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THE



# Bombay Government Gazette.

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Separate paging is given to this Part, in order that it may be filed as a separate compilation

## PART V.

### PROCEEDINGS OF THE LEGISLATIVE DEPARTMENT, BOMBAY.

*(To be translated into Gujarati and the translation to be published in the "Bombay Government Gazette." The date of publication to be reported.)*

The following Report of the Select Committee of the Council of His Excellency the Governor of Bombay on the Bill to amend Act VIII of 1870 (an Act for the prevention of the murder of Female Infants) as to the Presidency of Bombay, and the Bill as amended by the Select Committee are, in accordance with Rule 35 of the Rules for the Conduct of Business at Meetings of the Council, published for general information :—

*Report of the Select Committee appointed to consider Bill No. III of 1896, a Bill to amend Act VIII of 1870 (an Act for the prevention of the murder of Female Infants) as to the Presidency of Bombay.*

We, the members of the Select Committee appointed on the 12th October 1896, to consider and report on the Bill "to amend Act VIII of 1870, as to the Presidency of Bombay," and the petitions relating thereto, have the honour to recommend that the form of the Bill be altered so as to make it clear that it is not intended to add two new sections to an existing Act of the Governor General in Council which is capable of general application, but merely to enact certain necessary provisions, to be in force as a local Act only, for dealing with the accumulations of certain funds levied under the Act of the Governor General in Council in this Presidency and for applying those accumulations in a manner for which no provision is made thereby. This object can be secured by embodying the requisite provisions in sections to be numbered as sections of the proposed local Act instead of as Sections 8 and 9 of Act VIII of 1870, and by the omission of the words "or hereafter" in Section 1 in the Bill, as thus altered.

2. We append copies of the petitions referred to us, and are of opinion that it will be desirable to give effect to the proposal that the accumulated funds in question should not be placed to the credit of the Local Boards of the Ahmedabad and Kaira Districts, as contemplated in the Bill, as introduced. It will be better to leave those funds in the hands of Government and to provide for their expenditure

for the exclusive benefit of the members of the Lewa and Kadva Kunbi castes in each District in such manner as Government may, from time to time, find to be expedient. Certain specific proposals are made by the petitioners as to the purposes to which the funds should be applied. We see no objection to most of these proposals, but doubt the expediency of giving effect to any of them in the Bill; for, not only are the petitioners not unanimous in their recommendations, but it seems also to be unadvisable to lay down hard and fast rules regarding the objects on which money should be spent. It is obvious that, as time goes on, the circumstances of the communities to be benefited may be so changed that the necessity may present itself for expending the funds on objects different from those now contemplated.

3. We have amended the Bill in accordance with these views and recommend the Bill, as amended, for adoption by the Honourable Council.

4. The Bill was published in Gujarati in the *Bombay Government Gazette* on the 24th September 1896. We have ordered the Bill as now amended and this report to be similarly translated and published.

H. BIRDWOOD.

BASIL LANG.

T. B. KIRKHAM.

RANCHODLAL CHOTALAL.

*Bombay, 3rd February 1897.*

*Minute of Dissent recorded by the Honourable Mr. Chimantlal H. Setalvad.*

I approve of the recommendations of the Committee mainly, but I cannot accept the proposal not to define in the Bill even generally the objects on which the moneys should be spent, but to leave the matter entirely to the discretion of Government. Although the petitioners are not, as remarked, unanimous in their recommendations as to the details, they are certainly unanimous in proposing that the funds should be used on education. The mere possibility of the circumstances of the communities concerned becoming, after some indefinite length of time, so altered that it may become necessary to expend the funds on other objects, is, I venture to think, no reason for the Legislature not now defining the objects to which admittedly according to present circumstances the funds can be best applied. When any such alteration takes place, fresh legislation may then be well resorted to. I would therefore propose to transfer the funds in question to the credit of a "Kadva and Lewa Kunbi Education Fund," leaving the details of its management to a board partly elected by the two communities concerned, and partly nominated by Government. It is, I venture to think, advisable, in order to give these communities a living interest in their education as well as to insure the requisite local knowledge for the proper application of the funds, to give them a direct voice in the management of the funds. I also do not see the expediency of drawing a distinction, such as is drawn in the revised section 1, between the funds raised in the Kaira District and those raised in the Ahmedabad District. The distinction is probably suggested by the fact that while such a large sum as nearly Rs. 62,000 is collected from the Ahmedabad District, only about Rs. 8,000 belongs to Kaira, and that, therefore, it is fair that each district should have the benefit only of the funds contributed by it. But if this argument were to be given full effect to, a distinction will further have to be drawn between the Kadvas and Lewas in each district; for, as is pointed out in one of the petitions, a very large proportion of the accumulated funds has come from the Kadvas, the Lewas contributing only a very small proportion. I would therefore rather avoid altogether going into any such considerations about the distribution of the benefits of the funds, leaving them to be dealt with by the board, on whom according to my proposal would be vested the management of these funds. I venture, therefore, to propose that section 1 be framed as follows:—

