

[100] 1903/9

INTERNATIONAL LABOUR OFFICE

Indian Branch

Report for August 1929.

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General.

It was mentioned at page 3 of this office's Report for July 1929 that consideration of the Congress Party's idea of boycotting the legislatures had to be put off to the Allahabad Session of the All-India Congress Committee, which was to meet on the 26th July 1929. Owing to sharp differences of opinion in the Party, and more particularly in view of the sturdy opposition the idea encountered from Bengal, the United Provinces, and Madras, a final decision on this question had once again to be postponed till the next Christmas season, when the Lahore Congress is to give its verdict on the matter. As at Calcutta during the last Congress, so at Allahabad, Mahatma Gandhi appeared as the saviour of the situation; and his formula of reconciliation is enshrined in the following resolution which was adopted with only ^{four}~~from~~ dissenting voices:-

"In view of the general situation in the country, this meeting of the All-India Congress Committee is of opinion that the time has come when all national effort should be concentrated on the preparation of the country for a campaign of non-violent non-co-operation after December 31, 1929, and agrees with the Working Committee that all Congress members of the various Legislatures, Central and Provincial, should resign their seats to give effect to this campaign; but having regard to the views expressed by a considerable body of Congress members of the Legislatures and some members outside them, this Committee resolves that the question of withdrawal from the Legislatures do stand over till the forthcoming Congress at Lahore.

"This Committee further desires the public in general, and the members of the Legislatures in particular, to prepare for complete withdrawal from the Legislatures should such a course be necessary, on and from January 1

next, provided that nothing herein contained shall prevent the Congress Party in any Legislature from resigning their seats before the Congress is held at Lahore if they consider it necessary to do so on any new issue that may arise hereafter."

There is no gain saying the fact that this resolution is a climb-down from the previous position adopted by Pandit Motilal Nehru and his followers; but however that may be, there is reason to believe that the postponement of the question has eased for the time being the anxiety of the Government. Another resolution passed at Allahabad condemned the policy of "repression" followed by the Bengal Government, and the meeting also authorised the Secretary (who, is also the President of the All India Trade Union Congress) to prepare a statement of the case of the strikers in the Golmuri Tin Plate ~~Workers~~' strike (see pages 20-21 of this Office's Report for July 1929).

Commenting on the Allahabad decision, Sir Tej Bahadur Sapru, a leading liberal politician and an ex-member of the Viceroy's Cabinet; said according to the Hisdustan Times of 31-7-29 that he hoped that before next December there would be a change in the political atmosphere. "The policy of the Government of India and of the India Office during the last few years had been one calculated to alienate their friends, and they have not only shown utter lack of imagination in regard to constitutional matters, but total lack of responsiveness to advice from friendly quarters". He thought it would be wrong to stake anything upon the Simon Report. Even assuming ~~provincial~~ autonomy was granted, that, without a simultaneous change in the Central Government, will not give satisfaction even to the Liberal Party. He would like to give every chance to the present British Cabinet if only they will approach the constitutional

question in the right spirit. "I see no reason why they should not discuss the Indian situation and the future constitution with Indian politicians. The basis of that should be Dominion Status. It is for them to decide whether they care to have a Conference, or whether they would like as a preliminary step, to send out Mr. Wedgwood Benn to see things for himself, as Mr. Montagu did in 1917, and take Indians into his confidence". The non-publication of the Simon Report, which can represent only one view of the matter, was in his judgment no bar to either of these suggestions being carried out.

Meanwhile, reports as to the nature of the Indian Central Committee co-operating with the Simon Commission are trickling down to India. As has already been reported to you, this Committee appears to be anything but a happy and united family, and it is therefore not surprising to be told that their report will not be unanimous. The majority Report, it is said, will ask for Government by an Indian ministry responsible to the legislature, both in the Central Government and the Provincial Governments, with the temporary exclusion of the Army and the Navy. But all these, of course, are mere guesses at this stage.

It has now been ^{announced} ~~announced~~ that the Indian Legislative Assembly is to meet on the 2nd September, and the Council of State on the 16th September. The Assembly Secretariat has circularised the members giving a list of pending bills, both official and non-official. In the former category come the Income-tax (second) Amendment Bill, opinions whereon have been collected; the Dangerous Drugs Bills whereon also opinions have been collected; the Patents and Designs Bill referred to a Select Committee last February; the Bill amending Section 505 of the Penal Code introduced last September; the Public Safety Bill, further discussion on which was not resumed on account of the President's ruling; and the Transfer of

Property Bill and the Transfer of Property Supplementary Bill, both of which were referred to Select Committees.

Non-official bills pending are Mr. K. C. Neogy's Inland Steam Vessels Bill, referred to a Select Committee in February last; Rai Sahib Harbilas Sarda's Hindu Child Marriage Bill, consideration of which was postponed pending the publication of the Age of Consent Committee's report. Mr. Haji's Coastal Reservation Bill, the report of ~~the~~ ^{an} Select Committee ^{on which} was presented in April; Mr. Haji's Deferred Rebates Abolition Bill which was referred to a Select Committee, and Pandit Thakurdas Bhargava's two bills amending the Criminal Procedure Code.

There are 29 non-official bills regarding which notice of motion for leave to introduce has been received. Among these are the Hindu Widows' Right of Inheritance Bill by Rai Sahib Harbilas Sarda, the Bengal Regulation Repealing Bill by Mr. Amarnath Dutt, the Imperial Bank Amendment Bill by Mr. B. Das, the Benares University Bill by Pandit Madan Mohan Malaviya, the Indian Khaddar Protection Bill by Pandit Motilal Nehru, and the Abolition of Capital Punishments Bill by Mr. Gaya Prasad Singh. An interesting resolution of which Mr. Har Bilas Sarda has given notice is that the Government should appoint a Committee to examine the laws relating to the status and rights of women in India and to recommend necessary legislation ensuring to Indian women their just rights. He wants legislation to penalise marriage of man a over 40 years of age with a girl below a certain age amongst the Hindus and such other communities in which widow remarriage does not obtain. He wants a law declaring the rights of women deserted by their husbands, the right of daughters to share in paternal property, the right of a

Hindu widow to share in her husband's property and the property of the joint family of which her husband at the time of death was a member, and lastly the right of a wife whose husband during her life time, marries another woman.

Many of the provincial Councils are having, or have already finished, their short summer session. The Bengal Council met on 2nd and ~~xx~~ 3rd July 1929, and stood prorogued on the latter date after the transaction of formal business; and a ministry has with some difficulty been formed there. In the Central Provinces also a new ministry has come into being. The Bombay Council commenced its sittings on the 22nd July, and the U.P. Council on the 24th June. The Madras, and Punjab Councils also are now sitting.

During the present session of the Bombay Council the Government will be introducing two bills, one to make the offence of criminal intimidation cognizable in times of emergency and the other for safeguarding of life and property in the Presidency area in times of emergency. Detailed references to these bills are made in the Section of the report dealing with national labour legislation.

REFERENCES TO THE I.L.O.

The Hindu of 13-7-29 publishes the account of an interview which its representative had at Bombay on 13-7-29 with Mr. Abdul Matin Choudhari, M.L.A., who attended the last Geneva Labour Conference as one of the advisers of Indian labour. Mr. Chaudhury, in the course of his interview, said: "India has gained a lot by participating in the International Labour Conference. The Indian Government is very backward in the matter of labour legislation and protection; but the forward proposals of other nations which were very helpful to labour have their own repercussions on the Indian Government, who now has begun to feel the moral force".

... ..

The Hindu of 13-7-29 publishes a two column letter from its Geneva correspondent, which gives an account of the concluding stages of the 12th International Labour Conference.

... ..

The Hindu of 19-7-29 publishes an account of an interview which its correspondent had at Bombay on 19-7-29 with Mr. Kasturbhai Lalbhai, the employers' delegate to the last session of the Geneva Labour Conference. Mr. Kasturbhai stated that at his instance, Indian middle class unemployment had been included in the scope of the enquiry on unemployment which Geneva is undertaking. Referring ~~into~~ the hours of work in India, ~~she~~ said that it was not likely that the 1919 decisions will be revised when they ^{will} come up before the Conference next year.

... ..

The Times of India of 23-7-29 publishes the account of a more detailed interview with Mr. Kasturbhai Lalbhai. The chief points stressed in the interview were that the importance of the International Labour Conferences is not sufficiently recognised in India, that the decisions of the Conferences were not always of an economic character, but that some of them had important political bearings, and that in view of these considerations both employers and employees in India should pay greater attention to the Geneva Conferences. He pointed out that the India Government was at times very hasty in ratifying some of the Conventions without adequate provisos, and opined that at least on certain subjects, India should ratify Conventions only if Japan did so. Other points referred to by Mr. Kasturbhai were the disabilities under which British Indian industries were suffering because of unfair competition from industrial enterprises located in Indian States, and the advisability of maintaining continuity in the personnel of delegations to the Geneva Conferences, as is the practice in England, France, Germany, Italy and Belgium. Mr. Kastoorbhai pointed out that only by such continuity of personnel, India can hope to establish a certain sphere of influence, and thereby obtain greater support for the country's points of view at the Geneva Conferences. x x x x

A fairly comprehensive summary of the Director's report to the 12th Conference issued by this office in the form of a press communique has been published in the Times of India and Hindu of 17-7-29, in the Pioneer of 18-7-29, as also in most of the other Indian newspapers. The communique, while briefly dealing with the I.L.O's various activities during the period under review, devotes special

attention to the Director's tour in the Far East, and to labour conditions in Asiatic countries.

