



Gul Hayat Institute

LYDERABAD SIND

SOME FEATURES

OF

BUREAUCRATIC ADMINISTRATION

IN

SIND

Gul Hayat Institute

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INTRODUCTION

THIS pamphlet is the outcome of a desire to place before the public of England an account of some of the features of bureaucratic administration in Sind. A perusal of these pages will, it is hoped, enable the democracy in England to realise how the present unsympathetic and therefore inefficient bureaucracy has failed to tackle certain admittedly 'deep-rooted' evils in the system of administration in the province of Sind. The evil of Rasai, described in the following pages, has been allowed to take deep roots in the soil of the province until it has become, 'nothing short of scandalous, as officially admitted in a Circular issued on the subject by the Commissioner in Sind so late as 1914. The English conquered Sind in 1843, and after 75 years of bureaucratic rule the evils of administration described in this pamphlet have, if anything, become more firmly established than before. The success achieved by administrators, who belong to a race which is cut off from the people of the country by differences of language and ways of thought and life, in the suppression of glaring administrative evils is the measure of their capacity to rule over a country and assist it to achieve its destiny. If other tests were wanted they are supplied by the latest educational statistics of the province. The number of pupils attending all kinds of private and public educational institutions in the province is only 2.9 per cent of the population,

the figure for one of the districts-Thar and Parkar—being as low as 1.3 per cent.! Is this the result of the civilising influence of irresponsible government? The communications between town and town, after 75 years of civilised administration, are still such that no horse carriage can proceed on the country roads and the occasional touring of higher officials in motor cars would be impossible but for the impressment of unpaid labour for the repair of country roads, which is referred to in the following pages. The sanitation of the province is still an unsolved problem and malaria plays an annual havoc among the villagers. The present year finds the deadly grip of plague on towns and villages in all the parts of the province. Over 6,000 souls are reported to have succumbed in a single town from malaria, tholera and plague, during the course of the few months. As regards material prosperity of the vast masses of population, the earnings of a field labourer in Sind are only about Rs. 25 a year, i.e., about £ 1-14 s. (Rs. 15=being equal to £ 1.) A perusal of this brief pamphlet will, it is hoped, lead to the conviction that the introduction of a system of administration by which officials are thoroughly under the control of the people is a matter of the most urgent necessity.

The pamphlet consists of three chapters. The first chapter contains a full report of the oral evidence of the Hon'ble Mr. G. M. BHURGRI Bar-at-Law, member of the Bombay Legislative Council, before the Royal Commission upon Public Services in India appointed in 1912. The

second chapter is a verbatim report of the debate in the Bombay Legislative Council on three scandalous evils of the present administration in Sind. The last chapter is a reprint of the memorial submitted by the SIND MOSLEM LEAGUE to the Right Hon'ble E. S. MONTAGU Secretary of State for India on the occasion of his recent visit to India. This memorial amply bears out the facts disclosed in the first two chapters.

Hyderabad, Sind 23rd March 1918.

JAIRAMDAS DOULATRAM.

Gul Hayat Institute

ORAL EVIDENCE

OF THE

Hon'ble Mr. BHURGRI

BEFORE THE

Public Services Commission.

(Mr. Macdonald). You are a Zamindar of Sind?—Yes.

As such do you come into touch with District officers?—Yes, I do, a great deal.

A great many questions have been put regarding how far they have been in touch with the ryots and cultivators. Could you tell us what happens when a District officer comes into camp in your district?—As a matter of fact, the District officer, when he comes into camp, does not come into touch with the people, except certain privileged people who get those privileges through the subordinates. Besides these people, nobody comes in touch with him.

Is there no general contact between the two?

None whatever. The system in Sind is that a man, whatever may be his position and wealth, is not allowed to sit on a chair before the Collector or the Assistant Collector, unless he gets a purwana, and is listed as a chair-holder. That privilege you can only get by being in the good

books of the police and the subordinates. Those chair-holders are the only people whom the Collector meets.

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UCRATIC

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y speak a very
ctly. Do you say that our Collectors have a sufficient command of the language of the people to get into direct contact with them?—There are some who certainly have; but there are others who certainly have not. They can only speak a very few words, and those very imperfectly.

How can a man who does not understand the language do his work? What means does he take?—He does it through his clerk, who can

interpret.

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He uses an interpreter, just as I should have to do?—Yes.

