course be urged that it is not unreasonable to compel people by law to do what their religion enjoins them, but, apart from the general objections to such a course which have been suggested above, it is not true that alcohol is proscribed by the Hindu religion. Manu, though he provides that the soldier and merchant should not *deal* in spirituous liquors, allows Sudras to follow the trade at their pleasure. The Mitakshara declares that Brahmans alone have to abstain from all kinds of spirituous drinks; certain kinds are proscribed for the Kshatriya and Vaishya, but Sudras can indulge in whatever they like. We have seen that even an orthodox Brahman Government did not attempt to prohibit the use of liquor universally, and the Mahomedan Governments only forbade Mahomedans to indulge in it. It appears therefore impossible to defend a general prohibition of alcohol in this Presidency on religious grounds; at the most it could only be applied to Brahmans and Mahomedans, and the objections to this kind of communal legislation are obvious. While its theoretical justification would be doubtful, the difficulties in enforcing it would be insuperable. On the second proposition it may be said that it is at least doubtful if moderate indulgence in alcohol is injurious, and it is hardly open to question that it is not so injurious as to be a serious public danger. It would be difficult to assert for example that France is an effete or degenerate country, yet the consumption of alcohol per head in France is greater than in any other country in the world. A private individual may hold any opinions he likes, even if they differ from those held by everybody else. But no Government is entitled to maintain a proposition the validity of which is denied by a very large number of intelligent and virtuous people in all parts of the world. The justification for compelling every person in the Presidency to observe the Hindu ritual would be incomparably greater. For a man's religion affects his soul, which I think will be admitted to be of far more importance than his body. The overwhelming majority of the inhabitants of this Presidency are Hindus, and if we are to go by majorities, and admit that a Government is entitled to maintain a disputed proposition if it finds favour with the majority, Government would obviously be justified in compelling every one to profess the Hindu religion.

I am aware, however, that it may be objected that I have stated the proposition in too extreme a form. Many persons maintain that though they consider the use of alcohol to any extent to be bad, yet they would not advocate legislation to prohibit the use of it were it invariably consumed in moderation. But, they argue, this is far from being the case, and no one can maintain that drunkenness is not a vice. Complete prohibition, they say, is the only way in which excessive indulgence in liquor can be prevented, and the importance of prevention is so great that inconvenience, and even injustice, to individuals is necessary for the general good. The moderate drinker must be compelled to sacrifice what is to him a comparatively harmless pleasure in order that his weaker brethren may be saved from ruin.

The principle that excessive indulgence in alcohol is a vice which affects not only the individual, but the community, and consequently justifies State interference is now generally admitted.

Control over the trade in alcoholic liquor by Government is of course much older than the Temperance Societies, but it was exercised for the purpose of raising revenue, and to a less extent for maintaining order and decency. Taxation of a luxury naturally commended itself to Governments in want of funds. But until comparatively recent times control, except so far as it was considered justifiable on religious grounds, was not exercised with the object of preventing over-indulgence in alcoholic liquor. It was considered that the ordinary law which punished a man for being drunk and disorderly and thereby becoming a nuisance or a danger to his neighbours, was sufficient. Recently, however, it has come to be recognised by Governments of countries where alcohol is largely consumed that it is the duty of the State to assist in discouraging intemperance. The extent to and the means by which the State can effectively assist are still matters of controversy. But in England the desirability of some control by the State in the interests of temperance has for some time been admitted, and it was no doubt in consequence of this that it was admitted in orders of Government in India dating back certainly as early as 1838. The Government of India in 1905 expressly asserted as a principle that it is the duty of Government to discourage excessive indulgence in alcohol. The principle is therefore firmly established that the duty of Government in regard to the liquor traffic extends beyond control for revenue purposes, and beyond the mere punishment of drunkards for acts of annoyance or injury to others. The question now is simply how far Government action in enforcing temperance is legitimate, and what methods are likely to be most effective. Except for the fact that the Government of India holds that a man has a right to drink in moderation, the difference between it and many of the Prohibitionists is not so much a difference of principle as a difference of opinion with regard to the extent to which control is justifiable or expedient.

If my arguments are accepted, it will be admitted that prohibition of the use of alcohol cannot be defended on the ground of religion, or on the ground that its use to any extent is a vice calling for State interference. Conceding that moderate indulgence in alcohol is not in itself such an evil as to justify prohibition, can it be asserted that in this Presidency there is so much excessive indulgence that no measure short of prohibition will avail? To answer this question it is obvious that we must know the extent to which alcohol is consumed, and the effect which restrictions on the sale of it have produced, and I propose to deal in detail with the actual facts later on. At present I only deal with certain general considerations.

In the first place we are dealing with a matter which directly affects the private life of individuals, and only indirectly affects the general welfare. A man usually considers himself entitled so far as he can, to decide what he shall eat or drink, wherewithal he shall be clothed, what his business or his amusements are to be. If in following his personal desires his action conflicts with the rights of others, then the State can justifiably interfere. If in order to obtain money to spend on drink he robs his employer, it is generally agreed that he is rightly convicted of theft and punished for it. If in a fit of drunkenness he assaults his neighbour, no one's sense of justice is shocked if he is convicted of causing hurt. But if we go a step further and say that because desire for drink may drive a man to commit theft, or because a drunken man may be a danger to his neighbours, therefore no one is to be allowed to drink, we do violate the ordinary man's sense of justice. We are not only punishing the innocent because of the guilty, but because of the potentially guilty. People generally will consider such an edict of Government tyrannical, and will consider themselves justified in disobeying it if they can. And in fact history teaches us that such attempts on the part of Governments to control private morals have in the past invariably failed. Sumptuary laws have always become dead letters.

On the other hand good citizens have generally recognised that there is a tendency in human nature to indulge in certain pleasures to excess, and that some form of State control is desirable. Most States now exercise some form of control over gambling, prostitution and consumption of alcohol, and the amount of control is determined by common sense. Control carried to excess breaks down. State interference in such matters owing to the inadequacy of the mechanism at the disposal of Governments, tends to become arbitrary and tyrannical. It can only be effective when based upon overwhelming public opinion and even then is liable to result in intolerable persecution of minorities. It is a safe and statesman-like rule that though Government may within reasonable limits tax and control a man's pleasures it must not deprive him of them so long as they are pursued in moderation.

Consequently I venture to maintain that though control of the liquor traffic is justifiable, and taxation of it is reasonable, prohibition of it would only be justifiable on the ground that alcohol in any form or used to any extent is a dangerous poison, and this is a proposition which is denied by the vast majority of the human race.

In regard to this Presidency I propose further to show that the people are on the whole remarkably temperate, that there is no indication of a general tendency to increase in the consumption of liquor, but on the contrary, the reverse is the case. Also I shall give reasons for holding that even if prohibition was desirable, it would under the conditions prevailing in the Presidency be impracticable.

I now proceed to give the facts regarding the State control of liquor in this Presidency, and the extent to which alcohol is consumed.

In very few countries is the liquor traffic more rigorously controlled than it is in this Presidency; in very few is it controlled so much. The *Ābkārī* Act (V of 1878) gives Government practically unlimited power of control over the manufacture, sale, export, import and transport of every kind of intoxicating liquor. No one in this Presidency under 16 years of age can purchase any country liquor at all. No one over that age can purchase a dram of country spirit that has not been manufactured in a distillery under Government supervision and that is not of a prescribed strength (the maximum except in shops bordering on Native States being 40° below proof). He may only buy this liquor from a man specially authorised to sell it; he can only buy it between certain hours of the day, and he can only buy a strictly limited quantity at one time. Recently the total quantity of liquor which can be sold at a shop in a year has been fixed. No tree not specially marked for that purpose may be tapped for toddy, and no one can purchase toddy except from a person licensed to sell it. The methods and extent of the control exercised by Government have been described by me in detail in a note on Excise policy written for this Committee and I need not recapitulate them here.

With regard to the consumption of liquor we possess very full, and in the case of country spirit and foreign liquor of all kinds, very accurate statistics of the amount licitly consumed. Our figures for toddy are less accurate owing to the impossibility of checking the yield of trees and of enforcing accurate accounts, but they may be taken as approximately correct. But it must always be remembered that our figures only refer to *licit* liquor, and that we cannot in the nature of the case form any accurate estimate of the amount illicitly consumed. I will deal with this point later, in discussing the practical difficulties which would attend any further extension of control. What we have to consider at present is the amount of authorised and legalised consumption of liquor.

The first fact that strikes the student of the question is the remarkably small consumption of alcohol in the Bombay Presidency when compared with other countries for which we possess statistics. The consumption of spirit alone in the United Kingdom in 1909* was 87 gallons per head annually, or rather more than 4/5th of a gallon. This is the figure for spirit of the average strength sold. The corresponding consumption in the Bombay Presidency in 1920-21† was about 1/3rd gallon. And it is to be remembered that the average strength of the liquor consumed in the United Kingdom was probably at least twice that of the liquor drunk in this Presidency. In addition to spirit the amount of beer drunk in the United Kingdom was 26·4 gallons per head per annum. The consumption of toddy which may be taken as the equivalent or beer in the Bombay Presidency in 1920-21 was a little under 3/5th of a gallon per head. If we reduce the toddy drunk in the Presidency taking the average strength at 5 per cent. proof spirit‡ we get a figure of consumption of *proof* spirit (country liquor and toddy together) of about 11/30th of a gallon per head per annum. The corresponding figure in France is 9·59 gallons per head, in Italy 6·53 and in the United Kingdom 3·42.

