

INTERNATIONAL LABOUR OFFICE

INDIAN BRANCH

Report for November 1935

N.B.-Every section of this Report may be taken out separately.

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References to the I.L.O.

The Times of India dated 19-11-1935 and the ^{*Ceditorial article*} Financial News Bombay, dated 30-11-1935 publish a summary of the Report on the 19th I.L.Conference submitted by Mr. Hosseinbhoj A. Laljee, Indian Employers' Delegate to the Conference, to the Federation of Indian Chambers of Commerce and Industry. In the course of the Report Mr. Laljee emphasises the necessity for India being fully and adequately represented at I.L.Conferences and says that close attention should be paid to developments at Geneva now since there is a move to bring about a reduction in hours of work in industry. He says:

"If good work has to be really put in and that too in almost all the committees, we ought to have more advisers. A perusal of the list showing the number of advisers attached to the delegations of important States will show that the minimum number of advisers was four and maximum ten. Further, many of the States had Experts attached to their Government delegations whose services were available to both the Employers' and Workers' delegations of those countries. I think my predecessors have also expressed views to the effect that we should have more advisers.

There has often been prevailing a general impression that the Conferences are not of much use, but I differ from that opinion as I have been convinced that no country can in these days afford to neglect world opinion, and if that is so I think, for such a big country as ours, we can ill afford to be unrepresented and hence misjudged. Nor can we afford, in these days of bids for market and exploitation, to allow attempts to paint our country as a fit ground for such enterprises, which would certainly be made, if we are unrepresented. Not only that but it is necessary to place before the world in unequivocal terms our true position and our true conditions from time to time."

* * *

The Financial News, Bombay, dated 9-11-1935 publishes the summary of the article on the 19th session of the I.L.Conference published in the September 1935 issue of the International Labour Review (Copies of the reprint of the article were forwarded by this Office to a few Indian journals, including the Financial Times).

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The October 1935 issue of "Labour Gazette", Bombay, publishes the communique issued by the Government of India on 30-9-1935 on the items on the agenda of the 20th I.L.Conference.

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The Planters' Chronicle, Madras, dated 2-11-1935 publishes a short note giving the items on the agenda of the 20th I.L.Conference.

* * *

Communique re. 73rd session of Governing Body (issued by this Office on 9-11-1935) is published in the following: The Hindustan Times dated 10-11-1935, "Commerce and Industry" dated 12-11-1935, the

Leader dated 14-11-1935, the Times of India dated 13-11-1935, and the Indian Labour Journal dated 17-11-1935 (vide enclosures ~~1~~ 1 to 5 of H.4/1908/35 dated 21-11-1935).

* * *

Communique re. Questionnaire on Holidays with Pay (issued by this Office on 14-9-1935) is published ~~by~~ ⁱⁿ the October 1935 issue of Indian Post, Delhi. (Vide Encl. 4 of our minute H.4/1849/35 dated 7-11-1935).

* * *

The Abstract of Proceedings of the Bengal Chamber of Commerce for August 1935 publishes the views of the Chamber on the question of Holidays with Pay. The Chamber has expressed the view that it is not possible, under present conditions, to grant holidays with pay and that any Convention on the subject should not be ratified by the Government of India.

* * *

Communique re. Hours of Work in Building and Civil Engineering Industries (issued by this Office on 3-10-1935) is published by ~~x~~ "Federated India", Madras, dated 13-11-1935 (vide Encl. No. 13 to H.4/1908/35 dated 21-11-1935).

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Communique re. Preparatory Technical Maritime Conference (issued by the Government of India on 25-11-1935) is published by the following: the Hindustan Times and the Hindu dated 26-11-1935, the Statesman, the National Call, the Times of India and the Amrita Bazar Patrika dated 27-11-1935 and the Leader dated 28-11-1935 (vide Encls. 3 to 8 of our H.4/1934/35 dated 28-11-1935 and No. 7 of H.4/1962/35 dated 5-12-1935).

* * *

Communique re. Preparatory Technical Maritime Conference (issued by this Office on 16-11-1935) is published by the following: the National Call dated 19-11-1935 and the Statesman of 22-11-1935 (vide Encls. 9 to 10 of H.4/1934/35 dated 28-11-1935).

* * *

Reuter's Message re. Joshi's mission to Geneva is published by the Hindustan Times and the Hindu dated 15-11-1935, and the Statesman and the Times of India of 16-11-1935. (vide Encls. 16 to 19 of H.4/1908/35 dated 21-11-1935).

* * *

Reuter's message on Mr. Joshi's speech re. conditions of seamen in India is published by the Hindustan Times, the Leader and the Amrita Bazar Patrika of 1-12-1935 (vide Encl. Nos. 5 to 8 of H.4/1962/35 dated 5-12-1935).

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Communique re. Holidays with Pay for Seamen (issued by this Office on ~~22~~ 22-11-1935) is published in the following: the Hindustan Times dated 24-11-1935, "Commerce and Industry" dated 26-11-1935 and the Hindu dated 28-11-1935 (vide Encl. Nos. 1 & 2 of H.4/1934/35 dated 28-11-1935 and No. 2 of H.4/1932/35 dated 5-12-1935).

* * *

The Statesman, dated 5-11-1935 publishes an editorial article under the caption: "India and the League". The article states that the League has not been, so far, popular in India and that, to the Indian public it has seemed from the outset that the League had no living interest in Asia. The I.L.O. has done much useful work, the article says, to ameliorate conditions of labour, "but, here again, the angle of vision was too exclusively European. Asiatic wages, hours and costs and indeed the urge of the new industrialism in the East, as well as the balance between agriculture and industry, vitally though all these things are affecting and will in future affect Western economy, received far less consideration than they deserve even on a calculation of European self-interest." The rest of the article deals with India's attitude towards the Italo-Abyssinian question and its interest in the League's efforts to settle it.

* * *

The Financial News, Bombay, dated 9-11-1935, publishes a short editorial note under the caption "India and the League", commenting on the statement made by Rai Bahadur S.M. Bapna, Indian delegate to the last League Assembly, on the work of the League of Nations. The note alleges that the League is preoccupied with European and American affairs and does not bestow an equal degree of attention on Indian conditions and that India's part at Geneva is, at present, that of merely echoing the opinions of Great Britain. The note stresses the desirability of India taking greater interest in League affairs and appeals to educational authorities to popularise the League.

* * *

The Leader dated 28-11-1935 publishes a short editorial note on India's membership of the League Organisations. The note disapproved of suggestions made occasionally by certain sections of nationalists to the effect that India should withdraw from the League and states that, though the League might have failed in some directions, membership of it still confers certain advantages. It says:

"For instance, at the last session of the International Labour Conference the Indian workers' delegate drew attention to the dissatisfaction of Indian public opinion with the economic policy of the Government of India. Where else outside Geneva would Indian spokesmen

be able to find a platform from which they could address the chosen statesmen of the world on the grievances of their country? Retired bureaucrats and other opponents of Indian aspirations do not fail to make use of any opportunity they can get to misrepresent Indian character and Indian capacity. It would be a great mistake if India should leave the League whose membership enables her spokesmen to get into touch with the spokesmen of the rest of the world and remove many a mis-understanding from their mind regarding India and Indians. The late Mr. Montagu rendered many services to this country, for ~~which~~ which he will be gratefully remembered. One of these was that he won for India a seat in the League".

* * *

The Hon'ble Mr. B.K.Basu, in an interview to the Press on his return from Geneva, draws attention to the need for increasing Geneva's contacts with India. Commenting on this, "Indian Finance" of 9-11-1935 publishes the following paragraph:

"Mr. Basu urges, also, a plea for increasing the points of contact of the League with Indian centres of culture. Dr. P.P.Pillai has done yeoman service as a liaison officer between the International Labour Office and India. Paddy, as he is affectionately known amongst one and all, had an arduous task. He came to this country after a decade of absence. There was general scepticism, even suspicion, about the activities of the International Labour Conference. He set to work patiently and intelligently. But his plan of work carried its own guarantee of success. Alike with the Government and the popular representatives, alike with capital and labour, Paddy is popular; and he is appreciated as a mine of information on all topics of international import, as a friend who can always appreciate and harmonise diverse points of view, as an "international nationalist", if I may coin such an expression. The result is that the old suspicion has disappeared, scepticism has yielded place to faith in the bona fides of the International Labour Office, and everyone is agreed that the Geneva conferences have done much to alleviate the lot of labour in India".

* * *

Longmans, Green and Co., have recently published a book: "Trade Unionism and Labour Disputes in India" by Ahmed Mukhtar, of the Bombay Educational Service. The book, incidentally reviews India's relations with the I.L.O. and pays a tribute to the work of the Indian Branch. The author stresses the great importance of trade unionism and points out that the success of the I.L.O. is mainly dependent on the backing of organised labour in every country.

* * *

Mr. N.S.Subba Rao has issued in book form under the caption "Some Aspects of Economic Planning", the Sir William Meyer Lectures he delivered before the Madras University in 1932-33. In the course of the lectures, Mr. Subba Rao quotes extensively from the Reports of the Director to the various sessions of the I.L.Conference.

* * *

The National Call and the Times of India dated 14-11-1935, the Leader and the Statesman dated 16-11-1935, and "Commerce and Industry" dated 19-11-1935 publish a summary of Sir Frank Noyce's speech at a meeting of the Southern India Chamber of Commerce, Madras, on 12-11-35. In the course of his speech, Sir Frank referred to the progress of labour legislation in India and to India's obligations in respect of ratifications of I.L. Conventions.

* * *

The Leader dated 16-11-1935 publishes an editorial note on the decision of the Japanese Trade Union Congress to hold the Second Asiatic Labour Congress in Tokyo. The note points out that the Congress could render valuable services to Asiatic Labour "if it is conducted on right lines", and says: "At Geneva and elsewhere, we hear so much about the international brotherhood of labour, but that does not prevent Asiatic labour from being subjected to racial disabilities in South Africa and elsewhere, ~~inaxxixlix~~ prominent among the opponents of Asiatic workers being the white labour leaders themselves who make such soul-stirring speeches at Geneva. It should be the effort of the Asiatic Labour Congress, among other things, to bring about the abolition of those racial disabilities. But the Congress is labouring under one great disadvantage. Whereas the International Labour Conference is affiliated to the League of Nations of which the Governments of so many countries are members, the Asiatic Labour Congress is not accorded such recognition by the Geneva authorities. Indian delegates to Geneva have long been urging that the Asiatic Labour Congress should be convened under the auspices of the International Labour Conference, so that its recommendations may receive greater attention at the hands of the nations of the world, but the request has not been conceded so far."

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The National Call dated 11-11-1935 publishes an article under the caption: "The Movement for Shorter Hours: What the Various Countries have done". The article was contributed by this Office, but was published anonymously.

* * *

The Indian Labour Journal, Nagpur, dated 17-11-1935 publishes an article under the caption "Nutrition", contributed by this Office, but published anonymously. References are made in the course of the article to the resolution concerning nutrition standards of the workers adopted at the 19th I.L. Conference.

* * *

The Union Herald, Bombay, dated 1-11-1935 publishes an editorial article under the heading: "Unemployment Insurance." The article estimates the number of unemployed ^{in India} at 40 millions on the strength of Sir M. Visvesvarayya's estimates and expresses the opinion that the necessity for a scheme of unemployment insurance is much more urgent in India than in other countries as the earning capacity of an Indian worker is very low and he is, therefore, unable to put by something for a rainy day. In the course of the article reference is made to the I.L.Draft Convention on the subject and the attitude of the Government of India in recommending its non-ratification is deplored.

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The November 1935 issue of "Insurance World", Calcutta, reproduces from the February 1935 issue of "Dental Survey", Colorado, U.S., an article under the caption: "Health Insurance". In the course of the article an incidental reference is made to the I.L.Convention on Health Insurance adopted in 1927.

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Communique re. minimum school-leaving age of children (issued by this Office on 25-11-1935) is published by the following: the Hindustan Times dated 26-11-1935 and the National Call dated 27-11-35 (vide Encl.Nos. 11 & 12 of H.4/1934/35 dated 28-11-1935).

* * *

The Hindustan Times dated 27-11-1935 publishes ^{an} editorial note on the above communique. The note says that the idea of maintaining a higher school-leaving age in order to reduce the incidence of unemployment among young persons and not with a view to allow children to be better equipped mentally and physically to fight the battles of life is to be deprecated. The note commends the action of the United States of America in laying down 16 years as the age for admission of children into employment, with the proviso that boys over 14 may be allowed to leave school if by that time they have reached certain minimum standards of physical fitness and educational proficiency.