"1. Notwithstanding anything contained in Act VIII of 1870 (an Act for the prevention of the murder of female infants) or in the rules made

thereunder it shall be lawful for the Governor of Bombay in Council, from time to time, by notifications published in the official Gazette, to direct that the whole or any part of any moneys, or of any income or any accumulated interest accrued or accruing from any moneys heretofore levied or recovered from, or paid by any inhabitants of the districts of Ahmedabad and Kaira, under or for the purposes of the said Act, or any rule made in pursuance thereof, shall be placed to the credit of a fund to be called the 'Kadva and Lewa Kunbi Education Fund'; the said fund shall be devoted to the promotion of education among the Kadva and Lewa Kunbis of the districts of Ahmedabad and Kaira, and shall be managed by a board to consist of four members, two to be elected by the members of the Kadva and Lewa communities of those districts and two to be nominated by Government, under rules to be framed from time to time by Government in that behalf."

CHIMANLAL H. SETALVAD.

*Copies of Petitions referred to in paragraph 2 of the Report of the Select Committee.*

No. 1.

To

HIS EXCELLENCY THE RIGHT HONOURABLE  
LORD WILLIAM BARON SANDHURST, G.C.I.E.,

Governor and President in Council,

Bombay.

The humble Memorial of the undersigned members of Kadva Kunbi most respectfully sheweth

That your humble memorialists have heard with great regret and disappointment the reasons and objects of a Bill which the Honourable Mr. Birdwood proposes to introduce into the Council with the object of utilizing the Infanticide Funds collected from the Lewa and Kadva communities. Your memorialists, while glad to know the wish of Government to make use of these Funds and not to allow them to be barren, respectfully submit for your Excellency's consideration that, as these Funds have been collected from the Kadva and Lewa Kunbi castes, the benefit to be derived from their use should be given to the two classes exclusively. Your memorialists respectfully submit that the proposal to devote these Funds to objects calculated to benefit the general body of public is both inequitable and unjust to the two castes, who may fairly think that they have prior claim to any benefit which may arise from the utilization of the Funds in question.

Your memorialists would most humbly and respectfully submit, for the consideration of your Excellency in Council, the following suggestions as to the disposal of the Funds in question.

The schemes that your humble memorialists crave permission to present are of two kinds:

*First.*—To give increased facilities for the education of the girls of both the communities. A few scholarships to the girls of these communities are at present time being granted from the Funds, and since the scholarships have been started, the number of pupils has greatly increased. The scholarships allowed are very insignificant. Your Excellency's humble memorialists therefore urge that, if liberal education be allowed, this will induce the parents of the girls to send their daughters to schools. In this way the condition of the members of the said two castes will be improved greatly, and this step goes so far as to destroy the existing superstitious customs of the castes. The children will be more enlightened and they will understand things better. They will not be in

the hands of their money-lenders; and when they are freed from the power of their money-lenders they will attend more promptly to their agricultural business and thus they will benefit the country and the Government.

The Funds thus used will not be considered as misused. They will be used for the amelioration of the girls of the communities and thus will benefit both the subscribers and the Government.

*Second.*—Half the amount should be used in distributing scholarships to the male students who are taking either secondary or higher education of the above-mentioned castes, and in starting and giving agricultural scholarships to enable boys to be sent to study at agricultural colleges.

That there is a very great and urgent need for special facilities being granted to the Kadva Kunbis in the matter of education is well known. The community numbers about more than two lakhs, but not even half a dozen of the boys have advanced so far as to pass the Matriculation Examination. As to secondary education, also, the community is in a very backward state. It is largely on that account that your Excellency's humble memorialists have ventured to suggest that the large Funds now on hand may with benefit be employed mainly in affording facilities for the education of the children belonging to these lamentably uneducated castes.

Your Excellency's humble memorialists beg permission to state that a very large proportion (*i.e.*, nearly more than 60,000, sixty thousand) of the money accruing in these Funds has only come from the Kadva Kunbi community, the amount from the Lewa Kunbis being very much less. Accordingly in the distribution of the Funds it should be only justice that Kadvas should share more largely than the Lewas.

Your Excellency will be pleased to bear in mind that it is not proposed that the accumulated Funds should be handed over to any private parties, but it is hoped that the entire control should remain in the hands of the Government. The interest accruing year by year might thus be disbursed by Government for the purposes already mentioned, to wit, the free education of girls and boys.

The capital remaining intact, the benefit would continue for all time.

Your Excellency's humble Memorialists

Beg to remain

Your Excellency's most humble and obedient servants,  
SHAMBHOOPRASAD BECHERDASS LASKARI

and others.

*Ahmedabad, 6th October 1896.*

No. 2.

To

HIS EXCELLENCY THE RIGHT HONOURABLE

LORD WILLIAM, BARON SANDHURST, G.C.I.E.,

Governor and President in Council,

Bombay.

We, the undersigned members of the Kadva caste of Sánand Táluka of Ahmedabad Zilla, having learnt with surprise and dissatisfaction from the *Bombay Government Gazette* of the 24th September 1896, pages 180, 181, the scheme proposed by Government for the disposal of the Fund therein referred to, most respectfully beg to be allowed to enter our strong, but just and most equitable, protest against the same upon the following among other grounds.