... ..

A long letter from the Geneva correspondent of the Hindu dealing particularly with the work of the Indian delegates to the last Conference is published in the Hindu of 20-7-29. The letter draws attention to the marked divergence between the views of Mr. Joshi, the workers delegate, and ^{here of} Mr. Kastoorbhai Lalbhai, the employers' delegate, in the matter of the revision of the Hours Convention as far as it affected India.

... ..

The Statesman of 24-7-29 publishes a short editorial note on the assertions made by Herr Furtwangler at the last Geneva Conference on conditions in the Assam tea plantations. The Statesman, while condemning the statements in Messrs Purcell & Hallsworth's report to the British Trade Union Congress, which according to the Statesman ^{are} ~~is~~ Herr Furtwangler's authority for the assertions that he made ~~in~~ at Geneva, quotes the following comments of "Truth" (London) regarding this subject: "It was perhaps hardly worth serious notice so long as it remained a mere ebullition of the ignorance of such irresponsible persons as Messrs Purcell & Hallsworth, but a different situation arises now that it is being bandied about International Congresses under the auspices of a body closely associated with the Labour Government".

... ..

The Hindu of 26-7-29 publishes the full text of the Introduction to a reprint of the report of a recent dialogue between Mr. C. Vijayaraghavachari, an octogenarian political leader and an ex-President of the Indian National Congress, and a friend of his, on the ways and means to be adopted for securing self government for India. The statement is interesting because of the daring assertion of faith that it contains "Our (India's) political and economic salvation lie with the League of Nations". Mr. Vijayaraghavachari's idea in brief is that failing other means of redress, India should appeal to the League in the matter of achieving her freedom. The possible objection that the League will not take cognizance of such an appeal on the part of India, he meets with the assertion that there are several possible ways of bringing the matter up effectively before the League. He refers ^{to} President Wilson's observations regarding Article XI of the Covenant: "Article XI says that it shall be the friendly right of any member of the League to call attention at any time to anything anywhere that threatens the peace of the world", The suggestion may be of academic interest only, but it is valuable because of the testimony that it bears to the faith entertained by India's political leaders in the fair-mindedness of the League of Nations. It is all the more interesting when it is remembered that Mr. Vijayaraghavachari expressed himself vehemently against the League in a speech delivered three years ago, at the Benares Hindu University, ^{at a meeting also} addressed _^ by Dr. Pillai.

... ..

The Asiatic Review of London in its issue of July 1929 publishes an eight-page article by Dr. Pillai entitled "India's interest in the International Labour Office".

... ..

The Servant of India of 11-7-29 publishes an article from its Geneva correspondent under the caption "The Geneva Labour Conference" It briefly summarises the proceedings of the Conference.

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The Servant of India of 18-7-29 publishes another article from its Geneva correspondent dealing with the results achieved by the last Conference.

....

The June 1929 issue of the Indian Labour Review (Coimbatore) publishes a short account of the last Geneva Conference. The July 1929 number of the same magazine contains an appreciative comment on Mr. R. K. Shumukham Chetty's assertion at the last Geneva Conference that unless the Indian States were also compelled to ratify Geneva Conventions, the employers of British India would be forced to resist ratifications of Conventions by India. Incidentally, a strong plea is also made for the inclusion of conditions of labour in Indian States within the scope of inquiry of the Whitley Commission.

...

The Director of Industries, the Punjab, has issued under date 8-9-29 a communique informing the public that the post of an actuary has fallen vacant in the International Labour Office, Geneva. The communique gives details about the qualifications required of applicants and the salary fixed for the post.

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NATIONAL LABOUR LEGISLATION.

Rules framed under the Bombay Maternity Benefit
Act 1929.

The Bombay Government Gazette dated the 20th June 1929 publishes the following draft notification (General Department No.1066, dated the 17th June 1929) of the rules which the Bombay Government proposes to issue under Section 14 of the Maternity Benefit Act 1929* (Bombay VII of 1929).

Draft Notification

In exercise of the powers conferred by section 14 of the Bombay Maternity Benefit Act, 1929 (Bom.VII of 1929), the Governor in Council is pleased to make the following rules, for the purpose of carrying into effect the provisions of the said Act, namely :-

1. Short title.- These rules may be cited as the Bombay Maternity Benefit Rules, 1929.

2. Definitions.- In these Rules.-

(a) "Act" means the Bombay Maternity Benefit Act, 1929.

(b) "Inspector" means an inspector of factories appointed under sub-section (1) of section 4 of the Indian Factories Act, 1911, and includes an additional inspector appointed under sub-section (4) of the said section.

3. Muster roll.- The employer of every factory in which women are employed shall prepare and maintain a muster roll in the form of Schedule I to these rules, The names and record of employment of all women employed

* A summary of the Bill is included at page 27 of the April 1929 report of this office and the full text of the Bill is included at pages 19-23 of the June 1929 report of this office.

in the factory shall be entered therein and also the other particulars prescribed therein. All entries in the muster roll shall be maintained up-to-date and it shall always be available for inspection by the Inspector.

4. Responsibility of Inspector.- The Inspector shall be primarily responsible for the administration of the Act, within the area assigned to him under the Indian Factories Act, 1911; provided that in areas where there are more than one inspector, the Collector of Bombay may allocate the factories within such areas to such inspector as he shall deem proper.

5. Powers of Inspector.- (1) The Inspector may within the area for which he is appointed, examine the muster roll maintained under rule 3 and shall have power to make such enquiries and to require the production of such papers or documents as he considers necessary for the purpose of ascertaining whether the provisions of the Act and of these rules are properly carried out in any factory or not; provided that he shall not require any employer to answer any question or to give any evidence tending to criminate himself.

(2) Every notice given under sub-section (1) of section 6 of the Act and every receipt for maternity benefit paid to any person under the provisions of the Act or of these rules shall, on demand, be produced before the Inspector.

6. Penalty.- If any employer contravenes the provisions of rule 3 he shall be liable, on conviction, to a fine not exceeding fifty rupees.

7. Penalty.- Any person who wilfully obstructs an Inspector in the exercise of his powers or the performance of his duties or fails to produce on demand the muster roll, or notices given under section

6(1) of the Act or receipts for maternity benefits paid or other papers or documents necessary to enable the Inspector to ascertain that the provisions of the Act and these rules have been complied with, shall be liable, on conviction, to a fine not exceeding fifty rupees.

8. Return.— Every employer of women in a factory shall furnish to the Chief Inspector of Factories by the 1st of August in each year a return in the form of schedule II to these rules.

9. Records.— Records relating to the payment of maternity benefit under the provisions of the Act or these rules shall be preserved for a period of two years from the date of their preparation.

.....

SCHEDULE I

(See rule 3)

Form of muster roll

Name of Factory

(Muster Roll to be maintained up to date under the Bombay Maternity Benefit Act, 1929).

Month of 19 .

1. Name
2. Department
3. Ticket or departmental Number
4. Date 1, 2, 331
5. Total days
6. Date on which notice of pregnancy was given ¶ Section 6(1) ¶
7. Date of birth of child
8. Date of production of certified extract from birth register
9. Date of first payment and amount of same ¶ Section 6(3) ¶
10. Date(s) of subsequent payment(s) and amounts thereof. ¶ Section 6(3)¶
11. If the woman dies, date and amount of maternity benefit paid, and the name of persons to whom paid
12. Remarks

.....

SCHEDULE II

(See rule 8)

Return to be submitted to the Chief Inspector of Factories
on or before the 1st August each year.

Name of factory

Name of Occupier

Name of Manager

Year ending 30th June 19

Average number of women employed daily

Number of women who claimed maternity benefit under section 6(1) of the Act

Number of women who were paid maternity benefit for actual births

Number of other persons who were paid maternity benefit (section 7)

Total amount of maternity benefit paid

(Signature)

Employer.

0000000000000000

AMENDMENT OF RULES 44 & 46 OF
FACTORIES RULES (1923) BOMBAY.

The Bombay Government Gazette dated the 4th July 1929 publishes following draft notification (General Department No.2343, dated the 27th June 1929) under the Indian Factories Act, 1911, regarding the amendment of Rules 44 and 46* of the Factories (Amended) Rules, Bombay 1923.

Draft Notification

In exercise of the powers conferred by section 37 of the Indian Factories Act, 1911(XII of 1911), as subsequently amended, the Governor in Council is pleased to amend Rules 44 and 46 of the Factories (Amended) Rules, Bombay, 1923 (Published in Government Notification, General Department, No.2343-D, dated the 1st July 1923), by the substitution of the words "a majority" for the words "not less than three-quarters" where they occur in these rules.

The draft will be taken into consideration by the Governor in Council on or after 1st November 1929.

