

*Monday,
20th March, 1916*

ABSTRACT OF THE PROCEEDINGS

OF THE

Council of the Governor General of India,

LAWS AND REGULATIONS

Vol. LIV

April 1915 - March 1916

ABSTRACT OF THE PROCEEDINGS
OF
THE COUNCIL OF THE GOVERNOR GENERAL OF INDIA
ASSEMBLED FOR THE PURPOSE OF MAKING
LAWS AND REGULATIONS
1916
VOLUME LIV



PUBLISHED BY AUTHORITY OF THE GOVERNOR GENERAL .

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1916



GOVERNMENT OF INDIA.
LEGISLATIVE DEPARTMENT.

PROCEEDINGS OF THE INDIAN LEGISLATIVE COUNCIL ASSEMBLED UNDER
THE PROVISIONS OF THE GOVERNMENT OF INDIA ACT, 1915
(5 & 6 Geo. V, Ch. 61).

The Council met at the Council Chamber, Imperial Secretariat, Delhi, on
Monday, the 20th March, 1916.

PRESENT :

His Excellency BARON HARDINGE OF PENSHURST, P.C., G.C.B., G.C.M.G., G.C.V.O.,
G.M.S.I., G.M.I.E., I.S.O., Viceroy and Governor General, *presiding*,
and 57 Members, of whom 49 were Additional Members.

QUESTIONS AND ANSWERS.

The Hon'ble Sir Gangadhar Chitnavis asked :—

1. "(a) Is it a fact that in some temporary settled Provinces in India, tenants' rents have been enhanced by Settlement Officers in recent years by more than 100 or even 200 per cent? If so, will Government be pleased to state whether these enhancements are due to raising of the classification of the soil?"

Enhancement of rents in temporary settled Provinces in India.

(b) Do Government propose to fix a limit to such enhancement in individual cases, say not more than 33 per cent. where the Settlement has taken place once and not more than 25 per cent. where the Settlement has taken place more than once?"

The Hon'ble Mr. C. H. A. Hill replied :—

"(a) It is only in the Central Provinces and in a portion of Orissa that there is any general fixation of rents in the course of re-settlement operations. The Government of India have no information regarding the enhancements which have been imposed in individual cases, but at no recent re-settlement has the all-round enhancement of rents been anything like the figure mentioned by the Hon'ble Member. Only in a few small areas, the circumstances of which have been exceptional, has it exceeded 33 per cent.

[Mr. C. H. A. Hill; Rai Ghanasyam Barua Bahadur; Mr. Dadabhoy; Sir William Meyer.] [20TH MARCH, 1916.]

(b) In these circumstances, the Government do not consider that any action in the direction suggested by the Hon'ble Member is called for. Article 217 of the Central Provinces Settlement Code provides for the grant of an abatement of rent in individual cases in which the *per saltum* enhancement is more than can, in the opinion of the Settlement Officer, be fairly imposed."

The Hon'ble Rai Ghanasyam Barua Bahadur asked :—

Grazing grounds for cattle.

2. "(a) Is it a fact that complaints about the want of sufficient grazing grounds for village cattle are frequently brought to the notice of Government. If the answer is in the affirmative, is it a fact that the deficiency of grazing grounds accounts for the distress and deterioration of cattle ?

(b) Do Government propose to consider the advisability of directing all Local Governments to allot a sufficient and suitable area to each village for pasturing their cattle and to publish periodical reports of the progress made in this connection ?"

The Hon'ble Mr. C. H. A. Hill replied :—

"The Hon'ble Member is referred to the answer given by the Hon'ble Sir Robert Carlyle to a somewhat similar question put by the Hon'ble Maharaja Manajit Sinha at the meeting of the Legislative Council held on January 12th, 1915, a copy of which is placed on the table.* I would add that at the meeting of the Board of Agriculture held at Pusa last month, the Committee which considered the general question of the measures which should be taken in regard to the preservation of grazing areas, the improvement of waste areas and the general question of fodder supply expressed the opinion that Local Governments were in most cases taking such action in regard to these matters as lay within the means at their disposal. In the circumstances, the Government of India do not at present propose to address any communication on the subject to Local Governments."

The Hon'ble Rai Ghanasyam Barua Bahadur asked :—

Sources of fodder supply.

3. "(a) Will Government be pleased to state whether the results of any inquiries made by the Local Governments regarding sources of fodder supply have been submitted by them ?

(b) If so, will Government be pleased to lay on the table the papers received from the Local Governments."

The Hon'ble Mr. C. H. A. Hill replied :—

"(a) The reply is in the affirmative.

(b) Papers on the subject are laid on the table."*

The Hon'ble Mr. Dadabhoy asked :—

Reduction in the Railway programme.

4. "With reference to the statement by the Hon'ble Finance Member in paragraph 21 of his speech of the 1st March that 'the Railway programme was reduced by some £250,000 almost at the outset in consequence of pressure from the Treasury at home,' will Government be pleased to lay on the table the correspondence on the subject between the Government of India and the Secretary of State for India in Council ?"

The Hon'ble Sir William Meyer replied :—

"It is not proposed to lay the correspondence on the table. But I may explain that the Home Treasury require their previous concurrence to any flotations on the London market during the war, and this applies not only to private company issues, but also to public issues on behalf of India and of the

* Not included in these Proceedings.

[20TH MARCH, 1916.] [*Sir William Meyer; Khan Bahadur Mir Asad Ali Khan; Sir C. Sankaran Nair.*]

self-governing colonies. The restriction is natural, and indeed, inevitable, in view of the paramount claim of the Home Government for the funds required for the prosecution of the war. It results therefrom that the programmes of development expenditure to be financed by borrowing in London are scrutinised by the Treasury with a view to ensuring all possible curtailment. In the case of India in the current year, the borrowing contemplated at home was £8½ millions. Following similar action already taken in regard to the self-governing colonies, the Treasury desired the omission of the bulk of the provision which we had included in our Railway programme for new lines, a request which was acceded to."

The Hon'ble Khan Bahadur Mir Asad Ali Khan asked :—

5. "Will Government be pleased to state for each of the Indian Provinces—

(a) the number of Muhammadan graduates in Arts, Law, Medicine, and Engineering, respectively;

(b) the number of scholarships for Muhammadans in each of the Indian Universities; and

(c) the number of Muhammadans employed in the higher grades of the Public Services?"

Muham-
madan
graduates
and scholar-
ships
granted
to Muham-
madans.

The Hon'ble Sir C. Sankaran Nair replied :—

"(a) A statement* is laid on the table.

(b) According to the most recent University Calendars there are 9 scholarships of the Bombay University exclusively reserved for Muhammadans, and 15 Government scholarships similarly reserved in connection with the Matriculation of the Punjab University. Scholarships in Persian and Arabic are also given in the Allahabad and Punjab Universities.

(c) The Hon'ble Member will find from a reference to the Gazette of India of the 13th January, 1912, that on the 10th January, 1912, the Hon'ble Sir James Meston, then Financial Secretary, laid a statement on the table which, among other things, showed for India as a whole the number of Muhammadans who in 1910 held appointments of the value of Rs. 500 and over, which is a reasonably fair definition of the higher grades of the public services to which the Hon'ble Member refers. Some later figures were compiled for the use of the Public Services Commission, but these can scarcely be made public in anticipation of the report of that body, and neither, in fact, were they in the precise form now asked for. These compilations involve very detailed inquiries, and as it is probable that relevant statistics will be attached to the report of the Public Services Commission, I would ask the Hon'ble Member to await the publication before pressing for anything further."

The Hon'ble Khan Bahadur Mir Asad Ali Khan asked :—

6. "With reference to the reply given in Council on 22nd September 1915, to parts (b), (d) and (e) of my question regarding candidates for University and public examinations, have the Government of India received the required information from Local Governments and the University of Calcutta? If so, will they be pleased to lay it on the table?"

Candidates
for Univer-
sity and
public
examina-
tions.

The Hon'ble Sir C. Sankaran Nair replied :—

"The information has not yet been received from the Government of Bengal and the University of Calcutta. The replies received from the other Local Governments are laid on the table."†

* *Vide* Appendix A.

† Not included in these Proceedings.

[*Khan Bahadur Mir Asad Ali Khan; Sir R. W. Gillan; Maharaja Ranajit Sinha of Nashipur; Sir C. Sankaran Nair; Sir Fazulbhoy Currimbhoy.*] [20TH MARCH, 1916.]

The Hon'ble Khan Bahadur Mir Asad Ali Khan asked :—

Third and intermediate class carriages on mail trains.