* * *

The Indian Labour Journal, Nagpur, dated 24-11-1935 publishes the text of a memorandum submitted by the Nagpur Textile Labour Union to the Tariff Board recently appointed to go into the question of protection for the Indian textile industry. The memorandum states that so far the benefits of the protection afforded to the industry have been enjoyed only by the mill-owners and have not been shared by the workers. The memorandum advocates that before further protection

is granted to the industry, statutory provisions should be made for (a) fixing a minimum living wage, (b) shortening hours of work to 40 a week according to the I.L. Convention on the subject, and (c) granting sickness and unemployment insurance, old age pensions, and holidays with pay.

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The Indian Labour Journal, Nagpur, dated 24-11-1935 publishes an editorial article supporting the demands made by the Nagpur Textile Labour Union in the memorandum referred to above.

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No Indian Newspapers and periodicals received in this Office, published items from the I.L.O. News Bulletin.

* * *

The following messages having reference to the I.L.O. and emanating from Reuter or other European news agencies and press correspondents were published in the Indian Press during November 1935:-

1. A Reuter's message dated 14-11-1935 from London re. Mr. N.M. Joshi's mission to Geneva.
2. A Reuter's message dated 29-11-1935 from Geneva re. Mr. N.M. Joshi's speech at the Preparatory Technical Maritime Conference.

National Labour Legislation.

The Central Provinces Maternity Benefit (Amendment) Act, 1935.

(Act No. XXII of 1935) ✓ +

Attention is directed to page 1446 of Part III of the Central Provinces Gazette, dated 18-11-1935 where the Central Provinces Maternity Benefit (Amendment) Act, 1935, as passed by the local Legislative Council on 8-8-1935 and assented to by the Governor-General on 3-11-1935, is published. The Act makes certain consequential modifications in the definitions in the C.P. Maternity Benefit Act, 1930, so as to bring them into accord with the Indian Factories Act, 1934.

The Travancore Factories Bill, 1935:

Referred to Select Committee. +

References were made at pages 26-27 of our July and pages 13-16 of our August 1935 reports to the introduction of the Travancore Factories Bill, 1935, in the State legislature. The Travancore Legislative Assembly passed the first reading of the Bill on 12-11-1935 and referred it to a Select Committee with instructions to report on it within ~~four~~ four months.

The Law Member introduced on the same day the Travancore Trade Union Bill *which was referred to a Select Committee on 18-11-1935.* (The National Call, 14-11-1935).

(A copy each of the Bills was forwarded to Geneva with our Minute A.8/1472/35 dated 8-8-1935). +

The Cochin Workmen's Compensation Regulation.-1935.

The Cochin Legislative Council recently passed a Workmen's Compensation Regulation which has now received the assent of H.H.the Maharaja and been placed in the Statute book of the State as Regulation No.V of 1111 M.E.(1935-36).

The Regulation lays down that if personal injury is caused to a workman by accident arising out of and in the course of his employment, the employer shall be liable to pay compensation. Where death results from the injury, in the case of an adult, a sum equal to 30 months' wages or Rs. 2,500 whichever is less is payable, and in the case of a minor, Rs. 200. Where permanent total disablement results from the injury, in the case of an adult a sum equal to 42 months' wages or Rs. 3,500 whichever is less and in case of a minor, a sum equal to 84 months' wages or Rs. 3,500 whichever is less is payable. A list is furnished of injuries deemed to result in permanent partial disablement and the percentage is given of the loss of earning capacity. Occupational diseases such as lead poisoning resulting from any process involving the use of lead or its preparations or compounds and phosphorus poisoning resulting from the use of phosphorus also entitle employees to compensation. The Government will appoint a Commissioner for Workmen's Compensation for the whole State who will settle all questions arising under the Regulation.

(The Hindu, 22-11-1935). +

(A requisition has been made for two copies of the Regulation).

Conditions of Labour.

Sickness Insurance in India :

Views of Bengal Chamber of Commerce.

At pages 12-14 of our May 1935 report were given details of the proposals of the Government of India to introduce schemes of sickness insurance in India. The following is a summary of the views on the subject expressed by the Committee of the Bengal Chamber of Commerce:

Collection of Statistical Material.— The first point concerns the recommendation made by the Royal Commission on Labour, who laid stress on the desirability of collecting statistical material on which to frame a suitable sickness insurance scheme. The Government of India's examination of this recommendation ~~that~~ indicates that a very elaborate statistical analysis would be necessary— extending over a period of at least five years— of the experience as regards sickness and employment of a representative sample of the industrial population. The view unanimously taken by the industrial interests which the Chamber represents is that an elaborate statistical enquiry such as would be necessary is quite impracticable, that employers could certainly not agree to undertake it, and that in any case it would not, in their opinion and at the present stage of development, yield reliable data on which to frame a comprehensive scheme of sickness insurance. The Committee of the Chamber strongly endorses this view.

Starting of Small Schemes.— The alternative proposal of the Government of India is that progress in the direction of comprehensive sickness insurance in India should take the form of small empirical schemes and that the larger structure should be built on the actual experience gained in the operation of such small experimental schemes.

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The members of the Chamber take no exception to this proposal and would be prepared to acquiesce in it on the distinct understanding that there is no intention of making the inauguration of contributory schemes compulsory. Several of the industrial Associations, however, draw attention to the practical and administrative difficulties which stand in the way of the successful operation of any comprehensive schemes involving the payment of financial benefits, e.g. the migratory character of the labour; the absence, in many cases, of reliable medical practitioners; the unwillingness of workers to submit to treatment; the tendency of the worker when he is ill to proceed immediately to ~~his~~ his village where medical facilities may be non-existent; and the burden which must inevitably fall on the employer unless and until the facilities provided by Government and by local authorities for the treatment of the sick and injured are greatly improved and extended, both in industrial areas and elsewhere. In the opinion of the Chamber these are very real difficulties which must be taken into consideration. They show, in the first place, that the introduction of any general sickness insurance schemes for industrial workers would be far in advance of the social and economic conditions now prevailing in this country. And they serve to emphasise the point that has already been made, that there must be no question, at the present stage of India's industrial development, of making the establishment of contributory schemes compulsory. Indeed, the Chamber Committee thinks that many workers would be worse off under a scheme of contributory sickness benefits than they are at the present time in cases where free medical and hospital or dispensary treatment is given, with free food and attendance while in hospital and frequently a cash allowance.†

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Suggestions of the Committee.- In conclusion the Committee make the following observations and suggestions:

"The Chamber Committee have drawn particular attention to these considerations and difficulties because they feel it is desirable to emphasise that progress in the direction recommended by the Royal Commission on Labour must necessarily be gradual. They have not approached the subject in any obstructive spirit. On the contrary they recognise and agree that every encouragement should be given to the establishment of experimental schemes —on the lines, for instance, of the Sick and Insurance Fund operated by the Indian Copper Corporation—especially where arrangements for medical attention and treatment during sickness are either inadequate or non-existent. It seems to them that it would be a step in the right direction if, in the first place, a model scheme were drawn up by Government and if employers who do not already provide medical facilities were recommended to adopt it. But in the opinion of the Chamber, there cannot and must not be any compulsion in the matter at the present time; and where adequate arrangements for treatment in the case of illness or injury are already provided, there must be no disposition to interfere with these arrangements."

(The Abstract of Proceedings of the Committee of the Bengal Chamber of Commerce, for Sept. 1935). +

Enquiry into Conditions of Work and Wages in
Some Unregulated Factories in Bombay City:

Labour Office Report. ✓ r

Attention is directed to pages 126-146 of the October 1935 issue of "Labour Gazette", Bombay, where the results of an enquiry into the conditions of work and wages in some unregulated factories in Bombay City, conducted by the Labour Office, Bombay, are reported. The following industries were covered by the inquiry: (1) Motor repairing; (2) ~~the~~ Bidi Industry; (3) Metal Foundries; (4) Metal Works; (5) Printing Presses; (6) Bakeries; (7) Lime Kilns; (8) Chemical Industries; (9) Furniture Making; (10) Saw Mills; (11) Paint Industry; (12) Gold and Silver Refineries; (13) Shoe Making; (14) Cloth Printing, and a number of miscellaneous concerns numerically too unimportant to be treated separately, such as oil mills, flour mills, gas mantle manufacturing concerns, wheel-wrights, handloom weaving, plumbing, trunk manufacturing, mattress and pillow manufacturing, rope making, twine winding, perfumery, manufacture of scientific apparatus, box making, sweetmeat manufacturing, supari-breaking, etc. The investigation covered 268 unregulated factories employing a total labour force of 2323, of whom 2221 were actual workers and 102 supervisors, clerks, etc. Owing to want of time and staff, about one-third of the unregulated factories only could be covered by the investigation. A brief summary of the results of the enquiry is given below:-

Small Numbers Employed.- The majority of the concerns covered by the present enquiry employed very few workers and there was only one employing over 50.

Bad Economic Condition. - The lady investigators who did the field work in connection with the enquiry reported that the owners of smaller concerns not using machinery, such as iron and brass foundries, small bakeries, etc, did not appear to be doing particularly well in their unequal struggle with machinery. The margin of profit left for their manufactures is very small but somehow the business is carried on from father to son and a precarious livelihood eked out. The place of residence and the place of work are often the same.

Wage Levels.- The figures given in the report appear to show that wages in unregulated factories do not compare unfavourably with those prevailing in organised industry and are in some cases actually higher.

Hours of Work.- As regards the hours of work, the enquiry shows that in 202 out of the 252 cases in which information was available, the daily hours of work were less than 10, and in the remaining they were more than 10. In 121 cases the hours of work were more than 9, the latter being the statutory limit under the Factories Act. Almost all the concerns grant an interval for rest, but only in a few are any regular weekly holidays given.

Wage Payments.- The period elapsing between the date when wages become due and are paid is shorter than is to be found in an organised industry like the cotton industry.

Working Conditions.- In some factories such as bidi factories, bakeries, etc. there is undoubtedly a certain amount of overcrowding and congestion, but the heat and noise of a large factory are absent.

Lack of Discipline.- In unregulated factories there is naturally comparatively less discipline than in organised industry and in many

cases workers are allowed to come late and go early. Not a single establishment reported any instance of fining.

Few Women and Children Employed.- Except in the bidi industry women are not employed to any considerable extent in unregulated factories. Nor is the employment of children to be found on any extensive scale.

The average daily earnings and the average daily hours of work for certain categories of workers employed in the factories covered by the present enquiry are tabulated in the Report.

(October 1935 issue of Labour Gazette
No. 12, Bombay)
+

Eligibility of Widow who re-marries for Compensation :

Bombay High Court Decision. ✓ +

An interesting case came up in appeal recently before the Bombay High Court in which the point at issue was whether the widow of a workmen killed in an accident is entitled to receive compensation even if she remarries and is dependent on her second husband. The facts of the case are as follow:

Facts of the Case.- A house under construction at Sholapur collapsed, and a labourer named Datu Balkrishna was killed. The Commissioner for Workmen's Compensation called upon the employer to pay compensation to the extent of Rs. 1,400, to be distributed among the dependants of the deceased labourer. On the amount being furnished, the Commissioner awarded Rs. 600 to the widow of the labourer and the balance to his father. The father filed the appeal claiming that as the woman, Basawa, had remarried on the death of her first husband and was dependent on her second husband the whole amount should have

been paid to him.

Appellant's Argument.- It was argued in the appeal that the word used in the Act being "wife", a woman would not be entitled to compensation if she remarried. ~~But~~ Ordinarily the word "wife" indicated a living husband, and in the relevant section the Legislature must have used the word advisedly to make it compulsory that a woman should retain her status as a wife at the time the compensation was paid. After remarriage, it was submitted, the woman lost her status as the wife of the deceased husband.

Judgment.- Without calling upon the opponent to reply, the court delivered judgment dismissing the appeal with costs. The Chief Justice remarked that the ~~dependants~~ mentioned in the section included "wife". It was obvious that the word was used inaccurately because a deceased workman could not have a wife. The moment he died the wife became a widow. In any event, the word had to be construed as meaning a widow, and included, therefore, a married widow. If the Legislature had intended to disqualify such a person it would have been very easy to have used the expression "unmarried widow" instead of "wife".