* The following is the text of Rules 44 and 46 relating to Rest Intervals:-

Rule 44.- On receiving a request from not less than one-quarter of the adult employees in any factory asking that the provisions of section 21(a)(ii) shall apply to the factory, the Inspector shall take steps to ascertain the desire of all the adult employees. If he is satisfied that not less than three-quarters of the adult employees desire that the provisions of section 21(1)(a)(ii) should apply, he shall record the fact in the Inspection Book under his signature, together with a brief account of the steps taken to ascertain the wishes of the employees.

Rule 46.- Where in any factory to which the provisions of section 21(1)(a)(ii) apply the Inspector is satisfied that not less than three quarters of the adult employees desire that that section should no longer apply, he shall record the fact in the Inspection Book under his signature together with a brief account of the steps taken to ascertain the wishes of the employees. Section 21(1)(a)(ii) shall thenceforth cease to apply to that factory.

... ..

EXEMPTIONS RE HOURS OF WORK IN ELECTRICAL
TRANSFORMING FACTORIES.

The Bombay Government Gazette dated the 4th July 1929 publishes the following notification (General Department No.741, dated the 1st July 1929) under the Indian Factories Act, 1911, regarding hours of work in Electrical Transforming Factories.

I

Notification

In exercise of the powers conferred by clause (c) of sub-section (1) of section 30 of the Indian Factories Act, 1911 (XII of 1911), as subsequently amended, the Governor in Council is pleased to direct that, in the case of Electrical Transforming Factories, the work, viz., operation and maintenance of the transforming plant, switches and synchronous condensers, which necessitates continuous production for technical reasons, shall be exempted from the provisions of sections 21*, 22* and 28* of the said Act subject to the conditions named below :-

- (1) that the persons engaged on continuous process shall ordinarily be employed on daily eight-hour shifts;
- (2) that each person shall have a rest period of at least 24 hours' duration on an average once per fortnight and as far as possible on

every fourteenth day except where temporary difficulties prevent it;

(3) that the average weekly hours of each person shall not exceed fifty-six over each shift cycle of three weeks.

* The following is the text of Sections 21, 22 and 28 of the Indian Factories Act 1911:-

¶ 21. (1) In every factory there shall be fixed,

(a) for each person employed on each working day -

(1) at intervals not exceeding six hours, periods of rest of not less than one hour, or

¶ (ii) at the request of the employees concerned, periods of rest, at intervals not exceeding five hours, of not less than half an hour each, the total duration of the periods of rest on that day not being less than one hour for each period of six hours' work done ¶;

¶ Provided that, in lieu of the periods provided under sub-clause (i) or sub-clause (ii) there may be fixed for each male person employed for not more than eight and a half hours on each working day, at the request of the employees concerned and with the previous sanction of the Local Government, a period of rest of not less than half an hour, so arranged that no such person shall work for more than five hours continuously, and ¶

(b) for each child working more than five and a half hours in any day, a period of rest of not less than half an hour.

(2) The period of rest under clause (b) shall be so fixed that no such child shall be required to work continuously for more than four hours. ¶

22. (1) No person shall be employed in any factory on a Sunday, unless -

(a) he has had, or will have, a holiday for a whole day on one of the three days immediately preceding or succeeding the Sunday, and

(b) the manager of the factory has previous to the Sunday or the substituted day, whichever is earlier, given notice to the inspector of his intention so to employ the said person and of the day which is to be substituted and has at the same time affixed a notice to the same effect in the place mentioned in section 36.

¶ Provided that no such substitution shall be made as will result in any person working for more than ten consecutive days without a holiday for a whole day. ¶

¶(2) where, in accordance with the provisions of sub-section (1), any person is employed on a Sunday in consequence of his having had a holiday on one of the three days preceding that Sunday, that Sunday shall, for the purpose of calculating the weekly hours of work of such person, be deemed to be included in the preceding week. ¶

¶ 28. No person shall be employed in any factory for more than eleven hours in any one day. ¶

... ..

BENGAL FACTORIES RULES, 1928: CANCELLATION OF
RULE 77*

The Government of Bengal(Commerce Department) has issued the following notification regarding the Cancellation of Rule 77 of the Bengal Factories Rules, 1928.

Notification

No.- 3527 Com.- 20th July 1929.- In exercise of the power conferred by section 37 of the Indian Factories Act, 1911(XXI of 1911), read with section 21 of the General Clauses Act 1897(X of 1897), the Governor in Council is pleased to cancel rule 77 of the Bengal Factories Rules, 1928, published with Bengal Government notification No.365 T-Com dated the 7th May 1928.

* The following is the text of Rule 77

RULE 77. Late or Incomplete Returns.- The Manager or occupier of every factory shall furnish to the Inspector, in addition to the returns specified in the Act or in these rules, any returns which may be prescribed from time to time by the Government of India or by the local Government. Returns made incompletely, incorrectly, or later than the prescribed date are liable to be considered not to be returns within the meaning of the Act, and to render the manager or occupier who submits to them liable to the penalty provided in section 41(j), namely, Rs.500.

... ..

EMERGENCY LEGISLATION IN BOMBAY

Reference has been made at pages 13-14 of the report of this Office for July 1929 to certain legislative measures that the Government of Bombay intended to enact to meet the difficult situation created by the recurring labour strikes and riots in Bombay. Among the various measures announced in this connection by the Governor of Bombay at a Conference held at Bombay on 21-6-29, were (1) a request to the Governor General for an Ordinance making intimidation a cognisable offence and, (2) a Bill in the local legislature on the lines of the Presidency Areas Security Act of Bengal to deal with hooligans (see page 14-July 1929 report). The idea of promulgating an Ordinance making intimidation ^{of} cognisable offence was ultimately abandoned in favour of passing a Bill in the Bombay Council to the same effect. Below is given the text of two Bills which the Government of Bombay has introduced in the Bombay Legislative Council.

THE BOMBAY PREVENTION OF INTIMIDATION BILL

BILL NO. XX OF 1929.

A Bill to make the offence of criminal intimidation
cognizable in times of emergency.

WHEREAS it is expedient to take power to enable the police to deal effectively with the offence of criminal intimidation in certain areas of the Bombay Presidency;

And whereas the previous sanction of the Governor General required by sub-section (3) of section 80A of the Government of India Act has been obtained for the passing of this Act;

It is hereby enacted as follows :-

Short title
Extent and
Commence-
ment.

1. (1) This Act may be called the Bombay Prevention of Intimidation Act, 1929.

(2) It extends to the Presidency Area.

(3) This section and sections 2 and 3 shall come into operation forthwith; section 4 shall come into force on the date or dates on which a state of emergency is declared to exist by notification under section 3, and shall continue to be in operation for the period specified in such notification or, if no period is therein specified, until such notification is cancelled by the Local Government.

Definitions.

2. In this Act, unless there is anything repugnant in the subject or context,

(a) "Presidency Area" means the City of Bombay, the Bombay Suburban District and any other area adjacent to the City of Bombay or the Bombay Suburban District which the Local Government may, by notification in the Bombay Government Gazette, include for the purpose of this Act within the Presidency Area.

(b) "Criminal Intimidation" has the meaning assigned to it by section 503 of the Indian Penal Code.

Declaration of state of emergency.

3. The Local Government, if satisfied that the public tranquillity in the Presidency Area or any part thereof is endangered by the prevalence of intimidation, may, at any time by notification in the Bombay Government Gazette declare that a state of emergency exists and shall set forth the reasons for such declaration in the notification.

Offence of criminal intimidation to be cognizable.

4. Notwithstanding anything contained in the ~~XXXXX~~ Second Schedule to the Code of Criminal Procedure, 1898, the offence of criminal intimidation shall be a cognizable offence ~~of criminal intimidation shall be a cognizable offence~~ as defined in that Act and the rest of the provisions of that Act shall have effect

accordingly.

STATEMENT OF OBJECTS AND REASONS.

It has been found that intimidation is very commonly practised in times of excitement in Bombay City and its neighbourhood and that the Police cannot deal effectively with it under the existing law since the offence of criminal intimidation is not cognizable. It is necessary that the powers of the Police should be increased in times of emergency in those areas. The Bill, therefore, provides that the offence of criminal intimidation shall at such times be made cognizable by a notification which can be cancelled when the emergency has passed away.

(Bombay Government Gazette - 27-7-29).

THE PRESIDENCY AREA (Emergency)
) SECURITY BILL.

BILL NO. XXI of 1929.

A Bill for safeguarding life and property in the
Presidency Area in times of emergency.

WHEREAS it is expedient to make provision in manner hereinafter appearing for the safeguarding of life and property in the Presidency Area in times of emergency;

And whereas the previous sanction of the Governor General required by sub-section (3) of section 80A of the Government of India Act has been obtained for the passing of this Act;

5 & 6
Geo. V,
C.61.

It is hereby enacted as follows :-

1. This Act may be called the Presidency Area (Emergency) Security Act, 1929.

2. (1) This Act shall extend to the whole of the Presidency of Bombay.

(2) Section 5 shall come into force on the date or dates on which a state of emergency is declared under section 4 and shall continue in force for three months from such date or dates. The rest of the Act shall come into force at once.

3. In this Act, unless there is anything repugnant in the subject or context,-

"Presidency Area" means the City of Bombay together with

(i) the Bombay Suburban District, and

(ii) any other area adjacent to the City of Bombay or the Bombay Suburban District which the Local Government may, by notification in the Bombay Government Gazette, include within this definition.