7. "(a) Has the Railway Board referred my proposals *re* the provision of third and inter class carriages in mail trains between Manmad and Delhi, to the Railway Administration concerned, as promised in the answer given in Council on the 24th February, 1915, to my question on the subject ?

(b) If so, will Government be pleased to state the result ?"

The Hon'ble Sir R. W. Gillan replied :—

"(a) The reply is in the affirmative.

(b) The Railway Company report that it is impossible to attach either intermediate or third class carriages to the mail trains between Bombay and Delhi, as the first and second class carriages and the mail vans make up the full load of these trains. The Company run a fast daily train at mail speed between Bombay and Delhi, composed entirely of intermediate and third class carriages. Though this service is well patronised, it is not considered necessary at present to supplement it. The Railway Board, having considered the matter, are of opinion that they would not be justified in asking the Company to incur the large additional outlay involved in the running of yet another fast train between these points."

The Hon'ble Maharaja Ranajit Sinha of Nashipur asked :—

Experiments in clearing jungles.

8. "Will the Government be pleased to state if experiments in clearing jungles and undergrowth as an anti-malarial measure have been undertaken in any Province? If so, where and with what results?"

The Hon'ble Sir C. Sankaran Nair replied :—

"The effect of jungle or vegetation has been investigated in various tracts, as for instance by Major Marjoribanks in Salsette and Major Lalor in Katha, but the only experiment in clearing jungle and undergrowth as an anti-malarial measure which is mentioned in the official reports is an experiment recently concluded at Singanama in the Central Provinces. The experiment lasted for 3 years, and after 2 years the spleen rate in the area affected fell from 92 to 62 per cent."

The Hon'ble Sir Fazulbhoy Currimbhoy asked :—

Infant mortality in India.

9. "(a) Is it a fact that infant mortality in India is 48 per cent, whereas it is 8 per cent in England and Wales, and 7 per cent in Austrajia ?

(b) If so, is Government in a position to state the causes of this high rate of deaths in India ?

(c) If the answer to (b) is in the negative, do Government propose to ascertain the causes at an early date, and publish the result for the information of the public ?"

The Hon'ble Sir C. Sankaran Nair replied :—

"(a) The information available to Government appears to show that the figures stated by the Hon'ble Member need correction. In 1913, the mortality rate among infants under one year of age was in England and Wales 10.8 per cent and in the Commonwealth of Australia 7.2 per cent, while, in India, it was 19.2 per cent for males and 19.7 for females.

(b) The Government of India would refer the Hon'ble Member to paragraph 28 of their resolution on Indian sanitary policy dated 23rd May, 1914, and to the reply given to a somewhat similar question asked by the Hon'ble Sir Gangadhar Chitnavis in the Imperial Legislative Council on the 25th February, 1914."

[20TH MARCH, 1916.] [*Rai Sita Nath Ray Bahadur; Sir R. W. Gillan; Sir William Meyer.*]

The Hon'ble Rai Sita Nath Ray Bahadur asked :—

10. "(a) Has the attention of the Government been drawn to the following portion of paragraph 61 of the Report on the Administration and Working of Indian Railways, by Mr. Thomas Robertson, C.V.O., Special Commissioner for Indian Railways, namely:—'Under the provisions of the present Indian Railway Act, the calling into existence of the Railway Commission to hear complaints against Railways is considered so costly an undertaking that the Commission has never once been created?'

(b) If so, do Government propose to give effect to the suggestion, put forward by Mr. T. Robertson, in the first portion of paragraph 61 of the Report referred to above that 'the Commissioners, in addition to their duties on the Board, should be employed in association with a Law Member when a question of law arises, as Commissioners for the purposes of Chapter V of the Indian Railways Act (IX of 1890), which regulates 'Railway Commissions and Traffic facilities', the present Act being revised on the lines of the English Railway and Canal Traffic Act, 1888 (a copy of which is printed as Appendix F of the said Report) so as to permit of the Railway Commission always being in session?'

The Hon'ble Sir R. W. Gillan replied :—

"(a) The reply is in the affirmative.

(b) As there is in India a Department of Government entrusted with the control of all railway matters, it is considered unnecessary to legislate in the manner suggested."

PRESIDENCY BANKS (AMENDMENT) BILL.

The Hon'ble Sir William Meyer:—"My Lord, I move for leave to introduce a Bill further to amend the Presidency Banks Act of 1876. The legislation proposed is really a corollary to the amendment of the Indian Trusts Act, effected during the current session of this Council, which enables trust funds to be invested in India sterling stock. When the Bill to amend the Trusts Act was published towards the close of last year, the Presidency Banks represented that, if India sterling stock was not one of the securities in which trust funds might be invested under section 20 (a) and (b) of the Trusts Act, as it then stood—this being the assumption on which the proposal to amend the Trusts Act was based—it is equally not a security in which the Presidency Banks are authorised to deal under section 36 (a) (1) and (2) of the Presidency Banks Act of 1876, the wording of the law being identical in each case in its description of securities of the British and Indian Governments

"The view taken by the Presidency Banks is correct. Under the Presidency Banks Act, as it stands at present, the position as regards this class of securities is, that the Banks are at liberty to transact business in the rupee paper of the Government of India and the sterling securities of the United Kingdom. It is now proposed to add India sterling stock to this list. The Amending Bill does not therefore represent any new departure: it will, if passed into law, merely have the effect of removing an unintended and inappropriate disadvantage which at present attaches to that portion of the securities of the Government of India which is issued in sterling. I may also refer incidentally to the fact that the Banks are at present authorised to deal in several other classes of securities besides those of Government, such as municipal debentures; and it is anomalous that any class of Government securities should have a lower status than these for the purposes of the Presidency Banks Act.

"It is proposed to effect the object in view by adding to section 36 of the existing Act, as in clause 2 (i) of the Bill, a provision making express mention of India sterling stock. The Bill also contains some minor consequential amendments.

[*Sir William Meyer; The President; Pandit* [20TH MARCH, 1916.]
Madan Mohan Malaviya.]

"As is mentioned in the Statement of Objects and Reasons, the Presidency Banks have in the past been under the impression that the existing Act already confers the power to transact business in India sterling stock, and in certain cases such stock has been actually purchased in this belief. Clause 4 of the Bill validates these past transactions, this following naturally from the fact that the legislation proposed is, as I have already explained, intended merely to rectify an evident anomaly.

"With these remarks, my Lord, I move for leave to introduce the Bill."

The motion was put and agreed to.

The Hon'ble Sir William Meyer:—"My Lord, I know formally introduce the Bill. Also, in view of the urgency of the matter, and the fact that this Bill, as I have explained, is merely ancillary to an amendment already effected in the Indian Trusts Act by this Council the other day, and that it merely sanctifies, so to speak, a practice which, as I have mentioned, has already been adopted in several cases, I beg to move your Excellency to suspend the Rules of Business, so as to admit of the Bill being taken into consideration."

His Excellency the President:—"I suspend the Rules of Business."

The Hon'ble Sir William Meyer:—"I now move that the Bill be taken into consideration."

The motion was put and agreed to.

The Hon'ble Sir William Meyer:—"My Lord, I now move that the Bill be passed."

The motion was put and agreed to.

RESOLUTION RE ABOLITION OF THE SYSTEM OF INDIAN INDENTURED LABOUR.

The Hon'ble Pandit Madan Mohan Malaviya:—"My Lord, I beg to move—

'That this Council recommend to the Governor General in Council that early steps be taken for the abolition of the system of Indian Indentured Labour.'

"It is now nearly eighty years since the system of indentured labour was first introduced in India. It followed in the wake of the abolition of slavery by the British Parliament in British Colonies. That happened in 1834, and at that time the planters in British Colonies, who severely suffered from the total abolition of slavery, tried to get labour from India in order to carry on their work. They could not reconcile themselves to the loss of slave labour, and the object that they had in view was to get persons who would work for them under conditions as favourable to them as they could establish. The Sanderson Committee, which was appointed a few years ago, said that the object of these planters was to re-establish the conditions of labour, so far as they could, which existed when slavery had not been abolished. 'The aim of the planters who had suffered so severely from the entire discontinuance of slave labour,' said the Committee, 'was too often to acquire complete control over the labour market by means of regulations and administrative measures which aimed at compelling the coolee to re-engage himself on the expiry of his indenture rather than encouraging free settlers.' In consequence of this feeling, the laws relating to Indian immigrants, introduced into several colonies, 'gradually assumed a complexion less and less favourable to freedom, and, as the report of subsequent

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Commissions show, they were framed and administered in a spirit of substantial injustice to Indian immigrants.'