(The Times of India, 18-11-1935).†

Workmen's Compensation Act:Some ~~ix~~ Important Indian High Court Decisions. +

Below are given references to certain important cases relating to the administration of the Indian Workmen's Compensation Act decided by the various High Courts in India and published in 1935. A summary of the findings on the important legal issues raised in each case is also given. This information ~~ix~~ taken from the All India Reporter (A.I.R.) has been obtained by this Office from Mr. S.C.Joshi, M.A., LL.B Advocate, Bombay High Court.

Section concerned
of the Workmen's
Compensation Act.

Reference and page.

- S.2(n) A.I.R.1935 Madras page 721.
Workman.- Person to be excluded from definition must not only be employed casually but also should have been employed otherwise than for ~~pur~~ purpose of employee's trade or business.
- S.3 A.I.R.1935 Lahore page 670
Mere negligence of employee is not wilful disobedience of order expressly given - Contributory negligence of employee does not exonerate employer from liability.
- S.3(1) A.I.R.1935 Rangoon page 303.
Neither deceased workman nor his dependants having any claim on employer - Commissioner has no jurisdiction to order small compensation ex-gratia - It is solely left to employer to do so or not.
- S.12(1) A.I.R.Madras page 721.
Railway Co. - Business of keeping line in order ~~x~~ is ordinarily part of business.
- S.27 A.I.R.1935 Rangoon page 173 - Special Bench.
Whether fatal accident arose out of and in course of employment - Commissioner and not High Court is tribunal.
- S. A.I.R.1935 Allahabad page 408.
Commissioner cannot review his order.

Section concerned
of the Workmen's
Compensation Act.

Reference and page.

- S.10 A.I.R.1935 Allahabad page 408.
- S.19 Claim for compensation by son, widow and minor children - Commissioner passing order only in regard to claim of son - Subsequent applications regarding claims of widow and minors - Order passed on original application - Commissioner has jurisdiction to do so.
- S.24 A.I.R.1935 Allahabad page 408.
Formal Appearance - The words in Section 24 indicate formal appearance on behalf of person claiming.
- S.24 A.I.R.1935 Allahabad page 408.
Managing Member can act on behalf of members without authorisation in writing.
- S.30(1)(a) A.I.R.1935 Allahabad page 408.
Order awarding compensation - appeal lies.
- S.3 A.I.R.1935 Rangoon page 428.
Accident must occur in course and 'cut of' employment - Meaning of 'in the course of' 'and out of' illustrated.
- S.10. A.I.R.1935 Calcutta page 683.
Claim by dependants of deceased railway ^{employee} - No claim against Company but against contractor - Notice by Commissioner to Company - Notice held ought to have been given to contractor not to Company.
- S. 12. A.I.R.1935 Calcutta page 683.
Labourer in Railway Company dying of accident - Dependants claiming compensation from contractor employing deceased - Company held directly liable to dependants as if employer.

Mr. Joshi also refers to three more cases of importance under the Workmen's Compensation Act which were recently decided by the Bombay High Court. A short synopsis of each case is given below:-

In the first case, a workman was employed in white-washing and painting a building. The Act applies amongst others, to workmen employed in the 'construction, repairs or demolition of a building.' The question was whether white-washing and painting constitute 'Repairs' within the meaning of the Workmen's Compensation Act. The High Court held that it does constitute repairs as every operation during the life of a building must be either a construction or repairs and nothing else. There are many workmen employed in white-washing and painting in big cities and all of them are thus secured benefit

under the workmen's Compensation Act.

The second case was about employment being of a casual nature. The workmen in the building trade are usually daily workers and are not promised employment the next day. They are also not bound to come to work the next day. The High Court, however, held that by reason of this fact, their employment cannot be deemed to be of a casual nature and, therefore, they would be entitled to compensation.

In the third case, the decision on the main point at issue was that failure to give notice of accident to the employer and delay in making the claim for compensation are questions of fact to be decided by the Commissioner whose decision cannot be upset, in appeal, by the High Court.

The decisions in the above three cases have not yet been published in any Law Report. †

Bombay Press Workers' Conference:

Demand for Seven Hours' Day.* +

Several demands for the uplift of the masses, including a programme of action for developing a mass struggle in India, were contained in the many resolutions passed at the Bombay Presidency Press Workers' Conference held at Jinnah Hall, Bombay, on 3-11-1935. Mr. N.B.Khadke of Sholapur presided. The demands were in two parts, those relating to workers and peasants in general, and those pertaining to the presidency press workers.

The press workers' demands included the abolition of the contract system; abolition of line or piece-work system; a seven-hour day; holidays on all bank holidays; one day's rest a week; recognition of the unions of workers; annual leave of ~~the~~ one month and provision for unemployment insurance, provident fund and gratuity.

(The Times of India, 5-11-1935). +

Working Class Family Budgets in Bombay City:

Report by Labour Office, Bombay.* +

The Labour Office, Bombay, conducted between May 1932 and June 1933 an enquiry into the family budgets of the working classes in Bombay City, in pursuance of the resolution passed by the third International Conference of Labour Statisticians, "in order to provide

adequate information with regard to the actual standard of living,
* Report on an Enquiry into Working Class Family Budgets in Bombay City - Prepared by the Labour Office, Secretariat, Bombay - Published by order of the Governor in Council - Bombay: Supdt., Govt. Printing and Stationery, 1935. Price Annas 3 or 4d. -pp.44

enquiries should be conducted at intervals generally of not more than ten years into the income, expenditure and conditions of living of families". One of the objects of the present enquiry was to obtain a reliable basis for the revision of the Bombay working-class cost of living index number which is published regularly every month in the Labour Gazette, Bombay.

The present enquiry is the second of its kind regarding Bombay City. The first working class family budget enquiry relating to Bombay City was conducted by the Labour Office in the year 1921-22 in the course of which no fewer than 2,473 working class family budgets and 603 single men's budgets were collected and tabulated. A report based on the enquiry was published in 1923. The actual investigation, ^{for the present enquiry} was conducted by the lady investigators of the Labour Office by the "interview" method. All the working class families in the selected localities were, however, not visited, but a sample of three in a hundred tenements in the selected localities was taken. In all 1514 family budgets were collected, out of which 1,469 were accepted for final tabulation. Of the total number of budgets accepted, 947 or 64.47 per cent related to workers employed in the cotton mill industry.

Though the Report on the enquiry was published only in 1935, the details regarding the average monthly budget of working class families in Bombay City obtained as the result of the enquiry were published as Appendix VII of the Report of the Departmental Enquiry on Wages and Unemployment in the Bombay Cotton Textile Industry published by the Bombay Labour Office in 1934. (vide pages 217-218 of the Report. A copy of the Report was forwarded to Geneva by the Labour Office).

Below are summarised the more important findings of the Report:-

Religion and Caste.- An analysis of the budget by religion and caste shows the following distribution of industrial workers: Hindus -93.67, Muslims -4.77, Christians -1.29 and Jews and Israelities -0.27. Among the Hindus, Marathas form the largest proportion of industrial workers. Next in importance are the backward (depressed) classes such as the Mahars, Chamars, Mochis, etc., who account for a little over 20 per ~~cent~~ cent. Over 60 per cent of the industrial force in Bombay hails from the Konkan. The Ratnagiri District in the Konkan supplies Bombay with half its industrial labour. The next region in importance is the Deccan, which accounts for 29 per cent.

Constitution of the Family.- A matter of both sociological and economic interest is the constitution of the family in view of the prevalence of the joint family system, especially among the Hindus. With a view to ascertaining therefore, to what extent the bread winner of the family is called upon to support not only his wife and minor children, but other relatives, the families were analysed into two classes, namely, natural families and joint households. The classification shows that the joint family system is by no means universal among the working classes of Bombay City, only slightly over one-third of the families being joint households.

Literacy.- If only the adult male population is considered, the percentage of literacy according to the 1931 Census comes to 33.7. The figures in the Report suggest that there are more literates among regular industrial workers than among casual workers. It is also seen that, as income increases, the percentage of literacy also increases.

Composition of Family.- According to the Report, the average number of persons residing with the family in the City is ~~2.70~~ 3.70 consisting of 1.33 men, 1.26 women and 1.11 children under 14. In addition, 0.65 persons are dependant upon the family although they live away from the family. As income increases, the number of persons in the family also increases.

Age Distribution.- Of the 1,754 male earners covered by the enquiry, of them (71.15 per cent) were in the age groups 25 to 45. In the case of females, so far as earners are concerned, the age distribution is more even, falling within the groups 15 to 40.

Income Groups.- Of the 1,469 family budgets collected, over 62 per cent fell within the income groups Rs. 30 to Rs. 60 per month. The average monthly income of the family comes to slightly over Rs.50, namely Rs.50-1-7 per month.

Workers and Dependents.- Of 3.70 persons in the family, 1.53 are earners and 2.17 are dependants. Of the 1.53 earners, 1.19 are men and 0.34 are women. The employment of children, especially in factories, has practically disappeared in Bombay City. An analysis of the monthly income of the family shows that of the income of

Rs. 50-1-7, Rs. 39-13-6 is the contribution of men, Rs. 4-13-7 the contribution of women, Re. 0-0-2 of children and Rs. 5-6-4 come from other sources. Unlike such important textile centres as Lancashire and Japan, the bulk of the labour employed in the cotton mill industry of Bombay City continues to be male labour and only about 20 per cent. of the total labour force is female. Of the total families considered, 826 or 56.23 per cent contained one wage earner, 538 or 36.62 per cent two wage earners, 79 or 5.38 per cent three wage earners, 21 or 1.43 per cent four wage earners and five or 0.34 per cent five wage earners.

Earners in Families.- Considering earners in natural and joint families separately, it is seen that in 71.43 per cent of natural families the only earner is the head of the family. In 23.73 per cent of the cases both the head of the family and his wife work. In the remaining cases the earners are either sons or daughters while, very rarely, the man has more than one wife whom he sends to work. While, however, in the case of natural families, in the majority of cases the head is the only earner, in joint families the story is somewhat different. In only 31 per cent of the cases is the head of the family the only earner. In nearly 28 per cent of the cases the head of the family and another adult male, usually his brother, are earners.

Note.- A natural family includes persons who generally speaking have a right to be fed, housed and clothed by the head of the family. A joint household is any group of relatives living together as one household.

Expenditure Budget.- The average monthly expenditure of the family is Rs. 45-15-9. Except in the income groups "below Rs.30" and "Rs. 30 to Rs.40" the income is in excess of the expenditure and in the income group "Rs. 90 and over" the surplus left at the end of the month is about 22.5 per cent of the monthly income. It is important to remember that this was the position at the time of the enquiry and the wage-cuts which have taken place since then, especially in the cotton mill industry, may have tended either to affect the monthly surplus or lower the standard of living. The following table shows the actual and percentage distribution of expenditure on the various groups of commodities and services which comprise a family budget:

Groups.	Average Monthly expenditure.			Percentage to total.
	Rs.	A.	P.	
Food	21	6	10	46.60
Fuel and lighting	3	4	4	7.11
Clothing, footwear etc.	3	9	0	7.75
Bedding and household necessities	0	1	0	0.13
House rent	5	14	3	12.81
Miscellaneous	11	12	4	25.60
	45	15	9	100.00

The average monthly income of the family of a cotton mill worker is slightly higher than the average monthly income of all workers, being Rs.52-8-11. The average monthly expenditure of a cotton mill worker's family is also slightly higher than that of all workers, being Rs. 47-4-11.

What the Workers Eat.- The average monthly expenditure on food per family comes to Rs. 21-6-10 or to Rs. 5-1-3 per head. The corresponding figures obtained during the 1921-22 enquiry were Rs. 27-2-11 and Rs. 6-7-7. Of the 1,469 families, no fewer than 1,445 or 97.7 per cent reported expenditure on rice. Among other cereals, patni (unpolished rice) seems a favourite and is usually used for making bread. Rice and patni between them account for about 13 per cent of the total monthly expenditure.

Housing Conditions.- Of the 1,469 families whose budgets were collected, 1,085 or nearly 74 per cent were found to be living in one room tenements and 373 or 25 per cent in two room tenements. Of those living in one room tenements, in no fewer than 145 cases the tenement was shared between two families. Of the total expenditure of the family 12.81 per cent is spent on rent. Over 50 per cent of the families are required to pay a rent of between Rs. 5 and Rs. 8 per month. The average floor space per person comes to 31.26 square feet. In 995 or 74.48 per cent of cases, the average floor space available per person is 29.34 square feet and in 331 or 24.77 per cent of cases it is 35.82 square feet only. The average number of persons per single-room tenement is 3.93 and it is beyond doubt, therefore, that there is considerable overcrowding in the working class localities. Apart from overcrowding, water-supply and sanitation leave much to be desired so far as the working class localities are concerned.