4. The Local Government, if satisfied that the public tranquility and security of life and property in the Presidency Area or any part thereof are endangered, may at any time, by notification in the Bombay Government Gazette, declare that a state of emergency exists and shall set forth the reasons for such declaration in the notification.

5. (1) Whenever the Commissioner of Police or District Magistrate exercising jurisdiction in the Presidency Area is satisfied that any person within his jurisdiction is committing, or has committed or is likely to commit or is assisting or abetting the commission of

(a) a non-bailable offence against any person or property
or

Cf. Bengal
Act III of
1926, S.1.

Cf. ibid,
S.2.

Power to
declare
state of
emergency.

Power to
order
removal of
turbulent
character.

(b) the offence of criminal intimidation, or

(c) any offence involving a breach of the peace,

so as to be a danger to ~~or~~ cause or be likely to cause alarm to the inhabitants of the Presidency Area or any section thereof, the Commissioner of Police or the District Magistrate, as the case may be, may, subject to the control of the Local Government, by written order direct such person to remove himself from the Presidency Area within such time and by such route as may be specified in the order and not to return thereto for a period (not exceeding one year) to be specified in the order without the written permission of the Commissioner of Police or the District Magistrate, as the case may be.

(2) An order under sub-section (1) against any person may, unless the Commissioner of Police or the District Magistrate, as the case may be, is satisfied in respect of such person that both he and his father were born in the Presidency of Bombay or that he is a member of a family which has settled in the Presidency of Bombay and is himself so settled, direct that such person shall remove himself from the Presidency of Bombay within such time and by such route as may be specified in the order and shall not return thereto for a period (not exceeding one year) to be specified in the order save with the written permission of the Commissioner of Police or the District Magistrate, as the case may be.

(3) An order under sub-section (1) shall be served personally on the person against whom it is directed in such manner as the authority making the order thinks fit.

6. (1) Before making an order under section 5 the Commissioner of Police or the District Magistrate, as the case may be, shall give an opportunity to the person against whom the order is proposed to be made to show cause against the order, and shall consider such representation as he may make verbally or in writing

(2) Within forty-eight hours from the making of an order under section 5 the Commissioner of Police or the District Magistrate, as the case may be, shall forward in writing to the Local Government his reasons for making the order.

7. When by an ~~order~~ order section 5 any person has been directed to remove himself from the Presidency of Bombay and has complied with the order, or when any person has been removed in police custody outside the Presidency of Bombay under section 9, the Commissioner of Police or the District Magistrate, as the case may be, may, of his own motion or upon application made to him in this behalf, if he is satisfied that both such person and the father of such person were born in the Presidency of Bombay or that such person is a member of a family which has definitely settled, modify the order in such manner as to permit such person to return to and remain in any part of the Presidency of Bombay outside the Presidency Area.

8. When an order has been served on any person under section 5 and has been complied with by him, his agent authorised by him in writing may petition the Local Government to remove or modify the order and thereupon the Local Government shall consider such

Procedure to be adopted in making order under section 5.

Power to modify order under section 5.

Right of appeal.

facts and circumstances relating to the case as may be placed before it, and may confirm, modify or remove the order.

Failure to comply with order.

9. Any person who, having been directed by an order made and served on him under section 5 -

- (a) to remove himself from the Presidency Area or from the Presidency of Bombay, fails to remove himself therefrom within the time specified in the order,
- (b) not to return to the Presidency Area or the Presidency of Bombay within a specified period, returns thereto within such period without the written permission of the Commissioner of Police or the District Magistrate, as the case may be,

may be arrested without a warrant by any police officer, and-

- (i) may be removed in police custody outside the Presidency Area or the Presidency of Bombay, as the case may be, or
- (ii) on conviction before a Presidency Magistrate or a Magistrate of the first class, may be punished with rigorous imprisonment for a term which may extend to one year.

Indemnity.

10. No suit, prosecution or other legal proceeding whatever shall lie against any person in respect of anything which is, in good faith, done or intended to be done under this Act.

STATEMENT OF OBJECTS AND REASONS.

During the riots in Bombay City in February and May 1929 most of the casualties were due to sudden and sporadic attacks by hooligans on unwary persons whom they met on roads and in bye-lanes. It was found that the powers conferred under Chapter VIII of the Criminal Procedure Code and under the Bombay City Police Act of 1902 were inadequate to allow the authorities to deal promptly with a state of extreme

emergency such as existed on those two occasions. The experience then gained showed that a summary remedy is required by which bad characters, who engage in the commission or abetment of offences so as to be a danger or a cause of alarm to peaceful citizens, can be removed from the Presidency Area. It is, therefore, proposed to pass a Bill to enable Government promptly and adequately to deal with any similar emergency which may arise in future.

2. The Bill is entirely based on Bengal Act III of 1926, which was passed by the Bengal Legislative Council in consequence of riots in Calcutta similar to those which occurred in Bombay. Under clause 4, if the Local Government is satisfied that a serious situation has arisen or is apprehended in the Presidency Area or any part thereof, it may declare that a state of emergency exists in such area. Thereupon, the Commissioner of Police in the City of Bombay and the District Magistrate elsewhere, if satisfied that any person within his jurisdiction is concerned in the commission or abetment of offences of the nature ~~described~~ described in clause 5(1) so as to be a danger to or to cause alarm to the inhabitants, may direct such person to remove himself from such area and not to return thereto for a period not exceeding one year without the written permission of that officer. Clause 6 provides that such person shall be given an opportunity to show cause why the order should not be made and that within forty-eight hours from the making of such order the officer concerned shall forward in writing to the Local Government his reasons for making the order. Clause 8 gives a right of appeal to the Local Government against an order under clause 5. The provisions of the Bill are limited to the Presidency Area and to a state of

emergency, and under clause 2(2), the provisions of clause 5 continue in force for three months only from the date of the notification under clause 4.

(Bombay Government Gazette- 27-7-29).

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Amendment to Workmen's Compensation Act, 1923.

In November 1928, the Government of India issued a circular letter to all the provincial governments setting out the points on which the Government are prepared to consider public opinion for effecting amendments in the Workmen's Compensation Act, in the light of the past five years' experience of the working of the Act. The provincial governments have in their ~~turn~~ taken steps to consult ~~the~~ organisations of employers and employees, and other interested parties, to elicit public opinion on the proposed changes. The Government of Bombay empowered the Labour Office, Bombay, to consult any additional persons and bodies whom it might deem it necessary to address in this connection. A symposium of the opinions of the various bodies in the Bombay Presidency, both employers' and Workers' organisations, addressed by the Labour Office is published in the Labour Gazette, Bombay, (Vol VIII, No. 11, July 1929), at pages 1077-1117. The inquiry has been based on sixteen questions framed under the following main heads :- the scope of the Act, the scales of compensation, the "waiting" period, the definition of dependants, liability of contractors, returns of compensation claims statistics, and provisions relating to procedure in fatal accidents. (Cutting is not enclosed as the Labour Gazette is regularly received at Geneva).

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CONDITIONS OF LABOUR

Bombay Textile Strike

The Bombay textile strike continued throughout the period covered by this report (15th July to 31st July), but with diminishing intensity. The figures published by the Millowners' Association from time to time about the attendance at the mills showed that while the numbers fluctuated round about 95,000, the efforts of the Girni Kamgar Union to get more men to strike were not meeting with much success. According to the Millowners' Association on 14-7-29 the numbers of attendance stood at 93,932; on 16-7-29 at 88,782; on 23-7-29 at 91,036; and on 24-7-29 at 94,254. Towards the end of July, there was a regular influx of workers to the mills and on 27-7-29 the attendance neared the 100,000 mark, the actual figures being 98,387. There were occasional attempts at terrorism to prevent workers from attending the mills, but on the whole, the police were able to keep the rowdy elements in check by strong measures. On 19-7-29 the Police Commissioner issued an order under the authority of the Governor in Council, prohibiting the office bearers and members of the Girni Kamgar Union from "holding, convening, or calling together any assembly of mill-hands or employees of the Textile Mills of Bombay" for the period of one month from 19-7-29. On 20-7-29 the Managing Committee of the Girni Kamgar Union met to discuss the situation created by the new prohibition order, and it is reported that the strikers considered the feasibility of resorting even to Satyagraha (passive resistance) against the renewal of the prohibition order (Times of India- 22.7.29). Apart from occasional attempts at terrorism with a view to ^{prevent} ~~intimidate~~ non-striking

workers from attending the mills, which reached their climax on 23-7-29, when one man was killed and three were injured in a scuffle with a gang of strikers, the strike, during this period, was not marked by any outstanding incident.

A noticeable feature of the situation, however, was the increasing participation of the children and womenfolk of the strikers in strike activities. Mrs. Dange, whose husband Mr. Dange was a prominent office-bearer of the Girni Kamgar Union and is now an under-trial prisoner at Meerut, has been elected a Vice-president of the Union. The ~~xxx~~ women workers have begun to participate increasingly in the meetings and other activities of the strikers. This tendency found further expression in the children of the strikers ~~workers~~ going to the municipal schools wearing red badges, shouting "Victory to the Red flag", and indulging in fights with the children of non-striking workers.