" Various serious abuses naturally cropped up under this system in different Colonies, and Commissions were appointed in Mauritius, British Guiana and Natal, and some of the most flagrant abuses were remedied. In the meantime, the establishment of recruiting depôts in India at various centres gave rise to complaints of kidnapping and other objectionable practices, and the question of revising the existing enactments relating to emigration was taken up for consideration in 1882, and an Act was passed in 1883. The aim of the new Emigration Act, Act XXI of 1883, was to ensure prompt and careful registration of emigrants, so as to enable them to be easily traced, and to provide for magisterial supervision of up-country depôts. But as the Resolution of the Government of India, issued in 1883, and the speech of Mr. Ilbert showed the object also was to make recruitment more popular: and in his evidence before the Sanderson Committee, Sir Edward Buck, who was for fifteen years Secretary to the Government of India in the Department of Revenue and Agriculture, said that the legislation of 1883 did make recruitment much easier.

" In 1908, the Emigration Acts were consolidated, and up to that time the Government of India were not much perturbed in mind as to the treatment which Indians received in the Colonies. In 1909, Lord Crewe appointed a Committee 'to consider (1) the general question of emigration from India to the Crown Colonies; (2) the particular Colonies in which Indian immigration may be most usefully encouraged; and (3) the general advantages to be reaped by India itself and each Colony.'

" During all this time the Government of India put their trust exclusively in the Colonial Governments and laws for the fair treatment of Indians during the period of indenture there. As the Hon'ble Mr. Ilbert stated, in presenting the Report of the Select Committee on the Indian Emigration Bill, in 1883, every precaution had been taken which our law could enforce 'that the emigrant should be properly treated from the time when he leaves the place where he is recruited to the time when he lands in the Colony for which he is bound. Further than this our law cannot follow him, and after this point we can only provide for his welfare by such influence as we can bring to bear on the Government of the country in which he has established himself.'

" In 1909, Lord Crewe appointed a Committee, as I have said, to go into various questions relating to Indian emigration, but the main object of that Committee also was to find into what particular Colonies Indian immigration could be most usefully encouraged. Evidently up to that time the Government did not realise that the treatment meted out to Indians in the Colonies by those under whom they were placed was such as called for very serious consideration.

" The Indian public was in a state of ignorance about the conditions to which Indians under indenture were subjected until the nineties, when Mr. Gandhi began to expose its evils. But both the public and the Government realised the seriousness of the problem when the subject was forced upon their attention by the anti-Indian policy of the Transvaal Government. Since then the condition of Indians in all parts of the world has been a matter for anxious consideration, and it would be no exaggeration to say that, since it was brought to the fore, no question has exercised the public mind more or given rise to greater bitterness of feeling than the ill-treatment of Indians outside their country. I do not propose, my Lord, to refer here to the general question of the status of Indians in the British Empire, though it is a matter of deep and keen concern to all Indians. It may be that that question can best be settled when the war is over. But the question of indentured labour stands on quite a different footing and can be solved without delay.

" The Council will remember that, in 1910, our late lamented friend, Mr. Gokhale, moved a Resolution urging the prohibition of the recruitment of

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indentured labour for the Colony of Natal. He was convinced even then, as he said, that the system should be done away with altogether. But he was content with urging, at the time, as a prudential measure, the prohibition of indentured labour to Natal, and the Government of India was pleased to accept that recommendation, and prohibited the supply of indentured labour so far as Natal was concerned. Two years later, he brought forward another Resolution urging the total abolition of the system, the evils of which he graphically described, and which he rightly characterized as 'a monstrous system, iniquitous in itself, based on fraud and maintained by force, a system so wholly opposed to modern sentiments of justice and humanity as to be a grave blot on the civilization of any country that tolerates it.' It was a matter of deep disappointment to the public that the Government of India were not convinced till then that the system was one which must be ended. They still hoped that it might be mended, and in that hope they appointed a Committee to visit the Colonies and to report on the actual working of the system. The report of Messrs. McNeill and Chinnman Lal was submitted to Government more than a year ago, and I regret to say that the report was received by the public with great dissatisfaction and disappointment, as it unmistakably showed a tendency to underrate the evils of the system and even to apologise for it. The facts, however, which the Committee have recorded tell their own plain tale, and supply abundant evidence to enable every impartial man to form his own judgment. That judgment is entirely against the system. For what in essence is the system? It is one under which simple, illiterate, ignorant village people, belonging largely to the poorest classes, are inveigled into entering into a very solemn agreement which compels them to leave their homes, to leave their kith and kin, and to go to a distant country of the conditions of existence in which they are entirely ignorant, to work in circumstances in which they are practically, at the mercy of their employers, for a continuous period of five years, to work under men who do not understand their language, custom and manners, who have no sympathy with them, under conditions in settling which they have no voice, without being informed that they will be liable to be punished criminally, the punishment extending sometimes to two or three months' hard labour, if they fail to perform the tasks which are assigned to them,—tasks, in the fixing of which they have no voice and in making complaints against which they find but little support.

"A system like that, my Lord, is an utterly unfair system. It ought not to be called by the name of a contract as the word is known to legal minds and the legislative codes of the Government of India. Under this system these simple village people go out to distant lands, and are tied down to work there for five years. They cannot buy their freedom, because they have no means to do so. My Lord, in order to show how injuriously this system has worked, I would invite attention to some of its principal features. I will take up the question where the Emigration Act of 1908 left it. When the Bill of 1883 was under discussion in Council, it was proposed by the late Mr. Kristo Das Pal that the nature of the agreement into which the emigrant was asked to enter ought to be explained to him in a written statement with a copy of which he should be supplied. The Hon'ble Mr. Kristo Das Pal urged that it was highly desirable that, in the initial stage of the engagement, the emigrant should have a clear idea of the agreement he was about to enter upon. The Hon'ble Member said :—

'It is well known to Hon'ble Members that the emigrant is often an ignorant and illiterate person unable to read the statement before him and would often ask the recruiter to read it. The recruiter, if he was inclined to deceive him, could quite easily do so. The emigrant was often entirely or almost entirely in the dark as to the nature of the life he would be called upon to live. It was at this stage that it was of the utmost importance that every facility should be given to him to understand the nature of his agreement, and that a statement should be given to him so as to enable him to take it home to show to the villagers and the village headmen and to consult them about it before making up his mind.'

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"This amendment, my Lord, was carried by the casting vote of the then Viceroy, Lord Ripon and a provision was inserted, in the Act as follows :—

'The recruit: shall give a true copy of the statement to every person whom he invites to emigrate, and shall produce the statement for the information of any magistrate or officer in charge of a police-station, when called upon to do so by the magistrate or officer.'

"It is in consequence of this amendment, my Lord, that in the form of agreement now supplied to those whom it is sought to emigrate, a clause is put in stating that the period of service would be five years and the nature of the labour expected of him, and yet unfortunately all the information that is given to the man who is to be engaged of the nature of the labour which he is to be engaged on is, that it will be work in connection with the cultivation of the soil or the manufacture of produce at a plantation or domestic service. My Lord, nothing is said in the agreement as to the conditions under which he would have to live and work. He was never informed that the moment he would set foot on board the steamer all his cherished ideas and beliefs about caste and religion would have to be abandoned under sheer compulsion; that he would have to sit and dine in conditions under which he would never have consented to dine if he was a free man. My Lord, this has led to grave results. In the admirable report which Mr. Andrews and Mr. Pearson have published on indentured labour in Fiji, they say :—

'We found, further, on examination that the agreement, which the coolie signs before going out, does not truly represent the facts of coolie life in Fiji. It is a misleading document. Not a word, for instance, is said concerning the penalties which await the coolie, if, for any reason (which he may regard as valid) he refuses to work. Another serious omission from the agreement (seeing that those who sign it are for the most part ignorant and illiterate people) is the failure to record the fact that food-rates in Fiji differ materially from those in India. The coolie is told in the agreement, that he will be paid at the minimum rate of twelve annas a day. But he is not told that the purchasing power of twelve annas in Fiji is scarcely equal to that of five annas in India. He is not told, also, that more is required in the way of clothing and other necessities of life in Fiji than in India. So that the bare living expenses are nearly three times as high in Fiji as in India itself.'

I should add that he is also not told that the 12 annas which is promised will not be paid to him unless he is able to finish the full task that will be set to him. He is also not told that he will be liable to lose in the shape of fines a good portion of the 12 annas. And as I have said before, he is also not told that there will be any interference with his religion. Apart from all other considerations, I am certain that if he was informed that there would be a violent interference with his religion, few of the recruits, however humble their caste, would consent to go to the Colonies.