Another striking fact is the remarkable difference in consumption between one area and another. If we take the lowest and highest we find that the districts of Bijapur, Sholapur, Satara and Ahmednagar, with a population of 32,94,726 consumed in 1920-21 only 1,16,461 gallons of proof spirit while Bombay City with a population of 11,73,953 consumed 8,30,173 gallons. The toddy consumption of the abovementioned four districts was 10,79,432 gallons. If we reduce this to terms of proof spirit taking one gallon of toddy to contain 5 per cent. of proof spirit we get 53,970 proof gallons. This makes a total of 1,70,431 proof gallons and we find that the total consumption of country spirit and toddy reduced to proof gallons comes to about 2 proof gallons per head. If we compare this with the consumption in France or even in the United Kingdom it is difficult to say that a drink problem calling for the most drastic measures on the part of Government exists in this area.

Now let us take the area of highest consumption, Bombay City. Here the *per capita* consumption of country liquor in proof gallons was in 1920-21 34·2 drams, nearly double that of any mofussil district. It must be remembered, however, that Bombay City contains a much larger proportion of males than any other area in the Presidency. Elsewhere the numbers are nearly equal; in Bombay there are about 7,71,000 males to 4,04,000 females. If we take the working classes amongst whom the majority of the consumers of country liquor are to be found, we find that there are about 1,88,000 male workers. Assuming that they drank all the country spirit consumed we find that in 1920-21 they drank 8,36,173 gallons of proof spirit. That is roughly about 4½ gallons of proof spirit each in a year. In addition to the country spirit 21,89,067 gallons of toddy were drunk or 1,09,450 gallons reduced to terms of proof spirit. The total is a fairly heavy one, but in the first place the figure is abnormal. The next highest figure of consumption of country spirit in recent years was 6,80,249 gallons in 1919-20. In the second place it is of course not true that all the liquor was drunk by male members of the working classes. The evidence recently collected by examination of working class budgets, though

* My figures for European countries are taken from *Encycl. Brit.*, 12th Edition—Article Temperance. They are not up to date, but I do not think that there has been any very striking change in recent years.

† I have taken throughout the year 1920-21 because in 1921-22 consumption was artificially restricted by rationing and subsequently by rationing.

‡ This figure was obtained through special enquiries made by Mr. C. M. Baker, I.C.S.

admittedly of doubtful value as regards drink showed that the average expenditure of a family on drink was about 4 per cent. of the income, and amongst the drinking classes about 10 per cent. Taking the average income of a working man in Bombay at Rs. 40 per mensem he would spend Re. 1-10-0 per mensem on liquor. As a bottle of country liquor costs Rs. 2-8-0 it will easily be seen that he could not buy enough to get drunk at all frequently. Even if we assumed that the majority of the working classes were total abstainers, and that the rest spent 10 per cent. of their incomes on drink, the amount of liquor which they could buy would not be enough to cause them serious injury. The highest strength of liquor allowed to be sold was in 1920-21 30° U.P. This may be compared with the pre-war strength of spirit usually drunk in Western countries, which was about 12°-15° U.P.

The worst area, then in the Bombay Presidency, may be considered to be much better than many foreign countries—in fact it might safely be said than any European country, seeing that it consists of an industrial city with a very congested population. But the case for the Bombay Presidency is even stronger than it appears at first. I have shown how small the consumption is in the four most temperate districts. But there are no less than seven other districts in which the consumption of country spirit is less than 5 drams per head, and perhaps an even more striking fact is this, that of the 26,14,789 gallons of country liquor drunk in 1920-21 no less than 14,63,772 gallons were consumed in headquarter towns and towns with a population of 10,000 or over. The average for the rural population of this Presidency was only 4·3 drams per head. If there can truly be said to be a drink problem at all in the Bombay Presidency it is therefore very definitely an urban problem.

The evidence recorded by the Committee reveals certain misapprehensions which it is desirable to remove :—

- (1) It is alleged that the policy of Government though professedly in the interests of temperance (by which, of course, is meant moderation, not total abstinence) has actually resulted in stimulating consumption.
- (2) It is stated that indulgence in alcohol even in small quantities leads invariably, or commonly, to desire for a greater quantity and consequently to intemperance.
- (3) It is asserted that the liquor traffic is encouraged, if not by Government at least by its officers, in the interests of revenue.

1. To this it may simply be replied that the reverse is the case. Excluding Bombay City the facts are that in 1867-68 the consumption of country liquor in terms of 25° U.P. gallons was 28,84,442, in 1907-08 it was 27,04,354 and in 1920-21 it was 23,71,488. The population was 98,42,028 in 1867-68, it was 1,45,47,304 in 1907-08 and in 1920-21 it was 1,48,32,062. The consumption per head in drams was therefore 14 in 1867-68, 8·9 in 1907-08 and 7·6 in 1920-21. The general condition of the Presidency has improved even more than the figures show, for in 1867-68, before the present Abkari Act was passed the control which Government could exercise over the liquor traffic was most inadequate, and the amount of liquor distilled illicitly must have been far greater than it was after 1879. I have had to exclude the City of Bombay from these statistics, because the returns of 1867-68 do not include it. But the following figures show that the reduction was about the same in Bombay City :—

Consumption in proof gallons—

1872-73	..	..	..	..	6,80,584
1873-74	..	..	..	..	6,63,072
1874-75	..	..	..	..	6,69,140
1875-76	..	..	..	..	7,34,461

The population was in 1875-76 6,44,405, about half what it is now, so that the consumption per head in that year was considerably more than twice that of 1919-20, and very much more even than that of the exceptional year 1920-21. One is surely justified in treating with little respect critics, who assert that the policy of Government has increased the consumption of liquor, when, had they taken a little trouble to discover the facts, they would have found that the *per capita* consumption in less than 60 years has actually decreased by nearly 50 per cent. The figures are unassailable. They are based on revenue returns and there is no ground for suspicion that they are manipulated. They are contained in printed and published returns and are assessable to any one who desires to take the trouble to read them. It is difficult to resist the inference either that the critics—many of whom use extremely violent language—have taken no trouble to verify their facts, or that they are more anxious to vilify Government than to arrive at the truth. It is hardly worth while wasting more time on them. But it may be noted that in the small area which is now the Umbergaon Taluka of the Thana District—under the system which was in force when the area came under British rule—there were on the average during the ten years previous to 1865 no less than 1885 stills and 2,301 shops and also that the total number of shops in the mofussil which in 1867-68 was reduced to 4,673 fell to 2,218 in 1907-08 and to 1,673 in 1920-21.

2. I can only suppose that this statement is taken from Western Temperance reformers and has been applied to the people of this Presidency without any attempt to verify it. I have

investigated the subject carefully and have heard opinions of persons well qualified to judge, and I have no hesitation in saying that it is quite unfounded. If it were true we should have found a steady increase in consumption. This is not the case : consumption has on the average been almost stationary for many years, the small rises and falls varying pretty directly with the character of the seasons. The figures show that, in a good year when the mass of the people have money to spend, one of the things on which they spend it is liquor : in a bad season liquor is one of the first things in which they economise. Among all castes except the highest there is no moral or religious objection to drinking liquor in itself ; in all these lower castes there are no doubt many total abstinents but there are also many who drink. The number of those who drink regularly is however extremely small. Even the Bhils whose fondness for liquor is notorious, often go for two or three months without touching it. Generally speaking it may be said that liquor is only drunk on festal occasions, or in certain areas at certain seasons of the year. At some festivals, notably at the Holi there is excessive drinking, but many persons who drink even to excess on such an occasion do not touch liquor at any other time except at a marriage or other private ceremony. The total amount consumed per head is so small that it is obvious that it can rarely be used to an excessive extent by more than a comparatively small number of persons. There are of course communities here and there who drink a good deal and periodically there are reactions amongst them: These are often the result of the efforts of some religious preacher and for a few weeks the particular community will abstain to a man. But the number of people affected in this way is comparatively small, and except among some of the wild tribes who live in jungles where the facilities for illicit distillation are very great, I have come across no widespread demoralization. The reactions to which I have referred are as far as my knowledge goes confined almost entirely to the Thana and Surat districts and appear to be based more on economic than moral grounds. Drinking mainly takes place at marriages and similar festivals and there are indications that the customary expense of such festivals, an expense notoriously beyond the means of the poorer classes has produced a desire for reform. It is clear that the people are alive to the evils attendant on excessive drinking, and the very sporadic and local character of these reactions suggests that excessive drinking is uncommon. An impartial observer must I think, admit that on the rare occasions on which the mass of the people indulge in liquor they do tend to drink to excess, and though this does very little harm compared to that produced by habitual indulgence it makes intemperance more noticeable and the extent and frequency of it easy to exaggerate.