Some years ago, it was the belief of Government that infanticide was prevailing in our caste and a healthy check of Government was considered indispensable, and, in order to enable the Government to carry out the object, a

fund was necessary and it was accordingly raised by subscriptions from among the persons of our caste only. We were clearly given to understand at the time that the Government will hold the Fund with its interest in trust for our caste, and apply it for the purpose for which it was raised, and in case no occasion remained for the purpose, use it for the sole benefit of our caste. Now that the Government thinks that as no necessity remains for the use of the Fund towards the original purpose, it must be applied for the benefit of the caste which contributed it, and proposes a scheme accordingly. We most respectfully venture to say that the scheme proposed, if sanctioned, will not have the desired effect. It is admitted by the Government that the Fund is held by Government as a trustee for our caste and it must be applied for the sole benefit of our caste. It is a principle of common law, justice and equity that a fund raised for one purpose cannot be used for any other purpose without the consent of all the persons interested. Government, while implicitly admitting this principle, proposes a scheme without previously consulting our caste, which stands in the relation of beneficiary of the Fund referred to above. We are glad, however, that the Government intends to use it for the sole benefit of our caste, but we are sorry that the scheme proposed will frustrate the said intention. A great part of our community inhabits Ahmedabad, Viramgam, Patri, Sanand, &c. Persons inhabiting the said cities and towns earn their livelihood, not by agriculture, as expressed by Government, but by trade and mechanical labour. To them the working of the scheme will not do any good. Out of cultivators of the soil in villages of Ahmedabad Zilla, not more than one-sixteenth part represent our community, and any work of the Local Board will not benefit our caste in the slightest degree. This being the real state of things, any attempt at placing the amount at the disposal of the Local Board will be tantamount to using the Fund for the benefit of the people of other castes which represent the major portion of the cultivators of the soil in the Ahmedabad Zilla, a result not contemplated by the Government, as appears from the wording of the draft in the Gazette referred to above. The scheme proposed is quite disagreeable to our community, and it is time for us to bring to your Excellency's notice the real state of the feelings of the persons of our community in order that Government may have the opportunity of seeing that the good intentions may not be frustrated by taking a step quite displeasing the community, which is admittedly the beneficiary of the Fund said above.

It is a well-known fact that our community is the most backward in education and prosperity. It is the intention of Government to give every inducement and help to any backward community to receive education. The Mahomedan community was considered a backward community and the Government has already made it a point to give every encouragement to that community in receiving education. Whenever there are two competitors, a Hindu and a Mahomedan, for any Government vacancy, preference is given to the latter. Our community is not less backward and hence entitled to no less indulgence at the hand of the Government. Many parents in our caste being in straitened circumstances are unable to give even ordinary education to their children. Children are thus kept quite ignorant and they are obliged to struggle hard to earn sufficient to keep body and soul together. Poverty is thus increasing day by day, and we are afraid it will reign supreme unless it is caught by some strong hand of pecuniary assistance. It is absolutely necessary that children of such persons should be educated at any expense, which is the only way of amelioration of our condition. Fresh funds sufficient to meet the requirement is impossible, at least for the present, and our own Fund cannot be turned to a better account than by using it in the education of the children of the paupers of our caste, only two or three persons of whom have received higher education. This will go to show that secondary and higher education must be imparted to the children of our caste, and we for the present look to the said Fund as the only means to that end. A Committee of the best persons of our caste should be formed and the Fund must be placed at its disposal. The amount of the Fund is about Rs. 62,000, which will yield the interest of about Rs. 2,000 per annum. This amount of interest and an equal amount from the capital should be spent in scholarships to students of our caste receiving secondary and higher education.

To students desirous of going to England for education, either literary or mechanical, pecuniary help to a certain extent must be given. The number of scholarships and the amount of money to be given to students going to England should be left to be determined by the Committee. This arrangement has one most important advantage, and it is this—that some well-to-do persons of our caste and persons receiving benefit of the arrangement will in the course of time be induced to contribute fresh amounts towards the said Fund. The Fund will generally be kept up and eternal boon will be conferred upon the poor people of our community. If this arrangement be not found practicable, let the Fund be placed at the disposal of the Bombay University with a distinct understanding to carry out the same arrangement.

Under these circumstances we most respectfully request the favour of your Excellency's cancelling the proposal of placing the Fund at the disposal of the Local Board and accepting our suggestion to form a Committee of the best persons of our caste and placing the Fund at its disposal.

For this act of kindness we, as in duty bound, shall ever pray for your Excellency's long life and prosperity.

Your most obedient servants,  
 PATEL VRAJBHAI ICHABHAI  
 and others.

Dated 9th October 1896.

No. 3.

To

HIS EXCELLENCY THE RIGHT HONOURABLE  
 LORD WILLIAM, BARON SANDHURST, G.C.I.E.,  
 Governor and President in Council,  
 Bombay.

We, the undersigned members of the Kadwa Caste of Pátri Táluka of Ahmedabad Zilla, having learnt with surprise and dissatisfaction from *Bombay Government Gazette* of the 24th September 1896, pp. 180, 181, the scheme proposed by Government for the disposal of the fund therein referred to, most respectfully beg to be allowed to enter our strong but just and most equitable protest against the same upon the following among other grounds.