When in camp do you come into contact with

him as a Magistrate?—Yes

Do you know how he does his Magisterial duties?—A Collector is a District Magistrate: he does appellate work mostly.

Is that done in camp?—Yes, sometimes.

Do the witnesses and pleaders in connection with appellate work have to appear?—Witnesses and everybody. They go from camp to camp.

That is in connection with appellate work? -Yes, and also in connection with original work,

if he takes any a yal IIISUIUU Original work is done by the Assistant

Collector?—Yes. Is that done in camp?—Yes, mostly.

With the same results so far as the legal advisers and the witnesses are concerned?—Yes.

They have to go from camp to camp?—Yes: and sometimes they have to go enormous distances on account of the Collector or Assistant

Collector moving about.

Supposing, I was an accused person, and had to come before an Assistant Collector, do you mean to say that I should not know where I was going to be tried; do you mean to say that I should not know where I was to see the Assistant Collector?—Sometimes, you do not know whether he is in camp or not, and you do not know where you will find him. You may have to make search for him.

Should I have to make search for him, or would he make search for me?—You would have a summons to appear on such and such a day before the Magistrate, and it is your duty to go and find out where he is. It may so happen that he may be twenty miles from where you are.

I had no idea of this. Do you really mean to say that an Assistant Magistrate issues a summons to an accused person and says "You have got to appear before me," or, whatever the form is, "on such and such a day"?—Yes.

And that he does not give information as to where he will be on that date?—In many cases that happens.

And the accused person has to find out where he has to go to?—Yes. I can give you instances of my own cases. I have had to find out where the Collector is, and go there. Sometimes, we do not know where he is.

What does the High Court say to this? Has not this been the subject of complaints?—Yes, it has been; and recently some Assistant Collectors,

so far as they can, have given their camps to the Bar.

In this a condition of things which is inseparable from the union of the Executive and Judicial functions?—Certainly. We had to remedy this. Government have appointed another set of officers, resident Magistrates, who are resident in certain places, to try cases and relieve these other Executive officers.

Criminal cases?—Only criminal cases.

How has that been working?—It is working very well, with this exception that, unfortunately, these people are not placed as subordinates of the High Court, but as subordinates of the District Magistrate.

These people have got no Revenue functions,

and no other Executive functions?—No.

They are purely Judicial officers?—Not purely. So far as their functions are concerned?—As long as they are resident Magistrates they are purely Judicial.

But they are subordinate to the Executive officer?—They are on the list of Mamlatdars. They are liable to be transferred. Sometimes a Mamlatdar is a resident Magistate for two months and vice versa.

(Sir Murray Hammick.) I should like to ask you about this question of the civilian in Sind, and his ignorance of the language, and his being out of touch completely with the villagers. Have you ever accompanied a Divisional officer when he is out in camp in Sind?—I have very often visited him.

Have you accompanied him?—No. In the day he is shut up in his tent. In my own village officers come and camp for two or three days, and as I am there, I know what is going on.

I suppose in Sind they are under the irrigation of the Indus?—Yes.

And there are a great many water disputes between the different *ryots* and peasant cultivators?—Yes.

I suppose the civilian is generally brought into contact with the villagers to settle these disputes?—The canal disputes are referred to the Executive Engineers.

But does not the Divisional officer or Civilian very often have to go out and see the sites of the disputes?—Not unless there is some riot or something serious.

Does he not very often go out?—Not on the canals in Sind.

I suppose there are often disputes in the villages about village sites?—Yes.

Does he not go into the village and see the sites?—He goes on horseback.

When he is on horseback does he not talk with the villagers he neets?—If he knows the language he does.

But you say that, as a rule, he is quite unable to talk with them?—Yes.

He takes his interpreter into the village with him?—If he does not know the language he does not go.

He generally takes the interpreter into the village when he disposes of these little questions

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SOME FEATURES OF BUREAUCRATIC

of village sites?—As a matter of fact the Mukhtyarkar, who is the Mamlatdar, is always with him.

He always acts as interpreter?—Yes.

And these Mamlatdars in Sind know English?

Yes. I suppose with the exception of probably

one or two men they all know English.

You do not think that in this way the Divisional officer in Sind is in touch with the people in his daily rides?—He is not in touch with the people who can come and unburden their minds.

You mean that he is not in touch with the people of the villages, and they have no access to his tent?—Only the people who are chair-holders go to his tent.