(3) This assertion is somewhat difficult to understand. But it may perhaps be attributed to the survival of an idea—unhappily not without foundation in the past—that taxation is a tribute wrung by a conqueror or ruler from unwilling subjects to be used for his own advantage. This may seem absurd now, but I remember reading statements by members of the old unreformed Councils which could hardly be explained in any other way, and one often wished to have the opportunity of asking them whether they were aware that there was such a thing as a budget in which the receipts and expenditure of every rupee of revenue was shown. Possibly it may be due to some extent to a not unnatural irritation on the part of the more educated people who felt that they had no control over the way in which the taxes were spent. Partly perhaps it is due to a tendency on the part of Excise officers to lay stress on the revenue raised. The explanation in their case is not that they are anxious to obtain money, which does not benefit themselves, but that they have to wage an incessant war against the illicit distiller, and an increase of revenue means to them that more of the legitimate profits from the sale of liquor go to Government. It is in this way a test of their efficiency. However this may be, Government has clearly no interest in raising revenue apart from what it considers to be the benefit to the public from the use of it. I have never known a case in which an officer was judged, or could possibly be judged by his success in raising excise revenue, except in so far as it was due to better administration of the law, and consequently fewer evasions of it, and for nearly a century Government has steadily maintained the principle that the interests of the excise revenue are to be subordinated to those of temperance. Shops are not established unless there is a demand for them, or to counteract illicit distillation or import, and they are usually abolished if there is shown to be no adequate ground for their retention.

The principle laid down by the Government of India is that it is outside the duty of Government to interfere with the habits of those who use alcohol in moderation but at the same time to minimise temptation to those who do not drink and discourage excess among those who do. It is difficult to see how this principle can be opposed by persons who admit that while excess is almost universally deprecated, the use of alcohol in moderation is generally admitted to be unobjectionable. The only method however by which it appears possible to attain this object is to make the cost of liquor as high as possible without driving people to illicit distillation or the use of injurious drugs. The obvious objection to this method is that if carried beyond a certain point it practically amounts to prohibiting the use of liquor by the poorer classes unless they impoverish themselves still further in order to obtain it, or break the law by getting it illicitly. We are depriving the poor man of something to which he is quite as much entitled as the rich man. I find it difficult to meet this argument, except on the grounds that there is no other practicable way of controlling excessive indulgence in liquor, and that it is impossible to hold that it is a necessity of life. One of the inevitable penalties of poverty is abstinence from luxuries.

And as every man who drinks country spirit pays rather more than 6/7ths of the price of it to the State, it may be argued that his indulgence in this form of pleasure is paid for in a manner which benefits the community in general. The subject is an exceedingly difficult one. While contemporary evidence shows that the abstemious inhabitants of the Deccan were no less abstemious when liquor was much cheaper, and while there does not appear now to be any very marked difference in the habits of people in Native States where liquor is cheap and those of inhabitants of British India where it is dear, there is a good deal of evidence that the Konkan districts are much soberer than they used to be, and there is no reason to suppose that the reduction in licit consumption during the last half century has been accompanied by a proportionate increase in illicit distillation.

There is however reason to believe that before the introduction of rationing, which I will not proceed to discuss, the price of liquor has been raised so high, and the strength decreased so much that illicit traffic had begun to assume very serious proportions—that we had in fact made the tax upon liquor higher than it was possible to raise it without, in the words of the Government of India “stimulating illicit production to a degree which would increase rather than diminish the total consumption”.

In deference to the demand of an important section of the Bombay Legislative Council, representing the views of a large proportion of the educated classes, Government have recently introduced a system of “rationing”, which consists in prohibiting the sale of more than a fixed amount of country spirit in a year. This measure, it appears to me, is only defensible as a form of prohibition. It operates to prevent temperate persons not infrequently from obtaining alcohol at all. It presses harder on the temperate man than on the intemperate, for the more troublesome and difficult it is to obtain alcohol, the more the drunkard will get it rather than the temperate man who will take less trouble to do so. As a prohibition measure it is logical from the point of view of the opponents of alcohol altogether, on the assumption that the ration is gradually reduced so that in time no liquor will be sold. It eliminates some of the objections to immediate total prohibition. But, as I have tried to show, the only justification for such drastic interference with individual liberty would be the existence of an evil on such a scale that the strongest alternative measures were unavailing. It is impossible reasonably to contend that this is the case.

But, apart from this, there is already good reason to believe that the system is producing more harm than good. It is obvious that illicit liquor is likely to be much more injurious than licit. Neither its strength nor its price are controlled, and it tends consequently to be of high strength and therefore very intoxicating, and cheap and therefore purchasable in large quantities. The facilities for illicit distillation, especially in those parts of the Presidency where most alcohol is consumed are so great that the Excise Department has never been really able to defeat it. All it has been able to do is to keep it more or less within bounds. The extent of it in mhowra growing areas may be judged from the following calculations :—

In the Navapur taluka of the West Khandesh District there are about 50,000 Bhils, Mavchis, and kindred wild tribes. These people are, compared to those of most other areas, notorious for consumption of liquor. Men, women and children drink spirits. Liquor is a religious necessity. It is placed on the lips of new-born infants. If we assume that these people drink, on an average half a dram (1/96th of a gallon) per day the average annual consumption per head would come to nearly four gallons. The consumption in the taluka would therefore be nearly 200,000 gallons annually. But the total licit consumption of the whole of the West Khandesh District (and it must be remembered that there are Bhils and kindred tribes in many other parts besides Nawapur) was in 1920-21 only about 115,000 gallons.

Now I give the figures of cases detected (these represent only a small portion of course, of the offences committed, since detection is difficult) of illicit distillation and importation from 1917-18 up to date. The two sources of illicit supply are (1) from illicit stills in British territory, (2) importation from adjoining Indian States and Portuguese territory. I take the year 1917-18 as a starting point because prior to that year offences of illicit import and illicit possession were not shown separately :—

	Illicit distillation.	Illicit import.
1917-18	958	383
1918-19	928	367
1919-20	858	557
1920-21	1,195	466
1921-22	1,146	447
1922—9 months	1,373	916
or proportionately for the year	1,746	1,145

In 1920-21 and 1921-22 the cost of liquor was considerably increased, in 1920-21 by increase in the selling price and in 1921-22 by increase in still-head duty. In 1921-22 picketing also produced an increase in illicit traffic. The lowering of the strength may also have contributed to increased temptation to obtain illicit liquor. In April 1922 the strength was again reduced and the duty increased. But though there were frequent increases in duty in previous years excise

crime shows no very sudden or marked increase between 1914-15 and 1921-22. The only new factor of importance introduced from April 1922 was "rationing". It was accompanied by an entirely unprecedented increase in excise crime, and it is impossible to contend that it is not largely responsible for that increase. The returns for the nine months show that these offences compared with the figures of the 12 months of 1921-22 nearly doubled in Ahmedabad, Surat, Nasik and East Khandesh, more than doubled in Kaira, and in Thana were three and a half times as numerous. But the facts are worse than the figures show. From more than one district I received reports that the amount of illicit distillation was so great, and the public feeling in its favour so strong that whole villages were concerned, and the establishments at the disposal of the Department were so small that they had to leave these villages alone. Further, before rationing was introduced some of our best information about illicit practices came from the liquor shop-keepers. They naturally were ready to assist us, since as their sale was not restricted, the illicit distiller was a competitor to be got rid of, if possible. But when their maximum sale was fixed, they concentrated their efforts on selling as much of the commodity as they could at the highest price, and declined to trouble themselves about illicit competition since unless it was on a very large scale it did them little harm. The demand was sufficient to keep both them and the illicit distillers busy. The temperate districts of the Deccan have been little affected; the demand is very small and material for illicit manufacture difficult to obtain. In Poona however there were 20 cases in 9 months against 1 in the preceding 12. But the less temperate areas are being simply flooded with illicit liquor to the obvious injury of the inhabitants thereof. The facts before us seem to show that the effect of the measure has merely been to substitute illicit for licit liquor on a very extensive scale, and though this may be a matter of gratification to the drinkers it can hardly be hailed with much satisfaction by the advocates of temperance.

I might remark that even if rationing were not the main cause of this remarkable jump in excise crime the fact of the jump would still remain. Even if it is assumed to be due to the increased price of liquor owing to increase in still head duty and to the reduction in strength it has still got to be faced. The increase in crime is not due to increased vigilance on the part of the Excise Department for all officers agree that it is so great that it has got beyond their control. If something is not done, we shall be faced with all the evil consequences of a large traffic with which we cannot cope. The only remedy seems to be to admit that we have gone too fast, and to reduce the cost and raise the strength of licit liquor. It would also obviously be necessary to abolish the rationing system, since so long as the supply of licit liquor is fixed the price will remain high and the balance of the demand will be made up illicitly. The success of rationing is in fact dependant upon the absence of any other source of supply. The fixation of the amount to be sold merely eliminated the greater part of the competition which the illicit distiller previously had to face.