"Let us, my Lord, now consider the nature of the service which the emigrant is to render. That service is described in the printed form of agreement as agricultural work or domestic service. But Messrs. Andrews and Pearson state it as a fact that some of these coolies, as they are called, have been compelled to perform the hateful task of cutting up meat in a butchery. My Lord, it would be utterly repugnant to all sense of fairness to suggest that domestic service can include the cutting up of meat in a butchery, and yet this has been forced upon our people. The results have been very sad. Mr Andrews says :—

'A low caste Hindu, who was brought out under indenture for 'agricultural work' was set to cut up meat in a butchery. When asked by us how he, a Hindu, could engage in such work, he replied that he could not help it, as he was ordered to do it.'

'A *Kabir Panthi*, now out of indenture, had been originally obliged to do the same kind of work. He told us that he had continually refused and had been imprisoned. We looked up his record on the estate and found he had been given 692 days' imprisonment while under indenture.'

"My Lord, the *Kabir Panthis* are a sect who have a deep-rooted honour of injuring life. That a man like that should be forced to cut up meat under compulsion in a place where he is utterly helpless is a matter which is very sad to reflect upon.

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"My Lord, let us now see who the recruiters are, and what are the devices that they resort to in dealing with the emigrants? In his evidence before the Sanderson Committee, Mr. J. A. Brown, C.S.I., a Commissioner of my Province, stated as follows:—

'My impression is that the recruiting staff is very bad; the recruiters are the worst kind of men they could possibly have. They are generally very low class men, and as far as I understand, they are paid by the results, by the number of emigrants that they get. The consequence is that they very often try to entice married women away from their husbands and try to get any body they can.'

In the western districts of the United Provinces the recruiter gets Rs. 45 per head for every male and Rs. 55 per head for every female whom he can induce to emigrate. In the eastern districts, he gets less; and so also in Madras. My Lord, the temptation is strong enough to induce low class people to practise every fraud and deception they can for their selfish gain. The Sanderson Committee admit that a fair proportion of the emigrants leave India without having any clear idea of the duties they have to perform. 'They are uncomfortable it may be and welcome any change of circumstances, or they have quarrelled with their families, with their parents and leave their home in search of work and have not been able to find it.' But that is not all. Several of them are actually deceived and most unscrupulously so. Say Mr. Andrews and Mr. Pearson:—

'In a very large number of cases the coolie's own home people knew nothing about his recruitment. Very possibly many such coolies were escaping from justice, or running away from some family quarrel at the time. But others were clearly quite simple village people, involved in no such trouble. They had lost perhaps their relations in a crowded railway station. They were on a pilgrimage and did not know the way. They were merely going from one village to another, when the recruiting agent came along and tempted them with his story. It was noticeable among the women how many were recruited at the pilgrim centres. The common narrative was, that the recruiting agent came up, offering to take the woman to her relations, or to show her some sacred shrine, and then took her to the depot instead. The evidence given of such practices was far too circumstantial in detail, and far too frequently given with fresh detail and fresh names of places, to allow of any doubt concerning its substantial accuracy.'

"My Lord, time will not permit of my mentioning all the cases of deception which have been referred to by Messrs. Andrews and Pearson, and which are mentioned in the memorial of the Marwari Association. But there are just one or two which, I think, I should mention. After speaking of other cases, Mr. Andrews goes on to say:—

'We then went to see a *Gaur* Brahmin who had gone mad on account of his wife being taken away by the recruiting agent. The whole neighbourhood collected, showing their sympathy and pity. The madman was a pathetic sight to witness. Then a respectable Jat came up to us. His brother was blind and had an only son who was taken by the recruiters. A Hindu, by caste a Bania, spoke to us concerning his wife. She had been taken by the recruiters, and he was very bitter against them. We asked him if he had made any attempt to get her back. He said he could not.'

"My Lord, I have personal knowledge of several cases of deception practised by recruiters which have happened during the last few years in my Province. Many a time have I or some of my friends tried to get a woman rescued from the depôts. None but a magistrate or a person who has obtained a permit from a magistrate can enter any such depôts. When we enter them we ask for the woman who, we have been informed, has been induced by false pretences to go there. Either she is not produced, she is produced after being tutored to say exactly what the recruiter wishes her to say. If she says anything different, she knows she will be dealt with harshly by the recruiters. Mr. Andrews truly observes that the recruiting agent is able to stupefy these victims of his fraud with fear; he is able to coach them in the questions they will have to answer, and they very rarely refuse to reply according to his directions when the time comes.

"When the emigrant has embarked on board the steamer, he is confronted with the state of things which I have already mentioned. In addition to that there is absolutely no privacy for the modesty of women. Altogether the

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conditions in which emigrants find themselves are so hard that, as Mr. Andrews points out, there have been lamentable and tragic cases of Indians, both men and women, who have thrown themselves into the Hughli in order to escape from the emigrant ships, and also of actual suicides occurring on the high seas.

"When the emigrants get to the Colonies, they are confronted with trouble of different characters. The hours of work fixed are about 7 hours in British and Dutch Guiana, and 9 hours in the remaining three Colonies. Including intervals for meals, the labourers have to be out for about 10 hours. This, my Lord, is too long, and in the case of women it is harder still. They have to get up between 3 and 4 in the morning to cook their food, and to be at the farm at about 5 and to remain there the whole day. What is worse, in the case of those who have children, they have to leave their children behind in order that work should not be interfered with. This is cruel enough. But to show that it is worse still in practice, we have a case mentioned by Mr. Andrews in which an overseer actually whipped a woman who was taking her child with her because it was ill, and compelled her to leave it behind.

"In every Colony an adult male is paid, roughly speaking, at the rate of 12 annas per day, while the women receive 8 or 9 annas a day. But it would be a great mistake to think that their daily earnings amount to 12 or 9 annas. On the contrary their average earnings are very much less. As the subject is a very important one—it having been frequently asserted in favour of indentured emigration that it benefits the labourer financially—it is necessary to go into details. In Trinidad, the daily wages of an able-bodied adult male and an adult female are 12½ and 8 annas, respectively. But the average weekly earnings on the estates visited by the members of the Committee of 1913 amounted to 4s. 3d. or Rs. 3-3 only. The food of an active industrious man, says the report of the Committee of 1913, costs about Rs. 2-4, and that other wants may increase the expenditure to Rs. 2-10. This is the minimum expenditure. Thus the savings cannot amount to more than 9 annas per week. But so far no account has been taken of the labourer's family responsibilities. If these be taken into consideration the margin will appear to be more nominal than real. That this is the correct view to take is abundantly clear from the fact that the Committee appointed by the Government of India recommends that an average of 5s. 6d. or Rs. 4-2 should be aimed at. And if this result cannot be secured in any other way, it proposes that the wage unit should be raised or a bonus given to steady workers.

"Women earn from ½ to ⅔rds of what men do, and their wants cost from 2s. 6d. upwards. Thus they hardly earn enough to maintain themselves. It is worth mentioning that, while the Committee of 1913 states that the wages per adult male averaged 4s. 3d. per week, it was stated before the Sanderson Committee that the labourers had long 'ceased to receive the 5s. 2½d. solemnly promised in India as a minimum, their present earnings being in the neighbourhood of 3 shillings per week.' It was contended that this was 'nothing short of deliberate misrepresentation.' 'The immigrants', it was said, 'were not promised 5s. 2½d. per week but 25 cents (12½ annas) per day for every day they worked. This they have never failed to receive' Were the labourers made to understand these subtleties when they were tempted to leave their country?

"My Lord, according to the figures supplied to the Sanderson Committee, the average weekly earnings in British Guiana in 1905, 1907 and 1908 amounted roughly to Rs. 3. The average has apparently risen, as it is stated to have been Rs. 3-10 for 1910, 1911, 1912 and 1913. The cost of living being much the same as in Trinidad, it is clear that there is no margin for savings here. In Jamaica, the loss of working days owing to sickness is excessive, and it appears from the figures given by the Committee of 1913 that average earnings are below 9 annas per day, or less than Rs. 3-6 per week. The cost of living being slightly higher than in Trinidad, it is quite clear that the wages are insufficient. In Fiji, the wages are the same as elsewhere, while the cost of food and clothing is higher.

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There is therefore even a smaller chance of saving anything here than elsewhere.