At page 14 of the report of this office for June 1929, mention has been made of the chief steps that the Government of Bombay intended to take for bringing the strike to an early termination. Among the steps contemplated were the enactment of legislation for making intimidation ~~of~~ a criminal offence, and for deporting undesirables from the city of Bombay. Two Bills to this effect have now been introduced in the Bombay Legislative Council (The text of the Bills are given in the section of this report dealing with labour legislation).

At page 17 of the report of this office for the month of July 1929 reference was made to the arrests on 12-7-29 of ^{certain} ~~three~~ labour leaders, all office-bearers of the Girni Kamgar Union for holding a public meeting in defiance of the Police Commissioner's orders.

The trial of the accused (Mr. S.W. Deshpande, editor of the "Krantii", and Mr. B.T. Randave, General Secretary of the Girni Kamgar Union), began on 16-7-29 before the Presidency Magistrate, Fifth Court, Bombay. The prosecution counsel in the course of his address stated that "it could be proved from the lists of cognisable and non-cognisable offences that had been prepared by the police between 26-4-29 and 11-7-29, 317 cognisable and non-cognisable offences were reported either to the mill-authorities or to the police as having been caused by strikers. Judgment in this case was delivered on 19-7-29. The magistrate found both the accused guilty and sentenced them under section 143, I.P.C., to six weeks rigorous imprisonment and a fine of Rs.200/-, or in default six weeks further imprisonment. The accused have filed an appeal against the conviction and sentence in the Bombay High Court.

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The Bombay Mill strike Inquiry.

The Bombay Mill strike Inquiry Court met on 17-7-29 (an account of its earlier proceedings is given at pages 16-17-29 of July 1929 report), but had to be adjourned without transacting any business on account of the non-appearance of the representatives of the Girni Kamgar Union. After several adjournments the Court again met on 23-7-29, the representatives of the Girni Kamgar Union having been brought to the Court from jail to give evidence on behalf of the Union. [Mr. Deshpande, Secretary of the Union, in his evidence indicated the composition and policy of his union and explained the ~~xxx~~ method and object of the union's work among the mill-hands. In reply

to a question from the Chairman, he stated that his union accepted the responsibility for the strikes called in March and April of this year, as also for the present general strike. The examination of this witness continued to occupy the attention of the Court on 24,25,26 and 27-8-29. Cross-examined by Mr. H.P.Mody, Secretary of the ~~Millowners~~ Millowners' Association, witness asserted that the millowners precipitated the strike because of their studied policy of victimisation, and maintained that the strike was being kept alive because of the uncompromising attitude of the owners. Witness admitted that there were divisions among the workers, and that many of them did not support the strike, but alleged that the divisions were the result of rivalry between the unions. At the close, witness demanded that Mr. Dange and other leaders of the Union, who are kept in jail as under-trial prisoners at Meerut, should be brought over to Bombay to give evidence before the Court, if it wanted a complete presentation of the strikers' case.

The examination of Mr. Deshpande lasted for full four days, and afforded an opportunity for the principal protagonists to meet each other face to face. The cross examination of Mr. Deshpande by Mr. Mody and the frequent passages at-arms that occurred between them, furnished ample evidence of the extreme divergence ^{between} of the outlooks of the Girni Kamgar Union and the Millowners Association.

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The Tinplate Workers' Strike

The tinplate workers' strike, Golmuri, Jamshedpur, which began on 8-4-29 is still continuing without either side ~~xxxx~~ showing any signs of yielding. According to the Times of India of 19-7-29, the

strikers who are at the end of their financial resources, have received a gift of £100 from the British Trade Union Congress. As has been stated in the July ¹⁹²⁹ report (see page 20), the strikers are banking all their hopes on inducing sympathetic strikes in the Budge Budge works belonging to the same owners, and also in the Tata Steel and Iron Works, Jamshedpur. The Tinsplate Company is keeping an adamant attitude, unperturbed by these tactics. The company has recruited fresh labour, and the works are going on as usual, except for the inevitable falling off in the quality and the ~~quantity~~ quantity of production. The men have been latterly indulging in hopes of Government intervention on the strength of the Trades Union Act, but according to present indications there is little likelihood of Government yielding to the men's demands for a Conciliation Board. The Company is determined in its attitude not to negotiate with the strikers.

A press communique issued by the Golmuri Tinsplate Workers' Union on 26-7-29 says that arrangements have been made in the Tata Iron and Steel Works, and in the Burma Oil Company Works at Budge Budge, to declare sympathetic strikes if the minimum terms offered early in May, 1929, by Mr. V.V.Giri (see page 47 of the report of this office for June 1929) on behalf of the workers are not accepted.

... ..

Jute Mills strike, Calcutta.

In the report of this office for July 1929, reference was made to a strike which originated in the Alliance and Meghna mills and the Baranagore Jute mills on 6-7-29. The strike was the outcome of a change of working hours in the jute industry from 55 to 60 hours.

The men wanted increased bonus and overtime allowances. The strike which ended on 8-7-29 on the assurance of a peaceful settlement of their claims broke out anew on 12-7-29, when some of the workers of these three mills, numbering about 3000, struck work, declaring their unwillingness to work 60 hours a week. According to the Statesman of 14-7-29, the workers have stated their intention to return to work only if the 56 hours week as obtained before 1st June 1929 is reintroduced. The same paper of 17-7-29 says a truce has been arranged whereby the men will return to work for two weeks, pending a satisfactory settlement of their demands. These peace hopes, however, have proved illusory, as by 29-7-29 the weavers of ^{the} Union Jute Mills, the Soora Jute Mills, and the Darbhanga Jute Mills downed tools, demanding a higher rate of wages (Times of India 29-7-29). The situation is somewhat obscure as the workers have not in all cases made out a plain statement of their grievances and demands; but there can be no doubt that at the bottom of the trouble is the recent transition to a 60 hours week from the old 55 hours week. As the change in the hours of work affects the whole jute industry, the chances are ~~xxxx~~ that the strike epidemic will spread in Calcutta.

... ..

Strike in Choolai Mills, Madras

On 16-7-29 the workers of the Choolai Mills, Madras went on strike on the ground that their wages have been reduced. Thanks to the intervention of Mr. Slater, Labour Commissioner, Madras, a settlement was arrived at on 25-7-29. The following are the principal terms of the settlement :- *The owners have agreed to*

"(1) Paying allowances when looms stop for lack of materials or for any other reason for which the labourers are not responsible.

(2) Granting privilege leave for all operatives over five years' service; (3) Giving effect to the recommendations of the Textile Expert Committee. The management have given an undertaking in the presence of the Labour Commissioner to carry this out. (4) They also accepted to put on the notice board the rates for various counts units and pattern of work. (5) They also accepted the main demand of the Union on which centered much discussions and sharp differences and which was mainly responsible for the present strike, namely the appointing of an expert committee with the following terms of reference:- (a) to report to the Labour Commissioner whether since the introduction of the two-loom system there has been any alteration in the basic rate on which wages in the weaving department are calculated and if so to indicate the nature, extent and time of the alteration or alterations. (b) to examine and report to the Labour Commissioner on the figure of production which has been furnished by the Management of the Mills at the conference on Tuesday and yesterday for each of the 12 months ending with June last and (c) to report to the Labour Commissioner whether the production in the Weaving Departments at any time since the beginning of November last has been seriously affected by the inferior quality of the warp and weft supplied.

(Hindu- 25.7.29)

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End of Bangalore strikes

The Bangalore textile labour general strike involving the workers of the Minerva and Maharaja mills (please see page 22 - July 1929 report) ended on 24-7-29. The men resumed work unconditionally.

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Hours of Work in Baroda Factories.

A deputation of ten members of the Millowners' Association at Baroda, waited upon Rao Bahadur V. T. Krishnamachariar, the Dewan, ^{on 23-7-29} to represent their views on some of the new Factory Act which is to be taken up for final reading at the next session of the State Dhara Sabha.

The Association represented that, in view of certain sectional holidays which had to be observed to respect the orthodox sentiments of the labour class, Government should not insist on observing Sunday as a holiday every week, but that factories should be allowed to work for not more than 12 days on a stretch. The association recommended that the number of holidays should be 48 in the year and that instead of a recess of an hour, half an hour may be fixed in order that the labourers may be relieved half an hour earlier.

The deputation succeeded in prevailing upon the Dewan to agree that the hours of labour should be reduced to 11 from 13 and that the definition of the word 'week' be so worded as to allow factories to work for 12 days consecutively when there were two or three sectional holidays at a time.

INDUSTRIAL ORGANISATIONEMPLOYERS' ASSOCIATION.THE AHMEDABAD MILLOWNERS' ASSOCIATION.