There is a still greater danger ahead. At present illicit distillation is carried on entirely by illiterate and ignorant members of the lower classes, using small stills, and supplying a limited clientèle. But in course of time, if the supply of licit liquor is kept at a fixed and arbitrary figure, a more intelligent class with greater resources is almost sure to take up the business. Liquor will be distilled on a larger scale, and detection and prosecution will be even more difficult than they are now.

I think I may claim to have shown that the injury caused in this Presidency by the consumption of liquor cannot be said to be so great as to justify such a strong measure as prohibition, and further that the measures taken under the policy enunciated by the Government of India have been attended with quite remarkable success. But even should it still be contended that prohibition is desirable, it is easy to show that the obstacles to its enforcement are insuperable.

The principal enemies of efficient control of the liquor traffic in this Presidency are the illicit distillers and the Native States. The figures of illicit distillation and import which I have given show how powerful these enemies are. Illicit distillation is carried on to the greatest extent in sparsely populated areas where the nature of the country is such that detection is difficult. In many places also it is carried on in villages into which as the bulk of the inhabitants are interested in the traffic, our officers with the very small forces at their disposal, dare not go, or even if they are courageous enough to do so and risk the probability of violent opposition, cannot obtain the necessary evidence. But the Native States are nearly as serious an obstacle. Liquor is not rationed in any of them. There is consequently a large supply available for export, and the extent to which it is used to make up deficiencies in British territory is indicated by the figures of illicit importation which on the introduction of rationing rose from 447 for the 12 months of 1921-22 to no less than 916 for the nine months April to December 1922. If this has been the result of a very mild measure of rationing, what is to be expected when the licit supply is still further curtailed? It is highly improbable that any of the states will agree to ration their supply. Many of the smaller ones obtain a large proportion of their incomes from excise on liquor. Even if they accepted prohibition in principle many of them have not at their disposal adequate means of enforcing it. It would certainly not be possible to induce the Portuguese Government to agree to it. And unless other Provinces of British India accepted Prohibition, whether gradual or immediate we should have to deal with illicit imports from

adjacent British areas. We are further faced with the difficulty of dealing with foreign liquor. The very high price to which we have now raised country liquor has already made foreign spirit a dangerous competitor, and there is already a large and growing import of Indian-made beer, which is as cheap as toddy. The duty on imported foreign liquor goes to the Government of India and consequently no action can be taken to restrict its use without obtaining their consent.

It will therefore be seen that in order to give a prohibition policy any chance at all it is first necessary to secure the co-operation of the Government of India, the other Provinces and the Native States. Even then, seeing that our present excise establishment has been shown to be incapable of dealing with the increase in excise crime resulting from a very mild instalment of prohibition, it is obvious that it would have to be very greatly increased. This would involve the entertainment of a large number of low-paid officers and corruption and tyranny—vices from which I regret to say the existing establishment is not entirely free, would be rampant.

Very little need be said on the financial issues involved. For if the evil of alcohol is what the advocates of prohibition assert it to be, the state has no more right to make money out of it, than it has to make money out of prostitution, and less than to make money out of gambling. Money must be raised in some other way, and if it cannot, then any benefits provided by Government beyond the mere maintenance of law and order must be curtailed.

It is obvious that the recent experiment in the United States of America has had a considerable influence on educated opinion in this Presidency. But the condition of no two countries could be much more dissimilar, and there is no ground for assuming that a policy which might be successful and even justifiable in the United States of America would be successful here. The United States of America is a country homogeneous in language and religion and to a great extent in race. It contains a population the bulk of which is highly educated and public spirited and in which public opinion is very powerful. It has a constitution which to a certain extent enables the general will of the inhabitants to take effect. It possesses means of rapid and easy communication and contains little easily accessible raw material for distillation of potable spirit. Drunkenness is widespread and serious, and the liquor saloons were admittedly a public scandal. Its people are very ready, some careful observers consider, too ready to indulge in legislative experiments.

In this Presidency, on the other hand, we find several different races, religions and languages. The bulk of the population is illiterate, highly conservative, and the slave of custom, and public opinion can hardly be said to exist, as indeed it is scarcely compatible with the fissiparous and delocalising influence of caste. Its legislature, though I would not for a moment deny its intellectual ability, represents only a small portion of the population. And I venture, though diffidently, to suggest that men of however great natural capacity who have been suddenly endowed with large legislative powers, without much experience of the difficulties of legislation, are too prone to imagine that to make a law is an easy way to produce a result, and to minimise the great practical difficulties that have to be faced by those called upon to enforce it. It is further to be remembered that the American experiment is very recent and its success at least doubtful. The numerous attempts at state prohibition which preceded it have, on the testimony of careful investigators, men of high intellectual endowments and most of them strong advocates of temperance ended without exception in disastrous failure. I am, I admit, strongly influenced by the feeling that a man's private liberty is a sacred thing, and that the less Government interferes with it, the better. Also, I have learnt by nearly 30 years' experience, to distrust profoundly the capacity of Governments successfully to do much beyond keeping order and dispensing justice. But apart from this, I would venture seriously to ask my colleagues on this Committee whether it is really statesman-like to introduce into this country a measure which by tyrannical interference with personal liberty may do far more harm than good, a measure which where it has had a fair trial has never yet succeeded, and for which the chances of success in this Presidency are exceptionally improbable. And further I would invite them to consider that it is proposed to introduce the measure into one of the most temperate countries in the world, and to supplant, in so doing a system which has succeeded in reducing the licit consumption of alcohol to nearly half what it was 56 years ago—a result I venture to think, never attained by any temperance agitation in history. We have made the Presidency temperate and kept it temperate.

I will only add that I have to the best of my ability carefully verified all the statements which I have made and welcome the most searching examination of them. If they are true they appear to me to prove the propositions which I have advanced. They may be unpalatable to earnest advocates of total abstinence but facts are facts and it is worse than useless to ignore or deny them. In the long run they are certain to justify themselves and they exact a heavy penalty from the rhetorician or politician who dares to treat them with disrespect or contempt.

MINUTE OF DISSENT.

RAO SAHEB DADUBHAI P. DESAI, B.A., M.L.C.

While agreeing generally to the views of the Committee I cannot help differing from them in some important particulars.

- (1) *The Policy*.—The Committee have refrained from recommending any definite period after which the liquor traffic should cease altogether, though the evidence of a large number of witnesses clearly pointed to the necessity of stopping entirely the sale of liquor within a specified time and though a clear majority of them were for abolishing this traffic in urban as well as rural areas within a period of 10 years. I am therefore of opinion that Government should make a clear declaration of their excise policy to that effect.
- (2) *Local Option*.—Among the measures suggested by the Committee to bring about total extinction of the consumption of liquor that of local option—though good in a way—is unnecessary in this country, where people or at least a large majority of them are by religious instinct or social custom averse to the use of alcoholic drinks.
- (3) Local option is advisable only in those countries where people have neither religious nor social scruples and where it is doubtful whether a measure for the abolition of the sale of liquor will be considered a blessing or a curse; but in countries where people from their birth are trained to look upon drink as an evil to be shunned, any resort to local option will be an unnecessary waste of time, money and energy. Again, if shops are not to be closed down in response to the vote of the inhabitants of a particular area owing to financial considerations in what light would people take such an action on the part of Government, and what is there to prevent them from doubting the motives of Government? I am therefore of opinion that in this country where the result of a local vote is clear no vote requires to be taken and only prompt action should be taken without undergoing any formalities of such a dilatory nature.
- (4) *Rationing*.—The Committee have approved the policy of Government regarding the rationing of liquor allowed to be sold at a shop and I agree with them that a periodical reduction in the quantity of liquor sold by a licensee is the best method of extinguishing the liquor traffic; but I cannot agree to their suggestion that the annual reduction in the case of mofussil shops should be 5 per cent. only. They were led to make this recommendation through a fear that if greater reduction were made illicit distillation would enormously increase and thus nullify the beneficent effects of a legal extinction of the liquor traffic. But while considering this point they have ignored the fact that in the mofussil there are powerful institutions such as caste *punches* which, if called upon by Government to co-operate with them in removing entirely the drink evil, would be quite willing to lend their powerful support in this direction. There are again heads of religions who will exert themselves to their utmost in keeping back their followers from such illicit practices; coupled with these social and religious forces a stricter law and its stricter application will in my opinion reduce illicit distillation and sale to a minimum.
- (5) *Excise Department*.—There is also another factor to be considered in connection with illicit distillation and that is whether or not the illicit distillation that is going on at present is due to a want of close watch and control on the part of the Government machinery employed for the purpose. I am of opinion that this is the case.
- (6) In creating a separate excise establishment which cannot be expected to have subordinates in every village and entrusting to it the excise work which was formerly done by the Revenue and Police authorities which have subordinates in every village the Government have committed a mistake; and whatever illicit distillation that is going on at present is due to absence of persons in villages, who could promptly deal with this matter. I think, therefore, that in order to bring illicit distillation under close and efficient control Government should do away with the Excise Department and entrust their duties to the Revenue and Police authorities. Even if the Excise Department is not abolished and Government are unable to exercise due and constant check on illicit distillation, still I believe the consumption of liquor both illicit and licit will be far less when shops are rationed in pursuance of the new policy, and in course of time even such infringements of Abkari laws as exist at present will disappear. In fact, consumption of liquor per head in the mofussil areas is far less than in Bombay and people are less addicted to drink and the only measures required to remove the drink evil from these areas are the presence of a Government agency which can keep a constant control, pressure of organized communal opinion and the removal of temptation of liquor shops. In short I see no reason why an annual reduction of 10 per cent. should not be made in the case of shops outside the city of Bombay.

