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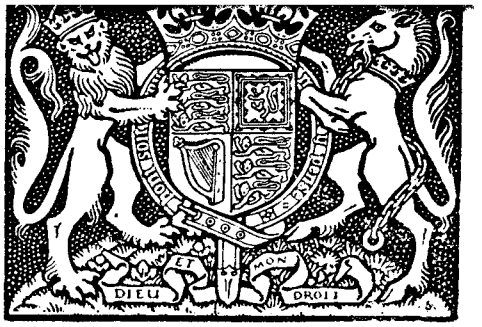

GOVERNMENT OF INDIA ACT 1935

EXCLUDED AND PARTIALLY EXCLUDED AREAS

(Section 91)

Recommendations of the Provincial Governments and the Government of India

Presented by the Secretary of State for India to Parliament by Command of His Majesty
January, 1936

LONDON
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Despatch (No. 1 Reforms) from the Government of India to the Secretary of State for India, dated, New Delhi, the 24th December, 1935.

On receiving your letter No. P. & J. (*c*) 5420, dated the 7th June 1935, we placed ourselves at once in communication with the provincial Governments with a view to the immediate institution of the further enquiries you directed to be undertaken for the selection of areas to be declared excluded or partially excluded under the provisions of section 91 of the Government of India Act, 1935. These enquiries, based on reports submitted by the district officers are now complete. Copies of the exhaustive replies received from provincial Governments are enclosed with this despatch. We have ourselves given our most careful consideration to the proposals they respectively make, and we have the honour now to place you in possession of our own recommendations.

2. It is true, as indeed it is obvious, that there has been no uniformity, province by province, in the notification hitherto of backward tracts under the provisions of section 52A of the present Act. We read the instructions communicated to us in your letter as indicating your wish that, so far as local circumstances may permit, the selection of excluded and partially excluded areas throughout British India should now be subjected to a general uniformity of treatment with the possible consequence of a considerable increase in specially protected areas. Where we have differed from local Governments we have endeavoured to bring our own recommendations strictly into line with your instructions.

3. In one respect you modified your instructions. We drew your attention to the fact that areas to which the Scheduled Districts Act applies would cover such comprehensive areas as Assam and Sind. You agreed that, in a more limited sense, partial exclusion should be considered with respect to every area where, as a result of the application of the Scheduled Districts Act, the local Government at present exercise power to apply legislation with modifications, or appoint officers under section 6 of the Act. These revised instructions were communicated to the provincial Governments at an early stage of their enquiries.

4. It will be convenient in placing our recommendations before you to deal with the proposals of each local Government, province by province. In our observations on their proposals we have borne in mind the undertaking given, on behalf of His Majesty's Government, in the House of Commons on the 13th May 1935 that a paper would be laid before the House with all the information and facts and all the necessary references before the Order in Council under section 91 is made. In order that full information may be available for all the areas which it has been suggested should find place in the

Order in Council, we have included in our comments on the provincial proposals our observations on each of the areas suggested for exclusion or partial exclusion in Mr. Cadogan's amendment of the 10th May 1935. In addition we have commented also on all other areas, not necessarily recommended for special treatment by the local Governments, which have seemed to fulfil the tests prescribed in your letter. We trust therefore that the information we shall place before you will be found sufficient for the purpose of finally selecting areas for special treatment under the provisions of section 91 of the Act.

5. In the course of the instructions given to us, you observed that having regard to the limitations consequent upon total exclusion upon the powers of the legislatures and of the Ministers responsible to them the areas to be placed in that category must be based upon strict necessity and must be as limited as possible in scope consistently with the needs of the aboriginal population. We are ourselves in complete agreement as regards the principle you have expressed, and bearing your instructions in mind have confined our recommendations for the exclusion of areas to frontier and border tracts in Assam and such other areas, for instance, the Laccadive and Minicoy Islands off the west coast of Madras, and Lahaul and Spiti in the north of the Punjab whose geographical position isolates them from the normal life and administration of the province in whose territories they lie.

6. In our selection of areas for partial exclusion we have kept prominently, but not exclusively, in mind the general distribution of aboriginal and primitive peoples through the uplands and forests of the Indian continent. These peoples survive in great numbers in all the less developed parts of the province of Assam and the North East Frontier tract. They reappear in the highlands of Chota Nagpur, and are found throughout the Central Indian Plateau stretching through the Central Provinces and on from there to the Western Ghats in the Presidency of Bombay. In Madras large numbers survive in the hills of the Agency tracts in the north of the Presidency which are themselves an extension of the Central Plateau and again, though not in such numbers, in the more scattered ranges further south. There is also a fringe of comparatively primitive and undeveloped people in the sub-Himalayan belt.

7. In recommending areas for partial exclusion we have sought to define them as closely as we can, and to select boundaries capable of being expressed in simple and easily intelligible terms. Should the boundaries proposed be found subsequently to require rectification, provision for that purpose exists in sub-section (2) (*c*) of section 91.

8. In now taking up the provincial reports we shall start with our consideration of the proposals of the Government of Assam; and, in proceeding round the map of India, shall take the remaining provinces in the following order: Bengal, Bihar and Orissa, and

Madras; next the United Provinces, the Punjab and the North-West Frontier Province. We shall then conclude with the Presidency of Bombay and the Central Provinces, in both of which the problem presents certain features special to themselves.

ASSAM.

9. In the discussions extending over many years regarding the treatment of backward areas the necessity of special treatment for large areas in Assam has been generally and consistently admitted.

10. The original Sixth Schedule as presented to Parliament included the following entries relative to Assam.

PART I.

Excluded Areas.

The North East Frontier (Sadiya, Balipara and Lakhimpur) Tracts.
The Naga Hills District.
The Lushai Hills District.

PART II.

Partially Excluded Areas.

The North Cachar Hills (in the Cachar District).
The Garo Hills District.
The Mikir Hills (in the Nowgong and Sibsagar Districts).
The British portion of the Khasi and Jaintia Hills District other than the Shillong Municipality and Cantonment.

11. In agreement with their local officers, the Government of Assam maintain their view that the North East Frontier (Sadiya, Balipara and Lakhimpur) Tracts, the Naga Hills District, and the Lushai Hills District should be excluded. Statistics of area and population for these tracts are as follows :—

	Area in square miles.	*Population.*
Balipara Frontier Tract	560	5,148
Sadiya Frontier Tract	3,200	53,345
Lakhimpur Frontier Tract	394	4,338
Naga Hills District	4,293	178,844
Lushai Hills District	8,092	114,404

12 Balipara, Sadiya and Lakhimpur are essentially frontier areas inhabited by tribes in an early stage of development. Balipara has no defined outer boundaries and extends to the confines of Bhutan and Tibet. The peculiarity of Sadiya lies in its variety of quite distinct peoples having relations with widely separated tracts of unadministered country. The population of Lakhimpur

consists mostly of Naga Tribes. They stretch through the southern part of the Sadiya and Lakhimpur Tracts, the Naga and North Cachar Hills, with a wide area of unadministered territory the Manipur State and throughout the hills surrounding the valley area of the Manipur State. In the Lushai Hills the bulk of the people are of the various kindred tribes known as Lushai, Kuki, or in Burma, Chin Tribes, living under their own distinctive chiefs. The district marches with the Chin Hills of Burma.

13. We agree that the five areas mentioned above should not owing to local conditions be brought within the scope of the new Reforms. We therefore accept the recommendation of the local Government that these five areas should be classed as excluded areas to be administered by the Governor in his discretion.

14. In the circumstances explained by the local Government in paragraph 3 (ii) of their letter No. 3044 F.R., dated the 9th October, 1935, the Government of Assam after previously recommending that the North Cachar Hills should be wholly excluded subsequently revised their recommendation and were prepared to support partial exclusion. The treatment of this area came under further examination at a time when the draft Bill was before Parliament, and in view of its history of inter-tribal dissensions and the great difficulty of obtaining a representative from the North Cachar Hills to sit in the Assam Legislative Assembly the Government of Assam were prepared to support the view that this area should be excluded. They now make its exclusion their definite recommendation.

15. The North Cachar Hills have an area of 1,890 square miles and a population of 32,844. The population consists mainly of Nagas, who are the outliers of the Kacha Nagas of the Naga Hills; of Kacharis, who represent themselves to be Hindus but are markedly distinct from the plains Kacharis by their customs; and of Kukis, a people distinguished from the Nagas by their migratory habits. They are of the same origin as the tribes occupying the Lushai Hills. The conflicting interests of the different tribes are a noticeable feature of these hills.

16. In the Parliamentary debate of the 13th May, 1935, the Under-Secretary of State for India indicated that His Majesty's Government would be prepared to recommend that the North Cachar Hills should be treated as an excluded area. Having regard to the arguments of the local Government we support the proposal, but would record our opinion that opportunity should not be lost, as soon as local conditions permit, to convert this area from an excluded into a partially excluded area.

17. Rather marked differences of opinion have arisen as regards the treatment of the Garo and Mikir Hills. All authorities who have been consulted are agreed that special protection for the Garo and Mikir Hills is required. The point at issue is whether they should be excluded or partially excluded.

18. These two hill tracts are neither frontier nor border tracts like those recommended for exclusion.

The Garo Hills lie west of the Khasi and Jaintia Hills, and are bounded on the north by the Goalpara district of the Assam valley and on the south by the Mymensingh district of the Bengal Presidency. The Mikir Hills are an isolated area, as it were an island in the plains country. They extend over portions of the Nowgong and Sibsagar districts. By geographical position alone the future of the Garo and of the Mikir Hills is closely linked with that of the settled districts of the province of Assam. This alone distinguishes their case from that of the frontier and border tracts recommended for exclusion.

19. The Garo Hills occupy an area of 3,152 square miles and have a population of 190,911 consisting almost entirely of Garos and a few other tribes of Bodo origin. The Garos extend into the plains of Mymensingh, Goalpara and even Dacca. Previous to British administration Garo raids on the plains were frequent, but it is now more than 50 years since any serious incident of that kind has occurred. The Mikir Hills occupy an area of 4,387 square miles with a population of 133,216. The people of the hills are Bodos of the Mikir tribe. They are an inoffensive and rather timid race.