"The daily wages of an adult male are 13 annas in Dutch Guiana. But the average number of working days in 1909, 1910 and 1911 was 187, 187 and 177, respectively. Roughly speaking the average number of working days is about 180. The annual earnings therefore come to about its. 150. As the cost of food and clothing is about 4 shillings per week, the annual expenditure too is about Rs. 150. And yet the Committee of 1913 felt no compunction in saying—

'The proportion of annual remittances to India or deposits in the Savings Bank contributed by indentured immigrants is not known, but habits of remitting or saving are almost always formed during indentured service.'

"The observations of the Sanderson Committee confirm the accuracy of the facts mentioned above. It states that during the first one or two years the labourers can hardly be expected to save anything. That they are unable to lay by anything even in subsequent years is also clear from the facts mentioned by it. In British Guiana an attempt was made to induce the ex-indentured labourers to settle in the colony by enabling them to commute the right to a return passage for a grant of land. But the attempt proved unsuccessful, and in Sir Charles Bruce's opinion—

'The cause of failure was that the immigrants, when they became entitled to the return passage, were hardly yet in a sufficiently independent position to make their living entirely by the produce of their own land.'

And it may be noted here, adds the Committee,

'that later experiments of the same nature in other Colonies have been equally unsuccessful.'

Can there be a more convincing proof of the poverty of the Indian immigrant?

"The economic condition of the labourers may be tested in another way. In 1911-12, 469 statute adults, excluding those rejected or sent back as unfit, returned to India and brought back with them from Trinidad about £9,150. This gives an average of less than £20 per head after a stay of at least ten years. In 1912-13, 608 statute adults returned to India from British Guiana with savings amounting to about ₹1,45,000, which gives an average of ₹240 per head after a stay of at least ten years. From Fiji, 414 men brought back savings amounting to £13,800, which gives an average of £33 per head after a stay of at least ten years. From Dutch Guiana, 603 men returned in 1911-12 bringing with them savings amounting to about £5,700, or about £9 per head after a stay of at least five years. With the exception of Fiji, the savings do not amount to much in the case of any colony. Besides, it has to be remembered that the savings include the earnings of immigrants—for at least five years in the case of the British colonies—as free men. There is nothing to show that any appreciable portion of the savings was accumulated during the period of indenture.

"Then, my Lord, as to the nature of the tasks imposed and the hardships of the conditions under which these immigrants work, the number of prosecutions gives very remarkable evidence. This is the cruellest part of the story. That the number is excessive has been admitted by the Sanderson Committee and the Committee appointed by the Government of India, and both have referred pointedly to it in their reports. It reveals the true nature of the indenture system, and shows that it is periously akin to slavery. Men can be prosecuted not only for desertion or criminal conduct, but even for using insulting words or gestures. The whole of the evidence before the Committees of 1909 and 1913 was to the effect that Indians are very docile and law-abiding and very easy to manage. Why should there be such a large number of prosecutions then? Obviously, the system places too much power in the hands of overseers who seem to regard everything but silent and unquestioning obedience as a crime. In order to give an adequate idea of the extent of the evil, it is necessary to mention a few figures. There has been some improvement in recent years, but the position is still intolerable. In 1911-12, the indentured population in Trinidad was about 9,600, and

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the number of prosecutions about 2,000! The percentage of prosecutions to the indentured population was, therefore, 21! The Committee appointed by the Government of India recommends that prosecutions should be reduced by the direct interference of the Immigration Department; and remarks that reliance on the Courts seems to have become 'a habit of mind with the majority of the managers.' In British Guiana, the number of indentured labourers was about 9,600 in 1912-13, and the percentage of prosecutions, which was much higher in previous years, was 18.3. On large estates the percentage varied from 0 to 32 per cent. The Committee of 1913 explain this in their own characteristic manner by saying—

'Though managers are very far indeed from being harsh towards their labourers, the majority have developed a wrong sense of proportion.'

'In Jamaica, with an indentured population of about 4,200, the percentage of prosecutions was 12 in 1912-13. Formerly it was much higher, but it has fallen very recently. For Fiji, the corresponding figures are 15.10 and 7.4 per cent. This figure is the lowest when compared with the percentages of other colonies, nevertheless it will be admitted that it is high enough. But for the peccant employers, say the Committee of 1913 in their cynical style—

'the palliating circumstance may be noted that they have been taught in a school which shows very little consideration for neglect or incompetence, and the impatience which they manifest towards the Indian is exactly the same as they manifest to all others.'

In Dutch Guiana, with its indentured population of 5,800, the percentage of complaints was 26.6 in 1911. It is thus seen that the position everywhere is highly unsatisfactory. The labourer's life is practically made intolerable. He is in a country where his language is not understood, and the Inspectors and Magistrates belong as a rule to the class from which the planters come. Knowing human nature as we do, it is idle to expect justice under such circumstances. Yet the Committee of 1913, in reviewing the whole subject, has the heart to say that—

'if too many labourers were judicially punished, all but the most worthless were gainers in skill, enterprise and self-respect!'

Can cynicism go further? One may be pardoned for asking what faith can be placed in the impartiality of men imbued with such extraordinary sentiments.

'My Lord, the most degrading feature of the indenture system is the immorality associated with it. The law requires that the number of female immigrants must be 40 per cent of that of the male immigrants, and the women need not be the relations of the male labourers. The consequent paucity of women and the character of the women recruited have been a fruitful source of immorality. With the exception of Trinidad, the number of adult males in every colony is about twice that of the adult females. In Fiji and Dutch Guiana, the males are almost exactly twice as numerous as the females. In Jamaica, the number of men is 2½ times that of women. In Guiana, the proportion in the population above 15 years of age is as 3 to 2, and in the population above 20 years of age it is as 5 to 3. In Trinidad, the proportion of males to females in the total population is 7 to 5. If the adult population only were considered it would perhaps be appreciably higher. As to the character of the women recruited, the Sanderson Committee states that—

'the Government of India wrote long ago to the Secretary of State that they largely consisted of prostitutes, or women of the lowest classes in whom habits of honesty and decency are non-existent.'

And the Committee of 1913 states that—

'the women who come out consist, as to one-third, of married women who accompany their husbands, the remainder being mostly widows and women who have run away from their husbands or been put away by them. A small percentage are ordinary prostitutes.'

'The evil results of this outrageous system are easily—too easily—discernible in the lives of the people. We have fuller material to judge of them in the case of Fiji than in the case of other colonies. It will therefore be more profitable to discuss the state of things in Fiji. Mr. J. W. Burton denounced the immorality prevalent in the estate population some years ago

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in scathing terms, and Messrs. Andrews and Pearson's experience confirms the accuracy of his statements—

'We cannot forget, they write, our first sight of the coolie lines in Fiji. The looks on the faces of the men and the women alike told one unmistakable tale of vice. The sight of young children in such surroundings was unbearable. And again and again, as we went from one plantation to another, we saw the same unmistakable look. It told us of a moral disease which was eating into the heart and life of the people. . . . Though we were no novices to conditions such as these, yet what we met with in Fiji was far worse than we had ever anticipated. There seemed to be some new and undefinable factor added,—some strange unaccountable epidemic of vice. The sanctity of the marriage tie is utterly disregarded and bestiality reigns supreme. Women exchange their husbands as often as they like, and girls are practically bought and sold. And the marriage law has made things worse. Religious marriages have no validity, and the children of unregistered unions are regarded as illegitimate. As the majority of Indian marriages are unregistered, one has not even to take the trouble of applying to the Courts for dissolving a union.'

"Sexual jealousy has inevitably led to a great increase in suicides and murders. A good proportion of the suicides must be attributed to the conditions of life on plantations, but the disproportion between the sexes is also partly responsible for it. The rate of suicide during 1908-1912 among the indentured Indians stood at the appallingly high figure of 926 per million, and among the non-indentured population at 147, while the rates for Madras and the United Provinces—the provinces from which the immigrants largely come—are only 45 and 63, respectively. As for murder, Messrs. Andrews and Pearson state that—

'There has been one conviction for murder each year in every 500 persons, or 333 per million per annum,'

while the corresponding proportion for Madras and the United Provinces is only 4.

'It is noticeable,' they add 'that the greater portion of the people murdered are women. On the other hand, almost all the suicides in Fiji are those of men. In India, what few suicides exist are generally those of women.'

"My Lord, what a horrifying record of shame and crime is unfolded here? One hopes that the other colonies are not subject to the same curse, but one fears that they are unfortunately no better.

'There is no doubt,' wrote the Committee of 1913, 'that the morality of an estate population compares very unfavourably with that of an Indian village, and that the trouble originates in the class of women who emigrate.'