He never sees anybody in his tent when he

is camp in Sind?—No.

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With regard to following the Assistant Magistrate about, does not the Assistant Magistrate when he issues a summons generally state the place where he will hear the case?—Recently, some have given information of their camp to the Bar, but not to the witnesses.

I am not talking about the Bar?—I do not know how far they are doing it so far as witnesses are concerned.

The summons form is always a printed form?

—Yes.

And in that form there is always a place left vacant to put in the name of the place. You say he generally does not fill it up?—He did not do it some time ago, but he may be doing it now.

Has it not occured to you, as a lawyer, that the fact that there was no place of venue named

in the summons would be a very good answer to the prosecution of the accused not appearing?—No, it has not occurred to me.

It has never occurred to you to tell your client not to attend as the name of the place was not put in the summons, but you have told your client that it was his business to follow the Magistrate?—He does not want to be prejudiced by the Magistrate by not attending. The Magistrate would be cross with him and out of deference he goes and follows him.

You have never had a case in which a man has been prosecuted for not attending any Court, and has defended himself on the ground that there was no place named in the summons?—Not in my experience; but there have been cases of that sort in Sind.

Do you not think that that would be a good defence?—It would be, certainly.

Then I presume if it is a good defence a careful Magistrate is not likely to omit the fact that he is going to hear a case at a certain place?

—The accused person gets the summons, and he follows the Assistant Magistrate. He cannot afford to offend the Assistant Magistrate or District Magistrate.

So that even if there is a mistake in the summons he will do his best to obey it and find out where the place is?—Yes.

And if he does not, and is summoned for not obeying, he would not defend the suit?—I remember one instance. A Magistrate in Sind did not prosecute him. He issued a non-bailable warrant, and the man was at once put into gaol.

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And this practice continues in Sind?—Yes, in some cases.

And you, as a practising lawyer, surely have taken some steps to stop all these irregularities in Sind?—I am not now a practising lawyer. I have not been in practice as a lawyer for a few years. I am a Zamindar by profession.

But you have been practising as a lawyer?—Yes.

Have you taken any measures to draw attention to these gross violations of the Code?—The Bar Association is always kicking up a row about them, with the result that now some Subdivisional Magistrates send the dates of their camps to the Bar.

To the Bar and not to the prisoner; apparently the Bar is more important than the prisoner?—The prisoner cannot agitate, the Bar can.

(Mr. Heaton.) You said that the summonses did not state the place where the witnesses or the accused persons are to appear?—Yes.

Are you quite sure of that?—I am quite sure that in the majority of cases the summonses do not state that.

You have looked at them and seen them?—I have seen them with my own eyes.

And no place was mentioned?—No place

was mentioned.

You say that you have never argued as a lawyer that that makes the summons invalid?—I have had no occasion to. I have not done so.

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You have not done so because you had no cause?—The accused persons are so afraid of the Magistrate that they go and find him out. They do not want to offend him.

Another thing you said was that it was a complaint that these stationary Magistrates were placed under Executive officers, and not under the High Court?—Yes. That is from my personal knowledge.

I am afraid I do not understand the complaint, because every Magistrate, whether he is stationary or not, is appointed in accordance with the conditions of the Procedure Code. He is subordinate to those authorities which are provided for in the Procedure Code?—Yes. But here he is not exclusively to be in the Judicial line. He may be transferred into the Revenue, and come back from the Revenue, and so forth. His promotions, and everything, depend upon the Executive and not upon the Judicial officers.

Your complaint applies to all Magistrates, and not simply to stationary Magistrates?—The real complaint of the people about the functions of the Executive and Judicial being combined is that the District officer being the head of the Police and also the head of the Judiciary, the Judiciary always tries to please the District officer by complying with the requirements of

the Police. That is the complaint.

I suppose, I was mistaken; but I understood you to mean that there was some particular complaint with reference to these stationary Magistrates?—Yes, because these Magistrates, in the beginning, were meant to be on the separate list.

They are allowed now to go as Mamlatdars, and the Mamlatdars become Resident Magistrates; hence, there is a complaint that they do not have that independence which they would have, if they were kept separate as Judicial officers alone. Their promotion and their future welfare should not depend upon the will of the Executive.

The method which you have just described gives them chances of promotion which otherwise

they might not have?—Yes.