20. In the amendment of the draft Sixth Schedule proposed in Parliament by Mr. Cadogan on the 10th May, 1935, it was recommended that while the Garo Hills should remain a partially excluded area, the Mikir Hills should be moved to Part I as an excluded area. In the further investigation now made, the local officers of Government, namely, the Deputy Commissioner of the Garo Hills and the Commissioner of the Assam Valley Division, recommend that, except for three plains mauzas, the Garo Hills district should be not partially excluded, but excluded. The same recommendation for the Mikir Hills is made by the Commissioner of the Assam Valley Division, agreeing in this respect with the opinion of the Deputy Commissioner of Nowgong, but disagreeing with the view of the Deputy Commissioner of Sibsagar.

21. The treatment of these two areas is also dealt with fully in a note by Dr. Hutton (included as an enclosure to the local Government's reply) in which he strongly supports exclusion against partial exclusion.

22. On the other hand the local Government adhere to their earlier recommendation that these areas should be partially excluded. The argument that exclusion would disturb arrangements for the distribution of "backward areas" seats in the Assam legislature touches a point which the Government of Assam would no doubt themselves agree to be subsidiary and incidental.

Their more cogent argument is to be found in paragraph 4 of their letter stating that they are unable to believe that "partial exclusion" would render the inhabitants liable to the exploitation which Dr. Hutton apprehends. Both areas are situated in the heart of the province and the local Government emphasize the point that they must evolve on lines similar to the rest of the province.

23. At the time when the recommendations of the local Government were submitted, His Excellency Sir Michael Keane was absent on leave. On his return from leave, he expressed, in agreement with the view expressed by the provincial Government in his absence, his opinion that the Garo and Mikir Hills should be partially excluded. This opinion was communicated to us by the local Government in their letter No. 3106 F.R., dated the 16th October, 1935.

24. We ourselves share in the general agreement that these two tracts should at the least be partially excluded. We have considered whether the further protection given by exclusion is required or justified by the circumstances. We observe that the protection against unsuitable legislation is the same in either case. The question then is whether the Ministers should be without executive authority in these tracts, or whether in their administration of them they should be subject to the individual judgment of the Governor. We find ourselves in agreement with the local Government that for the requirements of these areas the individual judgment of the Governor should be ample protection. We are also of the opinion that the creation of excluded enclaves within the heart of the province of Assam interrupting the normal provincial administration in such matters as roads, public health and education would be likely to create administrative embarrassments. Nor are we dealing here with areas for which there could be no representation of any kind in the provincial legislature. We therefore recommended only partial exclusion of the Garo and the Mikir Hills.

25. It remains to consider the treatment of the British portions of the Khasi and Jaintia Hills, excluding the Shillong Municipality and Cantonment. Though the Commissioner of the Surma Valley and Hill Division favours exclusion the view held by the Deputy Commissioner of the Khasi and Jaintia Hills is that they should be partially excluded, an opinion which Dr. Hutton endorses. The Government of Assam state that any proposal to exclude these hills would arouse the most intense opposition from the leading Khasis, and they adhere to their recommendation of partial exclusion.

26. The Khasi and Jaintia Hills lie between the Garo and Mikir Hills. The headquarters of the Government of Assam at Shillong is within the Sadr subdivision of the Khasi Hills.

The total area of the Khasi and Jaintia Hills is 6,145 square miles. The whole of the Jaintia Hills is British territory; but of the Khasi Hills 90 per cent. of the total area is State territory and 86 per cent. of the population are State subjects.

The figures for the area and population of the British portions of the Khasi and Jaintia Hills are as follows:—

	Square miles.
Khasi Hills (British territory)	339
Jaintia Hills	2,106
	2,445

	Population.
Khasi Hills (British territory)	28,781
Jaintia Hills	81,145
	109,926

The Khasis form the bulk of the population of these Hills, which however include some 15,000 Mikirs and a smaller number of Garos. In the State territory the Khasis live under their Siems or chiefs. In all other respects, for example, the common tenure of land and other property, the life of the Khasis of British territory is regulated on the same lines as of the Khasis of State territory.

27. We accept the recommendation of the Government of Assam that, with the exception of the Shillong Municipality and Cantonment, the British portions of the Khasi and Jaintia Hills should be partially excluded.

28. To sum up, for the areas in the province of Assam we are unable to support the recommendation contained in Mr. Cadogan's amendment of the 10th May that the Mikir Hills should be an excluded area, but we accept the amendment that the North Cachar Hills (in the Cachar District) should be excluded. It was further suggested in the amendment that all tribal territories on the frontier of Assam which at the time of the coming into operation of the Act are unadministered should be excluded. On this point we observe that for such tribal areas as do not lie within the province of Assam no question of the use of section 91 can arise. For areas of that description the executive authority would belong to the Governor-General who would in all probability employ the Governor as his agent under the provisions of sub-section (1) of section 123.

29. In effect, the only change from the entries for Assam in the draft Sixth Schedule which we recommend is that the North Cachar Hills should be not partially excluded, but excluded.

30. In terms of area and population our recommendations for Assam may be summarized as follows :—

PART I.—*Excluded.*

	Area in square miles.	*Population.*
Balipara Frontier Tract	560	5,148
Sadiya Frontier Tract	3,200	53,345
Lakhimpur Frontier Tract ...	394	4,338
Naga Hills District	4,293	178,844
Lushai Hills District	8,092	114,404
North Cachar Hills	1,890	32,844
Total	18,429	388,923

PART II.—*Partially Excluded.*

	Area in square miles.	*Population.*
The Garo Hills District	3,152	190,911
The Mikir Hills	4,387	133,216
The British portions of the Khasi and Jaintia Hills excluding the Shillong Municipality and Cantonment	2,445	109,926
Total	9,984	434,053

BENGAL.

31. The Presidency of Bengal includes within its boundaries primitive peoples from three of the great aboriginal areas of India. On the north and east are tribes belonging to the Mongolian block of Assam; on the west are Santals of the Central Indian Plateau; and in the north-west the hill-men of the sub-Himalayan districts of Darjeeling and Jalpaiguri.

32. It was recommended in the draft Sixth Schedule that the Chittagong Hill Tracts should be an excluded area, and the Darjeeling district a partially excluded area. These recommendations were accepted in Mr. Cadogan's amendment of the 10th May, 1935, but it was recommended that the Sherpur and Susang Parganas of the Mymensingh District should also be a partially excluded area.

33. The reasons for excluding the Chittagong Hill Tracts are given by the Government of Bengal in their letters Nos. 2606-A. R., dated the 6th December, 1933, and 109-A. R.-D., dated the 16th May, 1933, copies of which are enclosed with the local Government's memorandum on the present reference. The

Chittagong Hill Tracts cover about 5,000 square miles. According to the last census the population is roughly 213,000 of which the bulk is composed of hill tribes who number approximately 155,500. The district is a mass of hills, ravines and cliffs, covered with dense bamboo, trees and jungles. In all material respects the Chittagong Hill Tracts, which border the Lushai Hills of Assam, are similar to areas in Assam recommended for exclusion. In agreement with the Government of Bengal we recommend that the Chittagong Hill Tracts should be an excluded area.

34. The treatment of the Darjeeling District raises rather difficult problems. The local Government favour partial exclusion in the interests of the hill-men. It is true that the district presents marked differences from other Bengal districts. For instance, only a minority of the inhabitants speak Bengali as their mother tongue. Moreover, the internal system of administration is specially adapted to local needs. On the other hand, the district can scarcely be described as a backward tract in the ordinary sense of that term. The standard of literacy is well above the average for the Presidency and the aboriginal population is only 11·9 per cent. Of this a large proportion is engaged as labourers on tea estates, and to that extent has been detribalized. It does not appear to us that the criteria described in your letter afford firm ground for the special treatment of this area, but we recognize the particular considerations relative to the position of the hill-men emphasized by the Government of Bengal in their letter No. 14658-A., dated the 11th December, 1930, read with their letter No. 2502-A. R., dated the 14th November, 1933, copies of which are enclosed with their present memorandum, and we agree that at least at the outset the Darjeeling district should be a partially excluded area. The district has a total population of 319,600, of whom approximately 38,000 are primitive peoples.

35. The local officers have recommended that the Jalpaiguri district which adjoins the Darjeeling district in the sub-Himalayan tract should be a partially excluded area. Simply on the figures of backward population the claim of the Jalpaiguri district to partial exclusion is nearly twice as strong as that of the Darjeeling district, and that of the Duars of Jalpaiguri nearly four times as strong. But in this instance figures are misleading, since a very high proportion of the primitive population is detribalized labour, and the application to such of Chapter V, Part III of the Act would be out of place. We accept the opinion of the Government of Bengal that the Jalpaiguri district should be neither an excluded nor a partially excluded area. The district is in all material respects similar to a normal district in the Presidency.

36. We agree further with the Government of Bengal that it would not be practicable partially to exclude areas in the Santal fringe along the western border of the Presidency.

37. Mr. Cadogan's amendment of the 10th May, 1935, recommended the partial exclusion of the Sherpur and Susang parganas of the Mymensingh district. In reply to our earlier reference the Government of Bengal opposed this recommendation. They assumed the proposal to have been made because of the presence of Garos in these parganas. On the other hand they took the point that the total Garo population in the Mymensingh district is only 34,300 approximately out of a total population of 4,130,000. They stated that hitherto no special measures have been deemed necessary to protect Garos in Bengal, and added that the local Government had at no time received any indication that the existing administrative system has worked inequitably for the Garos.

38. On the present reference, as stated in the local Government's letter No. 3966 A. R., dated the 6th November, 1935, the district officer of Mymensingh was not consulted.

39. In the circumstances the information in our possession is less ample than further enquiry from the local Government would no doubt have elicited. The Mymensingh district lies to the south of the Garo Hills of Assam, and it is understood that of the 38,000 Garos in Bengal 34,000 live in a strip of country in Mymensingh running along the boundary between that district and the Garo Hills district of Assam, and that in that area the other elements consist of 14,000 Hadis, 20,000 Hajangs and 30,000 Koches.

40. In a monograph on the Garo tribe prepared by Major Playfair this strip of country is shewn as essentially Garo country. Into this area then under jungle the Garos came some 150 years ago. They were the first to open out the country.

41. Recent information on conditions in that area is given in the last census report of Bengal, in which the Superintendent reproduces a note by the Rev. W. J. White, of Mymensingh, which describes the disabilities under which the Garos suffer. The following extracts from that note are relevant to the point now at issue—

> . . . At one time the Garos were the undisputed holders of the land over which they roamed, and gradually on this side of the Assam border their legal rights to the land have been reduced by expropriation when rents are in arrear, and under the recent Bengal Tenancy Act by pre-emption when the tenant arranges a transfer of his land rights to another tenant. Added to this is the heavy pressure set up by immigration after lands have been cleared and brought under cultivation by the pioneer Garo farmer.