The annual general meeting of the Ahmedabad Millowners' Association was held on 20-7-29, under the presidentship of Sheth Chamanlal Parekh. In the course of his ~~xxx~~ speech, Mr. Parakh made an important pronouncement on the need for according some measure of protection to the Indian cotton industry in view of the adverse effects of the 1sh. 6d exchange, and the increasing competition of foreign countries, notably Japan. The following are relevant extracts from his speech :-

"The growing weight of foreign imports which receive, as it were a bounty ~~xxxxxx~~ of 12 per cent. owing to the fixing of the exchange at 1s.6d. keeps on cutting the Indian industry under the feet. Foreign countries are keenly devising ways and means to continue their hold on Indian markets. Conditions of dangerous depression which are accentuated by the exchange ratio which favours foreign imports, are likely to receive further support from those countries which have felt the temporary effect of indigenous competition against their goods. Hitherto, Japanese mills used to work two shifts from 6 a.m. to 5 p.m. and 7 p.m. to 6 a.m. with a recess of one hour. From July 1, 1929, women and boys under 16 years are not to be employed on night-work which is defined as from 11 p.m. to 5 a.m. This change is not supposed to carry out the provisions of the Washington Convention. The new change allows Japanese factories to work for 18 hours a day with all classes of workmen. This would enable them to work two shifts of 8 hours each, between 5 a.m. and 11 p.m. with the employment of women and children. When in India the Factory Act prohibits the employment of women and children at night, in Japan the above ~~arrange-~~

arrangement gives unfair advantage to Japanese employers. Moreover, some Japanese mills have increased their spindles by this time. Many mills have also installed Toyoda automatic looms which are reported to run 25 per cent. more picks per minute than any American automatic loom. Thus, the abolition of night work in Japan in the above manner is not likely to decrease production but to increase it. In Japan the textile industry holds the first place among its main industries in the order of the amount of products. Out of the total production of all kinds of industries in Japan, the textile output comes to Yens 2,677,000,000 which constitutes 26 per cent. of all the total products!"

"Japan seems to have strengthened all its forces of competition recently, as in the current year during the first four months 165 million yards of cloth have been imported into India against 85 million yards during the same period last year. It is regrettable that Government continues to watch the situation ~~at~~ calmly for the last four years and yet remains indecisive, as to the real measure of protection which is imperatively necessary to save the national industry from ruin and disaster. Great Britain has adopted the principle of safeguarding industries. The derating proposals for the benefit of industries are supposed to substantially assist them."

"Without further delay Government should now see their way to counteract ^{the effects of the exchange by an additional} ~~tional~~ duty on imported cloth to the extent of 12 per cent. Protection of nascent industries should be the motto of every government
*When all industrial countries like America, Great Britain, Japan, Italy, Germany, Brazil, China, Roumania, Turkey, Egypt, South Africa etc. are devising measures to protect effectively national industries, and when the United States, Germany, ~~I~~ Italy, and Japan have already

proved that no country could survive industrially unless it was protected by tariffs, the Indian mill industry which has its raw-materials produced abundantly in India and has an immense indigenous market with 320 millions of consumers within its own boundaries is woefully compelled to petition the Government every now-and-then with a view to protect it from the inequitable exchange, severe foreign competition, high railway freight and high burden of central, provincial, and local taxation. In such circumstances, one is reminded of the words of the ex-Secretary of State for India Mr. Montague, viz.:- "The Government of India is too wooden, ~~too iron~~, too inelastic, too antediluvian, to be of any use for modern purposes."

(Times of India 23-7-29)

ECONOMIC CONDITIONSENQUIRY INTO TEXTILE TARIFF CONDITIONS.

The cotton interests of the country have for long been pressing the Government of India for a fresh enquiry into textile tariff conditions in the country, on the ground that since the Sir Frank Noyce Committee reported, other factors have conspired to make the conditions of the industries worse. Though at first the Government was not inclined to accept the ~~various~~ contentions of the millowners at their face value, latterly, its attitude had changed, in view first, of the steady worsening of the position of the cotton industry, and secondly, because of its own increasing financial embarrassments. At page 44 of the report of this office for July 1928, reference has been made to two deputations of the Bombay Millowners' Association, which waited upon the Viceroy, and Sir George Schuster at Poona, on 28-6-29 and 29-6-29 respectively, ~~and~~ ^{and} which urged the imposition of a duty of not less than 9 per cent on all cotton goods imported into India. In response to the representations made by the millowners, the Government of India have issued the following communique :-

"The Government of India have decided to appoint Mr. Hardy, Collector of Customs, Calcutta, to examine the possibility of substituting a system of specific duties for the existing system of ad valorem assessment of cotton piecegoods. They have also decided in order to give effect to the proviso made by His Excellency Lord Irwin, when he received a deputation from the Bombay Millowners' Association at Poona that their representation would be considered, that Mr. Hardy should simultaneously ascertain and report what changes have taken place since the Tariff Board reported, in the volume of imports, classes

of goods imported, and the extent and severity of external competition with the ~~products~~ of the Indian mills"

It may be mentioned here that the millowners themselves are conducting an inquiry into the subject. The Government while deciding that Mr. Hardy's inquiry is to be independent, has instructed him to meet in all possible ways the Bombay Millowners' Association's request for the assistance of government experts in the conduct of their own enquiry into the tariff changes necessary for the preservation of the cotton industry. Mr. Hardy has been instructed to visit Bombay at the earliest possible moment, and to confer with the representatives of the millowners to ascertain how far his enquiry and the millowners' enquiry may be co-ordinated. The twin enquiries are to be welcomed, as between the two, the public will be able to secure a comparatively true picture of the conditions in the industry, so far, at least, as external competition is concerned.

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DUTY ON RAW COTTON IN BOMBAY CITY

The Government of Bombay have rejected the recommendation of the Textile Tariff Board that the 1927 town duty on raw cotton imported into the city from any part of India, of one rupee for every bale, on all the cotton consumed by the mills in Bombay ^{by} the grant of a refund to the mills on proof of consumption.

The Government Press note on the subject says: "The Tariff Board held that the continuance of the town duty for the purposes of the industrial housing scheme was not inequitable. Tenements provided by the Government are much superior to the majority of those available elsewhere. Reduced rents charged for them compare very favourably with

those charged by others, and it is the mill industry which stands most to gain by the improved housing conditions of employees. The Bombay Municipality has, during the last eight years, carried out not only a much larger programme of development than in the preceding years by virtue of the revenue from this *cess*, but have committed themselves to a further scheme like the main drainage scheme for the north of the island, which may have to be given up if the resources of the Corporation are curtailed at this stage".

(Hindu 19-7-29)

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Tariff Board Inquiry into Salt Industry

At the March 1929 session of the Indian Legislative Assembly, Mr. N.C. Kelkar, M.L.A., had moved that the Tariff Board should be asked to inquire into the position of the Indian Salt ~~z~~ industry with a view to make India self-supplying in the matter of salt supply. The Taxation Inquiry Committee of 1926 had already recommended the adoption of such a procedure in its report, but the Central Board of Revenue which examined the recommendations of the Taxation Enquiry Committee, decided that, except in the case of Burma, there was no prima facie case for a reference of the question to the Tariff Board. The Assembly debate of March 1929 has, however, induced the, Government of India to reverse their previous decision. The Government of India announce that they have reconsidered the position with regard to the salt industry and have asked the Tariff Board to report whether, having regard to all relevant considerations, it is desirable in the national interest that steps should be taken to encourage production of salt in India, suitable for consumption in those markets which are at present largely supplied from abroad and if so, what measures they recommend.

The Bombay Presidency Land League

At pages 38-39 of the report of this office for July 1929, references have been made to the rapidly growing agrarian discontent in the country against the land revenue policy of the Government. The agitation is most intense in the Bombay Presidency, particularly in the Maharashtra country. On 23-7-29 over a hundred delegates from the Maharashtra, Gujerat, and Karnatak assembled at Poona in order to found the Bombay Presidency Land League.

The first resolution defining the object of the ^{Bombay} presidency land league as "safeguarding the rights and interests of agriculturists and the Constitution", and the next, demanding "the cancellation of all revision settlements since 1920 and the announcement of a definite policy" were adopted unanimously.

The land league has influential backing. Its president is Mr. Vallabhai Patel, the leader of the successful Bardoli campaign. A Committee has been appointed to define the basic principles of land revenue.

All the present indications go to show that if the Bombay Government continues with its present land revenue policy, a serious situation will be precipitated. Mr. C. R. Shroff, M.L.C., in a recent letter to the Governor of Bombay had sounded a serious note of warning on this issue. In his reply, the Private Secretary to the Governor, assured Mr. Shroff, on behalf of the Governor, that since April 1929, when the Bombay Government had received the Bardoli report, they had been continuously engaged in reviewing the land revenue policy and in considering the best form of legislation, but that it would not be placed before the Legislative Council until Government had satisfied that they had a measure framed on sound progressive lines.

SOCIAL CONDITIONS

Early Marriage Prevention Act, Bhavnagar

References have been made at pages 45-47, and page 51 of the report of this office for July 1929, to the Age of Consent Committee Report, and to the Child Marriage Prevention Act recently enacted in Baroda. The Indian States are beginning to act up to the lead given by the Government of India and the progressive state of Baroda. The Council of Administration in the Bhavnagar State has decided to adopt legislation to prevent early marriages and has invited the opinions of the leaders of Hindu thought in the State on the provisions of the proposed Early Marriage Prevention Act on or before September 1.

The Act fixes the marriageable ages for boys and girls at 18 and 14, respectively contravention being threatened with legal penalties.