Some years ago, it was the belief of Government that infanticide was prevailing in our caste and a healthy check of Government was considered indispensable, and in order to enable the Government to carry out the object a fund was necessary and it was accordingly raised by subscriptions from among the persons of our caste only. We were clearly given to understand at the time that the Government will hold the Fund with its interest in trust for our caste and apply it for the purpose for which it was raised, and in case no occasion remained for the purpose, use it for the sole benefit of our caste. Now that the Government thinks that as no necessity remains for the use of the Fund towards the original purpose, it must be applied for the benefit of the caste which contributed it, and proposes a scheme accordingly. We most respectfully venture to say that the scheme proposed, if sanctioned, will not have the desired effect. It is admitted by the Government that the Fund is held by Government as a trustee for our caste, and it must be applied for the sole benefit of our caste. It is a principle of common law, justice and equity that a fund raised for one purpose cannot be used for any other purpose without the consent of all the persons interested. Government, while impliedly admitting this principle, proposes a scheme without previously consulting our caste which stands in the relation of beneficiary of the Fund referred to above. We are glad, however, that the Government intends to use it for the sole benefit of our caste, but we are sorry

that the scheme proposed will frustrate the said intention. A great part of our community inhabits Ahmedabad, Virangám, Pátri, Sánand, &c. Persons inhabiting the said cities and towns earn their livelihood not by agriculture as expressed by Government but by trade and mechanical labour. To them the working of the scheme will not do any good. Out of cultivators of the soil in villages of Ahmedabad Zilla not more than one-sixteenth part represent our community, and any work of the Local Board will not benefit our caste in the slightest degree. This being the real state of things, any attempt at placing the amount at the disposal of the Local Board will be tantamount to using the Fund for the benefit of the people of other castes which represent the major portion of the cultivators of the soil in the Ahmedabad Zilla, a result not contemplated by the Government, as appears from the wording of the draft in the *Gazette* referred to above. The scheme proposed is quite disagreeable to our community, and it is time for us to bring to your Excellency's notice the real state of the feelings of the persons of our community, in order that Government may have the opportunity of seeing that the good intentions may not be frustrated by taking a step quite displeasing the community which is admittedly the beneficiary of the Fund said above.

It is a well-known fact that our community is the most backward in education and prosperity. It is the intention of Government to give every inducement and help to any backward community to receive education. Mahomedan community was considered a backward community, and the Government has already made it a point to give every encouragement to that community in receiving education. Whenever there are two competitors, a Hindu and a Mahomedan, for any Government vacancy, preference is given to the latter. Our community is not less backward and hence entitled to no less indulgence at the hand of the Government. Many parents in our caste being in straitened circumstances are unable to give even ordinary education to their children. Children are thus kept quite ignorant, and they are obliged to struggle hard to earn sufficient to keep body and soul together. Poverty is thus increasing day by day, and we are afraid it will reign supreme unless it is caught by some strong hand of pecuniary assistance. It is absolutely necessary that children of such persons should be educated at any expense, which is the only way of amelioration of our condition. Fresh fund sufficient to meet the requirement is impossible at least for the present, and our own Fund cannot be turned to a better account than by using it in the education of the children of the paupers of our caste. We have got in our caste only 2 or 3 persons who have received higher education. This will go to show that secondary and higher education must be imparted to the children of our caste, and we for the present look to the said Fund as the only means to that end. A committee of the best persons of our caste should be formed, and the Fund must be placed at its disposal. The amount of the fund is about Rs. 62,000, which will yield the interest of about Rs. 2,000 per annum. This amount of interest and an equal amount from the capital should be spent in scholarships to students of our caste receiving secondary and higher education. To students desirous of going to England for education, either literary or mechanical, pecuniary help to a certain extent must be given. The number of scholarships and the amount of money to be given to students going to England should be left to be determined by the committee. This arrangement has one most important advantage, and it is this that some well-to-do persons of our caste and persons receiving benefit of the arrangement will in the course of time be induced to contribute fresh amounts towards the said Fund. The Fund will generally be kept up and eternal boon will be conferred upon the poor people of our community. If this arrangement be not found practicable, let the Fund be placed at the disposal of the Bombay University with a distinct understanding to carry out the same arrangement.

Under these circumstances, we most respectfully request the favour of Your Excellency's cancelling the proposal of placing the Fund at the disposal of Local Board, and accepting our suggestion to form a committee of the best persons of our caste and placing the Fund at its disposal for the above-mentioned purpose.

For this act of kindness we, as in duty bound, shall ever pray for your Excellency's long life and prosperity.

Your most obedient servants,  
 DESAI KALANSING FATEHSINGJI  
 and others.

*Patri*, dated 9th October 1896.

No. 4.

To

HIS EXCELLENCY THE RIGHT HONOURABLE  
 LORD WILLIAM, BARON SANDHURST, G.C.I.E.,  
 Governor and President in Council,  
 Bombay.

We, the undersigned members of the Kadva caste of Viramgám Taluka of Ahmedabad Zilla, having learnt with surprise and dissatisfaction from the *Bombay Government Gazette* of the 24th September 1896, pages 180—181, the scheme proposed by Government for the disposal of the Fund therein referred to, most respectfully beg to be allowed to enter our strong but just and most equitable protest against the same upon the following among other grounds.