Indebtedness.- Owing to a substantial fall in prices, especially of foodstuffs, and consequently the fall in the cost of living, working class families in Bombay were substantially better off in 1932-33 than in 1921-22. Yet 74.74 per cent of the total number of families are indebted, the average indebtedness per indebted family being about Rs. 175 and the average for all families being about Rs. 130. The rate of interest charged depends greatly on the security which the individual is able to furnish and varies from 18 ³/₄ per cent to 150 per cent, the most common rate reported being 75 per cent per annum. In the majority of cases the security furnished for loans is "personal security", presumably a promissory note. †

New Bombay Labour Officer:

Mr. Pryde succeeds Mr. Gilligan. +

At pages 37-38 of the report of this Office for October 1934, reference was made to the appointment of Mr. W.B. Gilligan, I.C.S., to the newly created post of Labour Officer, Bombay. On Mr. Gilligan's proceeding on leave, Mr. A.W. Pryde has been appointed officiating Labour Officer for Bombay and Suburbs.

Mr. Pryde belongs to the Indian Police Service and was District Superintendent of Police at Ahmedabad before his present appointment. He has over twelve years' service to his credit and is well acquainted with labour conditions in Ahmedabad and Sholapur. It is not expected that Mr. Gilligan, on return from leave, will resume his duties as Labour Officer.

(The Times of India, 2-11-1935). +

Plea for Slowing down of Labour Legislation:

Memorandum by S.I. Chamber of Commerce.

The Committee of the Southern India Chamber of Commerce met at Madras the Hon. Sir Frank Noyce, Member for Commerce and Industries, Government of India, on 12-11-1935 and made representations relating to labour legislation and matters connected with trade and presented a memorandum to him. The following is a summary of portions relating to labour matters in the memorandum submitted by the Committee to Sir Frank Noyce on the occasion:

Progress of Labour Legislation.- The Government of India are taking up in quick succession the recommendations of the Royal Commission on Labour. In some cases they are even going beyond the Commission's recommendations and initiating legislation more drastic than what the Commission contemplated. The Chamber would urge that in all these cases Government would bear in mind that India has yet to cover a long way to industrialise herself, and that therefore the ultimate effect of their action in so far as it increases the cost of production and reduces the competitive power of local industries even in the home market, consists in retarding the growth of industries. The recent revision of hours of work in factories, of the Workmen's Compensation Act, and the proposed legislation for holidays, sickness insurance, compensation for occupational diseases, etc., are bound to add to the strain on employers.

Abolition of Imprisonment for Debts.- Referring to the Bill introduced by the Government of India to exempt judgment-debtors from (vide pages 32-34 of our February 1935 report), ~~from imprisonment~~ the memorandum states; "The Labour Commission made a recommendation which should be considered in itself drastic. It was to exempt all industrial workers earning less than Rs. 100 a month from imprisonment for debt unless the debtor has been proved to be both able and unwilling to pay. But the Government have gone much farther and proposed in the Bill to cover all debts and debtors and without reference to any limit of the monthly income of the debtor. On account of the complexity of titles to property in India the most easily available basis of credit is personal security and the power of arrest and threat of imprisonment have been effective in producing money from judgment-debtors. A creditor is by no means over-anxious to get a man arrested and confined. It is a matter of great trouble and inconvenience to him and he has to maintain the debtor on reasonable allowances fixed by the Court. The evidence placed before the Civil Justice Committee showed that only a small proportion of the large number of persons arrested were being actually imprisoned. And moreover, the Courts have ample powers to protect those unable to pay. If this Bill were passed, it would contract credit to all classes of people and particularly reduce the buying power of the

isonment

of the masses and middle classes, and make borrowing generally more expensive and cumbersome. It would seriously affect alike all joint stock banks, private money-lenders and even the infant co-operative movement."

Attachment of Salaries.- With regard to the exemption of salaries from attachment, the recommendation of the Labour Commission was that wages and salaries of workmen receiving less than Rs. 300 a month should be exempted from attachment. But the Government have proposed in the Bill to protect not only the workers but also the servants of Government, Railway Companies and local authorities and also to restrict continuous attachment. The Chamber expresses the opinion that at least 25 per cent of the salary or wage between the present limit of Rs. 40 and the proposed limit of Rs. 100 should be liable to attachment and that above Rs. 100 there should be no restriction on attachment.

Sir Frank Noyce's Reply.- ~~The~~ Replying to the various points raised in the memorandum, Sir Frank Noyce assured the Chamber that the Government of India were proceeding very cautiously in the matter of labour legislation and pointed out that the obligations arising from India's membership of the I.L.O. necessitate the adoption of legislation prescribing humane conditions of labour.

(The Hindu, 12-11-1935) +

Holidays with Pay and Sickness Insurance:

Views of Sholapur Municipality. +

The following is a summary of the views expressed by the Municipality of Sholapur (the town ranks third in respect of industrial importance in the Bombay Presidency) in the course of a letter addressed to the Government on the question of holidays with pay regarding which the Government of India is conducting an enquiry to elicit public opinion.

Classes of Labour Eligible.- In the letter communicating its views on the subject, the Municipality has divided the labour eligible

for the above concessions into four groups, namely (1) day labourers working in big industrial concerns such as mills, factories, etc., (2) piece workers paid on the basis of outturn in mills, etc., (3) labour employed in private trades such as timber shops, hotels etc., and (4) day labourers employed by local bodies and ~~p~~ ~~XXXX~~ Public Works Department.

Mill Labour.- Regarding labour in mills the exploitation of the workmen by jobbers emanates chiefly from absenteeism. Leave for illness in the family, marriage ceremonies, field work, etc., results in absenteeism. Standard rules of leave are therefore, absolutely necessary to allay the hardship on the part of labourers in this respect. The proportion of absenteeism, the report states, is roughly 15 per cent, which represents 45 days in a year per labourer. One third of this period (15 days) if granted annually in a continuous year, it is suggested, will appreciably check the tendency of going on leave at will and frequently, and both the employers and employees will be benefited thereby. Also, given rest for a continuous period a worker is rendered more fresh, vigorous and efficient in work, provided this rest does not cause him monetary loss. The maximum period of such leave should be two weeks with pay, and workers who have put in five years service should be eligible for the same. The same rules should apply to labourers mentioned in the second class.

Labour in Private Trades.- Regarding labour in private trades mentioned in the third class, the report insists on the registration of these trades and business places, to bring them within the fold of legislation, and recommends the formation of unions of these

workers. Unless this is effected, the Municipality is of the opinion that the benefit of holidays with pay suggested above cannot be secured for this class of labourers.

Labour in Local Bodies, etc.- Day labourers engaged by local bodies are recommended the same benefits as labourers in mills and factories. The condition of five years' service for eligibility is also insisted upon for this class also.

Sickness Insurance.- ^{Reason being} ~~On the requisition of~~ sickness insurance, the Municipality has suggested the adoption of a scheme by which a worker will be provided against his own illness when he stays away under a medical certificate, the premium being divided equally between the employer and the employee. ^{laying on the} ~~the~~ whole burden of the premium on either party is considered unfair in the present state of unorganised, inefficient labour and depression in general. The method of sickness insurance, however, will depend on the actuarial value of the different rates of wages earned by the various classes of labourers, to arrive at which information will have to be collected from various industries and concerns in the town.

(The Times of India, 20-11-1935) +

Holidays for Workers:

Bombay Chronicle Supports Bombay Textile Labour

Union's Views. +

The following editorial comment is made by the Bombay Chronicle, a prominent nationalist daily of Bombay, in the course of a note on the views tendered by the Bombay Textile Labour Union on the subject of holidays with pay:

The Bombay Textile Labour Union have made a very cogent case for compulsory holidays with pay for workers, in the letter they have addressed to Government on the subject. One of the main difficulties adduced as coming in the way of making any scheme compulsory, is the migratory nature of Indian labour. This has been the stock argument from the earliest days, but it is very clear that during the last few years there is being created a class of proletarians who have made a complete break with the country and who are now centralised in the cities. As the letter pertinently observes: "To state that a compulsory scheme of holidays cannot be generally applied because Indian labour is migratory, is to mistake the consequence for the cause". For the proper success ~~of~~ the scheme, however, careful safeguards will have to be devised, as some employers will not be slow in circumventing the scheme by all means at their command. It is ~~hoped~~ to be hoped that Government will pay their earnest attention to this important question and arrive at any early decision.

(Reproduced in the Leader of 1-11-1935) *

Workers should Benefit from Protection to Textile
Industry: Nagpur Textile Labour Union's Memorandum to
Tariff Board. *

It will be remembered that as a result of the visit of the British Textile Mission to India in the autumn of 1933, an Agreement was concluded between the Millowners' Association, Bombay, and the Mission (vide pages 30-37 of our October 1933 report). The Agreement was given statutory effect by the Indian Tariff (Textile Protection) Amendment Act which became law on 1-5-1934. It was at that time contemplated that though it was intended to afford the textile industry protection for a period of five years, the tariff rates on British goods would remain in force for two years in accordance with the terms of the Agreement between the Lancashire Delegation and the Millowners' Association, Bombay. On the expiry of the two years covered by the Agreement, the duties on British goods for the remaining period of

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protection would have to be decided on a review of the conditions then existing and in the light of such experience as may have been gained. In order to conduct this review, now since the two-year period is drawing to a close, the Government of India constituted on 10-9-35 a special Tariff Board, with Sir Alexander Murray as Chairman, to make recommendations regarding the duties necessary to afford adequate protection to the Indian cotton textile industry against imports from United Kingdom (vide pages 717-719 of the Gazette of India Extraordinary dated 10-9-1935). The Nagpur Textile Labour Union has recently submitted a memorandum to the Tariff Board; the following are some of the more important points urged in the memorandum:

Present Conditions of Textile Workers.- The Union states at the outset that the memorandum is mainly concerned with the cost of production of Indian cotton textile industry. The main item in costs is naturally the wages bill and a comparison of the ratios of the wages bill to the total cost of production in India and in Lancashire or other parts of the United Kingdom shows that the ratio in India is very low. Leaving aside centres like Bombay City and Ahmedabad, the textile workers in up-country mills and especially in C.P. and Berar, are not able to earn more than Re.1/- per day and the lower limit, under which the majority of the women workers come, is somewhere about annas ~~xix~~ six per day. Beyond wages the workers in most of the mills are not given any other amenities; even in the few cases where an attempt is made to provide such amenities, the housing accommodation is poor and no active interest is taken in the education of the workers and their children. Further, there is no system of old-age pensions or holidays with pay. On the other hand, heavy fines are levied, ~~there~~ there is no security of service and exaction of bribes by jobbers is rampant. Hours of work have been reduced recently from 60 to 54 per week, but this step has been accompanied by a proportionate reduction in wages. That such a state of affairs should obtain in an industry which has been enjoying protection for so long a period furnishes a sad commentary on the selfishness of millowners in India.

Protection should Benefit Employers and Workers alike.- When the question of the grant of protection to the industry was raised in the year 1933, the Government of India being probably aware of the appalling conditions of the Textile Workers, made it clear that protection was being granted to the industry in the hope that it would place the industry in a position to provide in the aggregate more by way of wages and employment than would otherwise be the case and that it would consequently assist mill-owners and mill-workers alike. (vide

Viceroy's letter No.D.O.3556 G.M. of 10th June, 1933). This hope of the Government has not materialised. In the mills of U.P. and Berar, for example, wages in 1935 were 13 to 17 per cent lower than in 1932. The benefits accruing from protection have so far been enjoyed by mill-owners only. Due to absence of legislation regarding minimum living wages, the only basis that has been adopted hitherto for fixing the wages of workers in different parts of the country seems to have been the limit to which exploitation of workers is possible. The fixing of minimum standard is not impossible, as such standards have already been fixed for railway workers scattered throughout the country.

Efficiency of Indian Workers.— Indian textile workers are alleged to be inefficient; in reality, they compare very favourably with textile workers in other countries if the very low wages and other handicaps of Indian workers are taken into account. In this connection attention is invited to the opinion of the Whitley Commission on the subject (vide page 208 of their Report). The Union is of opinion that during the past few years, the textile mill-owners have worsened the conditions of life and decreased the earnings of mill-workers and have thus unconsciously helped to increase the inefficiency, if any, of workers.