While as to suicides, in Jamaica the mean suicide rate among indentured labourers during the decade 1903-04 to 1912-13, was 396 per million; among the indentured population in Trinidad during the same period the rates were 400 and 13½ for the indentured and the free immigrants, respectively. In British Guiana, the corresponding figures are 100 and 52, and for Dutch Guiana, 91 and 49. These figures conclusively demonstrate the difference between the conditions of life of the indentured and the free labourers, and show the appalling state of things existing in Fiji, Trinidad and Jamaica. If anything were wanting to complete this picture of human degradation and misery, it might be stated that 90 per cent of the violent crime in Fiji is committed by Indians, while according to an Indian doctor of British Guiana the last census showed that 90 per cent of the beggars and 78 per cent of the lunatics were Indians.

"Even if all that is said about the financial prosperity of the indentured labourers is true, it is a matter of no consideration, when we reflect on the broken hearts and the blasted lives that are the outcome of the indenture system. Can any amount of wealth ever compensate for the utter loss of character that it necessarily entails? Of what use can such moral wrecks be to themselves or their fellow-men? What shall it profit a man if he gain the whole world but lose his own soul?

"My Lord, it has been shown that the indenture system is thoroughly indefensible. It begins, as Mr. Gokhale observed, in fraud and is maintained by force. It does not benefit the labourer. He can earn as much at home as abroad. On the contrary, it is a curse to him. And it lowers the status and wages of the free population and brings the name of India into contempt. It is

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a source of advantage to the capitalist only who uses the labourer as a tool, and the sooner a system like this, which permits of such heartless exploitation of human beings, is put an end to the better will it be for all concerned.

“My Lord, no reforms will prove sufficient; tinkering will not do; the system must be abolished root and branch. During the last three-quarters of a century a policy of tinkering has been tried and has failed. Commissions have been appointed to inquire into abuses, deputations have been sent to other countries, and changes have been made in the law to safeguard the interests of the labourers, but they have failed to combat the evil. On the contrary, the complaints are growing louder and louder, and its victims are crying to us for deliverance. Nothing short of a complete abolition of the system will meet the requirements of the case, and it is the duty of the Government of India to take that step unhesitatingly.

“My Lord, wherever the indenture system has been tried it has failed. It was tried in Natal, the period of indenture being five years, and we know how miserably it failed there. The introduction of Chinese labour under contract for five years led in the Transvaal to equally undesirable results, and it had to be abandoned. In the Straits Settlements and the Federated Malay States, the agreement is for 600 days only, but indentured labour is being steadily replaced by free labour, and the change has been attended with beneficial results.

“My Lord, European labour is employed all over the world, but nowhere are such degrading restrictions attached to it as those that attach to Indian labour. And although the European labourer is far more capable of judging of his own interests than the Indian labourer, the greatest care is taken to ensure that he has understood the exact terms of his contract. And then the contract, which is always for a very short period, is a purely civil contract, and can be cancelled if the labourer can prove in a Court of justice before a magistrate of his own race that unfair advantage was taken of his ignorance.

“My Lord, human reason and experience alike show that indentured labour is an unmitigated curse, and the greater the inequality between the contracting parties and the longer the period of contract, the greater is the extent of the evil. And both humanitarian and political considerations—humanitarian far more than political—demand that it should be abolished as early as possible and replaced by free labour, which is, after all, the most efficient form of labour. Indian indentured labourers have too long been denied their birthright as human beings, and it is high time that the yoke of slavery was removed from their necks.

“My Lord, I shall now conclude. I feel I have sufficiently pointed out the evils which are inseparable from the system of indentured labour. It is a system which cannot be mended; it is therefore necessary that it should be ended. My Lord, since it was announced that the Government of India had recommended the abolition of this system to the Secretary of State, there has been a great feeling of relief and thankfulness. The system has worked enough moral havoc during 75 years. We cannot think, My Lord, without intense pain and humiliation of the blasted lives of its victims, of the anguish of soul to which our numerous brothers and sisters have been subjected by this system. It is high time that this should be abolished. My Lord, the British Government abolished slavery and paid down £25 million for emancipating the slaves. The Government of India have sacrificed their opium revenue in order to save the Chinese people from its demoralising effects. It is to such a Government that we appeal against the utterly degrading and immoral system of indentured labour, and I am sure we do not appeal in vain. I feel confident that your Excellency's Government will be pleased, as we humbly beg to recommend, to put an end to this system at as early a date as possible.”

His Excellency the President :—“We have listened with interest to the speech of the Hon'ble Pandit Madan Mohan Malaviya which has been

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given with great clearness and moderation, and I rise at this early stage in the debate in order that Council may know at once that Government propose to accept this Resolution. I and my Government have, in fact, already taken the first steps towards the abolition of the system of Indian indentured labour which the Resolution recommends. In the autumn of last year, the Government of India addressed the Secretary of State reviewing the whole position in the light of the information contained in Messrs. McNeill and Ohimmanlal's report, and especially bringing to his notice the feeling against the system which has intensified year by year in this country. We informed him that, in our opinion, the moment had come to urge His Majesty's Government to assent to the total abolition of the system in the four British Colonies where it still prevails, and in Surinam. We added that we could well understand that His Majesty's Government, with their heavy pre-occupations during the course of the war, might prefer to postpone the final settlement of the question till after the conclusion of peace; but that we felt that this was no reason why we should not place our views before them on the main issue of the continuance of the system, together with some preliminary suggestions for the solution of the problem of what the future conditions should be under which recruitment and emigration should be permitted. The Secretary of State has informed us, in reply, that he is entirely prepared to accept the policy of eventual abolition advocated by us, and we have his full authority to accept this Resolution. On behalf of His Majesty's Government he has asked us, however, to make it clear that the existing system of recruiting must be maintained until new conditions, under which labour should be permitted to proceed to the Colonies, should have been worked out in conjunction with the Colonial Office and the Crown Colonies concerned; until proper safeguards in the Colonies should have been provided; and until they should have had reasonable time to adjust themselves to the change, a period which must necessarily depend on circumstances and on conditions imperfectly known at present. I am confident that everyone will agree that, as the policy of the abolition of this system has now been definitely accepted and will be carried out, India can afford to accept this delay in a reasonable and generous spirit, recognising that the change should be effected with due regard to existing interests, especially to those important industries in the Colonies which have been built up on Indian labour, and on which the prosperity of some of the Colonies largely depends. There is another reason why this measure of delay need not cause anxiety. Marked improvements have already been made in the treatment of indentured labourers, and others are now in process of realisation. The Government of Fiji passed in 1912 legislation substituting fines for imprisonment in the case of all ordinary offences against the labour law, and has now passed an Ordinance completely eliminating imprisonment for purely labour offences. An Indian Settlement Trust is being established in the same Colony to acquire and administer lands for Indian time-expired labourers, and the Colonial Sugar Refining Company, the principal concern which employs labour in the island, has guaranteed the advance of the necessary sums for financing this undertaking up to £100,000. Similarly, the Government of Trinidad has submitted to the Colonial Office and obtained approval of a draft Ordinance abolishing all imprisonment for labour offences. The Government of India also learn that the Secretary of State for the Colonies proposes to inform Jamaica and British Guiana, and also, in order to avoid all possibility of misconception, Fiji and Trinidad, that the power of imprisonment for labour offences must be completely eliminated from their respective Labour Ordinances before the end of the present year. There is therefore the less degree of urgency so far as the immediate interests of the coolies are concerned, and having the pledge of the British Government for the abolition of the indentured system, India can freely accept the condition that due time should be allowed for other arrangements to be made before the present system disappears for ever. For that matter the delay is also necessary in Indian interests. Some of the worst evils associated with indentured labour, for instance, the morally undesirable features of coolie life in the Colonies, cannot be attributed wholly, or even mainly, to the indenture, and might be found in much the

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same degree under a system of free emigration, merely to abolish indentured emigration, a course which implies the refusal to allow any emigrant to leave the country under a contract, would only bring another set of evils in its train. It would mean that recruiters would induce coolies to go without any agreement, but by the grant of advances, or by fraud, while the Government of India would have greatly weakened their power of interference. Consequently an alternative plan for controlling the conditions of recruitment and emigration has to be worked out, and this must of necessity take some little time; but this need in no way detract from the sense of gladness with which Indians of all classes will learn that the indentured system is now doomed.