Some years ago it was the belief of Government that infanticide was prevailing in our caste and a healthy check of Government was considered indispensable, and in order to enable the Government to carry out the object a Fund was necessary, and it was accordingly raised by subscriptions from among the persons of our caste only. We were clearly given to understand at the time that the Government will hold the Fund with its interest in trust for our caste, and apply it for the purpose for which it was raised, and in case no occasion remained for the purpose, use it for the sole benefit of our caste. Now that the Government thinks that as no necessity remains for the use of the Fund towards the original purpose, it must be applied for the benefit of the caste which contributed it, and proposes a scheme accordingly. We most respectfully venture to say that the scheme proposed, if sanctioned, will not have the desired effect. It is admitted by Government that the Fund is held by Government as a trustee for our caste, and it must be applied for the sole benefit of our caste. It is a principle of common law, justice and equity that a Fund raised for one purpose cannot be used for any other purpose without the consent of all the persons interested. Government while impliedly admitting this principle proposes a scheme without previously consulting our caste, which stands in the relation of beneficiary of the Fund referred to above. We are glad, however, that the Government intends to use it for the sole benefit of our caste, but we are sorry that the scheme proposed will frustrate the said intention. A great part of our community inhabits Ahmedabad, Viramgám, Patri, Sánand, &c. Persons inhabiting the said cities and towns earn their livelihood not by agriculture as expressed by Government, but by trade and mechanical labour. To them the working of the scheme will not do any good. Out of cultivators of the soil in villages of Ahmedabad Zilla not more than one-sixteenth part represent our community and any work of the Local Board will not benefit our caste in the slightest degree. This being the real state of things, any attempt at placing the amount at the disposal of the Local Board will be tantamount to using the Fund for the benefit of the people of other castes which represent the major portion of the cultivators of the soil in the Ahmedabad Zilla, a result not contemplated by the Government as appears from the wording of the draft



in the Gazette referred to above. The scheme proposed is quite disagreeable to our community, and it is time for us to bring to your Excellency's notice the real state of the feelings of the persons of our community, in order that Government may have the opportunity of seeing that the good intentions may not be frustrated by taking a step quite displeasing to the community, which is admittedly the beneficiary of the Fund said above.

It is a well-known fact that our community is the most backward in education and prosperity. It is the intention of Government to give every inducement and help to any backward community to receive education. The Muhammadan community was considered a backward community, and the Government has already made it a point to give every encouragement to that community in receiving education. Whenever there are two competitors, a Hindu and a Muhammadan, for any Government vacancy, preference is given to the latter. Our community is not less backward, and hence entitled to no less indulgence at the hands of the Government. Many parents in our caste being in straitened circumstances are unable to give even ordinary education to their children. Children are thus kept quite ignorant, and they are obliged to struggle hard to earn sufficient to keep body and soul together. Poverty is thus increasing day by day, and we are afraid it will reign supreme, unless it is caught by some strong hand of pecuniary assistance. It is absolutely necessary that children of such persons should be educated at any expense, which is the only way of ameliorating our condition. Fresh funds sufficient to meet the requirement is impossible, at least for the present, and our own Fund cannot be turned to a better account than by using it in the education of the children of the paupers of our caste, only two or three persons of whom have received higher education. This will go to show that secondary and higher education must be imparted to the children of our caste, and we, for the present, look to the said Fund as the only means to that end. A committee of the best persons of our caste should be formed, and the Fund may be placed at its disposal. The amount of the Fund is about Rs. 62,000, which will yield the interest of about Rs. 2,000 per annum. This amount of interest and an equal amount from the capital should be spent in scholarships to students of our caste receiving secondary and higher education. To students desirous of going to England for education, either literary or mechanical, pecuniary help to a certain extent must be given. The number of scholarships and the amount of money to be given to students going to England should be left to be determined by the committee. This arrangement has one most important advantage, and it is this, that some well-to-do persons of our caste and persons receiving benefit of the arrangement will in the course of time be induced to contribute fresh amounts towards the said Fund. The Fund will generally be kept up, and an eternal boon will be conferred upon the poor people of our community. If this arrangement be not found practicable, let the Fund be placed at the disposal of the Bombay University, with a distinct understanding to carry out the same arrangement.

Under these circumstances, we most respectfully request the favour of Your Excellency's cancelling the proposal of placing the Fund at the disposal of the Local Board, and accepting our suggestion to form a committee of the best persons of our caste and placing the Fund at its disposal.

For this act of kindness we, as in duty bound, shall ever pray for your Excellency's long life and prosperity.

Your most obedient servants,

KARSANDAS JAYSHINGBHAO DESAI,  
and others.

*Viramgám, dated 10th October 1896,*

No. 5.

To

HIS EXCELLENCY THE RIGHT HONOURABLE  
LORD WILLIAM, BARON SANDHURST, G.C.I.E.,

Governor and President in Council,  
Bombay.

The humble memorial of the undersigned  
members of the Kadva Kunbi.