In his note the Rev. W. J. White observes that so despised are Garos by orthodox Hindus that " even Christian missionaries who are working among the Garos in the northern portion of the

Mymensingh district are not allowed to call the Hindu barber, because of the close contact they have with the Garo people." There is no question of special pleading for Christian converts, since at the census only 18 Garos were returned as Christians.

42. At the same time it was recorded in the census that of these Garos some 90 per cent. speak no language but their own. Only slightly over 1 per cent. can read and write. It is understood that they still retain their own tribal divisions and matriarchal system.

43. On these facts it would seem that these Garos should receive the same measure of protection as is recommended for the Garos in Assam, that is to say, that the area they inhabit should be partially excluded. The test in this case is not the percentage of primitive peoples in the district as a unit, but their numbers, grouping and environment in a particular part of the district. We accordingly support the recommendation made by Mr. Cadogan in his amendment of the 10th May, 1935, that the Sherpur and Susang parganas of the Mymensingh district should be a partially excluded area. There will be nothing to prevent the local Government at any future time from recommending revised boundaries, if they think fit, for the purpose of limiting the partially excluded area more specifically to the particular tract inhabited by these Garos.

44. Our recommendations then for the Presidency of Bengal are :—

(1) in agreement with the local Government that the Chittagong Hill Tracts should be an excluded and the Darjeeling district a partially excluded area; and

(2) in support of Mr. Cadogan's amendment that the Sherpur and Susang parganas of the Mymensingh district should be a partially excluded area.

BIHAR AND ORISSA.

45. A great part of the existing province of Bihar and Orissa is covered by the Great Central Indian Plateau. The province contains no less than 5½ million aboriginals, a total approached only by the Central Provinces. The primitive population of the province is made up, for the most part, of Mundas, Oraons, Hos and other Kolarian tribes. Tribal formations and local agrarian systems can scarcely be said to survive in the sub-Himalayan tract to the north of the province.

46. Very full use has been made of the provisions of the present Government of India Act to protect these primitive peoples. Notifications now in force under Section 52A cover the whole of the Chota Nagpur Division, comprising the five districts of Ranchi,

Hazaribagh, Palamau, Manbhum and Singhbhum; the Santal Parganas district of the Bhagalpur Division, and the Sambalpur and Angul districts. Of these, the two last named will fall in the new Orissa province.

47. It was proposed in the draft Sixth Schedule that all these areas should be partially excluded areas. In Mr. Cadogan's amendment of the 10th May, 1935, it was recommended that the Damin-i-Koh in the Santal Parganas district; the Kolhan revenue thana in the Singhbhum district; the Khondmals sub-division in the Angul district and the whole of the Ranchi district except the town and suburbs of Ranchi should be excluded; and that the remainder of the areas mentioned above should be partially excluded.

48. The Government of Bihar and Orissa adhere to their recommendation that no part of the future provinces of Bihar and Orissa should be excluded. The conditions throughout the province are fully described by the local Government in their letter No. 7342 A. R. dated the 18th October 1935. With their conclusion that no change is required from their recommendations as they stood in the draft Sixth Schedule, we entirely agree. To our mind there can be no justification for so retrograde a step as excluding the Damin-i-Koh Government estate in the Santal Parganas or the Kolhan Government estate in the Singhbhum district. It would be equally difficult to find justification for excluding the Ranchi district.

49. Some doubt might however arise as regards the Angul district including the Khondmals sub-division. Under the notifications now in force, the Angul district, which is itself a Government estate, is practically an excluded area. The Sadr sub-division under direct Government management is stated now to be so advanced that it should be possible within a few years to place it on a level with the normal districts. It is admitted on the other hand that the Khondmals will require protection for many years to come. But the opinion of the local Government, which we accept, is that local conditions are not such as to make it necessary to retain a distinction between the Khondmals and the neighbouring Agency tracts of Madras with which it will in future be grouped. It is proposed that these Agency tracts should be partially excluded.

50. Thus, for the areas now lying within the province of Bihar and Orissa we confirm the recommendations in the draft Sixth Schedule and adhere to the proposals therein that there should be no excluded area in the territories of the existing province of Bihar and Orissa; but that the following should be partially excluded areas—

The District of Angul (Orissa).
The Chota Nagpur Division (Bihar).
The District of Sambalpur (Orissa).
The Santal Parganas District (Bihar).

MADRAS.

51. In the Presidency of Madras, apart from the Laccadive and Amindivi Islands, the aboriginal population may be said broadly to be found in two distinct areas; first in the northern portion of the province covered by the low and intensely malarious hills of the Ganjam, Vizagapatam and Godavari Agency tracts; and second in the more scattered but often higher hills of South Madras.

52. Under the provisions of section 52A of the present Act the Laccadive Islands, including Minicoy, and the Ganjam, Vizagapatam and Godavari Agencies have been notified as backward tracts.

53. In the draft Sixth Schedule no area of the Madras Presidency was proposed for exclusion. It was proposed that the Laccadive Islands, including Minicoy, and the Ganjam, Vizagapatam, and Godavari Agencies should be partially excluded areas.

54. Extensive changes were recommended in Mr. Cadogan's amendment of the 10th May 1935 in which it was proposed—

(*a*) that the Ganjam, Vizagapatam and Godavari Agencies; the Nallamalai Hills in the Kurnool district; and the Laccadive Islands and Minicoy should be excluded areas; and

(*b*) that the Wynaad Taluk of the Malabar district; the Kollegal Taluk and Anamalai Hills of the Coimbatore district; the Palni Hills of the Madura district; the Javadi Hills of North Arcot district; the Sitteri, Shevaroy, and Kollimalai Hills of the Salem district; the Kalrayan Hills of the Salem and South Arcot districts; the Pachamalai Hills of the Salem and Trichinopoly districts; and the Nilgiri Hills should be partially excluded areas.

55. These changes are not supported by the Government of Madras with this exception that they agree that the Laccadive Islands, including Minicoy, should be excluded.

56. The exclusion of these islands was accepted by the Government of Madras on an earlier reference, when we stated that we would not object to their treatment as excluded areas. These islands lie off the coast of the Malabar and South Kanara districts. Their total area is about 10 square miles. Their inhabitants, who are in a primitive state of development, number roughly 16,000. The islands are inaccessible during the greater part of the year and are visited by Government officials once only in two years. We confirm the view we have already expressed that these islands should be excluded. For the reasons given by the Government of Madras they should be described more explicitly in the Order in Council as " The Laccadive (including Minicoy) and Amindivi Islands ".

57. The Government of Madras are unable to accept the suggestion that the Ganjam, Vizagapatam and East Godavari Agencies should be treated as excluded not partially excluded areas. We

entirely agree that there is no case to treat these areas as excluded. Of the three Agencies the whole of the Ganjam Agency and part of the Vizagapatam Agency will pass to Orissa. Ganjam is the most backward and Godavari the most advanced of these three tracts, but all three contain considerable proportion of population that is not primitive. We see no justification for excluding the Ministers from any executive authority in the areas, to which moreover representation will be given in the legislatures of Madras and Orissa.

58. The Government of Madras however make an incidental proposal that twenty-five villages of the Polavaram Taluk mentioned in their letter should be excluded from the Order in Council relative to the East Godavari Agency and treated as normal. These twenty-five villages are stated to be entirely similar in character to the adjoining areas of the plains and contain no aboriginal tribes or specially backward communities. We agree that on that ground they would not in themselves require special protection under section 91; but we would be disposed for the purpose of the Order in Council to treat them as within the partially excluded area so long as they lie within the Agency and are administered as part of it. The entry in the Order in Council should therefore refer simply to the East Godavari Agency as a partially excluded area.

59. The Government of Madras mention that a few villages of the Prathipadu sub-taluk outside but adjoining the Agency are inhabited by backward people not materially different from the inhabitants of the Agency. It is observed that these villages, which are stated to be few in number and covering a small area, have always been subject to the ordinary laws and the ordinary system of administration. Agreeing with the Government of Madras, we recommend no special treatment for them.

60. The Nallamalai hills in the Kurnool district recommended in Mr. Cadogan's amendment for exclusion are stated by the Government of Madras to be occupied by a backward people known as Chenchus numbering scarcely more than 4,000 persons. Since their number is so small and the area they occupy so limited the Government of Madras consider that these Hills should be declared neither an excluded nor partially excluded area. We agree.

61. It will be seen from our recommendations that we agree with the Government of Madras that there should be no excluded area in the Madras Presidency, except the Laccadive (including Minicoy) and the Amindivi Islands. It remains to discuss the new proposals for partially excluded areas.

62. The local Government report that there is no area in the Malabar district where there is a preponderance of aborigines or very backward people. A certain number of jungle tribes live on the slopes of the hills but are stated to be few in number. In the Wynaad taluk the primitive tribes number a little over 16,000 in a total population of about 91,000. Estate-owners in the taluk

give employment to many of the primitive part of the population, and it would not seem feasible to recommend the partial exclusion of any particular area which would not contain a majority of the advanced classes. On these facts we are unable to support the proposal that the Wynaad taluk should be partially excluded. We agree with the Government of Madras that no part of the Malabar district should be partially excluded.

63. Conditions in the Coimbatore district are fully discussed by the Government of Madras. The total aboriginal population is only 9,100 and these peoples are stated to live scattered in small units in the forests. The Kollegal taluk mentioned in Mr. Cadogan's amendment is reported not to contain any appreciable number of aborigines. The population of this taluk is backward rather than aboriginal. The 6,000 aborigines of the Pollachi taluk are all found in the Anamalai Hills, also mentioned in Mr. Cadogan's amendment, where they are for the most part employed as labourers on the estates. For the reasons given by the Government of Madras, we agree that neither the Kollegal taluk nor the Anamalai Hills of the Coimbatore district should be treated as partially excluded areas.

64. The Palni Hills, also recommended for partial exclusion in Mr. Cadogan's amendment, lie in the Madura district. That district is noted in paragraph 3 of the Local Government's letter No. M. S.-1755, dated the 25th October, 1935, as one of several districts in which there is no area containing an appreciable number of aborigines or backward people. We understand that the inhabitants of the Upper Palnis are primitive, but that it would not be practicable to select any area suitable for partial exclusion. We accordingly accept the opinion of the local Government that no part of the Madura district should be partially excluded.