All betrothals performed before the Act is ratified shall have to be registered before the ^(Registrar) Wahiwatdar of every Mahal, if they are to acquire validity, and it will in future not be possible for a widower of over 45 years to marry a girl whose age is not half of his own. ^{below the ages fixed,} Marriages, however, will be allowed in a caste known as the "Kanbis" in which child marriages are much in vogue, but the girl should not be sent to her husband's home till the above age is attained. Defaulters as well as abettors will be punished with either a fine of Rs.500 or three months' imprisonment or both.

(Times of India - 23.7.29)

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The Brothels Bill (Madras)

At page 61 of the report of this office for May 1929 mention is made of the Brothels Bill which the Government of Madras is planning

to enact for the suppression of brothels in the city. The Bill, at the time, has been referred to a Select Committee. The Select Committee has now concluded its labours. *Among the important changes effected by the Committee are the extension of the Bill to the whole presidency from the very enactment of the measure; and the deletion of clause 5 which provided for an elaborate preliminary enquiry and warning by the Police Commissioner and then prosecution. This clause is substituted by another intended to directly penalise brothel keeping as an offence.

Provision is made for the compulsory maintenance by the Government of ~~homes~~ ~~or~~ ~~homes~~ for the rescued minor girls and women, with a proviso that those rescued should be in the custody of persons belonging to the same religious persuasion to which the rescued belong. Punishment by ~~whipping~~ whipping is removed from the statute.

Clauses dealing with procurement, ⁷detention of girls and women against their will for purposes of prostitution, are allowed to remain more or less as they were in the draft Bill; but solicitation is made punishable only if it takes place in or near a public place or thoroughfare so as to amount to public nuisance!

(Hindu .- 23-7-29)

... ..

Prohibition of Public Gaming Bill

Mr. F. E. James, M.L.C., of Madras is intending shortly to introduce a Bill in the Madras Legislative Council to provide for the punishment of public gaming and the keeping of gaming houses in the Presidency. "The aim is to make "gaming" illegal except under the conditions prescribed. ~~These are (a) on the day on~~

WOMEN AND CHILDREN

Bengal Children Act (1922) Amendment Bill

The Government of Bengal is contemplating to amend the Bengal Children Act of 1922 with a view to establish a central court for the trial of offences thereunder. The statement of objects and reasons of the Amending Bill which the Government is introducing, published in the Calcutta Gazette Extraordinary dated the 26th July 1929, says that the question of putting the working of the existing Juvenile Court in the Presidency on a more satisfactory footing was raised during a discussion in the Legislative Council, and Government promised to examine the matter. While considering the question, it was not only found that the present arrangement under which several magistrates in Calcutta tried juvenile offenders was unsatisfactory, but also that the House of Detention at Howrah ^{where} the Juvenile Court of the district is located dealt with a very limited number of cases, while the cost of maintaining the House was proportionately high. Accordingly, it was proposed to abolish the House of Detention and to establish a combined central court under experienced magistrates to try cases of juveniles for offences committed in Calcutta and the neighbouring industrial area.

Under the existing law the magistrate sitting within the local area has not the power to try cases arising outside his limit, and to remove this bar it is proposed to amend the Bengal Children Act. The opportunity is also taken to define a Juvenile Court.

... ..

Maternity and Child Welfare in Madras.

The Pioneer of 15-7-29 states that Mrs. Muthulakshmi Reddi, Vice-

President of the Madras Legislative Council, has given notice of a resolution to be moved at the next meeting of the Council recommending the appointment of highly qualified medical ~~XXXXXX~~ women on the public health staff to organise maternity and child welfare work in a manner best suited to the needs of the province, to supervise the work of midwives and dais, ^{and} to attend to the medical inspection of school girls, ^{*}women students, and the adoption of immediate steps to induce local bodies to open maternity and child welfare centres in their areas by a system of grants-in-aid from the provincial revenues.

EDUCATION

Training in State Railway Collieries

The demand for Indianisation of the superior grades of the railway service, which has been growing in intensity has, of late, been evoking increasingly satisfactory responses from the Government of India. An instance in point is the Government's determination to recruit qualified Indians for at least 75 per cent of the vacancies in the Coal Department (Collieries and Inspection) of the Superior Revenue Establishment of State Railways (the procedure for the selection and training of such recruits in India is published in the Gazette of India, dated 15-6-29). It is a condition of the scheme that candidates must hold either the mining diploma of the Bengal Engineering College, Sibpur, or the diploma of the School of Mines, Dhanbad. Candidates selected as probationers will be given practical training in the State Railway collieries for 12 months and will be given a stipend of Rs.100 per mensem. On satisfactory completion of the probationary period and training, and provided he has passed the examination for sardar's certificate, gas testing, and First Aid to the injured under the Indian Coal Mines Act, a probationer will be appointed as a Junior Overman (Rs.125-15-200). Vacancies in the grade of Senior Overman (Rs.250-20-450) will be filled by selection from those Junior Overmen who have obtained a Second Class Manager's Competency Ticket. [The Government of India's lead in the matter of giving suitable posts for qualified students from the Indian School of Mines has stimulated the Indian Mining Association to draw up a scheme for training mining apprentices at the Jharia collieries. The increased facilities thus afforded for technical education will be greatly welcomed by Indians.

AGRICULTURE

Long-term loans scheme for Baroda Agriculturists.

A new comprehensive scheme to help the agriculturists has been sanctioned by the Maharaja Gaikwar. The scheme, which is one of considerable magnitude, will provide long-term loans at ~~the~~ the small rate of interest of 4 per cent to finance the agriculturists for sinking wells and purchasing bullocks and agricultural implements.

Five lakhs of rupees will be released for this purpose from the budget every year for the next five years. The amount of Rs.25 lakhs thus released will continue to increase as it is to be administered separately, while the interest earned will be added to it.

Under the scheme, village officers will prepare a list of reliable and fairly well-to-do applicants possessing irrigable dry crop land, with a promising site for a well. If sufficient water is available, a good well will be sunk and the cost defrayed from the allotted amount by the Taluka revenue officer. The village officer will also ascertain whether the peasant-proprietor has a sufficient number of bullocks. If not, he will advance a sufficient amount to enable the purchase of the requisite number of young oxen of good breed from outside the State so that the available stock in the State may steadily be increased.

The period of recovering the amount advanced will be about 3 years for agricultural implements, etc., 6 years for bullocks, 6 to 8 for oil-engines and pumps, and 8 to 12 years for wells.

For the first two or three years, no interest will be charged on the aggregate debt incurred by the peasant, but deferred interest will be added subsequently on the amortisation system to the instalments due from him, when he begins to earn an increased income from the irrigated crops.

Another feature of the scheme is that the ~~farmer~~ farmer borrowing money will

give an undertaking to plant five to ten trees such as are useful for shade, fruit bearing and agricultural purposes.

The scheme has already been put into operation in Waghodia Taluka. The response on the part of the peasants was prompt and exceeded the expectations. Over one lakh of rupees was applied for.

MARITIME AFFAIRS.RECRUITMENT OF INDIAN SEAMEN

The methods of recruitment of Indian Seamen in the principal ports of India are far from satisfactory. At page 67 of the report of this office for May 1929 is included a short summary of report into the conditions of the life and work of seamen of Bombay, published by Mr. N.M.Joshi, as the result of investigations conducted by Mr. P. G. Kanekar of the Bombay Social Service League. The report furnishes ample evidence of the extremely unsatisfactory nature of the then existing arrangements for the recruitment of seamen in Bombay. A deputation of the Indian Seamen's Union consisting of Messrs N.M. Joshi, Syed Munawar, and several others, waited upon the Commerce Member of the Government of Bombay, as early as the 18th December 1927, and had urged the need for the appointment at an early date of a Special Recruiting Officer for Indian seamen in Bombay. It was hoped that the appointment of such a special officer would put an end to complaints regarding unfair selection, harassment by Ghat serangs, interference from the brokers' men with the choice of seamen by stewards and mates of ships, partial and delayed payments of wages, inordinately long periods of unemployment, and extortions and undue exactions from seamen by brokers' agents. The representations of the Indian Seamen's Union have at last borne fruit as the Government of Bombay has recently appointed a special recruitment officer. A meeting of the Indian Seamen's Union was held at Bombay on 13-7-29 to discuss the new appointment, and to concert measures for the redress of the other grievances of the seamen. The following account of the meeting is extracted from the Times of India of 16-7-29 :-

Mr. Syed Munawar, General Secretary of the Union announced to the meeting that the Government had acceded to their demand for the appointment of a Seamen's Recruitment Officer who had taken charge and that the injustices and hardships which the seamen had experienced so far in the matter of recruitment would gradually disappear.

Mr. Mahomed Ibrahim, Serang, Secretary of the Union and a member of the Bombay Municipal Corporation, said that in the course of three years the Union had 21,997 men on its roll consisting of workers on deck, saloon and engine departments and explained to the audience the new system of recruitment which would do away with the iniquities and corruption that had existed so long.

The meeting then passed resolutions urging upon the Government of India to move the shipping companies recruiting their men directly to entrust the work to the Assistant Shipping Master and to discontinue the system of employing licensed brokers. Another resolution requested the Government to set up joint advisory committees consisting of representatives of seamen and shipowners to assist the officers of seamen's bureaus in all the principal ports to smoothen the work of recruitment.