MOST RESPECTFULLY SHEWETH,

That your Excellency's memorialists have heard with great regret and disappointment the reasons and objects of a Bill which the Hon'ble Mr. Birdwood proposes to introduce into the Council with the object of utilizing the Infanticide Funds collected from the Lewa and Kadva communities of Ahmedabad and Kaira Districts. Your memorialists while glad to know the wish of the Government to make use of these Funds and not to allow them to be barren, respectfully submit for your Excellency's consideration that as these Funds have been collected from the Kadva and Lewa Kunbi castes, the benefit to be derived from their use should be given to the two classes exclusively. Your Excellency's humble memorialists respectfully submit that the proposal to devote these Funds to objects calculated to benefit the general body of the public is both inequitable and unjust to the two castes who may fairly think that they have prior claim to any benefit which may arise from the utilization of the Funds in question.

Your memorialists would respectfully submit for the consideration of your Excellency in Council the following suggestions as to the disposal of the Funds in question.

The schemes that your Excellency's humble memorialists crave permission to present are of two kinds.

*First*,—To give increased facilities for education of the girls of both the communities. A few scholarships to the girls of these communities are at the present time being granted from the Funds, and since the scholarships have been started the number of pupils has greatly increased. The scholarships allowed are very insignificant. Your Excellency's humble memorialists therefore urge that if liberal education be allowed, this will induce the parents of the girls to send their daughters to schools. In this way the condition of the members of the said two castes will be improved greatly, and this step goes so far as to destroy the existing superstitious customs of the castes. The children will be more enlightened and they will understand things better. They will not be in the hands of their moneylenders; and when they are freed from the power of their moneylenders, they will attend more promptly to their agricultural business, and thus they will benefit the country and the Government.

The Funds thus used will not be considered as misused. They will be used for the amelioration of the girls of the communities, and thus will benefit both the subscribers and the Government.

*Second*,—Half the amount should be used in distributing scholarships to the male students, who are taking either secondary or higher education of the above-mentioned castes and in starting and giving agricultural scholarships to enable boys to be sent to study at agricultural colleges.

That there is a very great and urgent need for special facilities being granted to the Kadva Kunbis in the matter of education is well known. The community numbers about more than two lakhs; but not even half a dozen of the boys have advanced so far as to pass the Matriculation Examination. As to secondary education also the community is in a very backward state; and on that account your Excellency's humble memorialists have ventured to suggest that the large Funds now on hand may with benefit be employed mainly in affording facilities for the education of the children belonging to these lamentably uneducated castes.

Your Excellency's humble memorialists beg permission to state that a very large proportion (*i. e.* nearly more than 60,000, sixty thousand) of the money accruing in these Funds has only come from the Kadva Kunbi community, the amount from the Lewa Kunbis being very much less. Accordingly in the distribution of the Funds it should be only justice that Kadvas should share more largely than the Lewas; and the Lewa Kunbis are far more advanced in education than the Kadva Kunbis.

Your Excellency will be pleased to bear in mind that it is not proposed that the accumulated Funds should be handed over to any private parties, but it is hoped that the entire control should remain in the hands of the Government. The interest accruing year by year might thus be disbursed by Government for the purposes already mentioned, to wit the free education of girls and boys.

In addition your Excellency's humble memorialists most regretfully and sorrowfully hear that the Funds bear the name of the Ahmedabad and Kaira Infanticide Funds. That name is the most disgraceful to both the communities, because, as far as your humble memorialists know, there has not been a single case of murder of an infant at the time when the Act VIII of 1870 was passed and in the previous years; and such a cruel act as the murder of their own child by their own hands has never been dreamt of by their parents. Therefore your humble memorialists most respectfully request your Excellency to change the name of the Funds from the Ahmedabad and Kaira Infanticide Funds, and most humbly take permission to request that the Fund collected from the Kadva Kunbi community may bear the name of the Kadva Kunbi Education Fund.

The capital remaining intact, the benefit would continue for all time.

Your Excellency's humble memorialists

Beg to remain

Your Excellency's most humble and obedient servants,

CHUGOOLAL SHOMNATH VUNMALIDASWALA,

and others.

*Ahmedabad, dated 9th October 1896.*

No. 6.

To

HIS EXCELLENCY THE RIGHT HONOURABLE  
WILLIAM, BARON SANDHURST, G.C.I.E.,

Governor and President in Council,

Bombay.

The humble petition of the undersigned  
Lewa and Kadva Kunbis of Kaira  
and Ahmedabad Districts.

MOST RESPECTFULLY SHEWETH,

1. That your Excellency's petitioners, who are members of the Lewa and Kadva communities inhabiting Kaira and Ahmedabad Districts, crave leave to approach Your Excellency with this representation on the legislation proposed by means of Bill No. III of 1896. The Bill proposes to hand over the Kaira and Ahmedabad Infanticide Funds to the Local Boards of Kaira and Ahmedabad Districts, respectively, and, further, to leave those Boards full discretionary power to spend the Funds on water-supply, sanitation, education, communications and other local improvements. The first reading of this Bill is fixed for the 12th instant.