Is Protection to the Industry Necessary? The Terms of Reference have definitely laid down that by adequate protection is meant "the duties which would equate prices of imported goods to fair selling prices for similar goods produced in India". The question of fair-selling prices largely depends on the cost of production; and as is well-known, "the manufacturing cost amounts to 60 per cent of the total works cost in the manufacture of cotton textile in India." The memorandum draws attention to the comparison of cost of labour made ~~xxx~~ at pages 112 of the Report of the Tariff Board on the Indian Textile Industry, 1932, and points out that the Indian textile mills enjoy practically a protection of 30 per cent so far as the cost of production is concerned as against the United Kingdom because of the relative cheapness of Indian labour. It should further be remembered that the reference to the wage-costs in the Report of the Indian Tariff Board 1932, relates to a period before 1932. As is well-known, after 1932, the Indian mill-owners have made considerable saving by reducing the wages of the textile workers. In support of their contention the Union instances the "Report of an Enquiry into Unemployment and Wage-cuts in the Cotton-Textile Industry in C.P. and Berar" undertaken by the Central Provinces Government in 1934 (vide pages 19-23 of our November 1934 report). At page 46 of the Report, it is stated "the contention of a local Labour Union that in 1932 and 1933, wage-cut was effected in the earnings of the piece-workers of the weaving department in Nagpur is also borne out by the figures revealed and the above-mentioned indirect wage-cut accounts for the high percentage reduction in the average earnings of weavers". Again, the Indian Mill-owners have adopted schemes of rationalisation, during the last few years and this has also resulted in saving to an appreciable extent, the cost of labour. It is difficult to correctly estimate the saving made by the mill-owners by way of wage-cuts, indirect wage-cut, rationalisation and consequent retrenchment, but it will be no exaggeration to put these savings somewhere between 25 to 30 per cent of the total labour cost as they stood in 1932 when the Indian Tariff Board submitted its Report. It will thus be clear that the relative

advantage which the Indian Textile Mills were enjoying as against the United Kingdom before 1932 has been increased during this period and whatever justification there might have been for grant of protection in 1932 or in 1933 does not exist today.

Safeguards for Workers to be laid down.- Under these circumstances, the Union feels that the Textile Industry in India has made out no case for grant of protection under existing conditions, If the object of the Government of India that protection should assist both the Mill-owners and mill-workers alike is to succeed, the Union suggests ~~that~~ that before deciding upon the continuance of protection, statutory provisions should be ~~made for fixing~~ ^{as follows} (a) a minimum living wage, (b) a 40-hour week in accordance with the Convention of the I. L. O., (c) Sickness and unemployment insurance, (d) old age pensions, (e) compulsory leave with pay for one month every year, (f) recognition of Trade Unions, (g) security of service, (h) regulation of fines and (i) compulsory education for the children and dependents of textile workers.

(The Indian Labour Journal, 24-11-1935) +

Industrial Organisation.

Workers' Organisations.

Trade Union Movement in Burma, 1934-35.

The following is a brief review of the working of the Indian Trade Unions Act, 1926, in Burma for the year ending 31-3-1935:

Legal Changes.- Neither the Indian Trade Unions Act, 1926, nor the Burma Trade Union Regulations, 1927, were amended during the year under report.

Registered Trade Unions.- There were two registered trade unions in Burma at the beginning of the year, namely, the Burma Motor Drivers' Association and the Burma Railways Employees' Union registered on the 28th October 1927 and the 8th August 1933, respectively. Three trade unions were registered during the year under report, namely, the Seamen's Union, Burma, on the 1st November 1934, the Rickshaw Owners and Pullers' Association on the 12th November 1934 and the Burma Railways Accounts Office Clerks' Association on the 17th December 1934. There were thus five registered trade unions at the end of the year. The year opened with 1,245 members in all the 5 unions and closed with 2,526 members. All the members were males.

No federation of trade unions in Burma has applied for registration yet.

Applications for Registration.-The only applications for registration received from trade unions during the year were those from the three trade unions which were registered.

Unregistered Trade Unions.- The difficulty of preparing a complete list of unregistered trade unions, mentioned in the previous reports, is still reported to continue, and no list of such unions is attached to the present report.

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Political Funds.- No political fund has been constituted by any of the five registered trade unions.

Trade Unions of Government Servants.- The framing of rules in respect of industrial employees of the Government of Burma similar to the rules for the recognition of associations of industrial employees (including railway employees) of the Government of India issued in February 1934 is still under the consideration of the Local Government. Rules for the recognition by Government of associations of Government employees other than associations of industrial employees were issued by the Government of India in September 1934.

General.- There is reported to be a large number of unregistered trade unions in Burma. Of the five registered trade unions, the Burma Railways Employees' Union only is of some importance, and the bulk of the workers employed in large industrial establishments still remain unorganised. The hope is expressed that with the separation of Burma and the constitution of separate labour constituencies under the Government of India Act, 1935, the workers will realise the advantages of organised and systematic activities and avail themselves of the facilities for registration provided by the Act.

(Summarised from a Cyclostyled copy of the annual Report on the Working of the Indian Trade Unions Act, 1926, in Burma for the year ending 31-3-1935, forwarded to this Office by the Labour Commissioner, Burma).

(Report on the working of the Indian Trade Unions Act, 1926, in Burma during the year ending the 31st March 1934 is revied on pages 54-56 of ~~the~~ October 1934 report of this Office.) +

Trade Union Unity: Mr. R.S.Ruikar's Appeal. †

In the course of an interview to the press, Mr. R.S.Ruikar, President, All India Trade Union Congress and Secretary of the Joint Labour Board, said that the meeting of the National Trades Union Federation at Nagpur during Christmas week, ~~this~~ this year will be utilised to bring about a further measure of rapproachment between different sections of labour in India. He has requested Mr. R.A.Khedgikar, General Secretary of the All India Trade Union Congress, to convene a meeting of the Executive Committee of the Congress at the same time at Nagpur. This will enable, he said, the leaders of both the groups to meet each other. Mr. Ruikar has also requested Mr. Giri, President of the Joint Labour Board, to fix up a meeting of the Board at Nagpur at the same time.

Mr. Ruikar hopes that the leaders of all the groups when they meet at Nagpur will keep the wider interests of the working class before them and pave the way for structural unity and thus carry to its logical conclusion the step taken at Bombay in August last by establishing the Joint Labour Board. "It was Nagpur that witnessed the unfortunate split in 1929", he emphasised, "but let us assemble at Nagpur in 1935 to bury the hatchet and emerge as one united body to fearlessly carry on our fight against capitalism and imperialism."

(The Hindustan Times, 28-11-1935)

Mr. Subash Chandra Bose, a former president of the A.I.T.U.

Congress, in the course of a letter on the subject from Vienna to Mr. Ruiker, discussing the affiliations of the Indian trade union movement says:

I would like to see the Trade Union Federation giving up its connection with the British Trade Union Congress. For the purposes of India, there is hardly any difference between the Labour Party in

England and any other party. From what I know of British politics the only party that seems to be sincere is the Independent Labour Party. The British Communist Party was formerly ultra-leftist but now ~~giving~~ it seems to be ultra-rightist and is now giving its full support to the official Labour Party, while the I. L. P is still continuing its opposition to the official Labour Party. This new orientation in Communist policy is a most surprising development. There is now a definite rapprochement between Russia and Great Britain. In view of this new policy of the Soviet, Communists in all countries are making friends with their former enemies and in doing so, they are swinging much to the right. This is political opportunism in its purest form.

(The Hindu, 28-11-1935) +

Intellectual Workers.

Minimum Amenities for Journalists;

Action by Bengal Working Journalists' Institute,
Calcutta. +

At the general meeting of the Bengal Working Journalists' Institute held at Calcutta on 10-11-1935, Mr. S.N. Hajumdar, Editor, Anand Bazar Patrika, presiding, a number of points concerning the conditions of life and work of journalists were considered and resolutions were adopted on several important issues affecting the interests of working journalists. Among the more important of the resolutions adopted was one recording appreciation of the introduction by the management of the "Amrita Bazar Patrika" of a Provident Fund system for the benefit of the working journalists on their staff. Another resolution thanked the "Ananda Bazar Patrika" for granting one month's salary as bonus to its staff before the last Pujas, and expressed hopes that this practice would be continued every year. By a third resolution a sub-Committee was appointed to formulate a chart of the minimum amenities which should be secured to every working journalist by the managements of papers. This Committee was to submit its report in a month's time.

(The Amrita Bazar Patrika, 13-11-35) +

Crisis in Jute Mill Industry: Jute Mill
Associations' reply to Government's Proposals for
Rationalisation. +

Reference was made at pages 44 to 47 of our September 1935 report to the decision of the Indian Jute Mills Association to abolish the present system of short-time work obtaining in member mills. The decision was occasioned by the unfair advantage taken of the short-time system by non-member mills. It was also mentioned that the Association had approached the Government of Bengal with a proposal for a statutory limitation of hours of work in the industry. In its reply dated 12-8-1935 to the Association, the Government expressed its inability to support the proposals put forward by the Association, but made certain suggestions for the rationalisation of the industry.

The Government of India's memorandum laid stress on three factors, namely, that the industry stands in need of rationalisation and must devise a scheme towards this end; that the interests of labour should engage a larger measure of solicitude on the part of jute mill administrations; and that the interests of the jute-growers should be adequately safeguarded.

The Central proposal put forward in the Government's reply is that in order to secure a permanent solution to the grave difficulties which confront it, the jute mill industry should "rationalise" itself by concentrating production in a limited number of mills, by securing adequate use of the machinery of these mills and by being content with reasonable profits on that amount of capital which is necessary to meet the demand for the industry's products. ~~The Committee of the Association propose to examine this aspect of the~~

The Association has recently submitted a memorandum in reply to the Government proposals; a summary of the memorandum is given below:

Redundant Machinery.- Regarding the Government's statement that the existing demands could possibly be supplied by a quarter of the machinery now available ~~in~~ and that the highest demand ever reached so far could probably be satisfied by one-third of the existing mills, the Association, in its reply, points out that without taking into account such factors as the efficiency of the plant and of the labour employed, it must be borne in mind that the potential capacity of an industry over any given period is measured (a) by the total amount of machinery possessed by the industry and (b) by the number of hours for which such machinery is made to run during that period. The potential productive capacity of the industry working twenty-four hours a day is 10,430 million yards in a year. The existing demand is approximately 250 million yards and on this basis—that is to say, taking the capacity of the industry at its maximum possible figure—it is true to say that three-quarters of the existing machinery is redundant. Similarly, since the highest demand ever reached—in 1929—was 3050 million yards, it is also true to say that that demand could probably be satisfied by one-third of the existing mills and that the other two-thirds are superfluous. But in seeking the answer to the question as to how much of the existing machinery is redundant, consideration must be given to the extent to which the mills, working under normal conditions and in accordance with the current views regarding employment and the hours of work for labour, are capable of producing goods in excess of the normal demand. The period of the day during which the worker is employed and the number of hours for which he works a week, are two of the main factors constituting the conditions under which labour is employed in industry.

Working Hours.- In India, ^{the jute} ~~ideas which are rapidly crystallising regarding labour matters,~~ view with prejudice might work in industry, especially when its necessity is unjustified, and ^{on} long hours of work as being detrimental to the health and welfare of the worker. Recent Indian factory legislation which reduced the statutory hours of work from 60 to 54 a week and the projected conference to be held at Geneva to consider the question of "the reduction of hours of work in the textile industry," are evidence of the fact that all countries of the world are tending to regard employment more and more from the social standpoint. Other considerations, such as the desire to spread the available amount of employment over the greatest possible number of workers, have, of course, given considerable acceleration to the movement.

In the jute mill industry normal conditions of employment envisage a maximum working week of 54 hours, with no night work, Mills in the membership of this Association are at present working 40 hours a week and, if it is granted that modern conditions of employment accept the basis that hours of work per week for each worker shall be as short as possible provided a fair living wage is paid, it may be argued that a 40 hours week basis for all mills in India should be

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aimed at. On this basis the industry is capable of producing 2,900 million yards per year and, although the recent demand has been shown to be only 2,500 million yards, it is thought that improving world trade will bring about an increased consumption of jute goods. It is, therefore, considered that, on a 40 hour week basis, there is no appreciable surplus jute mill machinery in India. On the other hand, taken on the basis of 54 hours per week, i.e., the maximum hours without resorting to a shift system or night work, the industry is capable of producing 3910 million yards a year, from which it would appear that between 25 per cent (allowing for improved trade) and 35 per cent of the machinery in the industry may be said to be redundant.