So that although the public may complain of it, at any rate, it has the merit that it does provide for the promotion of the Magistrates themselves?—No they cannot be promoted unless they work as Mamlatdars. Only in that case can they be promoted to the post of Deputy Collector, or something of that sort. They cannot be promoted from Resident Magistrates to any other post.

Why are they put on the general list of

Mamlatdars?—I cannot find a reason.

Then there is no ground of complaint?—The ground of complaint is that these Resident Magistrates are on the list of Mamlatdars, and that their promotion, depending upon the Executive, goes through the Collector, who is the head of the Judiciary as well as the Police.

You have told us that they do not do any work as Mamlatdars?—They are liable to be

transferred as Mamlatdars.

I understood you to say the very opposite of that. I was wrong. That is the way in which they get their promotion: they can rise through the grades?—Yes.

The complaint is exactly of the same kind as

the general complaint about the non-separation of the Judicial and Executive functions?—That is so.

I understand that there is no complaint with reference to these Resident Magistrates? -- No. Most of these gentlemen are Indians. I know from personal talk with them that their promotion depends upon the pleasure of the District Magistrate.

Do you not think that Magistrates are amongst the chief critics of the Police?—Very few. I know that very few of the class of Magistrates I am speaking of, the first class to the third class, are independent of the Police. As a matter of fact they try to please the Police.

That is your personal knowledge?—Yes, as I told you, it is my personal knowledge. I have

got instances.

Now, with regard to the touring officer. When he goes to the village in the morning, have you been with him when he rides out?—I have scen him arriving in the villages; I have not accompanied him.

If there is a school in the village does he

visit it?—As a rule he does.

If there is any particular kind of work going on, does he not go and see it?-It depends upon the kind of work.

Supposing they are making a new well?—He

does not necessarily go and see it.

Or some canal work extension, or anything of that kind?—not necessarily: it depends upon his will.

Supposing, there is some Zamindar who is

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making some particular effort in agriculture, growing some particular crop, or has got some special seed which he is starting by way of experiment, does not the Assistant Collector see what is going on in that way?—Some of them do.

What is the general practice?—Generally, it is the Deputy Director of Agriculture who sees to

this work.

When the Assistant Collector is on tour, does he not look into every thing and know what is going on?—As mentioned by Sir Murray Hammick, if there is a village site about which there is some dispute, or some experiment as you suggest, which is exceptionally worth having a look at, he goes and sees it.

He never goes out of his way to do anything which he is not absolutely bound to do: Is that what you mean?—No. What I said was that he is not accessible to all people as he is supposed to be. He is accessible only to that limited number of people who, as I have said, have, through the subordinates, got a purwana to sit on a chair. From the official point of view those are the first class people who have a right to sit on a chair before the Assistant Collector.

Who are the people you speak of as second class people?—I say, barring these, to other

people he is not accessible.

But who are the other people?—All the Zamindars are not chair-holders. Very few of them are chair-holders.

Do you say that they have not access to the District officer on tour?—No, unless they have to go and make some business application.

What would happen if they did go to see him?—There are some of them who think that if they go they will not get the right to sit on a chair and will be treated like criminals, and have to stand up. These would not like to go.

It is this particular matter of the courtesy of offering a chair which makes the distinction?-That is one of the causes why these officers are extremely out of touch with the people in Sind.

What about the field workers, the cultivators, would you call them the lower classes?—They do not go. As a matter of fact, they run away when

they think the officer is coming.

Does not he see a great many of them in the villages?—Some people are there; but most of the people run away. They think they will be liable to forced labour, which is generally carried on at that time.

Do they still think that?—Hundreds of people are working in the officers' camps without

any reward.

On the canals?—No, to make resais, to bring water and fuel, pitch tents and go on shikar. When the officer goes on shikar he wants about a hundred men. They go and make a peculiar noise which disturbs the birds, and as they fly he shoots them.

And they are not paid?—No, certainly not.

Do you know whether the reason of that, is because the District Officer does not pay them the money, or because he pays it to some village headman, or somebody of that kind, and it does not reach the persons to whom it ought to be paid?—I doubt very much whether he pays it.

Some Features of Bureaucratic

Have you ever asked them whether he does pay?—There are some who say that perhaps Rs. 10 would be given to a hundred men.—If you call that paying, I will say yes.

He does pay, but he does not pay enough?— The officer touring in the district only pays nomi-

nally to the villagers who do his work.

That is your complaint?—Yes, the District Officer only pays nominally for the things which the villagers provide, and for doing his work.