2. In the Statement of Objects and Reasons it is observed that there appears to be no practical scheme for spending the Funds in a useful manner and at the same time in a way free from all legal objections. The object of the proposed legislation is to free Government from the obligation to spend the Funds solely in the way indicated in Act VIII of 1870. Your Excellency's petitioners are agreed that it is undesirable that these Funds should continue to be idle for an indefinite period. At the same time they do not believe that the difficulties connected with any scheme for the benefit of the castes from whom the fees were collected are so serious or insurmountable as Government seem to think. Your petitioners are respectfully of opinion that in a matter concerning the application of these Infanticide Funds, they, as contributories to the Funds, have the best claim to be heard. Holding this view they respectfully submit that the contemplated expenditure of these Infanticide Funds on objects enumerated in the Statement of Objects and Reasons involves a deviation in principle which is scarcely justifiable. Government freely acknowledge that *the fact that the fees were collected from Lewa and Kadva Kunbi Castes alone cannot be lost sight of*. In the face of this stern fact staring in the face, your petitioners are at a loss to understand on what principle of justice or equity Government are prepared to propose their expenditure for the benefit of others, who are not contributories to the Funds or for the promotion of objects never dreamt of in the Act VIII of 1870.

3. Your Excellency's petitioners firmly believe that Government are fully conscious of the fact that they are simply Trustees of the said Funds, and as such are under *obligation* to spend them for the use of the rightful beneficiaries only, and that any application of the said Funds to the comfort and convenience of *any other class of people*, even under the sanction of a new legislative enactment, is morally indefensible.

4. Your petitioners imagine that the proposal to transfer the Funds to Local Boards has been obviously made under two misconceptions: *firstly*, because the Funds are lying idle for a long time and that there are practical difficulties connected with any scheme for apportioning the Funds to the persons or to the castes from whom the fees were collected, and *secondly*, because expenditure by the Local Boards of the Kaira and Ahmedabad districts *must necessarily benefit* the Lewa and Kadva Kunbis, who form so important an element of the agricultural population of those districts.

5. Your petitioners take leave to point out that the difficulty of framing out a scheme of apportioning the Funds to the right persons is not so serious as Government seem to imagine.

6. As to the second point that has induced Government to bring forward Bill No. III of 1896, they most humbly submit that the statement that the Lewa and Kadva Kunbis form so important an element of the agricultural population of the Kaira and Ahmedabad Districts as that the expenditure of these Funds by the Local Boards of those districts *must necessarily benefit* them is not supported by facts. Looking to the last census report your petitioners find the number of Lewa and Kadva Kunbis as compared with the total agricultural population of the Ahmedabad and Kaira Districts to be as follows:—

|                               | Ahmedabad District. | Kaira District. |
|-------------------------------|---------------------|-----------------|
| Lewa Kunbis ... ..            | ... 85,215          | ... 132,481     |
| Kadva Kunbis ... ..           | ... 76,138          | ... 12,698      |
| Total agricultural population | ... 457,585         | ... 608,559     |

The Lewa and Kadva Kunbis, therefore, form only *twenty-four per cent* of the agricultural population in each of these districts. This percentage would be lower if those engaged in pasture be classed with agriculturists. Under these circumstances they submit most respectfully that the Kadva and Lewa Kunbis are not such an important part of the agricultural population of these districts (they are hardly one-fourth) as to justify the proposed transfer of the Funds to be spent generally for the benefit of *all* classes by the Local Boards for water-supply, sanitation, &c.

7. Of the total number of 111,353 Kunbis in the Ahmedabad District, nearly one-half are residents of Ahmedabad City, who, if excluded, would leave 50,000 as rural Kunbis. In that case the agricultural Kunbis would form *one-tenth* part only of the total agricultural population in the Ahmedabad District.

8. Then, again, there are some talukas like Dhandhuka, Prantij, Modassa, and Kapadvanj, where there are only few Kunbis, and therefore any expenditure by the Local Boards in such talukas would simply tend to minister to the convenience and comforts mainly of people other than those intended by Act VIII of 1870 as well as by new Bill No. III of 1896 itself.

9. Your Excellency's petitioners, moreover, humbly submit that it is undesirable to add the Infanticide Funds to the Local Funds in their districts. An addition of a small sum to sums so large as the Local Funds is not likely to produce appreciable effects. But on the other hand an independent use of the Funds, as prayed for by Your Excellency's memorialists, would be productive of very far-reaching and satisfactory results.

10. They pray, therefore, that Your Excellency will be pleased to drop the proposed deviation of the expenditure of the Funds by legislation. It is, they conceive, not within their province to suggest any new scheme whereby the Funds may be legitimately and rightfully spent. The Funds being collected for the prevention of female infanticide among the two classes, there could be, they respectfully submit, no nobler way of applying the Funds than in the promotion of female education amongst the Lewa and Kadva Kunbis by the opening of new schools where there be none or by the granting of scholarships to Kunbi girls or by such other similar encouragements where there may already exist girl schools. There would be, they hope, no difficulty whatever in utilizing the Funds for the purpose of promoting female education amongst the Lewa and Kadva communities in Kaira and Ahmedabad Districts. They may also be allowed to take the liberty of stating here that education is as backward among their classes, compared with the rest of the Hindu community, as amongst the Mahomedans, whose special claims to Government help in education are already recognized. An application of the Kaira and Ahmedabad Infanticide Funds to the promotion of education in general among their classes would, they have no hesitation in saying, meet with hearty approval from the great bulk of their community. They, therefore, most humbly request that Your Lordship will give to this petition and the direction in which they seek the application of the Funds, their due weight. And for this act of kindness and justice your petitioners shall ever pray.