65. In Mr. Cadogan's amendment of the 10th May it was recommended that the Javadi Hills in the North Arcot district should be partially excluded. Of the total population of these Hills of 24,500 all except 200 are Malayalis. The local Government report however that they have advanced considerably in civilisation in recent years and mix freely with the inhabitants of the adjoining plains. The Collector of the district has expressed the opinion that they require no special protection. We agree with the Government of Madras that the Javadi Hills in the North Arcot district should not be partially excluded.

66. They hold the same opinion also as regards the Nilgiri Hills district. In that district the primitive tribes consist for the most part of the Bodagas who number approximately 43,000 out of a total population of 167,000. These tribes are scattered over most of the district no particular portion of which is inhabited by aborigines. The district itself cannot be considered a backward area. There are numerous estates employing a considerable amount of local labour. We entirely agree with the local Government

that the Nilgiri Hills district (which contains Ootacamund, the summer capital of the Government of Madras) should not be a partially excluded area.

67. Within and extending across the borders of the Trichinopoly, Salem, and South Arcot districts are the Shevaroys, Kollimalais, Kalrayan, Pachamalais and Sitteri Hills inhabited by Malayalis. All these areas are recommended for partial exclusion in Mr. Cadogan's amendment. The greater part of these Hills fall in the Salem district, and population figures for the Shevaroys, the Kollimalais, the Kalrayan, the Pachamalais and the Sitteri Hills are included in the local Government's letter of the 25th October, 1935. The Government of Madras consider that the administrative inconvenience of constituting five separate areas into " partially excluded " areas is such that the proposal is *prima facie* unsuitable; but pass on to suggest that if partial exclusion is adopted, it would be well to include the small areas of Trichinopoly and South Arcot into which the Pachamalais and Kalrayan ranges respectively extend.

68. Among these five areas the Shevaroy Hills form a separate block and we understand that these Hills have been to a large extent opened up by coffee and other plantations. Though the Malayalis form the bulk of the population, there is a considerable mixture of other inhabitants. We accordingly take the view that the Shevaroy Hills should not be partially excluded.

69. The four remaining areas under discussion present a rather different problem. With small exceptions, the whole of the population of these hills is Malayali. The hills, though different areas of them go by different names, form one plateau. The present Collector of Salem thinks these areas require no special protection, but the Government of Madras bring it to notice that a previous Collector took the opposite view, and suggested partial exclusion for all these hills (excepting the Shevaroys). These Malayalis are not really hill tribes in the ordinary sense of the expression, but are Tamils who speak that language, and worship the same deities as the plains people with whom they have close connections. They are understood to have welded themselves into a tribe with their own culture, and their isolation and resistance to encroachment have enabled them to rise to a level in some ways at least as high as that of the surrounding population. Accordingly we see in their present circumstances no grounds for differing from the conclusion of the Government of Madras that they do not require special protection.

70. To sum up our proposals for entries relative to the Madras Presidency to be made in the Order in Council are—

(1) that the Laccadive (including Minicoy) and Amindivi Islands should be an excluded area; and

(2) that the Ganjam, Vizagapatam, and East Godavari Agencies should be partially excluded.

Of these the whole of the Ganjam and part of the Vizagapatam Agency will pass to Orissa when that province is separated.

THE UNITED PROVINCES.

71. No part of the United Provinces is at present treated as a "backward tract" under the provisions of section 52A of the Government of India Act, 1919. The draft Sixth Schedule made no proposal for the treatment of any part of the United Provinces as a partially excluded or excluded area. It was recommended in Mr. Cadogan's amendment of the 10th May, 1935, that the Almora and Garhwal districts should be excluded areas.

72. In the United Provinces there are few aboriginals, but they touch two main areas, namely, the sub-Himalayan area in the north and the great Central Plateau in the south. The bulk of the province, lying as it does in the valley of the Ganges and Jumna, contains so few primitive elements that the local Government have found it necessary to ask only five district officers to make special enquiries.

73. The Almora district is a sub-Himalayan tract. It is scheduled under the Scheduled Districts Act, but except as regards its own land revenue law it comes under the same laws as other parts of the province. The Deputy Commissioner of Almora, whose views the local Government accept, is of opinion that no part of the district should be partially excluded or excluded. He is of opinion that the local inhabitants, with the possible exception of a very small group of Ban Manus, cannot properly be described as primitive, and is willing to trust the local legislature not to disturb the special revenue law in force in the district. We have consulted the census statistics. We find that in the Almora district apart from Brahmanic Hindus, Arya Samajists, and Muslims, the number of the remainder is insignificant. In reply to an earlier reference the Government of the United Provinces described Almora as in many ways an advanced district as regards interest in politics and education. We agree that no special protection is required under the provisions of section 91.

74. The Garhwal district is also a sub-Himalayan area scheduled under the Scheduled Districts Act. The district officer's report is briefly to the effect that there are no areas in the Garhwal district which should be treated as excluded or partially excluded. No reasons are given, but in reply to an earlier reference the Government of the United Provinces reported that Garhwal is in no sense a backward area. In the Garhwal district also census statistics indicate that apart from those who fall into the ordinary enumeration of the more advanced classes other elements in the local

population are insufficient to be taken into account. We agree with the local Government that no special protection is required. Both the Almora and Garhwal districts are important recruiting areas for the Indian Army.

75. In the Naini Tal district the Tharus and Buxas belong generally to the border-country between British India and Nepal. They are stated to be so mixed up with the other more advanced elements of the population that it would be impracticable to attempt to define for them any excluded or partially excluded area. Further, there are grounds for believing that the Tharus would themselves resent protection of that kind since they have already protested against being described as backward classes. For these reasons the district officer is opposed to special treatment under section 91, a view which the local Government accept and we endorse.

76. The Dehra Dun district contains the Jaunsar-Bawar pargana administered under the Scheduled Districts Act on the ground of the backwardness of the local population. The district officer's report contains a description of the Jaunsaris which leaves no doubt that they require special protection. His recommendation that the pargana should be partially excluded is accepted by the Government of the United Provinces. We agree with their opinion and agree also that the town and cantonment of Chakrata need not be excluded from the partially excluded area.

77. The four districts dealt with above all belong to the sub-Himalayan tract. The Mirzapur district touches the great Central Plateau, and in its southern extremity marches with the Palamau district (separately recommended for partial exclusion) in the province of Bihar and Orissa. The Deputy Commissioner of Mirzapur gives strong reasons for partially excluding the area south of the Kaimur range. This area has been classed as a Scheduled District and has been the subject of notifications issued under that Act. It is a hilly tract consisting of (1) Tehsil Dudhi, (2) Pargana Agori of Robertsganj Tehsil, and (3) a small portion of Pargana Bijaigarh of Robertsganj Tehsil between the Kaimur range and the river Son. The tract is reported to be very backward inhabited for the most part by aborigines and jungle tribes of Kolarian origin. This tract has a rental system of its own under which rent is levied not on the capacity of the soil, but in relation to the number of ploughs maintained by the cultivator.

78. The Government of the United Provinces accept the recommendation of the Deputy Commissioner that this area should be partially excluded. With that recommendation we agree. It will be sufficient for the purposes of the Order in Council if the area is described as " that portion of the Mirzapur district which lies south of the Kaimur Range," which is the wording adopted in Part IV of the Sixth Schedule of the Scheduled Districts Act.

79. To sum up, no part of the United Provinces is recommended for exclusion. The area and population of the two areas recommended for partial exclusion are—

	Area in square miles.	*Population.*
(1) Jaunsar-Bawar pargana in the Dehra Dun district	483	56,000
(2) The portion south of the Kaimur range in the Mirzapur district	1,767	146,000
Total	2,250	202,000

It is estimated that of the total population of Jaunsar-Bawar 53,600 are aborigines. In the portion south of the Kaimur range in the Mirzapur district the approximate aboriginal population is 90,000.

PUNJAB.

80. There are no aboriginal tribes in the Punjab. There are, however, two areas in the province, namely Spiti and Lahaul, at present notified as " backward tracts " under section 52A of the present Act. These areas were omitted from the draft Sixth Schedule; but in the course of the debate in the House of Commons on the 13th May, 1935, the Under Secretary of State for India indicated that His Majesty's Government would be prepared to place Spiti and Lahaul in Part I as excluded areas.

81. Spiti and Lahaul form part of the Kangra district. The Waziri of Lahaul with an area of 1,764 square miles is on the north-east of Kulu. It has a population, Tibetan rather than Indian, of 8,000. The Waziri of Spiti with an area of 2,931 square miles marches with the eastern boundary of Lahaul. Its population of 3,700 persons is almost entirely Tibetan and Buddhist.

82. The reason for omitting these areas from the draft Sixth Schedule was that their physical inaccessibility over steep mountain passes was felt to be sufficient protection against unwise interference. The Government of the Punjab have agreed that both these tracts should be excluded areas, and that recommendation we accept.

83. It was recommended in Mr. Cadogan's amendment of the 10th May, 1935, that the tehsil of Kulu and Saraj should be a partially excluded area. Saraj is in fact a sub-tehsil of the Kulu tehsil of the Kangra district. The total area of the Kulu tehsil, which is accessible at all seasons of the year, is 11,912 square miles. Fruit farms in the hands both of Indians and Europeans are extending in the tehsil, the produce of which is exported to all parts of Northern India. The Government of the Punjab consider the inhabitants of Kulu sufficiently developed to look after their

own interests, and state that to exclude them now even partially would be a backward step which they would resent. We endorse the opinion of the local Government that the Kulu tehsil should be neither excluded nor partially excluded.

84. Our recommendations for the Punjab are therefore confined to the single proposal that Spiti and Lahaul should be excluded areas.

The North-West Frontier Province.

85. There are no aboriginal tribes in the North-West Frontier Province. When the draft Sixth Schedule was under consideration the Under Secretary of State for India moved an amendment that Upper Tanawal in the North-West Frontier Province, which is a notified backward tract, should be added as an excluded area. The amendment was not taken to a division when Order in Council procedure was substituted for the draft Schedule.

86. The circumstances of Upper Tanawal are explained in paragraph 4 of the local Government's letter No. 3079-P. C./1581-P. S., dated the 20th September, 1935. Upper Tanawal in the Hazara district is the only de-regulationized part of the province. The area is technically British India, but the Chief of Amb and the Khan of Phulera, both of whom are hereditary chiefs, possess a peculiar status and jurisdiction requiring special treatment. The local Government have stated that special legislation for these chiefs might have been more logical, but may not have realized that such special legislation if it is to oust the jurisdiction of the local legislature and the Ministers could, so long as Upper Tanawal lies within provincial boundaries, be passed only by the British Parliament as an amendment of the recent Act. For obvious reasons this would be out of the question; and, since section 91 is not limited to backward areas, we maintain the recommendation we have already made that Upper Tanawal should be an excluded area.