You say that there is a complaint that the villagers are not paid properly for the things they provide?—Yes, that is so. As a matter of fact villagers do not get anything for all that they provide to officials.

(Mr. Bhadbhade.) With regard to the question put to you by Mr. Justice Heaton. Do not the Magistrates' direct witnesses to come into their camp as is the practice in the Deccan?—I cannot tell you about the Deccan. If you like, I can get you a number of summonses of Second and Third Class Magistrates in which no place is mentioned.

I suppose, the travelling officer is well known at the head-quarters of the taluka?—I do not know that he is so very well known.

His diary is settled before he sets out from the taluka, is it not so?—I cannot tell you that.

II

THREE DISGRACEFUL EXACTIONS

OF.

THE BUREAUCRACY

[The Hon'ble Mr. G. M. Bhurgri, whose evidence before the Royal Commission on Public Services in India we have given in the first chapter, moved the following resolution in the Bombay Legislative Council on the 3rd of December 1917:—

"That this Council recommends to His Excellency the Governor in Council that a mixed committee of officials and non-officials be appointed to consider what measures should be adopted for the suppression of 'Rasai' or free supplies, 'Lapo' or illegal exactions, and 'Cherr' or forced labour in Sind."

In moving that resolution he made an illuminating speech, which was followed by a most interesting debate during the course of which government officials themselves impliedly bore out the statements of the Hon'ble Mr. Bhurgri. We give in this chapter, a verbatim report of that debate.]

(The Hon'ble Mr. G. M. Bhurgri)

My LORD,

The resolution which I rise to move, and which I trust this Council will accept, has reference to certain well-known abuses connected with the administration in Sind. Rasai connotes supplies and refers to the supplies obtained from he people for the benefit of officers of Govern-

ment touring in the country. Lapo means illegal exaction, and is the tax levied by the Tapedars from the people originally for the ostensible purpose of Rasai. Lastly Cherr is forced labour and refers to the labour extracted from the people for various purposes connected with official touring. These three abuses are intimately connected with each other. In fact, they form one stock, of which Rasai & Cherr are the elder members, and Lapo the younger. Of these Rasai is the first in importance, and I, therefore, place it in the forefront of our consideration. The practice of Rasai owes its origin to the touring system. An officer of Government going on tour in the rural areas with his establishment generally obtains for himself and his establishment such supplies as he can obtain in the locality through which he is touring. Things that cannot be had locally are sent for, sometimes from places at great distances, such as the larger town. For these supplies, the payment made is generally inadequate, and sometimes woefully so. The bills that are submitted to and paid by the officer are the veriest make-believe. A gazetted officer of Government, who lives in European style, recently stated on oath, in a court of law, that he received and paid a bill of a rupee for 2 days for supplies which included meat, fowls and eggs, and when questioned further, he stated that he generally paid 8 or 9 annus a day, thus showing that he considered such payment adequate. These 8 or 9 annas a day, I présume, covered also fodder for his horse and milk, suel, etc for himself. I have mentioned this case merely for the purpose of showing how

the matter is regarded by certain officials This is by no means an insolated case, but is a typical illustration of the nominal and apologetic character of the payments generally made, and what is worse is, that even these payments do not reach the poor suppliers, but are absorbed by the establishments of the officers concerned. The grievous hardship and injustice entailed by the system are obvious. But the most unfortunate feature of it is that the burden falls heaviest on the shoulders of those least able to sustain it. For it is not the landowner who in the first instance, meets the expenses of the supplies, but it is the needy cultivator, who ultimately bears the greater part of the burden of this iniquitous charge. And the burden is a heavy one. For the officers who tour in the districts in connection with various departments of the administration are many, and the sums spent on some of the camps are large, and hence the burden is, in the result, both heavy and of some duration.

Fortunately for me, the existence or the extent of the evil is not a point that I need at all labour. It has been the subject of almost infinite complaint and representation from every quarter during a long course of years. It has been discussed, almost threadbare, in its every aspect and and feature, by responsible private individuals, by public men, by public bodies, by the press and by responsible officers of Government. And, finally, the evil has arrested the attention of Government themselves, who some years ago held an inquiry in the matter, and issued a resolution penalising

the practice. It is to be deplored, however, that the investigation was of a purely confidential character, and public opinion was not at all consulted in the matter by Government. At the same time, it is worthy of note, that though official opinion was such as to lead Government to pass the resolution referred to, that resolution, unfortunately, has been practically a dead letter. It has been honoured more in the breach than in the observance. It has crystallized, and beyond its historic interest and value, is void of any practical worth. Hence the evil has only grown and gained strength with the passing of the years and the evident impunity that would seem to attend it. I might almost say it has been sanctioned and hallowed by a long and undisturbed existence. The evil has, indeed, attained the proportions of a public calamity.