Rationalisation not Practicable.- The Government advocate a policy of rationalisation which would entail the closing down of redundant machinery and the concentration of production in a limited number of mills. The Committee of the Association have stated that rationalisation of the nature visualised by the Government is not practicable at the present time for the following reasons. The object sought to be attained by concentrating production in a limited number of mills in the manner suggested by Government is presumably to lower overhead costs and to permit of the selling price of the article being decreased without a corresponding decrease in the profits of the mills concerned. In practice it will present great difficulty to decide which of the mills should be worked and which should be closed. As the mills, with one or two minor exceptions, are in a strong financial position at the present time, the only form of rationalisation whereby machinery redundancy could be nullified would be for the companies or mills concerned either to go into voluntary liquidation or to be bought over by the group of selected mills. These courses present difficulties which so far the Committee of the Association have been unable to solve. In the present circumstances, therefore, the mills considered redundant would have to be taken over by the selected mills, not at mere scrap value, but at their valuation as going concerns and it appears that under a scheme of rationalization of this type the amount of capital required to be maintained by the industry would not be reduced. From this point of view alone it seems that rationalization on the lines suggested by the Government would not, in fact, meet the Government's main contention that under the present organisation of the industry the consumers of the goods are being asked to provide profits on an amount of capital far in excess of the needs of the industry and at the same time to defray the extra charges involved in the maintenance of many unnecessary mills.

Effect on Labour Force.- There is also to be considered the effect which rationalization on the lines indicated by the Government would have on mill and factory labour. It is obvious that the permanent closing down of a number of mills would throw out of employment a great body of labour, the whole of which could not, except perhaps over a long period, be absorbed again into the industry by the remaining mills even although these were working to abnormal capacity.

Shift Working.- The closing down of redundant machinery to

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the extent suggested by Government is practicable only if double or multiple shift working is resorted to, a practice which has been condemned on grounds of humanity. The Association feels that the adoption of the method of working would be a retrograde step and one which they cannot believe the Government of India would seriously propose should be taken by the industry, particularly in view of the fact that the industry has at hand sufficient machinery to make the adoption of such methods of work totally unnecessary.

Statutory Reduction of Hours only Remedy.- If the Associations proposals for statutory force being given to the existing working time agreement and extensions of productive machinery being disallowed, had been accepted by the Government, the present crisis could have been averted. The Association would, on the other hand, have been in a position to frame a scheme of progressively increasing production on a loom-hour basis in an attempt to capture more business.

Position of the Cultivators.- Discussing the position of the cultivators, the Government express the belief that the existing agreement and the previous agreements have been directly opposed to their interests. The working time agreements have, it is true, restricted the production of manufactured goods and, as a corollary, have had the effect of lowering the demand for jute. But the sole object of these agreements has always been to prevent the flooding of the market with unwanted goods by restricting the output to conform with the demand, and the Government themselves recognise that the price which the cultivator receives for his crop "is affected by the demand for jute and depends ultimately on the relation between the supply and the world demand."

Effect of Restriction on Jute Labour.- Restriction of production by its very nature, involves a certain restriction of employment, but the fact that the numbers employed in the jute mill industry have been reduced in the last few years does not constitute a valid argument against the policy adopted by the Association, since that reduction has been caused by a world-wide depression of trade. No industry can be expected to continue to produce goods greatly in excess of demand merely in order to avoid a reduction in the numbers of workmen employed. It must also be remembered that the associated mills have already increased their production by releasing sealed looms and that, according to present proposals, it is expected that all looms will be in operation by the middle of February next year. As the number of looms which were originally sealed amounted to 8,016 it is clear that the number of workers employed in the industry will soon be substantially increased.

Protection Justified.- The Government express apprehension that if they agreed to introduce legislation to restrict production of jute manufactures, other industries could claim similar assistance, but the facts are that several other industries, while they have not asked for assistance of a similar nature, have nevertheless applied for varying degrees of protection and have been granted it in abundant measure.

Fresh Proposals under Consideration.- The Committee of the

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Association, it is stated, are anxious that all possible avenues for securing stability to the industry should be explored and they are at present endeavouring to evolve a scheme which, it is hoped, will be acceptable to the Government..

(The Statesman, 7-11-1935). †

Ten-Year Plan for Agricultural Development

in Madras Presidency: Government Appoints Committee.

Reference was made at pages 72-74 of our August 1935 report to the Constitution by the Government of Madras of the Madras Economic Council. It is now understood that the Government has set up a sub-Committee of the Council with the Hon. the Minister for Public Works as Chairman to consider the following subjects and to make recommendations:-

(1) the preparation of a ten-year plan for the development of agriculture, in ~~an~~ order to make the Province self-supporting in the matter of agricultural produce;

(2) ways and means to co-ordinate the work of the various agencies for agricultural credit, and the steps to be taken to give effect to the recommendations contained in Mr. Sathyanathan's report on agricultural indebtedness**

(3) the standardisation of weights and measures; and

(4) proposals for the consolidation of agricultural holdings and the prevention of fragmentation.

(The Hindu, 9.11.1935). †

** A copy of Mr. W.R.S. Sathyanathan's report has been forwarded to Geneva with this Office's minute D.1/1820/35 dated 17-10-1935.

Crisis in the Indian Coal Industry:

Mining Federation's Representation to Government.

The Public Accounts Committee of the Indian Legislative Assembly in their Report on the accounts of the Central Government for the year 1933-34, have made the following remarks on the financial aspect of the working of the Railway Collieries:-

Some of us would like to call attention to the fact that Railway Finances are being made the instrument of Government policy towards particular industries with the result that burdens are thrown on the Railways which ought to fall on the general taxpayer. An instance of this is the reduction of the output of Railway collieries to help the Indian coal industry. We were informed that, if Railway collieries are worked to their full capacity, the Railways will be able to produce coal at least as cheaply as the market rate and thus avoid a loss in the working of the collieries amounting approximately to 12 lakhs. On the assumption that this statement is correct, a considerable proportion of us feel that it is not right that a commercial concern like the Railways should be made to subsidise the coal industry. (Pages 1517-18 of the Legislative Assembly Debates, Vol. VI of 1935).

This recommendation of the Public Accounts Committee has caused considerable alarm among coal interests and a deputation of the Indian Mining Federation waited on the Commerce Member with the Government of India on 28-10-1935 to represent to him the seriousness of the situation which will be created if the recommendation was accepted. The following is a brief summary of the representations made by the deputationists:

Patronage of Railways Essential for Industry.- The deputationists stated that for the growth of the Indian coal industry the patronage of railways was to a great extent responsible and the continuous patronage of railways emboldened the industry to proceed with further developments and to invest an enormous amount of capital. The industry received a set-back from which it had not yet been able to recover when, with a view to replenish the diminished stock of railway coal, the Government put an embargo on the export of coal to foreign countries and the railways began to actively pursue a policy of increasing the raisings of their collieries.

Private Collieries not Competing with Railway Collieries.- However, when the grave situation created by such a policy was brought

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to the notice of the authorities by the industry, the Railway Board decided to restrict the raisings of their collieries. It was contended by the deputation that there was not the remotest chance of the coal market, going against the railways for a long time to come, to meet which contingency the railway collieries were acquired. On the other hand, there was every possibility that the rate at which the railways would be able to purchase coal from the market would be much lower than that at which the same could be raised from the railway collieries. In this connexion, the attention of the Commerce Member was drawn to Sir Alan Parson's (ex-Finance Commissioner) assurance on April 25, 1931, that "if railways were able to obtain coal at the same price as they were able to raise it from their own collieries they would prefer to take their supplies from the open market and to conserve their own collieries."

Crisis in the Coal Industry.- The coal industry, the deputation stated, was passing through difficulties. The plight of the coal industry was aggravated by the depression and the numerous taxes imposed on it by ~~the~~ local bodies like the Water Board, Mines Board and District Board. Another burden of the coal industry was the surcharge imposed on coal freight which no other commodity was required to pay. Besides that, due to restricting the number of working hours in underground work to nine hours a day and the prohibition of the employment of women in underground work, the cost of raisings had already increased without even a slight increase in price. (for greater details regarding the crisis through which the industry is passing, vide pages 71-74 of our January 1935, and earlier reports).

Collieries of Company-Managed Railways Competing with Private Collieries.- The deputation represented that the company-managed railways, instead of following the policy of the State railways, were trying to compete with the coal trade in the matter of State Railway custom. For instance, the coal of the Jarangdih colliery belonging to the B.B. and C.I. and M. and S.M. Railways was not being used by these railways but was being sold to the State Railways, thus competing with trade, a practice which in all fairness should be stopped.

Restriction on output of Railway Collieries Urged.- An increase of the purchase of market coal, it was suggested, could be achieved if the Government were to insist upon Company-managed railways adopting the same policy and purchasing more coal from the market as used to be the case before. The deputation urged the Commerce Member not to change the policy of restricting the output of State collieries and increasing the purchase of market coal by State Railways, as enunciated and adopted by Sir George Rainy and Sir Joseph Bhore, as such a change "was fraught with grave consequences because it will at once cause a dislocation of the industry, the effect of which on the industrial progress of the country and on labour will be serious."

Differential Freight Rates.- The deputation protested against what it called preferential treatment accorded to the C.P.collieries on the ground that the distinction in the matter of quoting different freight rates for the same commodity by two different State Railways gave direct protection to the collieries enjoying lower freight rates against internal competition. They pleaded that the C.P. freight be brought to the level of the Bengal scale. It was also pointed out that railways were doing a twofold injustice to the Bengal coal trade by continuing the differential scale of freight and progressively increasing their purchase year by year of C.P. coal. Moreover, "the quality of coal for which State Railways paid between Rs. 3-8-0 and Rs. 4 per ton f.o.r. last year to the C.P. collieries, was offered but not accepted at between Re. 1-8-0 and Re. 1-10-0 per ton from Bengal and Bihar". The deputationists appealed to the Commerce Member to distribute State Railways' custom in respect of coal between the Bengal and Bihar collieries and the C.P.collieries.

(The Statesman, 29-10-1935). +

Employment and Unemployment.

Problem of Unemployment in Bihar and Orissa;

Committee's Efforts to Adapt Education to Needs

of Industry. +

Reference was made at pages 74-75 of our July 1935 report to the appointment by the Bihar and Orissa Government in July 1935 of an Enquiry Committee to devise ways and means of mitigating unemployment among educated youths in Bihar and Orissa. It is now understood that a circular letter has been sent out by the Secretary of the Committee to the managers of all factories and engineering works in the province soliciting their help and co-operation in the investigation entrusted to the Committee. They have been asked to send information to the Committee on the various technical and other posts in their factories and workshops, the qualification and domicile of the existing incumbents, and their opinion as to whether the students passing out of the educational and technical institutions are qualified for the posts, and the changes they would recommend in education and training to enable them to be employed. On receiving replies from the various industrial concerns the Committee hope to gather further information by personal contacts. The Committee is authorised to form sub-committees and depute them to industrial centres to facilitate the collection of information.

(The Statesman, 6-11-1935) +

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Employment Bureau for University Graduates:

Resolution adopted by Annamalai University Senate. +

The senate of the Annamalai University, at a meeting held on 31-10-1935, adopted the following resolution regarding the opening of an Employment Bureau, moved by Mr. G. Srinivasa Iyer.

"The Senate recommends that a Bureau of Information of careers for graduates be opened at the University to provide facilities for the employment of the graduates.

The Senate desires that an official register of the graduates of the University be maintained and revised every year to give particulars of their address, employment and achievements."

(The Hindu, 1-11-1935) +

Medical Survey of University Students, Calcutta:

High Incidence of Malnutrition. +

The Medical Board attached to the Students' Welfare Committee, Calcutta University, conducted in 1934 an extensive medical survey of the health conditions of university students in Calcutta. The facts ascertained by the medical survey are summarised in the Report for 1934 of the Students' Welfare Committee. The following information is taken from the Report:

Scope of Medical Survey.- The Medical Board visited the following institutions during 1934:- (1) Asutosh College, (2) City College, (3) Seal's Free College, (4) Mitra Institution, Bhowanipur, (5) Presidency College and (6) Bangabasi College and examined the health of 1,900 students. This brings up the total number of students examined so far to 30,128.