Bombay and the Central Provinces.

87. In Assam and Bihar and Orissa the large aboriginal population occupies well defined extensive areas with a long history of special protection. In other provinces with which we have so far dealt, for instance, Madras and Bengal to which particularly our remarks apply, the aboriginal population though predominant in isolated areas is not a considerable proportion of the total population of the provinces. In all these provinces therefore the conditions in which we have discussed we have felt free to consider the circumstances of each tract without scrutinizing too closely the presumption which may be made that the representation of the aboriginal tribes in the local legislature will be relatively unimportant.

88. When, however, we come to Bombay and the Central Provinces the consideration which you describe at the end of your

third paragraph as the only relevant consideration and which is based upon effective representation in the local legislature becomes cogent and the problem assumes a new aspect. In Bombay (excluding Sind) the aboriginal population numbers roughly 2,200,000 out of a total population of about 18 million. In the Central Provinces and Berar out of a total population of 16 million 3 million are aboriginals.

89. If the time at our disposal had not been limited by the necessity imposed upon you by section 91 of laying the draft of the Order in Council before Parliament within six months from the passing of the Act, we would have attempted to submit to you the closest estimate we could make of the relative and actual strength of the aboriginal population in the electorate, and of the representation they are likely to secure in the legislature. Such an estimate cannot be made until the enquiries of the Hammond Committee are completed and provisional electoral rolls are ready. For the moment we can only assume that in Bombay proper and in the Central Provinces where the aboriginal population amount respectively to roughly 12 and 19 per cent. of the total population their representation in the local legislature will be less than their population proportion, but may not be negligible.

90. The single relevant consideration you have instructed us to bear in mind requires us also to assess the administrative disadvantages of treating selected areas under the special provisions of section 91. Disadvantages certainly would attach to the selection of a large number of areas in a province, whether these areas be small or large, for special treatment in the matter of legislation. We do not, however, consider those disadvantages insurmountable. But we are more impressed by the disadvantages attendant upon a provision which would require the Governor personally to scrutinize administrative proposals of general application to the province in order to satisfy himself of their effects upon a large number of great or small areas.

91. These two lines of argument relevant to the degree of representation on the one hand and the measure of administrative disadvantage on the other lead us to two conclusions. The first is that there is no justification for the partial exclusion of areas occupied by aboriginals in Bombay and the Central Provinces in such a sweeping manner and in such large blocks as to cover practically the whole of the aboriginal population. It needs to be recognized that, whatever be the selection made, special protection under section 91 can be given to a portion only of the aboriginal population. We would hope, however, that in practice the partial exclusion of these areas where the condition of the aboriginals most justifies protection, coupled with a fair and possibly increasing representation of the whole aboriginal population in the local legislature, will afford protection to those also who will occupy areas not partially excluded,

92. Our second conclusion is that the administrative disadvantages attendant upon a multiplicity of partially excluded areas of differing local characteristics and necessities within a province might well render ineffectual the protection contemplated by special treatment. It would be administratively impossible for the Governor to exercise an individual judgment for tracts which do not lend themselves to immediate recognition, and involve meticulous and complicated description. We interpret your instructions therefore as requiring a judicious selection of areas capable of definition in terms of easily intelligible boundaries.

With these considerations in mind we turn to our examination of particular areas in Bombay and the Central Provinces.

BOMBAY.

93. The Bombay Presidency ranks third among the provinces of India in point of the number of aboriginals it contains. In round figures their total population is 2,200,000. No part of the Presidency, including Sind, is at present a backward tract under section 52A of the present Act. No area of the province was included in the draft Sixth Schedule for exclusion or partial exclusion.

94. In Mr. Cadogan's amendment of the 10th May it was proposed that the West Khandesh district; the Satpura Hills reserved forest areas of East Khandesh; the Surat and Thana districts; and the Dohad and Jhalod talukas of the Panch Mahals district should be partially excluded.

95. In their letter No. R.-282, dated the 10th November, 1935, the Government of Bombay have reported that, in their opinion, except the Mewasi estates and the Akrani Mahal in the West Khandesh district, there is no area in the Presidency proper, or in Sind which should be treated as an excluded or partially excluded area.

96. In the Bombay Presidency the district boundaries follow the heights of the Western Ghats and the Satpuras, which are the chief homes of the aborigines. In consequence their primitive inhabitants fall into administrative divisions on either side, in which they form one only among other elements of the local population. The most important primitive tribe in Bombay is that of the Bhils who total over half a million, followed by the 139,000 Varlis. Rivalling the Bhils in primitiveness are the 105,000 Thakurs and the 76,000 Katkaris.

97. The West Khandesh district contains nearly half the total Bhil population. The western part of that district is their chief centre, and they are found in large numbers in the Nawapur, Taloda, Nandurbar and Shahda talukas and in the Mewasi estates. The Collector is unable to give figures from the 1931 census showing taluka by taluka the proportion they bear to the general population,

but in the 1921 census there was a classification of " backward " peoples of which the statistics were recorded taluka by taluka. The term " backward " includes many of the depressed classes as distinct from aboriginals, but subject to qualification on that ground the 1921 figures, which are as follows, are of some value as a rough guide.

Taluka.	*Total.*	*Backward.*
Nawapur	63,310	62,043
Taloda (excluding Mewasi estates)	51,181	38,344
Mewasi estates	28,582	24,817
Nandurbar	78,705	42,911
Shahada	69,440	32,468
	291,218	200,583

Figures are also available in the late Dr. Enok Hedberg's Linguistic and Educational Survey of this area. His calculations were made in 1923 and proportions cannot have varied to any really material extent since that time. Dr. Hedberg estimated the percentage of Bhils at 86 per cent. in the Nawapur taluka; in Taloda excluding the Akrani Mahal at 71 per cent.; in the Akrani Mahal at over 90 per cent.; in the Mewasi estates at 86 per cent.; in Nandurbar at 44 per cent. with a great preponderance to the west of the taluka; and in Shahada at 37 per cent. with a great preponderance in the north of the taluka. We believe these percentages to be a generally accurate indication of the distribution of the Bhils in the western parts of the West Khandesh district. Dr. Hedberg, who lived among the Bhils of this district for some years, makes a further comparison between the western areas of the district where the Bhils are strong in numbers and tribal culture and the eastern areas where the Bhils have dropped almost to the level of a depressed class.

98. The Collector appears to favour the partial exclusion of the western part of the district. The Commissioner disagrees apparently on the general ground, which the Government of Bombay also take, that the aboriginal and hill tribes in these areas are not so primitive as is frequently assumed. Instances are given of the extent to which Bhils take part in the administration of district and local boards and municipalities and emphasis is laid on the value of their contacts with the more advanced classes.

99. We accept the arguments of the Government of Bombay as conclusive reasoning against the exclusion of these areas for which there would be no justification. In particular there would be no justification for excluding the administration of the Ministers. But the problem of these tribes is more precise. It is whether their condition requires the limited protection given by partial exclusion, that is to say, control by the Governor of the application

of provincial legislation, a power in the Governor to make Regulations, and an individual judgment in the Governor enabling him when necessary to control the action of his Ministers. We find ourselves unable to accept the suggestions of the Government of Bombay that protection of this limited kind would involve isolation or segregation or would, to take the example they give, cut off the Bhils from the sale of their produce or credit facilities. The broad effect of partial exclusion is simply to subject the normal legislative and executive jurisdiction of the province in selected areas to a degree of personal control by the Governor.

100. For reasons special to these localities the Government of Bombay recommend that the area comprising the Mewasi estates and the adjoining Akrani Mahal, to the former of which the Scheduled Districts Act applies, should be a partially excluded area. The particular ground on which this recommendation is proposed is that it would serve to safeguard the interests of the Mewasi chieftains more especially in regard to the inalienability of their estates. The issue, however, we have more particularly in mind is the condition of the Bhils and other aboriginals in those talukas where they preponderate. The district officer mentions the needs for safeguarding the interests of the Bhils who he states will not be effectively represented in the legislature. He mentions also the special concessions they receive in grants of land, and raises a doubt whether a future popular Government would allow those concessions to stand. These are strong arguments for special protection. We understand that the single seat provided for backward areas in the Bombay Provincial Assembly would, under the proposals of the Government of Bombay, be a reserved seat in a general constituency in the West Khandesh constituency. We are without material on which to form an estimate of the extent to which in other respects the Bhils would be able to influence elections to the provincial legislature. It is, however, reasonable to regard them as a class who might be unable to secure very effective representation, and it is apparent that they are a class requiring special protection. On these grounds we are disposed to go further than the Government of Bombay and we recommend the partial exclusion of the whole of the Nawapur, Taloda (including the Mewasi estates and the Akrani Mahal), Nandurbar and Shahada talukas.

101. The East Khandesh district to which the Government of Bombay make no reference is understood to contain over 50,000 aboriginals. They form only a small part of the total population of the district, but are concentrated for the most part on its northern boundary. Presumably on that ground it was proposed in Mr. Cadogan's amendment that the Satpura Hills reserved forest areas in East Khandesh should be a partially excluded area. Comment in the last Census Report of the Presidency of Bombay suggests the special care and attention which should be given to

aboriginal tribes inhabiting reserved forest areas. We accept the proposal in Mr. Cadogan's amendment and recommend that the Satpura Hills reserved forest areas in the East Khandesh district should be a partially excluded area.

102. The Nasik district lies along the eastern edge of the Western Ghats, and, as might be expected, contains a considerable aboriginal and primitive population on its western borders. These are stated to number nearly 200,000.