Begotten of the system of Rasai is the institution of Lapo. Lapo represents a certain fixed percentage on the acre of land or a rupee of assessment, levied by the Tapedar from the landowner or cultivator, originally mainly for the purpose of meeting the demands of Rasai. When an official encamped at any place, it was the duty of the Mukhtyarkar, through the Tapedar, to provide the necessary supplies. This necessitated the maintenance of a fund for the purpose, and this fund has to be raised from the people, for the Tapedar and the Mukhtyarkar would not and could not find the supplies out of his own pocket. This was the origin of Lapo. But bad as was this state of things, it was superseded by even a

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worse condition of affairs. For, the proceeds of Lapo were subsequently devoted to the providing of supplies for the smaller camps only, and for the larger camps, a separate rasai fund was maintained by the Mukhtyarkar at the cost of the poor Zamindars who made fixed and regular contributions towards it The unfortunate result is that, though Lapo has practically lost its raison d'être, it continues to exist without any justification for its existence. And, finally, the present arrangements according to which the individual zamindar in whose land the official is for the time being encamped is made responsible for the providing of supplies is even worse than the old. It has shifted the burden from the shoulders of many to the shoulders of one, and thus made the burden more insupportable.

Income lastly to Cherr, or the system of enforcing the free labour of agriculturists for the benefit of officials touring in the districts. On the arrival of a touring officer in a place a demand is made by the Mukhtyarkar for the supply of free labour. This demand is reluctantly answered by the cultivators, whose free labour is utilized for sundry purposes in reconnection with official touring, such as making roads, preparing camping grounds, pitching tents, fetching water, fuel, etc., and generally running terrands of all sorts. This sort of thing goes on from camp to camp and entails the greatest hardship on the poor cultivators and also on the Zamindars. The taking away of the cultivators from the ordinary labours has the most disastrous effect on their subsistence, and

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their withdrawal from cultivation, sometimes at very necessary and critical periods, inflicts severe damage on the Zamindars in the shape of a poor out-turn and consequent financial loss. On this subject I feel fortified by the remarks of the Decentralization Commission, and I could not do better than quote them. The Commission observe as follows:—

"There is, however, another aspect of the case, which was represented by various witnesses. Against the benefits of touring may be set the inconvenience to parties in criminal and revenue cases and their witnesses and lawyers, who may have to follow an officer's camp, sometimes into remote parts and to villages in which there is little accommodation. Again, villagers on a main route, at which the camps of officers may frequently be pitched, are put to hardship by constant demands upon them for provisions and transport which, despite the vigilance of superior officers, may not always be fully paid for by subordinates. In his busy season, too, it may not suit the cultivator to furnish labour or carriage on any terms. Modern conditions tend to render it less easy than formerly to command labour, and the responsibilities of landowners and village headmen in respect to the requirements of peri-patetic officials, which in some instances are prescribed by law, are apt to become unduly onerous if the call upon them recur at frequent intervals. It must be remembered too that, in India, touring officers are usually accompanied by a staff of servants and office subordinates, who sometimes

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attempt illegitimate extortions from the people.

"The growth of special departments has, again, added to the number of officers who traverse the districts in connexion with particular branches of the administration, and we had evidence that the tours of these outside officers and their subordinates, are more distasteful to the people than those of the regular district officials, whose functions are better understood and appreciated."