- (7) *Foreign Liquor*.—I agree with the Committee that the same law that should govern country liquor shops should govern foreign liquor shops but I am sorry I cannot agree to their recommendation of permitting "on" sales at hotels, dak bungalows, clubs, restaurants, refreshment rooms and cars. If any exception is made in these cases, these places will become rendezvous for excessive drinkers and disorderly persons. I also fear that persons who previously drank country spirits will resort to deleterious foreign stuff and thus one of the main objects of the proposals of the Committee in respect of foreign liquor will be frustrated. I would therefore abolish "on" licenses in these cases.
- (8) *Taxation*.—The taxation proposals of the Committee are also open to serious objections. In fact, I am opposed to levying any fresh taxes so long as there is such a vast scope for retrenchment in the Provincial expenditure which has been ever on the increase for some years past, and I believe an annual reduction of 30 lacs in this expenditure would not be seriously felt if only the Government sincerely co-operated with the Council in cutting it down to that extent; already the abnormal conditions brought about by the late war which were responsible for this huge expenditure are disappearing and prices show a marked tendency to revert to their normal pre-war level. I therefore think that at least for some years to come there will be no need for fresh taxation to make up for the annual loss in the excise revenues; and then and not till then the Council should be approached with the taxation proposals made by the Committee with the exception however of the terminal tax, increase in the local fund cess, employee tax in the rural areas and succession duty. The first three being the property of local bodies it would be nothing short of confiscation if they were levied to meet the Provincial loss. Again any increase in the local fund cess would bear heavily on the peasantry who are already over-taxed both directly and indirectly and whose economic condition, owing to frequent famines and other calamities, has become so weak that even a small addition to the land tax is sure to prejudicially affect their occupation. Besides this, it should be borne in mind that the agriculturists will have to forego, when prohibition is enforced, a large portion of their income derived at present from the sale, for the manufacture of liquor, of mowra flowers, and that therefore no more sacrifices in my opinion should be demanded of them for the removal of an evil which is mostly urban.

On the same grounds I object to the levy of an employee tax on any rural occupations; it should strictly be confined to large organized industries in cities. As regards succession duty I can only say in addition to the difficulties pointed out by the Committee that though it falls more on the rich than on the poor its very nature is such that it will be extremely difficult to justly and fairly assess it and will consequently prove vexatious in actual operation.

While the Local Government will be the losers by the introduction of the policy recommended by the Committee the Government of India will stand to gain. The labour employed in the industrial concerns of this Presidency will increase in efficiency and the income tax paying capacity of these concerns will increase in proportion. Again the ultimate saving of about 8 crores annually to the community will be reflected in all trades and industries and consequently there will be an automatic and progressive increase in the income tax revenue. Considering these factors I am of opinion that the Bombay Government should not let go the opportunity of claiming from the date on which the new policy is introduced at least half, if not the whole, of the increase in the revenue derived from this source, and if the Government of India persistently refuse to come to a settlement, due steps should be taken to place the whole matter before the Legislative Assembly.

DADUBHAI P. DESAI.

12th February 1924.

MINUTE OF DISSENT.

By Mr. JAMSHED N. R. MEHTA.

I entirely disagree on the principle of Local Option. If drinking spirit and drugs are more harmful or less harmful, they must be so for all areas and action must in my opinion be uniform for all areas as a matter of principle. The Committee are not in favour of making the locality directly responsible for the loss of revenue from the exercise of local veto and at the same time are of opinion that it should be laid down in the local option law that the delay if any was due solely to financial and no other considerations. This does not appear to be consistent. The Committee further suggest each adult person in the area to have a vote. This will mean a very elaborate and costly method of preparing voters' lists and making arrangements for taking votes which will involve the Presidency into many difficulties. I am also doubtful whether the issue will be fought out strictly on the principle of "NO SHOP." I feel many other issues will come in and it will create confusion. If the Local Option is to be given on the principle of freedom of opinions, I cannot understand the Committee's suggestion that once the locality has gone dry, no further option should be exercised by the people, but that if the majority decided to continue "SHOP", it should be given chances to decide again at fixed period. If such chances are to be given to "NO SHOP" persons on the same principle of freedom of views, similar chances to "WANTED SHOPS" persons cannot be refused.

There ought to be freedom or restriction for all. To restrict a minority by the views of the majority of an area is not desirable. After all, there may, in some instances, be a majority of one or very few in an area.

I am therefore strongly against the principle of Local Option. I am of opinion that legislation should be for all, equally, on the main principle of allowing the sale of spirits and drugs or not.

JAMSHED N. R. MEHTA.

MINUTE OF DISSENT.

By Mr. AMBALAL SARABHAI.

The Report of the Excise Committee as finally submitted to the Members does great credit to its author. It is evidently a result of deep and intelligent study of the question. At the same time, I feel that it is far too lengthy to be of interest to general public, but, to those who are particularly interested in the question and who have patience and time, it will afford very interesting and useful reading. I am in general agreement with the report but I find it impossible to agree with every view or opinion expressed in the various chapters. I give a few instances below :—

- (1) Page 124, paragraph 199, the following sentence occurs : " It appears to us impossible at the present stage of India's progress to contemplate the drastic reductions in all services to the public which would be necessitated were the revenue to be sacrificed without a substitute".
- (2) Page 77, paragraph 107, the following sentence occurs : " Prosperity rather than poverty promotes drinking. Drunkenness is a vice which prevails far more in good times than in bad, in wealthy manufacturing districts than in poor agricultural ones."

I will confine my remarks to Chapter XVII (Summary of Recommendations). I am in agreement with the recommendations of the Committee under the following heads :—

- 225 Excise Advisory Committees,
- 227 Foreign Liquor,
- 230 Drugs,
- 231 Indian States,
- 232 Government Servants and Temperance Work,
- 233 Temperance Teaching.

221 Policy.—Add the following words after total extinction " 10 years ".

222 Local Option.—I do not wish to leave it to Government or Legislative Council to define the area the people in which should have power to declare their intention to abolish liquor and toddy shops. For the purpose of ascertaining local option areas should be defined by Government, but if any particular area decides to go dry their decision should be binding on Government. The measure of legislature that may be passed in this connection should specify the maximum time within which Government should act on the result of the local option vote. I would suggest the time limit being fixed at six months after the licenses given in the area expire.

223 Rationing.—I ask for the following sentence to be deleted. " We do not recommend any further extension of the system of rationing liquor-shops to rural areas where the consumption is small and chances of illicit distillation and smuggling many ". The following words should be added after the first sentence : " *but such reduction should not be less than 10 per cent. on the previous year* ". The last sentence should read as under : The Government *should adopt* necessary means to reduce the illicit use of liquor in rural areas, in order to extinguish the liquor traffic in the whole Presidency.

224 Shops.—The first paragraph should read as under : No new license should *henceforth* be issued by Government in any locality for the sale of country or foreign liquor, or toddy and shindi.

The following sentence should be deleted : " As a general rule ' on ' licenses should not be granted to the hotels, restaurants and clubs which may be opened in future ". I would add here that " *as in the case of shops these should as well be rationed and there should be the similar percentage of reduction in the quantity issued to each.* "

The following sentence should be deleted : " The price of country liquor should not be increased any further. This restriction need not extend to foreign liquors, specially the cheaper brands, which compete with country liquor. "

226 Special Licenses.—In the second line " only should be re-issued to existing clubs, etc, " should be deleted and substituted by " may. "

228 Toddy.—The following sentence should be deleted : " There should be no limit in regard to the age of persons to whom toddy can be sold. "

239 Finance.—My views are as under :

I agree with the report except on the following point :—

- (a) I am not in favour of succession duty. I am of opinion that in a country like India where a large amount should be invested in industrial development and commerce, succession duty will hamper development of commerce and industries. Moreover, substantially more amounts than hitherto will be required for the improvement of education and sanitation, and taxation on this head should be reserved for such purposes.

(b) My own view is that urban and rural areas should make up the deficit to the full extent of the loss to Government as a result of the change in the excise policy. For this purpose it will be necessary to devise ways and means of making up the deficit from the revenue that the Government get from each area from the same area even though the people may be poor. If they can afford to spend on drink more than the amount of excise revenue obtained by Government from the area they can easily pay a little less than the saving as tax. There may be difficulties in raising the amount from certain rural areas. I therefore suggest that if where it is possible to make transit tax provincial instead of local by bringing railway tickets under the Stamp Act and by levying tax similar to terminal tax on all outgoings and incomings from all stations, it should be done so. Thus it may be possible to make up the amount that may be lost in case succession duty is not imposed.