Findings of Medical Examination.- During the year the proportion of students found to be suffering from defects requiring treatment was 56% as compared with 62% for 1933 and 59.5% for 1932. The following table gives an analysis of the findings of medical inspection and shows the incidence of various defects.

Names of diseases.	Figures for College students (given in percentage). No. of students. 900.	Figures for School students (given in percentage). No. of students - 1,002 .
Malnutrition	29.42	40.51
Defective Vision	34.94	26.24
Enlarged Tonsils	27.93	40.51
Caries (dental)	11.49	18.96
Skin Diseases	13.10	12.07
Lung Diseases	7.12	1.19
Enlarged Spleen	3.44	1.69
Heart Diseases	1.95	2.49
Enlarged Liver	1.03	0.69
Pyorrhoea	1.14	4.39
Tuberculosis	0.8	0.04

College and School Students Compared.- Among college students there has been a decline in the incidence under all heads except Malnutrition and Lung diseases. In the latter group the number of students declared to be suffering from Tuberculosis has risen to 0.8%. Among school children there has been an increase in the number of students suffering from Malnutrition, Pyorrhoea, enlarged Tonsils, and Tuberculosis.

The incidence of Tuberculosis in this group has risen to 0.04% but there has been a decrease of incidence under other heads.

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General Conclusions: High Incidence of Malnutrition. - A survey of the incidence of the various defects and diseases among the students reveals that malnutrition has steadily decreased among the college students since 1920. This, undoubtedly, is a welcome feature; but the incidence of malnutrition among students, viz., 24 p.c. is still higher than the corresponding figures for other countries. The incidence of the diseases of the Heart has decreased slightly. It is also true that the number of students who require immediate medical attention and treatment has also decreased, though not steadily, throughout this period. But this decrease has been in that group of diseases usually classed as 'minor ailments' such as, Bad Throat, Diseases of the Skin, etc. On the other hand the incidence of students suffering from enlarged Liver and Spleen has steadily risen since 1928. This feature can be explained by an increased prevalence of Malaria in the Province. But the most disquieting feature of the findings are the increased prevalence of diseases of the Respiratory system among the students, specially Tuberculosis.

(Amrita Bazar Patrika, 20-10-1935)

(A requisition has been made for two copies of the Report for 1934 of the Students Welfare Committee, Calcutta University). +

Compulsory Health Insurance in India:

Dr. Hingorani's Scheme. +

The Hindu, Madras, dated 2-11-1935, publishes a message from London giving an account of a scheme of compulsory health insurance for India outlined by Dr. R.U. Hingorani, a Harley Street surgeon, at a reception in a London hotel given in the third week of October. Dr. Hingorani is a native of Sind, India, and has experience of medical practice both in India and England. The following are some of the more important details of the scheme:

Financial Aspect. - The scheme is modelled on the lines of that in force in England with necessary modifications to save expense in order to meet Indian circumstances. It provides that all workers, both agricultural and industrial, should pay a compulsory contribution

of one anna per ten rupees of their weekly pay, and that a similar contribution should be made by the employer. These contributions will form a central fund to be administered by authorised insurance companies.

Benefits.- The contributor will be entitled to weekly sickness benefit up to the amount paid in his behalf, and will also be insured against death. The success of the scheme is dependent on the co-operation of doctors, ~~whose duties will, to a certain extent, cover departmental work entailed in England.~~ Not only the individual contributor but also his family will be under the physician's care. He will provide medicine, teach hygiene, and control sanitation.

Co-operation of Doctors essential.- The grant suggested is at the rate of about Rs. 250 monthly per 1,000 patients. Dr. Hingorani is confident that the medical profession will gladly co-operate and find ways to surmount difficulties. He admits that modifications may be required to meet the needs of particular provinces, but he is prepared to submit a detailed scheme for each province.

Dr. Hingorani, who has been developing his scheme during the last four years, is emphatically of opinion that his scheme, if acted upon, will work as a real and constructive agency to raise the standard of health in India. He has now put forward the project with a view to getting the matter ventilated and difficulties discussed.

(The Hindu, 2-11-1935). +

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Silicosis in Kolar Gold Mines: Findings of
Miners' Phthisis Committee, Mysore State. +

In April 1931 the Government of Mysore appointed a Committee of medical men to investigate and collect data in regard to the existence or otherwise of Pneumonokoniosis, cyanide rash and mercury poisoning in the Kolar Gold Field and to submit an opinion before the end of June 1931 as to the desirability or otherwise of declaring all or any of the above mentioned diseases as "Occupational diseases" under the Workmen's Compensation Regulation. The Committee consisted of (1) Dr. C. Krishnaswami Rao, Physician, Sri Krishnarajendra Hospital, Mysore, Chairman, (2) Dr. L.P. Stokes, Chief Medical & Sanitary Officer of the Gold Mining Companies, (3) The District Medical Officer, Kolar Gold Field, Secretary. The period of the investigation was from April 1931 to June 1932. The following summary of the main findings of the Committee are taken from a copy of the Committee's Report forwarded to this Office by the Director, Department of Industries and Commerce, Mysore (A copy of the Report was sent to Geneva with this Office's minute E₂ / 1932/35 dated 28-11-1935).

The Committee first made a study of miners' phthisis in the Kolar Gold Field and forwarded the data collected to Silicosis experts in South Africa for verification and obtaining an expression of their independent opinion. The Committee submitted an interim preliminary report in June 1932 expressing the opinion that the investigation conducted till then warranted ^{belief in} ~~us to conclude~~ the existence of Silicosis amongst some of the under-ground labourers and that further observation and close study was necessary to form a correct opinion regarding the exact proportion in which it exists and the length of

time it takes to develop. The report of the South African expert, Dr. L.G.Irwin, Chairman, Miners' Phthisis Medical Bureau, South Africa, stated winter alia that the pathological and radiographic evidence appears to create a prima facie case, that instances of Silicosis do occur amongst underground workers in the Kolar Gold Mines. The Report cautions that the present investigation must be regarded merely as a preliminary enquiry and that more extensive and systematic clinical, radiological and pathological investigations should be instituted before any legislative action is ^{in hand} contemplated. The Committee agrees with Dr. Irwin's conclusions. The Committee's Report also points out that the Chief Inspector of Mines, Mysore, who has 28 years of intimate connection with the Mysore mining industry, is ^{also of the opinion} that silicosis exists in the Kolar Gold Field.

The Committee's report, points out that the extent and the local conditions that go to modify the nature and incidence of silicosis in the area cannot, however, be appraised without a very special further investigation for which the service of ^a whole time medical officer of special attainments is necessary. According to the Report, the question of including silicosis as an Occupational and therefore compensatable disease cannot for obvious reasons be considered at this stage. In the absence of a ~~such~~ regularly constituted agency, similar to the Miners' Phthisis Medical Bureau ~~as~~ in South Africa, it will not be possible to continue to ^{adequately} study the incidence and spread of the disease amongst the workmen. If death occurs amongst them due to any lung disability the presence of silicosis could only be proved by an autopsy, for which the sentiment of the workmen is generally opposed ~~unless compelled by law~~. With a view to break this orthodoxy

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and secure as many bodies as possible for autopsy, the Report suggests the desirability of paying compensation to the lawful dependents of any deceased workman, if the autopsy proves that death was due to Silicosis. This inducement, it is hoped, will encourage the dependents to freely and willingly offer bodies for autopsy, the result of which would greatly enhance our present knowledge. The Committee finally recommends that the Mining Board should be approached to provide the requisite funds in the first instance to compensate the dependents of the workmen who have died of Silicosis. *

Co-operation.

The Travancore Co-operative Societies Bill, 1935.

Reference was made at pages 69-70 of our April 1935 report to the recommendations of the Travancore Co-operative Enquiry Committee. (A copy of the Report was sent to Geneva with this Office's minute D.2/704/35 dated 21-3-1935). It is now understood that the Travancore Government has prepared a Bill, for introduction in the forthcoming session of the Travancore Legislative Assembly, with the object of consolidating and amending the present law on the subject so as "further to facilitate the ~~form~~ formation of co-operative societies, for the promotion of thrift, self-help and mutual aid among agriculturists and other persons with common economic needs so as to bring about better living, better business and better methods of production." The Bill is practically the same as the Bill submitted by the Co-operative Enquiry Committee and is drawn upon the lines of the Madras and Bombay Acts on the subject.

The salient features of the Bill are the following:-

Liability of Members.- As a view is usually taken that the liability of the members of unlimited societies would arise even before the liquidation of the societies, it is now proposed to make clear that this unlimited liability would arise only on liquidation.

Change of Name, Amalgamation, etc.- The existing regulation does not provide for a change in the name of a society or for the change of the character of the liability of a society or for the amalgamation or division of societies. Specific provisions are now proposed for this purpose.

Regular Annual Meetings.- A statutory obligation is proposed to be laid on the societies to hold regular annual meetings and special general meetings.

One man-one vote.- The equitable condition of 'one man one vote' characteristic of the co-operative principle is made obligatory in the case of all societies.

Strict Audit. - The existing regulation provides that no charge shall be levied for the audit of societies. This provision is now

omitted. Societies have now grown up to such a position that they are generally able to pay for the audit. Power is proposed to be taken to make rules for the levy of fees and the rate of fees. Powers of audit are made more strict. Cash balances and securities have to be verified in the audit. Powers are also proposed to be conferred on the auditor to summon office bearers of the societies and to require the production of records.

Recovery of Overdues- special facilities.- The overdues in credit societies have assumed large proportions. Speedy recovery through civil courts of amounts due even under awards has become a difficult matter owing to the cumbersome procedure of the courts. Summary powers of attachment and sale of property of the defaulters are proposed therefore to be conferred on the Registrar.

Exemptions from certain Taxes.- Provision is proposed to enable societies being exempted from Income-tax, municipal-tax, court fee and stamp duties.

Reserve Fund.- Statutory provision is proposed for compelling societies to maintain a reserve fund. Such reserve fund can be utilised only for such objects as are sanctioned by the Registrar.

Control of Managing Committees.- One of the banes of societies has been found to be that they are dominated by managing committees working not properly and working perhaps even dishonestly and fraudulently. There is no remedy for this unless it be to cancel the society. However it is now proposed to ~~be given~~ to the Registrar ^{power} to supersede committees whenever necessary and to arrange for the proper conduct of the society.

Liquidation Facilities.- Much delay has been found to arise in winding up the affairs of liquidated societies. The liquidator is given more powers to wind up the affairs under the guidance of the Registrar and the process of liquidation is sought to be placed on a better footing. A new provision regarding the disposal of the surplus assets of dissolved societies is also made.

(The Hindu, 9-11-1935) †

Progress of Co-operation in the Punjab, 1933-34* + 57

General Progress.- The outstanding and most encouraging feature of the report of the Registrar of Co-operative Societies in the Punjab for the year ending 31-7-1934 lies in the fact that the co-operative movement in the Punjab shows unmistakable signs of successfully emerging from the economic depression of the last few years. There has been progress on sound lines in almost all directions, but chiefly in the growth of co-operative business. During the year under report the number of societies shows an increase to 21,440 compared with 21,128 in 1933. The number of members has been 751,221 showing an increase of 20,297 compared with 1933. Individual members show an increase of 13,000 during the year to 669,000. Loans issued to societies by central banks were Rs. 1.1 millions more than in the previous year. The amount of principal recovered during the year represented 15.2 per cent of the amount on loan to societies at the beginning of the year. The corresponding figure for the previous year was 12.6 per cent. Overdue principal at the end of the year had decreased from Rs. 288 millions in 1933 to Rs. 195.1 millions in the year under report. Overdue interest on the other hand shows an increase of Rs. 34.8 millions. The Government review on the Report says that the figures given above are not comparable to those attained in more ~~prosperous~~ prosperous days; but they do show that the movement is not losing ground and that there is a tendency to expand in spite of the handicaps imposed by prevailing conditions. As the Registrar remarks, the improvement in the results of the year's working has

* Report on the working of Co-operative Societies in the Punjab for the year ending 31st July 1934.-Lahore: Printed by the Supdt., Govt. Printing, Punjab, 1935.- Price: Rs. 2-12-0 or 4s.2d. -pp.50+xvi

given the department much needed encouragement for the future. The following statement records the statistical progress of the societies in the Province during the year:

1	2		3		4	
	Societies		Members		Working Capital.	
	1933	1934	1933	1934	1933	1934.
Provincial Bank	1	1	13,057	13,032	Mill. 17.5	Mill. 15.6
Central Credit	118	118	22,288	23,093	71.5	68.6
Central Non-credit	43	45	6,891	7,407	.8	.9
Agricultural.	17,726	17,936	573,756	584,633	8.4	8.6
Non-Agricultural.	3,240	3,340	114,332	123,056	14.3	14.5
Total.	21,128	21,440	730,924	751,221	188.1	185.6

A considerable portion of the Registrar's report is devoted to an interesting description of the activities of various kinds of societies supervised by the department. The progress of some of them are summarised below:-

Women's Societies.- The women's societies have shown some improvement. Their number now is 218, an increase of 29 compared with 1933 and 47 compared with 1932. Membership has increased from 2,889 in 1932 and 3,393 in 1933 to 3,955 in 1934. Their owned capital has increased to 23.3 millions compared with 15.9 millions in 1933. Withdrawals of deposits amounted to Rs. 115,701 compared with Rs. 87,000 last year; but the progress made in other directions has been very satisfactory, and creditable to the small staff which is devoting its time to the supervision of these societies.