It is a matter for deep gratification and thankfulness that Government have recognized the evil, and have put forth high endeavour to suppress it. But the regret is that that endeavour has almost completely failed to effect any improvement. The reasons for that failure are, to my mind, patent enough. The first is that the attack first made was made in the quarter. A blow was aimed at "Lapo" and not "Rasai." But, as shown above, "Rasai" is the cause, and "Lapo" the effect; "Rasai" is the parent, and "Lapo" the offspring. "Lapo" is the fund which the system of "Rasai" has directly begotten and reared, and which it continues to nourish even though the necessity for the nature has long departed. It is, therefore, very necessary to consider the question of changing the objective of attack from "Lapo" to "Rasai". "Rasai" is the main position, and "Lapo" only a subordinate earthwork. If "Rasai" is stormed and taken, "Lapo" must needs collapse. Starve out "Rasai," and "Lapo" must needs perish with it. The latter must die of inanition. On the other hand, all attempts at directly suppressing "Lapo" without

touching "Rasai" are so much misdirected waste of effort. The above view of the situation would appear to be obvious enough, but, it authority were needed in support of it, I believe it could be found in the opinions of some of the most eminent and experienced officers of Government. At any rate, the matter is one worthy of careful consideration.

The second reason for Government's failure to suppress "Rasai" is that all the orders of Government have left the prevailing conditions unaffected. The practice of "Rasai is a result of the touring system, and while that system, within proper limits, is expedient and even necessary, the question of its duration, which appears to many to exceed the actual requirements of the situation, is a matter that deserves the most serious consideration. Again, so long as the providing of supplies is left to the executive officers of Government of to the Zamindars, so long will the evil continue. Hence, the expediency and practicability of a system analogous to the Military Commissariat is yet another matter for consideration.

The last, and, perhaps, the most outstanding, reason for the failure of Government in this direction is that Government have from the outset treated the whole matter as strictly private. They have not taken the people into their confidence. The opinion of the parties concerned or of the public at large has never been consulted. Both the enquiries held and the orders passed by

Government have been confidential. The public have never been in a position to know the nature of the investigation held or the nature of the orders issued by Government in the matter. The result has been unfortunate both for the people and for Government. The people have not had the advantage of putting their case before Government, and Government have been without the benefit of public advice and assistance in the matter.

It may be objected that the system owes its origin to the spirit of hospitality on the part of the agricultural classes; that the system cannot be considered to be a hardship or a grievance of that class in as much as they consider that their honour is involved in its maintenance, that at any rate the hardship and grievance are greatly exag-gerated inasmuch as there has been little or no complaint on the part of the Zamindars; and, finally, that the maintenance of the system is bound up with the prestige of the officials and of Government. To these objections I would answer that, while the system no doubt originated in the hospitality of the Zamindar, the burden in the olden days used to be scarcely appreciable owing to the extreme rareness and smallness of the demand on that hospitality; that the immense, growth of the touring system has enormously added to the weight of the burden, so as to make it almost intolerable; that it is not true that there has been no complaint on the part of the Zamin-dars, and that, on the contrary, there has never been a more fertile subject of complaint; that the

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surprise is not that there has not been more complaint, but that there has been so much, in view of the fact that resistance is not only futile but dangerous, and that complaint in this matter is known to be often attended with the gravest consequences to the poor complainant who generally not only receives no sympathy or support from the official quarter, but becomes an object of serious disfavour in that quarter; and that it is not true that the maintenance of the system involves the prestige of the officials, and that, even if this were so, the question of prestige is a consideration which should give way to the clear demands of justice.

"I have purposely refrained from going into details of facts or into the evidence, for I considered that to make disclosures in such a matter, while being extremely unpleasant to me, was also quite unnecessary, as the subject is one of the greatest notoriety. Very much, indeed, could be said and written on the subject, but I am afraid that it would be anything but savoury, and would, at the same time, be superfluous.

"My lord the question is one of the deepest concern, both to Government and to the people. It involves the welfare of the silent suffering millions on the fields, whose welfare is, after all, the welfare of Government. The situation is one of the utmost gravity, and needs to be grappled with promptitude and decision. The attempts hitherto made by Government have been determined enough, but they have failed mainly

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because the co-operation of the people was not enlisted in their support. What is needed is a concerted effort on the part of Government and of the people to suppress an evil of such antiquity and of such dimensions, and hence the urgent necessity for the present resolution, which I earnestly trust will commend itself to this Council."

THE DEBATE

The Hon'ble Mr. V. J. Patel

YOUR EXCELLENCY,

I rise to accord my hearty support to the resolution which has been so ably moved by my Honourable friend Mr. BHURGRI. After hearing his speech one wonders whether the province of Sind is a part of the Bombay Presidency under the enlightened British. What does his speech show? It shows that there is a system known as rasai or free supplies to touring officers, lapo or illegal exactions and cherr or forced labour in Sind.