MIGRATION

Emigration and Immigration Report (1928) for Madras
Presidency.

The Emigration and Immigration Report of the Madras Presidency for 1928 is an interesting document. The total number of persons who sailed for Malaya as assisted labourers in 1928 was 39,134, as compared with 133,007 in 1927. This marked diminution in numbers is explained as being due to the depression in the rubber industry, and seasonal conditions which were unfavourable. While emigration to Malaya greatly diminished, the flow of labour to Ceylon was not far below the high figure of recent years. The Avadi^x Melapakkam depot continued to be licensed in the year under review as place of accommodation, but Melapakkam was hardly ever used as the number of emigrants was considerably less than those in the previous years, and the accommodation at Avadi was enough for all.

The care of emigrants returning from South Africa under the agreement concluded in 1927 with the Union Government was in the hands of a Deputy Collector under the supervision of the Labour Commissioner; 2,731 emigrants returned as compare with, 2,387 in the previous year, the special arrangement having come into operation about the middle of 1927 (The figures of Indians repatriated from South Africa during the period August 1927-October 1928 are given at page 73 of the report of this Office for May 1929). The numbers are stimulated by the increased bonus given on return, and it is believed also that employment for Indians in South Africa is becoming increasingly difficult to find.

The problem of finding employment or means of livelihood for these returned emigrants presented some difficulties. The Special Officer has succeeded in finding jobs on tea estates for some of these, and for

several others who did not formally apply. Efforts to secure employment on railways and in factories were not very successful. Many are finding the wages paid in India inadequate to the standard of living to which they were accustomed in South Africa.

(Times of India- 22-7-29)

... ..

Indian emigrants to Federated Malay States.

The Chief Secretary to the Government of the Federated Malay States has recently published his annual report for the year 1928. A section of the report is devoted to ~~the~~ labour conditions in the Federated Malay States. Of recent years there has been a rush of Indian labour emigrants especially from South India, to the plantations in the Federated Malay States. The labour necessary for the working of the plantations is almost entirely supplied by the Chinese and the Indians. The Indians are generally engaged in agricultural work and other forms of manual labour, but the more educated of them generally find posts in the public service. Skilled work is almost entirely in the hands of the Chinese. In addition there are about 5,000 Japanese labourers immigrant from the Netherland East Indies . About 450 of these labourers are employed on contract service for 900 days' work entered into in Java. This is the only form of indentured labour in the Federated Malay States. All other labourers of all races are at liberty to leave their employment at any time on giving a month's notice.

The following passages relating to the general conditions of labour in the Federated Malay States, with special reference to the

Indian emigrants are extracted from the report for 1928 of the Chief Secretary to the Government of the Federated Malay States :-

"Conditions of labour are governed by the provisions of the Labour Code, 1923, and by the Netherlands Indian Labourers' Protection Enactment, 1927. These enactments are administered by a Labour Department under the direction of the Controller of Labour, Malaya. Officers of the Chinese Protectorate are appointed Deputy or Assistant Controllers of Labour to deal with questions of Chinese Labour.

Relations between employers and labourers were generally satisfactory.

The standard rates of wages for Indian labourers prescribed in 1927 of 58 cents a day for men and 46 cents for women, were paid in the inland districts of Pahang, Throughout the ~~the~~ Federated Malay States minimum rates of 50 cents a day for men and 40 cents for women were paid to all labourers employed by Government departments.

In October standard rates of wages of 50 cents a day for men and 40 cents for women were prescribed under the provisions of Section 141 of the Labour Code for Indian labourers throughout the ~~the~~ Coast districts of Selangor. These rates were not to come into force until the 1st February 1929. In other parts of the Federated Malay States Indian labourers earn from 45 to 65 cents (men) and 35 to 55 cents (women). Javanese and Malays earn from 45 to 60 cents a day and Chinese who are usually employed on contract (that is, piece work) from 70 cents to 2 dollars a day according to the nature of their employment.

Health conditions on estates generally show an improvement on those of 1927. The death rate among the Indian labourers on estates

and mines from which returns are received was 15.71 per mile on an average population of 170,824 as compared with 18.44 on an average population of 175,235 in 1927. The mortality among the labourers of other races, of whom there are fewer employed on estates, was 7.27 per mile. The death rate per mile amongst labourers of all races on estates was 14.19 and among Indian labourers 15.98.

Under the Health Boards Enactment a Central Health Board has been constituted which is empowered to collect an annual cess or cesses for the purpose of carrying out health measures in other than Sanitary Board areas and local boards under the control of the Health Board have been formed in all States. The local board areas correspond generally with those of the administrative districts and the District Officers are the chairmen of the local boards. In order to co-ordinate the work of the Board with the Labour Code, the Controller of Labour is appointed ex-officio President of the Central Health Board. It is hoped that the supply of additional hospitals, the extension of medical supervision to all estates and the preparation of schemes for the improvement of unhealthy areas will, by these means, be facilitated. Up to the middle of 1928, progress had been slow, owing, in part, to the experimental nature of the whole measure and, in part, to the difficulty experienced in reconciling various conflicting interests, but there has been a growing interest on the part of the public and towards the end of the year, there were signs of something approaching unanimity. The original Health Boards Enactment of 1926 was repealed in April by a new enactment No. 7 of 1928.

Chinese immigration is uncontrolled and takes place mainly through the ports of the colony. The number of Chinese deck passengers

arriving in the colony was 295,700, while the number of those returning to China was 149,354. Large numbers of these immigrants proceeded to the Federated Malay States but in spite of this continued influx there was little unemployment.

The immigration of labourers from Southern India is regulated by the Indian Immigration Committee (of which the Controller of Labour, Malaya, is ex-officio Chairman) appointed by the High Commissioner. The Railway fares in India, steamer passages and transport expenses of such labourers to their places of employment are paid from the Indian Immigration Fund. The number of labourers so assisted who arrived in Penang, during 1928 was 27,240 compared with 123,826 in 1927. These "assisted labourers" consisted of 22,649 adults and 4,491 minors. Of the adults 14,635 were men and 8,014 women; the number that proceeded to places of employment in the Federated Malay States was 18,343 compared with 77,863 in 1927. The great drop in the number of immigrants is to be attributed partly to the large influx of Indian labourers in 1926 and 1927 which had satisfied the existing demand for labour, and partly to the practical cessation of further recruitment owing to the uncertainty in the rubber market created by the decision that all restrictions on the export of rubber from Malaya would be withdrawn on the 1st November, 1928.

The income of the Indian Immigration Fund is derived from a quarterly assessment levied on all employers of South Indian Labour throughout Malaya based on the number of days' work done by such labourers during the quarter. With a view to increasing the number of female immigrants a differential rate is levied on male and female labourers. The rate of assessment was fixed at 3 dollars for males and 2 dollars for the females for the first and second quarters, and

at 50 cents for males and nil for females for the 3rd and 4th quarter^s of 1928 in respect of every 72 days' work done.

During 1928, 13,819 adult and 4328 minor decrepit or destitute Indians were assisted with passages back to India. Of these 7,279 adults and 2345 minors were from the Federated Malay States. Among those repatriated at the expense of the Indian Immigration Fund, 2,157 adults and 1062 minors had been inmates of the Home for Decrepit Indians, Kuala-Lumpur, maintained by the Immigration Committee".

... ..

Education of Indians in Fiji

The Fiji Government has drawn up a new scheme for providing increased educational facilities for the children of Indians domiciled in Fiji. The full details of the scheme are not yet available, but according to the Times of India of 15-7-29, Mr. W. Lunn, Under-Secretary for the Colonies, has stated in reply to questions in the House of Commons on 12-7-29 that under the Fiji Government's new education scheme, the Government had decided to establish a Teachers' ~~Training~~ Training Institution for Indians, at which higher grade classes for Indian boys would also be held. A Government Scholarship scheme for Indians was also to be started. It was also hoped to inaugurate in 1930 a five years' programme for the development of education among Indians in Fiji, which included among other facilities the provision of ten new schools for Indian boys and three for Indian girls.

Interviewed by the correspondent ^{of} the Hindu on 14-7-29

regarding the Government of Fiji's new education scheme for Indians, Mr. Venkatapathi Raju, C.I.E., President of the Indian deputation that went to Fiji in 1922, said :-

"When the deputation went to Fiji in 1922, we noticed that education had been admittedly neglected and facilities for Indians were far less than for other communities. Not only there should be a definite policy, but the necessary amount of money should be earmarked for the purpose of education for Indian children. Mr. C. F. Andrews, as well as the deputation, recommended that the Government should also encourage the establishment of schools by Indians themselves by a suitable grant-in-aid system. It was a great pity that the Education Ordinance of 1916 closed the European public schools at Luna and Lenaka and the Fijian school at Uasinu to Indian pupils. It is regrettable that when Indians are admitted into public schools in New Zealand and Australia, they should be prohibited in Fiji.

Under the Labour Government, I hope better facilities will be provided and additional funds will be allotted, while removing the racial bar to Indians to attend public schools of the Government where there is better equipment and better training".

(Hindu - 16-7-29)