"It is a source of great satisfaction to me that I am able to make this announcement in Council to-day. I have always felt an irreconcilable prejudice against the system of indentured emigration from India to British Colonies, and as Council is aware, one of the earliest acts of my administration, and one which gave me profound pleasure, was the prohibition of such emigration to Natal. This narrowed the field of the problem, since the exclusion of Natal left indentured emigration open only to a small number of British Crown Colonies and to Surinam. In 1910, emigration to Mauritius was also prohibited; and though the Government of India have subsequently been approached with a view to its resumption, we declined to consider the proposal. In this way considerable progress was made towards the abolition of the system, which was thus left in force only in respect of emigration to the four British Colonies of Jamaica, Trinidad, British Guiana and Fiji, and to the Dutch Colony of Surinam. My Government then passed the whole question under review in connection with the report of a Committee appointed by the then Secretary of State for the Colonies to consider the general question of emigration from India to the Crown Colonies, including the question of the general advantages to be reaped by India herself and by the particular Colonies concerned. The Committee was presided over by a distinguished ex-member of the Home Civil Service, and contained two gentlemen who had served in India and one member now in the Indian Civil Service, who had had special experience of the recruiting districts of the United Provinces. There was no reason to suppose that the Committee did not conduct their inquiry with due care and impartiality. The whole trend of their report was to show that the system afforded so much economic and material benefit to the coolies that it ought to be maintained in their interest, and when that late distinguished member of our body, Mr. Gokhale, raised the question four years ago, it was on these grounds, based on the data supplied by the Committee's report that my Government were unable to accept his motion that steps should immediately be taken for the total abolition of the system. But though we did not accept his motion, I was greatly impressed, as no one could fail to have been, by the intensity of the feeling against indentured emigration which the debate revealed in this country. Shortly afterwards, also, facts came to my notice which caused me to think that the examination of the question by the Colonial Emigration Committee had not been sufficiently thorough, and I decided to send a special deputation to examine the question anew on the spot in each of the Colonies concerned and in Surinam. I selected for this mission a member of the Indian Civil Service and an Indian gentleman chosen from the United Provinces, the province from which so many emigrants are drawn; and, I confess, I hoped that their investigations would prove the deathblow of the system. In one sense, as I shall shortly explain, it has done so, but not in the immediate and decisive manner which I had hoped and expected. It must be admitted that the first impression produced on reading Mr. McNeill and Mr. Chimmanlal's report is that the evils of the system are not so serious as has sometimes been alleged; and, in fact, the authors of the report have recorded their opinion that the advantages of the system as a whole outweigh its disadvantages, though they by no means ignore certain undesirable features which they wish to see removed. But in spite of their failure to condemn the system root and branch,

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a detailed examination of their report has furnished material which forms an overwhelmingly strong indictment against the further continuance of indentured labour. It has brought to our notice damning facts, which so far as I am aware had not been elicited by any previous inquiry, and which I am sure have impressed His Majesty's Government as they have impressed us, with the necessity of the system being brought to an end. I will tell Council briefly what these are.

"From the purely material point of view, the Government of India, like many other people, had in years gone by looked upon emigration to the Colonies as affording, if only to a limited extent, a means of relief for the congestion and poverty that unhappily prevail in the districts whence the supplies of emigrating labour are mostly drawn. A good deal of detail was given in the report regarding the earning capacity of coolies in the different Colonies. The opportunity was taken, when examining these figures, of comparing the wages which a cooly could earn in the different Colonies, with the wages which were being offered to the same class of men in the numerous parts of India, where there was a good demand for labour, of comparing not only the wages, but the purchasing power of those wages. The elaborate details given in the report brought out in a very striking fashion the effect of the high prices which prevailed in most of the labour Colonies on the value of the cash earnings of the labourer and his family. Not to weary Council with a mass of details, I may state that in the four British Colonies, of which I have been speaking, the average adult labourer, provided that he spends little or nothing except on food and clothes, can save from under 1s. to about 3s. a week. I need hardly explain that, as a matter of fact, he never saves anything like as much as this, but that is after all a matter of human nature. Now I do not wish it to be understood that I am in any way accusing the Colonial employers of paying unreasonably low wages; nor do I wish to minimise the advantages of the prospects that lie before the cooly who has worked through his term of indenture. The labourer who works hard and lives thriftily and keeps himself out of trouble among surroundings which, as I shall explain presently, are morally very undesirable, is usually in a very few years after the period of what we may call his 'economic probation,' able to find for himself a home and a piece of land, or employment in one of the towns from which he can soon gain a very comfortable competence. This I am ready to admit, but why should the labourer have to journey thousands of miles over the 'black water' to settle in a strange country and to place himself for a long period under conditions often of an undesirable, and in some cases of a revolting, nature, in order to achieve the desired end, when he can obtain in India the choice of either better-paid labour, as, for instance, in the big jute areas of Eastern Bengal; or almost equally well-paid labour with the prospects of obtaining in a very few years a home and a piece of land on the Assam tea gardens? It seems rather absurd to find a man going to Fiji for a wage of 26s. a month with rice at 2½ seers to the rupee when he can readily earn 6 or 7s. a week during the jute season in Eastern Bengal with rice selling at a third of the price prevailing in Fiji, with the additional advantage that he can, if he likes, with far greater ease, take his family with him to add to his earnings than in the case of distant Colonies. It is clear, then, that the cooly himself does not stand to gain very much by emigration. From the point of view of India as a whole, it can hardly be seriously argued that indentured emigration to the Colonies is an important safety-valve for congested districts in India, seeing that the total emigration on indenture to the four tropical Colonies during the year 1913, amounted only to a little over 7,700 persons, whereas in the same year, Madras alone sent 117,000 coolies to the Straits Settlements and 190,000 to Ceylon.

"I now turn to a more important and far more unpleasant aspect of the case. It has very long been known and regretted that the sex proportion of the emigrants was unsatisfactory. This of course is not a matter which arises out of the question of indenture. What we are, however, concerned with is the effect which this sex ratio has on the conditions under which the indentured

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cooly has perforce to live during the period of his indenture. Here the Government of India for the first time received full information of certain details which showed that there must be something very wrong indeed with the conditions under which these men were living. The death-rate among indentured coolies has been decidedly high in some Colonies, but the Government of India had never before been able fully to examine details regarding the share in this death-rate attributable to suicides. The figures were truly startling. The average rate of suicides per million of all ages are 45 in Madras and 63 in the United Provinces. Suicides are especially frequent among persons of the usual age of the indentured labourers, *i.e.*, between the ages of 20 and 30, and we may make a liberal allowance in this respect. But in the Colonies we find the following figures for suicides per million. British Guiana, free population 52, indentured 100; Trinidad, free population 134, indentured 400; Fiji, free population 147, indentured 926. I do not think we have to seek very far for the cause of the state of things which these figures reveal. In a Parliamentary Report for March 1914, the sex proportion among the average Indian population of the various Colonies showed that in Trinidad and Tobago, there were nearly twice as many males as females; in British Guiana, there were about 26 per cent. more, while in Fiji, there were nearly 2½ times as many males as females. As might be expected from these figures, there is strong unofficial evidence to show that the sexual immorality prevailing among the coolies is appalling, and that domestic relations are largely in abeyance. Such sordid and miserable conditions may well predispose an unhappy man to suicide.

"Again, a necessary result of all systems of indentured labour is the enforcement in the Courts of law of breaches of its conditions. I gladly admit that prosecutions have, largely in response to our repeated and earnest representations, shown a considerable diminution; but, even so, the average percentage of prosecutions to indentured population during recent years has been—

In Trinidad	23 per cent.
In British Guiana	19 "
In Jamaica	12 "
In Fiji	13 "

"The same individual is no doubt often prosecuted more than once, and we must make due allowance for this fact. But it is surely an inevitable deduction from the facts and figures I have just been placing before you that the ultimate force which drives to his death a cooly depressed by home sickness, jealousy, domestic unhappiness or any other cause, is the feeling of being bound to serve for a fixed period and amidst surroundings which it is out of his power to change. We may fully admit that the undesirable sex proportion may have more to do with this even than the system of indenture itself. This is a matter which in any case will have to be put right. But, at any rate, we are at last in a position to free ourselves from the responsibility of compelling the cooly to remain under these conditions without the power of being able to select the place in which, and the master for whom, he will work. I do not wish it to be thought that I am taking a prejudiced view of the action of the Colonies; in matters that concern the physical well-being of the coolies, they have done their utmost. I have already told you of the action taken by the Colonial Government in Fiji to abolish the system of imprisonment for labour offences, how this action has been approved by His Majesty's Government, and its extension to other Colonies insisted on. I mentioned also the Fiji scheme for the settlement of Indian labourers on the land. I am not in a position to say that the action taken in Fiji was directly due to the proposals made by Messrs. McNeill and Chimmanlal, but it is no doubt true that the recent policy of the Colonial Government has been largely in keeping with their recommendations.