The district officer argues strongly in favour of the partial exclusion of Peint Mahal, which covers an area of 433 square miles. The Commissioner of the Division holds that this Mahal is too small for separate treatment. The local Government agree that the aboriginal inhabitants are being expropriated from their lands and are passing into the hands of money-lenders; but they accept the Commissioner's argument against total exclusion, and observe that the aboriginal and hill tribes do not preponderate in the Mahal. The figures supplied by the Collector show a population in thirty villages of the Mahal of 5,183 aboriginal inhabitants out of a total population of 58,000 in two hundred and forty-five villages. At the same time the statistical table he has supplied indicates in the Kalvan taluka an aboriginal population of a little under 34,000 out of a total population of roughly 69,000. The local Government admit that conditions in Peint Mahal are such that the aboriginals should be specially protected owing to the danger of their expropriation. Conditions may be better in the remaining talukas of the Nasik district, but the correct conclusion to our minds is that both the Peint Mahal and the Kalvan taluka should be partially excluded and that is our recommendation. We note that of the 193 villages of the Kalvan taluka 116 have a population which is 99 per cent. aboriginal.

103. The Thana district flanks the ghats on the west as Nasik flanks them on the east. Even excluding the Kolis, the district has an aboriginal population of over 200,000. The Mokhada Peta is a tongue of backward country stretching between Jawhar State on the west and the most primitive tract of the Nasik district on the east. Similar conditions would seem to exist in Dahanu which stretches up the west side of Jawhar State, and is an important area for the Varlis who spread from this area through Jawhar State and the Mokhada Peta into Nasik. The district officer describes them in qualified terms as " not really very backward ". They are however essentially a forest tribe driven to undertake work as labourers only owing to economic pressure. Again Shahapur is an important area for Thakurs who are one of the most primitive tribes in the Presidency. The local Government take the view that the lack of progress shown by the Katkaris and Thakurs is due to the absence of proper contacts with more advanced people.

This comment itself indicates need for protection. It is not claimed that the voting strength of the aboriginals will be sufficient to secure their representation in this district. The population of Mokhada Peta is stated by the district officer to be almost entirely aboriginal, and among other areas in which they form an appreciable element in the population are those talukas we have mentioned and the Umbergaon Peta. We accordingly recommend that the Mokhada Peta, the Umbergaon Peta, and the Dahanu and Shahapur talukas of the Thana district should be a partially excluded area.

104. In the Panch Mahals district the total aboriginal and hill population is over 31 per cent. of the whole. The bulk of the aboriginal population is in the talukas of Dohad and Jhalod, where they number 79 per cent. of the population, a proportion which would be higher were it not for the town of Dohad. The aboriginal population is almost entirely Bhil. The local Government, after expressing the opinion which we find difficult to accept that the population is not aboriginal but backward, take the view that isolation or segregation would retard progress. We have already explained that partial exclusion carries with it no implication of isolation or segregation. The Government of Bombay recognize that special measures are required to ameliorate the condition of the aboriginal and primitive inhabitants of the Dohad taluka and the Jhalod Mahal of the Panch Mahals district. They are admittedly backward, uneducated, and economically poor. We accordingly accept the proposal in Mr. Cadogan's amendment that these areas should be partially excluded.

105. We agree with the Government of Bombay that, though the aboriginal population of the Surat district forms 25 per cent. of the whole, there is no area of any size in the district where aboriginals are so concentrated that partial exclusion would be feasible or desirable.

106. We further agree with the Government of Bombay that no area in Sind requires special treatment.

107. To sum up, we propose that in the Presidency of Bombay there should be no excluded area. We recommend that the following should be partially excluded areas—

(1) the Nawapur, Taloda (including the Mewasi estates and the Akrani Mahal) Nandurbar and Shahada talukas of the West Khandesh district;

(2) the Satpura Hills reserved forest areas of the East Khandesh district;

(3) Peint Mahal and the Kalvan taluka of the Nasik district;

(4) Mokhada Peta, Umbergaon Peta, and the Dahanu and Shahapur talukas of the Thana district;

(5) the Dohad taluka and Jhalod Mahal of the Panch Mahals district.

THE CENTRAL PROVINCES AND BERAR.

108. In terms of their aboriginal population the Central Provinces and Berar stand next to Bihar and Orissa with a total of roughly 3 million primitive inhabitants. The aboriginal tribes occupy two main areas; one the long Satpura plateau running west from the States of Korea, Surguja and Udaipur; the other the wild plateau country from the south of the Drug district along the east side of the Chanda district and marching with the Kanker and Bastar States, which are two of the most solidly aboriginal areas in India. Except that the plateaus are more narrow, the geographical factors are not unlike those of Bihar and Orissa.

109. The Gonds totalling roughly 2 million are by far the most important aboriginal tribe in the province. The Bhils, who are the predominant aboriginal tribe of Bombay, are found only in the extreme west of the province.

110. Though certain areas have in the present constitution been excluded from constituencies, no part of the Central Provinces is a notified backward tract under section 52A of the present Act. No proposals for any areas in the Central Provinces and Berar were included in the draft Sixth Schedule.

111. In Mr. Cadogan's amendment of the 10th May 1935, it was proposed—

(*a*) that the following should be excluded areas :—

The Dindori tehsil of the Mandla district.

The Garchiroli tehsil, Sironcha tehsil and Zamindaris, and the Ahiri Zamindaris of the Chanda district.

(*b*) that the following should be partially excluded areas :—

The Seoni district.

The Chhindwara district.

Such areas of the Mandla district as are not excluded.

Such areas of the Chanda district as are not excluded.

The Harsud tehsil of the Nimar district.

The Betul and Bhainsdehi tehsils of the Betul district.

Raipur district, except the Raipur and Baloda Bazar tehsils, and the Phusar, Bilaigarh, Katgi, and Bhatgaon Zamindaris.

The Sanjari tehsil Zamindari of the Drug district.

The Bilaspur district, except the Bilaspur tehsil Khalsa and Janjgir tehsil.

112. In their letter No. C. 1747/853-R., dated the 11th October 1935, the Government of the Central Provinces recommend that no area of the province should be an excluded area. This recommendation we accept. We find no tract so situated in the Central Provinces that it could benefit by exclusion from the normal administrative life of the province.

113. The local Government recommend that the following areas should be partially excluded areas—

(1) Ahiri Zamindari of the Chanda district.

(2) the Zamindaris of the Garchiroli tehsil of the Chanda district.

(3) the Chhindwara Jagirdaris of the Chhindwara district.

(4) the Dindori and Niwas tehsils of the Mandla district.

(5) the Satgarh (comprising seven zamindaris) in the Bilaspur district.

(6) the Aundhi, Panabaras and Ambagarh Chowki zamindaris of Drug district. (These zamindaris were transferred from the Chanda district).

(7) the Melghat of the Amraoti district in Berar.

The local Government explain that the seven areas mentioned above would fall into five compact areas; namely, the zamindari area stretching across the Chanda and Drug district; the major portion of the Mandla district; the upland zamindaris of the Bilaspur district known as the Satgarh; the Chhindwara jagirs; and the Melghat in Berar.

114. We accept the recommendations of the local Government for the partial exclusion of the areas mentioned above. It is estimated that these recommendations would bring within the protection of partial exclusion some 396,000 aborigines out of a total aboriginal population of 4 million. Some further examination of the position district by district seems required both by these figures and our instructions. But in approaching such an examination we would seek cogent justification for any addition to the area recommended by the local Government, for their selection appears to us to approximate closely to the limits beyond which the protection afforded by partial exclusion cannot effectively be made operative.

115. It will be convenient to take first the plateau districts in order east to west. All ten zamindaris of the Bilaspur district are under the present constitution excluded from the franchise. The local Government agree with the Deputy Commissioner that the seven zamindaris known as the Satgarh, an area of great importance for Kawars as well as for Gonds, should be partially excluded and that the Kanteli and Champa zamindaris should be fully included. Difference of opinion arises only as regards the northern half of the Pandaria zamindari. The Deputy Commissioner considers this should be partially excluded. The local Government do not refer directly to this proposal. The northern part of Pandaria belongs ethnically and geographically to the Dindori tehsil of the Mandla district and differs entirely from the open portions. It has in the past been regarded as the main Gond area of the zamindaris. We have examined the feasibility

of bringing this tract within the list of partially excluded areas. We find that the zamindari would have to be divided by a description of boundaries so precise as to refer to patwari circles. We think the inclusion of such an area would offend against the general principle we have described of selecting simple and easily intelligible boundaries. We therefore propose no other addition to the area in the Bilaspur district recommended for partial exclusion by the local Government other than the small Padampur tract on the southern boundary of the district which will, after the separation of Orissa, form part of the partially excluded Sambalpur district in the new province.

116. The Mandla district lying to the south of the Path tract of the Rewa State is the chief home of the Gonds. Taking the district as a whole there is a 61 per cent. preponderance of aboriginals throughout the district. While recommending that the Dindori and Niwas tehsils should be partially excluded, the local Government think this unnecessary for the Mandla tehsil, which they state to be appreciably less backward than the rest of the district. The tehsil, however, contains an area of advanced people in the neighbourhood of the Mandla town; and, if that area be excepted, a rough calculation based on area and population shows that the aboriginals number about 68 per cent. of the population, and are in all material circumstances similar to the aboriginals of the Dindori and Niwas tehsils. We accordingly recommend that the whole of the Mandla district should be partially excluded.

117. The Jubbulpore district contains an aboriginal population of 200,000. Most of it is so scattered that it cannot be covered by any proposals for partial exclusion, but a fair proportion is found in the fringe areas. These the Deputy Commissioner specifies in his letter of the 29th August, 1935. The most important is the Kundam Revenue Inspector's Circle of 248 square miles, containing what the Commissioner describes as a solid block of 40,000 aboriginal inhabitants. Both the Deputy Commissioner and the Commissioner are in favour of the partial exclusion of this circle. Conditions are apparently the same as in the Niwas tehsil of the Mandla district which this circle adjoins. On these grounds a case could be made out for the partial exclusion of this area; but for the more general administrative reasons which we have described we are reluctant to add to the personal responsibilities of the Governor an individual judgment for such an area as a single revenue inspector's circle in addition to the several other and larger areas the partial exclusion of which we have recommended. We agree therefore with the local Government that no part of the Jubbulpore district should be partially excluded.

118. The local Government, the Commissioner of the Division and the Deputy Commissioner are all agreed that the Chhindwara

and Amarwara Jagirs of the Chhindwara district should be partially excluded. They are scheduled under the Scheduled Districts Act. It has been ascertained from the local Government that the word Amarwara need not be included in the Order in Council. The term Jagirdaris of the Chhindwara district will accurately describe the tract. We agree that no other part of the Chhindwara district should be partially excluded. To this extent we are unable to accept in full the recommendation in Mr. Cadogan's amendment of the 10th May, 1935.