In conclusion, I would like to make it clear that I am strongly in favour of complete prohibition to be attained within 10 years for areas which before then do not decide in favour of total prohibition. The same restrictions should apply to country as well as foreign liquor and to Indians as well as foreigners.

AMBALAL SARABHAI.

MINUTE OF DISSENT

By Mr. JEHangIR BOMANJI PETIT.

I am unable to agree with the Committee either in its recommendations for the ultimate prohibition of the use of toddy, or with regard to its suggestions for alternative sources of revenue, made at page 136 of the summary of recommendations. With this reservation, I sign the report, with which I am otherwise in general agreement.

JEHANGIR BOMANJI PETIT.

APPENDIX A.

MEMORANDUM BY THE HON'BLE MR. F. S. P. LELY C.S.I., DATED THE 10TH JANUARY 1924.

It is understood that during the discussion of the Budget the Additional Members of the Governor-General in Council are allowed much latitude in expressing opinions and making representations on matters connected with the administration. It is manifest, however, that an official member should avail himself of this freedom under special limitations. It is not becoming that he should pose in public as a critic of the Government he serves, or say anything which may be seized upon as a handle by agitators. At the same time if he has in his mind matters, which he thinks to be of grave importance, it may be that no objection will be taken to his recording them in a written note.

2. If this is accepted, I respectfully ask permission to submit in a few words the result of my general observation of the liquor traffic—not to suggest any change in the policy of the Government of India, but only to urge *that its spirit does not entirely permeate those who have to carry it out.*

3. If the views of the Government of India are correctly understood by me, it is recognised that liquor-drinking among the natives of India is an evil which in the best interests of rulers and ruled be resisted. Abkari revenue though it represents the chief means of repression in the hands of Government, yet bears a stain upon it. The money would be better got in almost any other way. There are large tracts of country where reductions or remissions of land revenue and increase of labourers' wages only means more expenditure on drink. There are large numbers of young men of the better class who are lost to the state and their families by acquiring the habit. Whether or not it is generally on the increase I am unable after much enquiry to say. The evidence of men who know native society is conflicting. It is probable that the Hindu reaction of the recent years may have had the result of checking the wholesale demoralization of the respectable classes which once seemed to be getting in. Yet the weekly vernacular magazine of one of the most advanced sects of Brahmins in Western India—the Anavla Brahmīn—often recurs, especially in its poetical columns, to the vice of drinking in words of regret and alarm. There is no doubt that in that community, if no other, it is spreading. The labouring classes, on the other hand, are not deterred by shame and the younger men among them, as soon as they get money, are tempted to the grog shop. It is also true that many who or whose fathers took opium are, since the restrictive measures on that drug, substituting liquor.

4. Now the policy of Government is fixed and the men who have to carry it out are loyal. *And yet I have never met a native official or non-official, intelligent or otherwise, who does not firmly believe that Government fosters the traffic for the sake of revenue and would not willingly let it go.* The reason mainly is that the administrators of all ranks are too prone to think that their work of prevention is done when the price has been raised to the highest practicable point, and when they have ascertained that new shops meet a demand and are not "nuisance" to neighbours. They do not realise that their aims should be first to put down illicit drinking and then to put down drinking altogether. The result is that the Abkari Department is often not in accord with the spirit of the Supreme Government and not in one line with the best moral sense of the country. The plan of campaign is right enough but the minor tactics are often wrong.

5. It is to bring to the notice of the Government of India the existence of this widespread feeling that this memorandum is written. To withhold the supply of liquor altogether would be futile. To punish drunkenness, as the Marathas did, with flogging, fine or imprisonment would offend against the principles of modern jurisprudence. But it might be made more clear to the people that Government is on the side of abstinence.

6. I proceed to note a few instances of mistaken management which also by the way go far to explain the popular belief. When new shops are proposed the local officers are, as a rule, careful to get the opinion of the neighbours, but much less attention is paid to the position of old ones. Numerous shops exist on frequented high roads, in bazaars, near markets, near mills—veritable traps to catch the weak, the thirsty, the tired, at their most susceptible moments. It is no defence to say that these sites have been so held for so long a time past. The fact remains that they attract by sight and smell many customers who would not enter them if they were not thrust upon their notices. I have reason to believe that this is true not of one part of India, but of many. It is on record that the late Rao Bahadur Ranchodlal Chotalal, C.I.E., a large mill-owner and non-official President of the Ahmedabad Municipality, among other efforts, moved the Collector to close two shops, one of which was in the centre of three mills and was "a great temptation to the labourers going to the mills." The Collector's reply was that "the sales show a large demand at the two shops and they cannot therefore be closed." In a recent conversation the intelligent Manager of one of the three mills stated "some of our work-people are confirmed toppers who would go any distance for drink, but most of them when they have money in their pockets step into the shop close by for the sake of company, because one urges the other to do so. If they had half a mile to walk for it, they would not go." It may be interesting to mention that Mr. Ranchodlal, though he was not successful in getting these shops removed, was able by influence with the body of mill-owners, to get wages paid once a fortnight instead of once a week, thus reducing the occasions of special temptation. He tried once a month, but this was resisted by the operatives and had to be abandoned.

7. Men of the class of Bhils will walk ten miles not only to get liquor, but to save a pie per bottle in the price. But to the great majority of travellers on the high roads, and persons of settled life propinquity often makes the difference between drinking and not drinking. It should, in my opinion, be made a standing order that all shops should be gradually and considerably, but as soon as possible, removed to not less than half a mile from places of common resort, such as main thoroughfares, markets, mills, docks, villages. Habitual drinkers would complain and the value of every shop would fall, but the motive of Government would be only appreciated by all the better men of the community.

8. There is some difference between villages and towns in this matter. It is with much regret that I have often seen the Government drinking shop in a populous village, and have heard it said (not without truth) that such and such well-known men have been tempted to slip across the road and become drunkards. Government already keeps down consumption among the poor by high prices. If it also imposed a distance test, it would save itself from much odium.

9. In towns of any size a half-mile from the outskirts would make the distance too great and would not be practicable. At the same time the liquor den in frequented places is a scandal which would be allowed to remain. In order to provide for those who are determined at any cost to get drink, without tempting others, it is suggested as a plan worth trying, that a street or space should be set apart for the liquor market. Gradually as opportunity occurred all the shops might be concentrated in this place which should be at a distance from the resorts of the people likely to be affected. It would, moreover, gain a bad reputation as the place of drinking, so that a man of respectable caste would not venture to be seen in or near it for fear of exciting remark. This would be no small advantage in a country where public opinion is the only effective safeguard against the acquirement of vicious habits. It may be noted that in Surat 22 toddy shops and 7 liquor shops have been gathered together. The place, however, is badly selected as being a main street, and the scheme is partially worked out. Fully adopted, it would be congenial to native custom, which tends to aggregate every pursuit in its own quarter. It would also facilitate supervision.

10. It is not suggested that this change should be made by a *tour de force*. In most places it would require forethought and even so the clamour of "vested interests" would have to be faced. The whole of the shops in a moderate sized town or group in a city, if they belonged to various licensees, would have to be dealt with together, for it would be manifestly unfair to remove some and leave others. Often it would perhaps be necessary to acquire a piece of ground for the purpose, but the expense would not be large for by the nature of the case as the land would be out-of-the-way and therefore not valuable. The cost would be recouped by ground-rents and Government as landlord would be in a better position to control the construction of the shops and other details. I would humbly suggest that the plan might be tried in selected places as an experiment.

11. Another practice which in my opinion unnecessarily compromises Government is that of granting leave to the local licensees to open temporary shops at "melas", i.e., assemblages for religion or trade. The presumption which is held to justify it is that when the people meet to enjoy themselves they will get liquor licitly if they can, and if not, then illicitly. But all private distillation by a population living in the open within a certain area could be easily detected by a sufficiently strong preventive staff. All intelligent native officials I have consulted agree that, if special shops were absolutely prohibited, the confirmed drinkers would bring with them a supply subjected to the Regulation forbidding the transport of more than a limited amount at one time; and that the large majority would be without. Thus abstinence would be encouraged, and the policy of Government would be cleared of misunderstanding which is now caused by the settling-up under the flag of State of a centre of temptation in the midst of a holiday gathering. Permission is usually given at the discretion of the head of the district. I would forbid altogether, except perhaps in special cases with the sanction of the Commissioner. It is not a matter into which the personal equation should enter. The moral effect would be undeniable and the feasibility of the proposal is further demonstrated by the facts that some heads of districts do withhold permission, and that in many cities it is a custom to close, for Police reasons, all shops at times of excitement like the Moharrum and the Holi. If local supply can be stopped during such periods, it might be also during a limited time within the area of a *mela*.

12. *Melas* that are prolonged for more than a few days should be treated on the analogy of towns.