"I feel that we all owe a deep debt of gratitude to the Secretary of State for India and to His Majesty's Government for their prompt and sympathetic

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response to the representations which I and my Government placed before them, and it is fitting for me to take this opportunity of publicly acknowledging their action. Their attitude in the matter fills me with assurance that, what has been promised, will be performed to the letter, and that the end of the system, which has been productive of so much unhappiness and wickedness and has been, relatively speaking of so small an advantage to this country, is now in sight. No one, who knows anything of Indian sentiment, can remain ignorant of the deep and genuine disgust to which the continuance of the indentured system has given rise. Educated Indians look on it, they tell us, as a badge of helotry. This is soon to be removed for ever; and it is a source of deep personal satisfaction to myself that one of the last official acts that I shall perform in this country is to tell you that I have been able to do something to ensure that Indians, who desire to work as labourers in the tropical Colonies may do so under happier conditions; and to obtain from His Majesty's Government the promise of the abolition in due course of a system which educated opinion in India has for long regarded as intolerable and as a stigma upon their race."

The Hon'ble Mr. Dadabhoj :—“ My Lord, I shall not detain the Council after the full, exhaustive and pathetic history of the system placed before the Council by your Excellency.

“The announcement which your Excellency has just made will be received with feelings of genuine satisfaction all over the country and with a sense of great relief. The theory was long held that this indentured system benefited the Colonies, but the truth is now dawning upon the Colonial authorities also that the moral degradation inseparable from it may prove a serious offset to the temporary material gain. It is not necessary to quote the high authority of Lord Selborne, who, as High Commissioner of South Africa, stated that the system was even worse for the employers than for the employed. For the peace, security and good name of the Colonies and in the interests of colonial administration, therefore, the system should be abolished. To my mind the facts laid before the Council by your Excellency to-day are conclusive, and the system stands condemned and is absolutely wanting in justification. Your Excellency has always felt strongly for the Indian emigrant, and has championed his cause with an earnestness and firmness which have been a surprise to the world, and which have excited comment in interested quarters. The abolition of this system is a fitting sequel to all your Excellency has done before. The short delay that will be caused in giving effect to this decision of your Excellency's Government will not, I would fain hope, cause any serious hardship. As your Excellency has rightly remarked, the delay may be even justified in Indian interests. My Lord, before I sit down, I desire to add my humble tribute of respect and gratitude to the Secretary of State for India and to your Excellency's Government for this great act of justice to India.”

The Hon'ble Khan Bahadur Mian Muhammad Shafi :—
“ My Lord, on behalf of the people of my Province I crave permission to offer to your Excellency our grateful thanks for the wise and statesmanlike action taken by your Excellency's Government in connection with the abolition of indentured labour and to His Majesty's Government for their acceptance of the recommendation of the Government of India. After the exhaustive survey of the whole question contained in the eloquent speech which your Excellency has delivered to-day, it is absolutely unnecessary for me, or for any other member of this Council to take up unnecessarily the time of the Council in discussing it further. Indeed so unjustifiable is the existence of this iniquitous system, and so directly opposed to all British ideas of freedom and liberty, that some of us have often wondered why this system has been permitted to exist so long. But, in accordance with the well-known Arabic saying *ballo shai an marhoonan ba aqatika* it was destined for a Viceroy who by reason of his sympathy for the people of this country has won a place all

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his own in their affections, to obliterate this modern blot on the Indian escutcheon.

“ My Lord, I do not wish to detain the Council much longer. I will content myself by saying that by the recommendation which your Excellency has made to His Majesty's Government in regard to the abolition of the indentured system, you have added to the heavy debt of gratitude which India and her people already owe you.

“ With these few words, my Lord, I support the Resolution.”

The Hon'ble Pandit Madan Mohan Malaviya :—“ My Lord, on behalf of the people of my country I beg to offer our humble and deep gratitude to your Excellency, to your Excellency's Government and to the Secretary of State for India for the righteous decision which has been arrived at and which your Excellency has been pleased to announce to-day. My Lord, the news of that decision will be received with great relief and deep gratitude all over the country, and Indians will be particularly grateful to your Excellency for having added one more obligation to the many which your Excellency had already placed them under, particularly so in a matter in which humanity was so deeply concerned. My Lord, there is only one request which I beg leave to place before you. In the circumstances which you have explained, the country will understand that a little time must elapse before the system can be entirely obliterated; but I submit, my Lord, that as the Government are aware that a great deal of fraud and misrepresentation are practised in recruiting emigrants, the Government should be pleased to issue instructions that, so long as recruiting is permitted, every care should be taken to eliminate fraud and misrepresentation from it. Secondly, my Lord, that full effect should be given to the intention of the legislature as embodied in the law which was passed in 1883, requiring that the emigrant should be fully informed of the nature of the service he is called upon to enter, and should be given a clear idea of the life he will be called upon to live. It should be insisted upon that not a single more Indian should be allowed to go out of his country in ignorance of the facts which will materially affect his life and happiness. And lastly, that no service or condition of life should be imposed upon any Indian who emigrates under the sanction of the Government, which will go against his religion.

“ I hope, my Lord, that it will be possible to consider these three questions and to give effect to them, so that, so long as the system does continue, these causes of complaint shall be eliminated.

“ With these few words, my Lord, I once more beg to offer on behalf of the people of this country our deepest gratitude to your Excellency and the Government for the acceptance of this Resolution.”

The Hon'ble Mr. C. Vijiaraghavachariar :—“ My Lord, although the Government have accepted the Resolution and the Hon'ble Pandit has replied, there are some other speakers who would like to say something. I believe that the Hon'ble Pandit was a little too soon on his legs.”

His Excellency the Presiden :—“ If you wish to speak I will allow you to do so.”

The Hon'ble Mr. C. Vijiaraghavachariar :—“ Thank you, my Lord, I only wish to say a few words in connection with one part of your Lordship's speech. I need hardly say this is the crowning act of your Lordship's administration, and the gratitude of the country will forever follow you wherever you are, and I need hardly say also that the gratitude of the country is due to His Majesty's Government and to the Secretary of State

[*Mr. C. Vijayaraghavaohariar.*] [20TH MARCH, 1916.]

in particular. I would call special attention to one part of your Lordship's speech, and that is, with regard to the important observation that this question of indentured labour and so-called free immigration should be dealt with together. The wisdom of this observation is apparent. We must take very great care that in the abolition of indentured labour, we do not permit the so-called free immigration to assume the evils which indentured labour assumed on the abolition of slavery. In the light of that weighty observation of your Lordship's, I do venture to say that we are prepared to welcome the delay that will be necessary in working out a proper plan and a proper programme. But as to another part, *viz.*, that the Colonies should be consulted, I am not clear that the country will be so very easily satisfied. With due respect to your Excellency and to His Majesty's Government, it looks as if India had entered into a treaty with the Colonies to supply indentured labour to all of them. I very respectfully but firmly protest against the Colonies being given a voice in the adjustments of this country for the well-being of the poor and peasantry of this country. This indentured labour and so-called free immigration have been emasculating this country and have been demoralising it. Your Excellency has already stated, and stated in a few words, that the disproportion of the sexes abroad causes demoralization. I would add as a supplement and corollary, the great surplus number of the women left here, together with the returned emigrants, all these contribute to a kind of demoralization in India which we have not thoroughly investigated.

"For all these reasons I very respectfully submit that, while we are entitled to consult the wishes of the Colonial Governments, we must take very great care that the solution of the problem does not rest in their hands, and that they should not be allowed to retard the progress which your Lordship has conceived and which your Lordship has succeeded in persuading His Majesty's Government to accept.

"With these few remarks, I very respectfully tender my thanks on behalf of this country to your Lordship and to His Majesty's Government."

The Resolution was put and accepted.

The Council adjourned to Tuesday, the 21st March, 1916.

A. P. MUDDIMAN,

*Secretary to the Government of India,
Legislative Department.*

DELHI :

The 29th March, 1916.

APPENDIX A.*(Referred to in answer to Question No. 5.)**Statement showing the number of Muhammadan graduates in Arts, Law, Medicine and Engineering in the various Indian Universities.*

Universities.	Arts.		Law. B. L.	Medicine.		Engineering.	
	B. A.	B. Sc.		M. B.	L. M. S.	B. E.	L. C. E.
Madras (up to 1914)	159		15	2	9		
Bombay (up to 1915)	172	1	52		45		7
Calcutta (up to 1915)	1,075	52	282	3	32	4	
Allahabad (up to 1915)	1,245	46	290				
Punjab (up to 1915)	577	13	104	19	55		