KHUSHAL GOKALDAS PATEL,

and others.

*Ahmedabad, 8th October 1896.*

No. 7.

*Langrana House,  
Poona, November 3rd, 1896.*

SIR,

The disposal of the Anti-Infanticide Funds is, I believe, to be discussed shortly.

I beg to be allowed to make a proposal which may, I hope, meet with the approval of Government.

I suggest—

(1) That a scholarship be founded for the education of an Indian Lady Doctor at the London University.

(2) That the scholar be selected by the Council.

- (3) That she be required to produce certificates of—  
 (a) health;  
 (b) good conduct.
- (4) That the scholar give some proof of her capacity to benefit by the scheme proposed, *e. g.*, a degree of some Indian University (preferably Bombay) in Science or Arts, in which she has taken Science for her optional subject.
- (5) That the scholar proceed to the London University and enter forthwith on the course leading to the London M.B., and that no lower qualification be sufficient for the purposes of this scholarship.
- (6) That the scholarship entitle the holder to an annual allowance of £175 tenable for at least five years.
- (7) That the tenure of the scholarship be strictly dependent on good conduct in England, and conditional on satisfactory progress being made in study.
- (8) That the National Indian Association, the Gilchrist Trustees, or the India Office be requested to oversee and superintend the progress of the scholar during her stay in England, and to report thereon to the Anti-Infanticide Committee in India.
- (9) That the scholar be bound (for a period not exceeding five years) to place her services at the disposal of the Anti-Infanticide Committee for Medical work in the districts whence the Fund was collected, or for such other purposes as the Committee may direct and advise.

I am,  
 Sir,

Faithfully yours,

ALICE MAUDE SORABJI.

### Bill No. III of 1896.

*A Bill to amend Act VIII of 1870 (an Act for the prevention of the murder of Female Infants) as to the Presidency of Bombay.*

*(As amended by the Select Committee on the 3rd February 1897.)*

Whereas it is expedient to amend as to the Presidency of Bombay, in manner hereinafter appearing, Act VIII of 1870 of the Governor General of India in Council, being an Act for the prevention of the murder of female infants: And whereas the previous sanction of His Excellency the Governor General required by section 5 of the Indian Councils Act, 1892, has been obtained: for the passing of this Act: It is hereby enacted as follows:

1. After section 7 of Act VIII of 1870

shall be inserted the following, *viz.*:—  
 Addition of two new sections.  
 (an Act for the prevention of the murder of female infants) there shall be inserted the following, *viz.*:—

~~“ 8. It shall be lawful for the Governor in Council by notification to direct that the whole or any part of any moneys, or of any income or accumulated interest accrued or accruing from any moneys, heretofore or hereafter levied or recovered from, or paid by, any inhabitants of the District of Kaira or of the District of Ahmedabad under or for the purposes of this Act, or any rule made in pursuance thereof, shall be placed to the credit respectively of the Local Boards established for the said Districts under the Bombay Local Boards Act, 1884, and from time to time by notification to cancel or vary any such notification.~~

~~“ 9. Notwithstanding anything contained in section 7, this Act shall be deemed to extend, and from the 21st day of December 1870 to have extended, to the Presidency of Bombay.”~~

1. Notwithstanding anything contained in Act VIII of 1870 (an Act for the prevention of the murder of female infants) or in the rules made Application of accumulated Funds collected under Act VIII of 1870.

thereunder it shall be lawful for the Governor of Bombay in Council, from time to time, by notifications published in the official Gazette, to direct that the whole or any part of any moneys, or of any income or accumulated interest accrued or accruing from any moneys heretofore levied or recovered from, or paid by any inhabitants of the district of Kaira, under or for the purposes of the said Act, or any rule made in pursuance thereof, shall be applied for the benefit of the Lewa and Kadva Kunbi castes or any members thereof in the Kaira District, in such manner as the Local Government may deem expedient, and that the whole or any part of any moneys, or of any income or accumulated interest accrued or accruing from

any moneys heretofore levied or recovered from, or paid by, any inhabitants of the district of Ahmedabad, under or for the purposes of the said Act, or any rule made in pursuance thereof, shall be applied for the benefit of the Lewa and Kadva Kunbi castes or any members thereof in the Ahmedabad District, in such manner as the Local Government may deem expedient, and to cancel or vary such notifications.

2. Notwithstanding anything contained in section 7 of Act VIII of 1870 in the said Act shall be deemed to extend, and from the 31st December 1870 to have extended to the Presidency of Bombay.

Commencement of Act VIII of 1870 in Bombay Presidency.

By order of His Excellency the Right Honourable the Governor in Council,

S. L. BATCHELOR,

Secretary to the Council of the Governor of Bombay  
for making Laws and Regulations.

Bombay, 6th February 1897.