13. According to my experience, shops even for country liquor usually contain a compartment more or less hidden from public view to which those ashamed to be seen drinking may retire. Thus an effective deterrent is done away with. It should be a rule under the license that only one large room should be provided and that without nooks and corners and without means of ingress or egress except in front. I am also informed by Mr. Bignell that in Calcutta some licensees have detached rooms at the back to which customers are invited to retire away from observation. They should be forbidden to keep up any rooms in addition to the shop for drinking or any other purpose, except for their own private residence or for storing liquor. The latter should not be open to the public and should be open to inspection at all times by authorised officers. These points are after all not of so much importance in the country shops as in the Europe liquor shops which chiefly are frequented by the better classes and castes.

14. Before leaving the country liquor shops it may be mentioned that when the system in vogue commits a whole district or a large part of it to a single contractor or licensee who assumes a semi-official position, he is likely to exercise a very objectionable influence. Nothing will prevent the people from regarding him as the agent of Government. When I was Collector of Surat, the Hindu Ghanchis (oil-pressers), from a desire to raise themselves socially, made a caste law that the drinking of liquor at their feasts should be stopped. It was a matter of common notoriety at the time that the Government contractor of the district, or his agents when they came to know of this, bribed the caste-leaders by offer of free liquor and otherwise to abandon their position. It is not likely that the temperance movement would have lasted in any case, but the sight of the Government man of business interposing to break it down was not a pleasant one. So far as it goes, it is an argument against maintaining licensees or contractors on a large scale as their action will be confounded with that of Government, and they are naturally bent on selling as much as they can; but on that question it is not the object of this memorandum to submit an opinion. The incident is merely taken from below the surface of native society to show how the general and regrettable disbelief in the sincerity of Government is not altogether perverse.

15. My impression is that the increase of Europe liquor shops is not everywhere sufficiently watched, though I do not wish to generalize from a too narrow experience. In Ahmedabad the number has been raised since 1891 from 7 to 12 though the population between 1891 and 1901 rose by only 25 per cent.; and even that increase was chiefly among the lower classes who do not demand European liquor. The latest shop opened (in 1903) in that city, in spite of protests, is nearly opposite the High School, and is provided with a side-passage leading to a back door which again leads to a private room. Within two minutes or so walk from the aforesaid High School are six shops for European and country liquor. I do not mean to suggest that they are frequented by any of the boys and have no reason to do so, but the fact that they are allowed to exist by express leave of the authorities may be and, as a fact, is lamentably misconstrued.

16. A frequent subject of remark already alluded to is the construction of Europe liquor shops with special secret accommodation for the higher castes to enable them to drink without being seen. There can be no question, I should think, that the abkari department everywhere should forbid this. In the City of Bombay, a clause is inserted in the license that "the doors and windows...not opening on to a public road shall be securely closed or barred with iron bars and wire netting unless for special reasons exemption is allowed." There is no such requirement in the mofussil. There should be. In all drinking places, except hotels, private rooms should be disallowed, and the remarks made in paragraph 13 above apply here also with still more force.

17. Generally speaking and considering the class of natives that is inclined to patronise each class of shops respectively, the Europe shop should be as prominent as possible for publicity deters, and the country shop should be as retired as possible for distance deters.

18. The above is not intended to be an exhaustive statement of the measures possible. Nor is it claimed that they, or others that might be suggested, are entirely free from objection or would be entirely effective. They are, however, practicable, and even if they failed of their immediate aim they would be politically wise as vindicating the motives of Government and showing people that it had no part or parcel in the perpetuation or spread of an impoverishing and degrading habit.

F. S. P. LELY,

Additional Member of the Governor-General's
Legislative Council.

FINANCE AND COMMERCE DEPARTMENT.

No. 2455-S. R., dated 21st April 1904.

To

The Secretary to Government, Revenue Department, Bombay.

Sir,

I am directed to forward for the consideration of His Excellency the Governor in Council a copy of a memorandum by the Honourable Mr. F. S. P. Lely, C.S.I., late additional member of the Legislative Council of the Governor-General, on the subject of the excise administration in India.

2. The nature and objects of the excise policy of the Government of India were exhaustively reviewed and expounded in their despatch no. 29, dated the 4th February 1890, and the following four principles, enunciated in paragraph 103 of that despatch, were accepted by the Secretary of State as those which should guide Local Governments and their officers in administering excise affairs :—

- “ (1) that the taxation of the spirituous and intoxicating liquors and drugs should be high, and in some cases as high as it is possible to enforce ;
- (2) that the traffic in liquor and drugs should be conducted under suitable regulations for Police purposes ;
- (3) that the number of places at which liquor or drugs can be purchased should be strictly limited with regard to the circumstances of each locality ; and
- (4) that efforts should be made to ascertain the existence of local public sentiment, and that a reasonable amount of deference should be paid to such opinion when ascertained.”

3. In the same despatch the Government of India expressed the opinion that the total prohibition of the consumption of stimulants was impracticable in India, even if desirable ; and this conclusion also was accepted by the Secretary of State. The present Government of India are in accord with their predecessors on this point, and they cannot accordingly go so far as Mr. Lely when he says that the ultimate aim of the Excise administration should be to put down drinking altogether.

4. With this reservation the Government of India are in cordial sympathy with the spirit of Mr. Lely's proposals, and they are fully alive to the evil consequences of the habit of drinking to excess. It would be a matter of great regret to them if it were true, as stated by Mr. Lely, that *the belief prevails generally among the Native Community that the Government deliberately fosters the liquor traffic for the sake of the revenue which it produces.* This accusation was described in the Despatch of 1890 as “merely a mode of expression used for rhetorical purposes with the object of putting in a striking form the charge, that owing to our wish to increase the revenues, we do not go as far in discouraging drinking as we ought, or as those who make the accusation think we ought.” And in the various general instructions which have been issued from time to time by the Government of India the raising of revenue has never been set forth as a primary object of excise administration. It is possible, however, that the spirit of these instructions has not permeated to all the officials who administer the excise laws, and the departmental officers may in some cases be led by zeal for the efficient administration of their Department to regard the revenue derived from the taxation of spirituous liquors as an end in itself rather than as a means of checking consumption. The Government of India desire that it may be impressed upon such officers that the growth of excise revenue is to be regarded as satisfactory only *when it results from the substitution of licit for illicit manufacture and sale, and not from a general increase of consumption.* To quote the words of Mr. Lely, it should be made clear that the Government is on the side of abstinence.

5. Turning to the specific suggestions put forward in the memorandum, I am to observe that the Government of India entirely agree with Mr. Lely that close attention should be paid to the locality of existing shops. A bazaar may at any time spring up round a liquor shop, and other changes in the neighbourhood may make a nuisance of a shop which was originally free from objection. The Government of India consider that the location of existing shops should be periodically examined with a view to ascertaining whether it conforms to the rules in respect of sites, and that it should be laid down as a general rule *that an established shop must not be allowed to remain on a site which would not be permissible for the location of a new shop.*

6. In paragraph 7 of his memorandum Mr. Lely suggests that all shops be gradually removed to not less than half a mile from places of common resort. The Government of India doubt the expediency of a distance limit, and they consider that the rules in force in Bengal deal more satisfactorily with this point, so far at least as the location of a new shop is concerned. An extract from these rules is appended and I am to commend to it the attention of His Excellency the Governor in Council. These rules should, on the principle laid down in the last preceding paragraph, be applied with equal care to old established shops.

7. Mr. Lely's suggestion that in towns all the liquor shops should be concentrated in a single street or market does not commend itself to the Government of India. They see no

advantage, but rather reverse in bringing together all those who are in need of spirituous liquor, or in locating two or more shops in a place where it would suffice. The result would probably be mischievous in inducing persons who resort to the liquor market to drink more than they would otherwise do.

8. Mr. Lely further proposes that the grant of licenses to open temporary shops at fairs or religious gatherings should be forbidden except in special cases with the sanction of the Commissioner. The habits of the people are so widely different in different parts of India that the Government of India doubt whether any general rule on this point can expediently be laid down. In certain parts of the country and among certain classes where alcohol is drunk only on special occasions, such as marriage or funerals, it might be feasible and desirable to prohibit the sale of alcohol at public assemblies; *but in other localities where the consumption of liquor in moderation is a general habit, the proposed restriction might prove an unnecessary hardship, interfering with a perfectly legitimate demand.* The question is one which the Government of India must leave to the discretion of the local Government.

9. The Government of India are inclined to favour the suggestion put forward in paragraphs 13 and 16 of the memorandum that the provision of accommodation for private drinking in liquor-shops should be prohibited, and I am to ask that His Excellency the Governor in Council will consider whether it cannot be generally carried out.

10. The system referred to in paragraph 14 of the memorandum of granting a monopoly of the vend of the country spirit in a whole district to a single contractor prevails only in the Bombay Presidency and Ajmer-Merwara. In this connection I am to invite attention to the correspondence ending with Mr. McIntosh's letter no. 3620-Ex., dated 17th June 1903, on the subject of reforming or withdrawing that system.