119. In that amendment it was further suggested that the Seoni district should be partially excluded. The Seoni district is no longer a separate administrative unit. In the Seoni sub-division of the Chhindwara district the figures in themselves would seem to give a *prima facie* case for the partial exclusion of the Lakhnadon tehsil. In this case, however, figures may be misleading. The main pass over the Satpura plateau is through this area, and though aboriginals predominate in the tehsil foreign infiltration is understood to have caused detribalization. We agree that no part of the Seoni sub-division of the Chhindwara district should be partially excluded.

120. The Betul district contains some 150,000 Gonds and Korkus. In the proportion of aborigines to total population the Multani tehsil differs greatly from the Bhainsdehi and Betul tehsils, since in it the only primitive area is the Dabka forest range in its south-west corner. The Betul and Bhainsdehi tehsils are much more primitive, and taken together have a proportion of 51·6 per cent. aboriginals. The Deputy Commissioner advocates the total exclusion of the Bhainsdehi tehsil and of the forest ranges of the other tehsils. The Commissioner of the Nagpur Division recommends the partial exclusion of the bulk of the Bhainsdehi tehsil and of certain ranges of the other tehsils. The local Government do not consider the aboriginal areas of sufficient size to warrant partial exclusion.

121. The Bhainsdehi tehsil taken alone has an aboriginal population of 54·2 per cent. Most of it is wild country with few means of communication other than forest tracts, identical with the Melghat, to which it ethnically and geographically belongs. Agreeing with the proposal in Mr. Cadogan's amendment, we recommend that the Bhainsdehi tehsil of the Betul district should be partially excluded.

122. In the Betul tehsil the population is approximately half aboriginal and half advanced. For the most part the aborigines are confined to and predominate in the northern hill ranges. Having considered the circumstances of this tehsil we are not prepared to add to the administrative difficulties of the Governor by selecting for partial exclusion particular hill ranges in the tehsil incapable of easy definition and recognition, and adding them to

the areas already recommended by the local Government. We propose that no part of the Betul tehsil of the Betul district be partially excluded.

123. The Hoshangabad district falls naturally into two parts, a plains area to the north and a hill area to the south. Consequently it presents the problem of " fringe areas " in an acute form. Considering any area less than a tehsil unsuitable for partial exclusion the local Government hold that there is no good case for the partial exclusion of any part of this district. But it contains 120,000 primitive aboriginals. The local officers make certain suggestions that particular areas on the southern border of the district, where aboriginals are concentrated and predominate, should be partially excluded. The area proposed in the Harda tehsil for partial exclusion is the wild tract to the south. In shape it is an inlet into the primitive hill area of the Betul district to which it ethnically and geographically belongs. Again, in the Seoni Malwa tehsil the backward tracts are on the extreme southern border. In the Hoshangabad tehsil lie the Bordha and Taku estates to the conditions in which the Deputy Commissioner draws attention. They are situated in a tract of country lying to the south of the tehsil and cut off from the rest of it by a range of mountains pierced only by the Itarsi-Betul road. On this range are the forest villages for which also the Deputy Commissioner claims partial exclusion. Of the tehsils the poorest is Sohagpur. The hill country which covers the southern portion rises to over 4,000 feet to the east, where Jagirdars own the land. Two of the Jagirdars are Korkus and one a Gond. The Deputy Commissioner describes these Jagirs as areas where shifting cultivation is still practised. In the Narsinghpur tehsil which is more open than the other tehsils the Deputy Commissioner suggests but does not press for the partial exclusion of certain areas.

124. We find by reference to the reports of the local officers that the areas recommended for partial exclusion fall into three blocks, each of which in the absence of any more simple boundary is described in groups either of patwari circles, forest areas, or portions of Jagirs. For reasons we have already sufficiently explained we hold such areas unsuitable for recognition as partially excluded areas. We agree with the Government of the Central Provinces that no part of the Hoshangbad district should be partially excluded. There were no proposals for this district in Mr. Cadogan's amendment.

125. There are backward areas in the Nimar district, for example, the Khaknar tract of the Burhanpur tehsil and the Padlia revenue inspector's circle of the Harsud tehsil. The local officers advocate their partial exclusion. The local Government agree that they are backward but consider them more advanced than the adjoining Melghat. They oppose their partial exclusion on the

ground that they have received an influx of more advanced cultivators. We observe that if the Harsud tehsil were partially excluded, as is indeed recommended in Mr. Cadogan's amendment, it would form with the Melghat and the Bhainsdehi tehsil of the Betul district a compact and easily recognizable block subject to the special treatment which partial exclusion would afford. But the partial exclusion of the whole of the Harsud tehsil would on the conditions which exist there not be justified; and our detailed examination has satisfied us that the selection of tracts such as the Khakhar and Padlia tracts would involve elaborate description and even reference to individual villages. We think such a selection administratively undesirable. We therefore make no recommendation for partial exclusion in respect of the Nimar district.

126. The local Government, the Deputy Commissioner and the Commissioner all agree that the Melghat in the Amraoti district of Berar should be partially excluded. We have expressed our acceptance of this proposal. We agree with the local Government and their local officers that no other area in this district requires special protection.

127. The Baihar tehsil of the Balaghat district belongs ethnically and geographically to the Mandla district. The Commissioner, differing from the view of the Deputy Commissioner, suggests special treatment. The local Government oppose its partial exclusion on the ground that there is a considerable sprinkling of advanced classes, and the area is a grazing centre with communications with the more advanced country. Partial exclusion would not interfere with those communications, and the arguments of the local Government might have been used in the opposite sense to reinforce a case for partial exclusion. Taken as a whole this tehsil contains a predominance of 55·8 per cent. of aboriginals resembling in their conditions those of the Mandla district. We recommend that the Baihar tehsil be treated in the same manner as the adjoining Mandla district and be partially excluded.

128. We come now to the plateau running south from the eastern extremity of the province. The Raipur district with the exception of areas specifically omitted was proposed by Mr. Cadogan for partial exclusion. The local Government recommend the partial exclusion of no part of the Raipur district.

We have, however, specially considered the zamindaris lying to the east of the district, conditions in which are discussed by the local Government and in the reports of their local officers. The boundaries of the Bindra-Nawagarh and Khariar estates run slantwise across the hills in which the aboriginals live, leaving open advanced areas at the extremity of the zamindaris. Both estates are scheduled under the Scheduled Districts Act. The local officers recommend that the Bindra-Nawagarh zamindari should be partially excluded. The local Government state that it has been

badly administered and taken under the Court of Wards. They oppose partial exclusion on the ground that management by the Court of Wards will be sufficient. Without committing ourselves to accept this particular argument we observe from the report submitted by the district officer that the population of Bindra-Nawagarh has risen from rather below 60,000 in 1901 to nearly 90,000 at the last census. Of these rather less than half are stated by the local Government to belong to primitive tribes. As the local Government observe the opening of the Raipur-Vizianagram Railway has already contributed to the development of these areas in the Raipur district and this factor will progressively apply. The only other estate recommended for partial exclusion by the local officers is the small Deori estate covering an area of only 85 square miles. The Deori, Suarmar, Narra and Kauria estates are excluded from the franchise under the present constitution, but this distinction will shortly disappear. The Khariar estate will pass to the Sambalpur district when Orissa is separated, but the local Government express their opinion that it need not be treated as a partially excluded area.

129. The Government of Bihar and Orissa have recommended, and we have agreed, that the whole of the Sambalpur district should be a partially excluded area, and should so remain until its local laws have been adjusted to the laws of the new Orissa province. The addition of Khariar would add further complications to the laws in force in the Sambalpur district. It would be undesirable that, when Khariar is added to Sambalpur, it should be on a different constitutional footing from the rest of the district, which itself contains large areas in many ways more advanced than Khariar. By reasons of these considerations we recommend that the Khariar estate of the Raipur district should be partially excluded. For the remainder of the district which will remain in the Central Provinces we accept the view of the local Government that no special protection is needed.

130. The most backward part of the Drug district is that covered by the four zamindaris of Aundhi, Koracha, Panabaras, and Ambagarh Chowki transferred from the Chanda district in 1907. The local Government agree with the local officers that these areas should be partially excluded. We have accepted this recommendation and have no addition to suggest. We endorse the reasons given by the local Government for refusing special protection to the Sironcha tehsil which was mentioned in Mr. Cadogan's amendment. In that tehsil which covers open and fertile country the primitive tribes are scarcely more than 20 per cent. of the total population.

131. To the recommendations of the local Government we have made the following additions: the Mandla tehsil of the Mandla district and the Baihar tehsil of the Balaghat district. These will form a compact block with the two remaining tehsils of the Mandla

district recommended by the local Government for partial exclusion. We have also added the Bhainsdehi tehsil of the Betul district, which adjoins the Melghat of the Amraoti district. We therefore leave undisturbed the five compact blocks recommended by the local Government for partial exclusion, since we have done no more than extend the area of two of those blocks. In all other respects we have adopted the recommendations of the local Government, save only that for reasons related to the future treatment of the Sambalpur district we have recommended that the Khariar estate in the Raipur district and the small Padampur tract in the Bilaspur district, both of which will be amalgamated with the Sambalpur district when Orissa is separated, should both be partially excluded areas.

132. Our recommendations then for the Central Provinces and Berar are :—

(*a*) that there should be no excluded area; and

(*b*) that the following should be partially excluded areas :—

(1) the Ahiri zamindari and the zamindaris of the Garchiroli tehsil of the Chanda district;

(2) the Chhindwara jagirdaris of the Chhindwara district;

(3) the Mandla district;

(4) the Satgarh in the Bilaspur district and in the same district the Padampur tract for transfer to Orissa;

(5) the Aundhi, Koracha, Panabaras and Ambagarh Chowki zamindaris of the Drug district;

(6) the Baihar tehsil of the Balaghat district;

(7) the Melghat in the Amraoti district of Berar;

(8) the Khariar estates in the Raipur district for transfer to Orissa; and

(9) the Bhainsdehi tehsil of the Betul district.

CONCLUSIONS.

133. We have now completed our survey of the proposals of each provincial Government. As will be seen our scrutiny has extended beyond the areas recommended by the provincial Governments for special treatment to include an investigation as instructed by you of conditions in all areas where primitive peoples preponderate. We have accepted without change the recommendations of the Governments of Assam, Bihar and Orissa, Madras, the United Provinces, the Punjab and the North-West Frontier Province. To the proposals for partial exclusion of the Government of Bengal we have added two parganas in the Mymensingh district for the better protection more especially of the Garos living on its northern boundary. In all material respects we have left undisturbed the proposals of the Government of the Central Provinces, since our proposals do not more than expand two of the five areas recommended for

special treatment. In Bombay we have departed somewhat extensively from the limited recommendation of the local Government. Taking the western portions of the West Khandesh district as the chief home of the Bhil tribes we have proposed special protection for them over a wide area in that district, and we have added areas in the East Khandesh, Nasik, Thana, and Panch Mahals districts which on the facts before us have seemed to merit special protection.