Workers' and Industrial Societies.- According to the Report, workers' societies were not functioning properly. One of the three societies under this head achieved a small profit of Rs. 155 but the second showed a loss of Rs. 3,619. The third, the Model Town Society, is still torn by ~~faction~~ factions and harried by the intrigues and disloyalty of its members. A special departmental committee consisting of the Deputy Registrar, Lahore, the Financial Adviser, and the Assistant Registrar, Lahore, carried out a detailed examination of the finances of the Society during the year and sent a report indicating the steps that were necessary to put things right; but the management of the society has shown no signs of taking definite action on their recommendations.

The Industrial Co-operative Societies form a very distinct branch of the movement and it is one which in the last few years had shown signs of languishing, for the effect upon it of the depression and other factors of the time had been considerable. Recently, however, they have shown signs of improvement. The improvement is to be seen partly in the figures of business done but still more in the notable change of spirit during the year. Comparative figures for these societies are as follows:-

	1933.	1934
Societies.	300	291
Members.	5,243	4,948
Average membership.	17	17
Working capital	588,000	536,000
Owned capital	201,000	219,000
Value of raw material advanced to members.	106,000	88,000
Value of members' goods sold.	48,000	71,000
Members' Members' deposits.	37,000	21,000

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Of the 291 societies now remaining, 171 consist of ^{Societies of} weavers (including makers of durrees and blankets), 60 of shoe-makers and tanners, 22 of carpenters and furniture-makers, 13 of smiths (including gold-smiths), 9 of oilmen, and 16 of 'others'; which head includes basket-makers, potters, glue-makers, makers of mooras, mats, chicks, rugs, and hosiery, dyers, tailors and artistic metal workers.

Two important events affecting the business of ~~the~~ Industrial Societies occurred during the year. The first was the Indian Industrial Exhibition held in Lahore during December and January. Five stalls were rented and converted into one shop in which were displayed the products of all kinds of Industrial Societies. The stall was run by departmental staff, was well attended throughout the exhibition, and sold societies' goods to the value of Rs. 7,622. The second event which had a marked affect on the business of certain weavers' societies was the production of a cheap mosquito net in connection with the anti-malaria campaign which was launched under the guidance of the Commissioner, Rural Reconstruction.

(The progress of co-operation in the Punjab during 1932-33 is reviewed at pages 56-58 of our May 1935 report).

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Education.

The Punjab Free Primary Compulsory Education for
Girls Bill. *

Attention is ~~to be~~ directed to page 29 of Part V of the Punjab Gazette, dated 8-11-1935, where a non-official Bill introduced in the Punjab Legislative Council on 29-10-1935 is published. The Bill is intended to provide for the free primary compulsory education ~~for~~ of girls in the Punjab. *

Representation for Increased Employment of
Bombay Seamen: Deputation to Bombay Shipping Master. ✓

A deputation of the National Seamen's Union, Bombay, consisting of Rao Bahadur R.S. Asavale and Messrs. A. Soares and Syed Munavar, ^{waited on} ~~was~~ the shipping Master, Bombay, on 8-11-1935 in connection with the increasing unemployment among Bombay seamen of the Saloon Section owing to their displacement by Calcutta seamen, even when the vessels begin their voyages from Bombay. In the course of the interview it was pointed out that, as the result of this discrimination against Bombay seamen carried on by the City & Hall and some other lines, a considerable proportion of jobs so far filled by Bombay seamen had been lost to them during the last year and a half, and ^{that} this number is steadily rising. It was also pointed out that Imperial Transport ships which employed Bombay Saloon crews for a number of years are now engaging Calcutta crews instead, thus adding to the unemployment.

The deputation also brought to the notice of the Shipping Master certain grievances of the deck and engine-room serangs in the matter of recruitment. His attention was ~~also~~ drawn to the fact that when casual vacancies in a Bombay crew occur at the port of Calcutta, the Bengali seamen refuse to fill the vacancies unless the whole Bombay crew is discharged, which ^{his deputations said,} is very hard on the Bombay seamen.

The Shipping Master listened to the views expressed by the deputation, and said he had been trying his best to improve the situation of seamen in Bombay. He promised to give careful consideration to the points raised. He added that, so far as the questions involved matters of policy either of the shipping lines or of Government it might be advisable for the Union to make direct representations to the authorities concerned.

(The Times of India, 13-11-1935) +

Migration. +

Disposal of Persons refused assistance to Emigrate;

Government of India's Amendment to Indian

Emigration Rules, 1923. +

Attention is directed to pages 1290-1291 of Part I of the Gazette of India where the draft of an amendment to the Indian Emigration Rules, 1923, is published. The amendment refers to rules regarding the disposal of persons who have been admitted to a place of accommodation and subsequently refused assistance to emigrate. +

Modification of Zanzibar Land Alienation Decree:

Colonial Government's Decision.

At pages 87-88 of our August 1934 report reference was made to the appointment of Mr. K.P.S. Menon, I.C.S., to investigate the effect on local Indian interests of certain laws passed by the Government of Zanzibar. A summary of Mr. Menon's Report was given at pages 82-86 of our January 1935 report.

One of the group of decrees passed by the Government of Zanzibar in June-July 1934, to which objection was taken by the local Indian community, was the Alienation of Land (Restriction and Evidence) Decree, which prohibited the permanent alienation of land by an Arab or an African to a person not an Arab or African, except with the sanction of the British Resident.

Salient Features of the Decree.- This Decree provided that any mortgage of land by an Arab or an African should normally take the form of a usufructuary mortgage for a period not exceeding 20 years; and that in cases where an Arab or an African, having been a

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party as vendor to a conveyance of immovable property, had remained in occupation of it, he might be allowed to offer oral evidence to prove the existence of an oral agreement that the transaction was only a mortgage and not a sale. Further, the decree prohibited, for a period of one year, the sale of the land of an Arab or an African in execution of a decree of a court. By an amending decree passed in June 1935, the period of this moratorium was extended till December 31, 1935.

Mr. K.P.S. Menon, I.C.S., who was deputed by the Government of India to assess the effect of the decrees in question on the local Indian community, recommended that representations in regard to the Land Alienation Decree might be deferred pending ~~the~~ receipt of the report of a Commission which had been appointed under the chairmanship of ~~the~~ Mr. C.E. Law, to inquire into the question of agricultural indebtedness in the Protectorate. This recommendation was accepted by the Government of India with the concurrence of the Standing Emigration Committee. The Commission reported on 25th September 1935 and its report together with a memorandum summarising the views of the Zanzibar Government have been sent to the Secretary of State for the Colonies. A brief summary of the Commission's report and the Zanzibar Government's memorandum are given below:

Extent of Agricultural Indebtedness.— The Commission have reviewed the indebtedness position ~~in~~ of agriculturists in the Protectorate and are inclined to think that about 30 per cent of the Arab and African plantation owners are indebted and that about 23 per cent of the total indebtedness is by way of mortgage or fictitious sale. While they were unable to form an exact estimate of the total indebtedness in Zanzibar, they felt that a state of indebtedness existed which would warrant their examining the position generally and making suggestions for its amelioration.

Suggested Remedies: Establishment of Conciliation Boards.— The main step suggested by them is the adjustment of debts by an amicable settlement through conciliation boards similar to those which have been established in the Central Provinces under the Central Provinces Debt Conciliation Act of 1933 and in the Punjab under the Punjab Relief of Indebtedness Act of 1934. A Conciliation Board, the Commission recommend, should consist of a Resident Magistrate, an Indian and an Arab, and should have the power to impose on the parties any adjustment which is acceptable to the debtor and to 60 per cent (in ~~the~~ value) of his creditors. The Boards are to be empowered to disallow interest above 10 per cent and 15 per cent respectively on secured and unsecured debts for the period for which such interest has been unpaid. The debtor is to be given time to pay his debts by instalments, fixed with due regard to his ability to pay and spread over a period of not more than five years. Failure to pay the instalments regularly will render the security liable to immediate sale, and it is recommended that the mortgagee should be allowed to bid at such sales. If a restriction of this right is found necessary with a view to ensuring that no community or individual acquires an entirely disproportionate number of plantations, the Commission recommend that the mortgagee should be compensated by

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Government. They recommend further that Government should help plantation owners who are deserving of assistance with loans at a low rate of interest, and that the moratorium on the sale of agricultural land should be lifted as soon as a definite scheme for dealing with existing indebtedness has been worked out.

Zanzibar Government's Memorandum:

Conciliation Boards Negatived.- The Government of Zanzibar are of opinion that it is not sufficient to rely upon amicable settlements and that the ordinary courts of the Protectorate specially authorised for the settlement of debts are preferable to Conciliation Boards. They consider that in case of debts contracted before the clove legislation of 1934, it should be open to the court to make a compulsory adjustment of the debt, and in such cases to re-open past transactions.

Limitation of Interest.- They agree with the recommendation that compound interest should not be allowed and that the courts should have the power to disallow interest above 10 per cent and 15 per cent on secured and unsecured debts, respectively, but consider that in any adjustment the court should take into consideration interest already paid at a higher rate. The maximum period over which repayment of debts should be spread, should in their opinion, be twenty rather than five years, as they feel that the majority of debtors would find it impossible at the end of five years to make satisfactory arrangements to finance themselves. Except for these and a few other minor points the Colonial Government accept the measures recommended by the Commission for dealing with indebtedness.

Land Alienation Decree.- The Commission have not made any specific recommendations on the Land Alienation Decree, which they presumably considered as outside the scope of their terms of reference.

It is in regard to the need for the continuance of the Land Alienation Decree that the Government of Zanzibar find themselves fundamentally at variance with the Commission's views. They state that, after a careful and exhaustive examination of the grounds on which the Commission based their conclusions, they are satisfied that the restriction upon alienation of land is absolutely essential in the interests of the agricultural classes and that without such restriction the rapid transfer of land away from such classes will continue. They propose, however, to make certain amendments designed to meet the criticisms made in Mr. Menon's Report.

Improvements Suggested.- Mr. Menon expressed the view that the decree is unobjectionable, provided (i) the racial distinction at present drawn between Arabs and Africans on the one hand and persons who are not Arabs or Africans on the other is replaced by the more rational distinction between agriculturists and non-agriculturists and (ii) the decree is not allowed to affect rights arising from past transactions relating to land.

The second point will, the Government of Zanzibar observe, be secured if their recommendations are approved. To meet the first criticism for which the Colonial Government admit there is justification they propose to draft a definition of "agriculturist" suitable to the conditions of Zanzibar for inclusion in the decree.

Views of Indian National Association of Zanzibar.- The Indian National Association of Zanzibar has drawn attention of the Government of India to the inability of the Zanzibar Government to accept the Commission's findings regarding the indebtedness position and the extent of holdings by Indians. As regards other features of the Report, the Association intends to review them at an early date. The Government of India will, it is understood, await these views, as also the reasons which have led the Government of Zanzibar to disagree with the findings of their own Commission on the two points specifically mentioned by the Association.

(The Statesman, 30-10-1935).

Deputation of Zanzibar Indians to Government of India.- The Indian population of Zanzibar has sent a deputation to India. The members of the deputation arrived in India during the month under review. The deputationists will meet the Government and represent their various grievances. *