11. In paragraph 15 of his Memorandum Mr. Lely raises the question whether shops for the sale of foreign liquor are not too freely opened. The statistics before the Government of India do not indicate any general increase in the number of such shops, notwithstanding the increase in the consumption of foreign liquor; moreover the Governor-General in Council does not regard the substitution of these shops for those in which country liquor is sold as an evil since the former presumably sell better liquor as a general rule. It may be, however, that in some places European liquor-shops are opened too freely or in unsuitable localities, and I am therefore to ask that the local Government will be on its guard against these possibilities.

12. In conclusion I am to ask that the action taken in pursuance of the instructions and suggestions conveyed in this letter may be stated in the next annual Excise Report and that that Report may notice any other measures, which it may be found possible to introduce with a view to checking the habit of drinking to excess. The subject is one which the Government of India regard as of vital importance to the welfare of the community, and it cannot be too strongly impressed on the administering officers that the Government policy is to discourage drinking and to do all that is possible, without undue interference with the liberty of the subject, to suppress the degrading and demoralising habit of intoxication.

I have, etc.,

E. N. BAKER,

Secretary to the Government of India.

APPENDIX B.

EXCISE COMMITTEE.

List of Questions.

1. Will you state your profession and what opportunities you have had of forming an opinion on the questions indicated below ?

2. What is your opinion generally on (a) the excise policy of Government as laid down in the Government of India's letter F.D. 5001-Exc. of 7th September 1905, the substance of which is quoted below, and (b) the actual results of the policy as it has been carried out in practice ? And do you consider that it has put an effective check on intemperance ?

EXTRACT FROM THE GOVERNMENT OF INDIA'S LETTER

"The Government of India have no desire to interfere with the habits of those who use alcohol in moderation, this is regarded by them as outside the duty of the Government and it is necessary in their opinion to make due provision for the needs of such persons. Their settled policy, however, is to minimise temptation to those who do not drink, and to discourage excess among those who do, and to the furtherance of this policy all considerations of revenue must be absolutely subordinated. The most effective method of furthering this policy is to make the tax upon liquor as high as it is possible to raise it without stimulating illicit production to a degree which would increase instead of diminishing the total consumption and without driving people to substitute drugs for alcohol or a more for a less harmful form of liquor. Subject to the same considerations, the number of liquor-shops should be restricted as far as possible, and their location be periodically subject to strict examination with a view to minimise the temptation to drink and to conform as far as is reasonable to public opinion. It is also important to secure that the liquor which is offered for sale is of good quality and not necessarily injurious to health."

3. If you advocate any change in the above policy, what suggestions would you offer to improve upon it ?

4. Are you in favour of total prohibition ? If so, will you state, briefly, your reasons ? Do you consider it to be a practical measure ? If so, what steps would you suggest for carrying it out ?

5. If you favour prohibition, total or partial, how would you meet the following among other objections usually urged against the adoption of this policy :—

- (a) The facility of obtaining liquor by illicit means from palm trees, jaggery, *kaju* and other sources ;
- (b) The proximity of Native States and Portuguese territory and the impracticability of enforcing prohibition on them as well as on the neighbouring British districts ;
- (c) The customs and habits of certain classes in the Presidency and the possibility of serious discontent if those customs and habits are interfered with ;
- (d) The necessity of maintaining a preventive establishment large enough to cope with illicit distillation everywhere and the increased temptations to levy illegal exactions on the part of the establishment ;
- (e) The probability of people taking to other intoxicants and deleterious drugs.

6. What is your opinion on the argument frequently advanced that prohibition, although it might not be effective in the present generation, will have a large influence on the next ?

7. If you consider that the end to be aimed at is the complete cessation of consumption of alcoholic liquor, is prohibitive legislation the only means in your opinion for attaining that object, or have you any alternative method, legislative or other, to suggest by which this goal can be reached ?

8. Would you apply the principle of prohibition to all liquors, whether distilled or fermented ? Would you, for example, prohibit the use of toddy or *shindi* ?

9. If in your opinion absolute prohibition is not feasible or desirable, what means would you suggest to control consumption of all kinds of liquors and to gradually reduce it ?

10. The following are some of the means suggested of controlling consumption :—

- (a) Rationing of shops ;
- (b) Increasing the price of liquor ;
- (c) Reducing the number of shops ;
- (d) Reducing days and hours of sale ;
- (e) Reducing the strength of liquor ;
- (f) Regulating the location of shops ;
- (g) Restricting or prohibiting the importation and sale of foreign liquor ;
- (h) Regulating and where necessary prohibiting certain kinds of licenses ;
- (i) Prescribing age limit for customers of liquor ;
- (j) Encouraging temperance work by subsidising Temperance Associations or by other means ;
- (k) Restricting or prohibiting the removal of liquor from shops ; and

Have you any constructive proposals to make on all or any of these means, or can you suggest any other means towards that end ?

11. Are you in favour of the introduction of the principle of local option ? If so, would you suggest the means by which local option should be exercised by the public ?

12. Would you favour the suggestion of investing local bodies, e.g., municipalities and district or taluka local boards, with the power of determining the number and location of shops in their respective areas ? If you are in favour of investing local bodies with such power, would you be in favour of making them responsible for raising any part of the revenues that would be sacrificed by the exercise of such powers in their area ?

13. Have the existing Advisory Committees been found to be useful institutions ? If not, what changes would you advocate in the constitution of these Committees ?

14. Does the evil of drink contribute to an increase in crime and has it any effect on the output of work ?

15. If the net result of the recommendations you would make be reduction or absolute extinction of excise revenue, what sources of income would you suggest to make up the loss ?

NOTE ON FINANCIAL SITUATION

Submitted by Mr. P. J. Mead, C.S.I., C.I.E.

The net revenue from Excise may be taken at 3—4 crores. [The deficit due to prohibition or even severe restriction may be higher still, as establishments will require considerable strengthening, if illicit distillation is to be suppressed.]

Our other revenues are roughly :—

Land Revenue	..	..	..	..	4 crores.
Stamps (with new taxation)	..	..	..	..	2—2½ crores.
Forests	..	..	..	..	87 lakhs.
Irrigation	..	..	..	..	21 lakhs.
Smaller receipts	..	..	..	..	3 crores.

10 crores.

And expenditure 13 crores (after deduction of book adjustments under Land Revenue and the 60 lakhs economies just effected).

All public services rendered have to be financed out of the above resources, e.g., Education, Medical, Courts of Justice, Police as well as administration generally. No Provincial revenue is derived from Customs, Railways, Income Tax and Salt. New taxation must add to existing rates of taxation or be entirely new. Sur-charges, e.g., on Income Tax can yield small sums only as the main revenue is ear-marked for Central purposes. At present expenditure and revenue are balanced with difficulty and savings by retrenchment are practically absorbed by the increasing demands of education.

16. Have you any special remarks to offer in the matter of prohibiting and restricting the use of opium and hemp drugs ?

17. How far in your opinion is the custom of giving opium to young children prevalent, and among what classes ? What effect do you consider this custom has on the death-rate among children ?

APPENDIX C.

PRESS NOTE NO. 84 DATED THE 16th JULY 1923.

Rationing of liquor in Bombay—Some misapprehensions.

In November of last year Messrs. Strathie and Shanmukham Chettiar, who had been placed on deputation to enquire into the temperance measures introduced in certain provinces including the rationing system in Bombay, presented their report to the Government of Madras. Certain statements in this report—extracts from which have been published in this Presidency—are liable to convey a misleading impression of the rationing policy of the Government of Bombay, and the attention of the Government of Madras has been drawn to the statements in question. In a letter to the Secretary to Government, Revenue Department, Madras, the Secretary to Government, Revenue Department, Bombay, said :—

“ The statements to which I am to request the particular attention of your Government are those contained in paragraph 2 of Mr. Strathie's minute and paragraphs 4 and 25 of Mr. Chettiar's minute on the rationing system in Bombay. In the former it is stated that the object of the Bombay rationing system was ‘ to put a rigid limit to consumption and to bring about total prohibition within a definite period ’ while in the latter it is not merely stated that ‘ the obvious result of the system will be to bring about a complete prohibition of country liquor ’ within a few years but also that ‘ by adopting this system Government assumes direct responsibility for the actual quantity of spirit consumed and Government will thereby commit themselves to a policy of which the ultimate issue must be total prohibition. The logical result of rationing will be total prohibition within a definite period of time.’

“ I am directed to say that these statements in an official publication are likely to be construed as an official pronouncement of the policy of this Government in the direction of prohibition and unless officially contradicted might create a false impression in the minds of the general public as to what the policy of this Government is towards this important question. I am therefore to say that although it is not inaccurate to say with Mr. Strathie that the Bombay rationing system was introduced to meet the popular demand for a forward policy in temperance matters it is incorrect to state or to suggest that this Government have embarked on a policy leading directly to prohibition. As a matter of fact, this Government have not hitherto considered what attitude it proposes to adopt towards the question of prohibition and are not at present prepared to make any public statement of its policy in that connection.”