134. Our recommendations for entries in the Order in Council to be laid before Parliament under the provisions of section 91 would therefore read as follows :—

PART I.—*Excluded Areas.*

1. The North-East Frontier (Sadiya, Balipara and Lakhimpur) Tracts.
2. The Naga Hills District.
3. The Lushai Hills District.
4. The North Cachar Hills (in the Cachar District).
5. The Chittagong Hill Tracts.
6. Spiti and Lahaul in the Kangra District.
7. The Laccadive (including Minicoy) and the Amindivi Islands.
8. Upper Tanawal in the Hazara District.

Of these Nos. 4 and 7 were previously in Part II of the draft Sixth Schedule. No. 6, though a backward tract in the present constitution, did not appear in the draft Sixth Schedule. No. 8, also a backward tract in the present constitution, was the subject of a Government amendment when the draft Bill was before Parliament.

PART II.—*Partially Excluded Areas.*

1. The Garo Hills District.
2. The Mikir Hills (in the Nowgong and Sibsagar Districts).
3. The British portion of the Khasi and Jaintia Hills District, other than the Shillong Municipality and Cantonment.
4. The District of Angul.
5. The Chota Nagpur Division.
6. The District of Sambalpur.
7. The Santal Parganas District.
8. The Darjeeling District.
9. The Sherpur and Susang Parganas of the Mymensingh District.
10. The Ganjam, Vizagapatam and East Godavari Agencies.
11. The Jaunsar-Bawar Pargana of the Dehra Dun District.
12. The portion south of the Kaimur range in the Mirzapur District.
13. The Nawapur, Taloda (including the Akrani Mahal and the Mewasi estates), Nandurbar, and Shahada Talukas of the West Khandesh District.

14. The Satpura Hills reserved forest areas of the East Khandesh District.

15. Peint Mahal and the Kalvan Taluka of the Nasik District.

16. Mokhada Peta, Umbergaon Peta, and the Dahanu and Shahapur Talukas of the Thana District.

17. The Dohad Taluka and the Jhalod Mahal of the Panch Mahals District.

18. The Ahiri Zamindaris and Zamindaris of the Garchiroli Tehsil of the Chanda District.

19. The Chhindwara Jagirdaris of the Chhindwara District.

20. The Mandla District.

21. The Satgarh in the Bilaspur District; and in the same district the Padampur tract for transfer to Orissa.

22. The Aundhi, Koracha, Panabaras and Ambagarh Chowki Zamindaris of the Drug District.

23. The Baihar Tehsil of the Balaghat District.

24. The Melghat in the Amraoti District.

25. The Khariar Estate in the Raipur District for transfer to Orissa.

26. The Bhainsdehi Tehsil of the Betul District.

Of these areas Nos. 1 to 8 inclusive and No. 10 appeared in the original draft Sixth Schedule. Recommendations, whether for exclusion or partial exclusion, were made in Mr. Cadogan's amendment as regards Nos. 9, 13, 14, 16, 17, 18, 19, 20, 22, and 26. Of areas not mentioned in Mr. Cadogan's amendment we have added Nos. 11 and 12 on the recommendation of the Government of the United Provinces, and Nos. 21 (so far as it relates to the Satgarh) and 24 on the recommendation of the Government of the Central Provinces. To the list we have, as a result of our scrutiny of the material before us, ourselves added Nos. 15, 23, and 25.

SPECIAL OFFICER.

135. The provincial replies include the comments of the local Governments on the suggestions in your letter regarding the appointment of a special officer to be charged with the interests and welfare of the aboriginal and primitive population. In view of their limited finances the Government of Assam observe that they would not be able to afford a special officer. The Government of Bengal consider the appointment unnecessary in that province. The same opinion is held by the Government of Bihar and Orissa, where in the ordinary course of administration special attention is given to aboriginal needs, and by the Government of the United Provinces. The Governments of the Punjab and the North-West Frontier Province are not concerned. The Government of the Central Provinces do not refer to the proposal, which is however supported by the Commissioner of the Nagpur Division. The Government of Madras suggest that their present Labour Commissioner might be designated Commissioner of Labour and of

Backward Areas, and that he might report on the areas as required. In Bombay, there is already a Backward Class Officer; and it has been decided, when funds are available, to appoint a special assistant to look after the welfare of the aboriginal tribes. Emphasis is very generally laid in the provincial replies on the function of the district officer to acquaint himself with the needs of the aboriginal and backward people living within his jurisdiction, and there is a tendency to attach greater value to the protection the district officer can give than to the appointment of a special officer.

136. We do not think it necessary at this stage to take decisions regarding those provinces in which a special officer might be required. Nor could any such decisions be given permanent binding force, since conditions which at one time might prompt the appointment of a special officer might change and render such an appointment subsequently unnecessary or undesirable. On general grounds we think it unlikely that a special officer would be needed in Bengal or the United Provinces. Nor would an officer of that description be required in the Punjab, the North-West Frontier Province or in Sind, where there are no aboriginal tribes of the type whose protection we are discussing. In Assam, in Bihar, and in Orissa the aboriginals will be grouped in large specially protected areas, and the attention given to their interests by the local district staff may not require to be supplemented by the appointment of a special officer. A stronger case for such an appointment might seem to arise in Madras, Bombay and the Central Provinces. We do not, however, press that view to the point of any definite recommendation. Full power will under the new constitution rest with the Governor to decide whether such appointment is required by local circumstances. Where, as in Assam, there will be large excluded areas the Governor, in taking his decision, would act in his discretion; elsewhere, in his individual judgment. In either case he will be subject to the control of the Governor-General and ultimately of yourself.

We have, etc.,

(Signed) R. A. CASSELS,
F. NOYCE,
J. GRIGG,
H. CRAIK,
M. ZAFRULLA KHAN.

Corrigenda (*pp.* 1—248).

(These corrections are confined to misprints which, but for the correction, would leave the meaning intended obscure.)

Page 16,	for lines 1 & 2	...	Substitute "(4) No administrative inconvenience will ensue if the present arrangements continue unaltered."
„ 18,	line 51	...	Delete "remains in".
„ 19,	„ 35	...	For "can form" substitute "are".
„ 27,	„ 14	...	Delete "to" after "gives".
„ 30,	„ 8	...	Insert "known" after "tribes".
„ 31,	„ 7	...	For "on" substitute "or".
„ 50,	„ 1	...	Delete "and".
„ 57,	„ 37	...	For "in" substitute "a".
„ 63,	„ 21	...	Insert "not" after "has".
„ 83,	„ 6	...	Delete "Until, though" and substitute "Though, until".
„ 92,	„ 12	...	For "they invite" substitute "as to invoke".
„ 92,	„ 22	...	For "or" substitute "of".
„ 119,	„ 32	...	For "no area" substitute "the area".
„ 156,	„ 37	...	For "to" substitute "the".
„ 159,	„ 30	...	For "Government" substitute "Governor".
„ 161,	„ 14	...	Delete semi-colon after "concerned".
„ 166,	„ 10	...	For "given" substitute "giving".
„ 167,	„ 17	...	For "the generally is" substitute "they generally are".
„ 173,	„ 20	...	For "mere" substitute "more".
„ 177,	„ 13	...	For "or" substitute "of".
„ 178,	„ 10	...	For "effect" substitute "affect".
„ 183,	for line 45	...	substitute "aborigines grow wheat, rice, mustard-seed, tilli, gram and jungi."
„ 188,	line 49	...	For "with" substitute "within".
„ 198,	„ 8	...	Insert semi-colon after "scheduled areas".
„ 200,	„ 22	...	For "efforts" substitute "effects".
„ 208,	„ 42	...	For "caste" substitute "east".
„ 211,	„ 15	...	For "that" substitute "than".
„ 211,	„ 35	...	For "great" substitute "threat".
„ 221,	„ 10	...	For "proposal" substitute "proposed".
„ 226,	„ 1	...	For "representations" substitute "representatives".
„ 236,	„ 7	...	For "for" substitute "from".
„ 238,	„ 18	...	For "rules" substitute "rule".
„ 247,	„ 14	...	For "Scheduled District" substitute "Scheduled Districts Act".

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ENCLOSURES.

1. Letter from the India Office to the Government of India, No. P. & J.(C) 5420, dated the 7th June 1935.
2. Letter from the Government of India to all local Governments (except Burma), No. F.-4/35-G.(B.), dated the 2nd July 1935.
3. Letter from the Government of Madras to the Government of India, No. MS. 1755, dated the 25th October 1935 (with annexure).
4. Letter from the Government of Madras to the Government of India, No. 27982/35-1, dated the 7th November 1935 (with enclosures).
5. Letter from the Government of Bombay to the Government of India, No. R.-282, dated the 10th November 1935 (with enclosures).
6. Letter from the Government of Bengal to the Government of India, No. 2029, dated the 17th October 1935 (with enclosure).
7. Letter from the Government of Bengal to the Government of India, No. 3966-A. R., dated the 6th November 1935.
8. Letter from the Government of the United Provinces to the Government of India, No. 1877-R., dated the 30th November 1935 (with enclosures).
9. Letter from the Government of the Punjab to the Government of India, No. 4-S./Reforms, dated the 4th September 1935.
10. Letter from the Government of Bihar and Orissa to the Government of India, No. 7342-A. R., dated the 18th October 1935 (with annexures).
11. Letter from the Government of the Central Provinces to the Government of India, No. C.-1747-853 R., dated the 11th October 1935.
12. Letter from the Government of the Central Provinces to the Government of India, No. 469-956-R., dated the 16th November 1935.
13. Letter from the Government of Assam to the Government of India, No. 3044-FR., dated the 9th October 1935 (with enclosures).
14. Letter from the Government of Assam to the Government of India, No. 3106-FR., dated the 16th October 1935.
15. Letter from the Government of Assam to the Government of India, No. 3185-FR., dated the 7th November 1935.
16. Letter from the Government of the North-West Frontier Province to the Government of India, No. 3079-P. C./1581-P. S., dated the 20th September 1935.