I for a moment ask the Council to confine its attention to lapo, a system which is unknown in the three divisions of the Presidency proper. Lapo, if I understand my Honourable friend Mr. Bhurgrightly, is a sort of cess on assessment, a cess not for works of public utility or for education which is known as the local fund cess, but cess collected from the zamindars for the purpose of meeting the expenditure incurred by officers on tour.

With regard to the question of what is known as forced labour, I may say that I had occasion to look up resolutions of Government on the subject in connection with my own resolution on the agenda. I read a number of resolutions applicable to the Presidency on the subject of free supplies and forced Isbour, but I must say, that the state of things that has been brought to light by my Honourable friend Mr. BHURGRI is not justified by any of them. The first Government Resolution is No. 6126 dated the 18th August 1883, and with your Excellency's permission I should like to read it to this Council. "Circumstances occasionally occur in the districts where in order to carry out the requirements of public servants it is necessary to procure forced labour, but it is distinctly to be understood that labour is not to be pressed when free labour is available; and that no officer under the rank of a Mamlatdar is authorized to press labourers or coolies."

Now this resolution, I respectfully submit, is against the spirit of the criminal law obtaining in this country. No person has any right whatsoever to compel any other to do any thing against his will. The resolution in question, however, allows much compulsion. It is now 34 years since this resolution has been passed and I respectfully submit that the time has come when it should be repealed altogether. Your Excellency, whatever may be the justification in those days for such a resolution, I submit that in these civilized days, the resolution should not be allowed to remain on the Government records.

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The Honourable Mr. BHURGRI'S resolution prays for a committee: What is the use of a committee? What will that committee do? The facts are clear that there is the system of free supplies, lapo and cherr, prevailing in the province of Sind and if Government have the will they can by one stroke of pen do away with these monstrous practices.

His Excellency the President

Will the Honourable member show us the golden means of so doing?

The Honourable Mr. Patel

YOUR EXCELLENCY,

Indian and European travellers do not find the least difficulty in getting labour and if only a fair price is paid people would be willing to sell supplies also. I cannot understand why officers of Government with influence at their command, with servants at Government expense at their beck and call should not get what they want by paying the fair price for it. If Government rules that in future Government officers shall not have recourse to free supplies, to lapa and cherr, there would not be the slightest difficulty in putting an end to these practices. What would the committee do in the matter? They may say that such and such a thing is not fair or such and such a thing is oppressive and should not be resorted to. But what remedy would the committee suggest to put a stop to it?

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I therefore propose an amendment to this resolution, namely, that the words "that a mixed committee of officials and non-officials be appointed to consider what" should be dropped and the resolution should stand as follows:—

"That this Council recommends to His Excellency the Governor in Council that measures should be adopted for the suppression of rasai or free supplies, lapo or illegal exactions, and cherr or forced labour in Sind."

There is no reason why a committee should be appointed in this matter. The case is as plain as anything and steps should be taken at once by Government to prevent and remedy the evils which have been pointed out by my Honourable friend Mr. Bhurgri.

With these few words I move my amendment and I hope my honourable friend Mr. BHURGRI will accept it.

The Hon'ble Mr. D. V. Belvi Your Excellency, at Institute

I wish to add the words "in the Presidency" at the end of the resolution.

His Excellency the President

I cannot admit the Honourable Mr. BELVI'S amendment as it does away with the whole object of the Honourable Mr. BHURGRI'S resolution.

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If the Honourable Mr. Belvi looks at resolution No. 29, which is to be moved by the Honourable Mr. Patel, he will find that the very point which he raised is to be dealt with in that resolution.

The Hon'ble Mr. S. D. Garud

YOUR EXCELLENCY,

I do not think I can support the amendment which has been moved by my Honourable friend Mr. PATEL. This question needs not only to be enquired into in Sind but also in the other three divisions of this Presidency. This evil is practically common to both the Presidency proper and Sind. So, Your Excellency, I am going to move an amendment that the words "Sind" might be dropped.

His Excellency the President

Order, order. Has not the honourable member heard the ruling that I gave to the Honourable Mr. BELVI? I think he must confine himself to Sind.

The Honourable Mr. Garud

YOUR EXCELLENCY,

My submission is that this resolution requires a committee to be appointed and the other resolution which the Honourable Mr. PATEL is moving does not require any committee, but only requires an enquiry, and therefore, I suggest this amendment.

His Excellency the President

If the honourable member wishes to move an amendment to resolution 29, he can do so later on.

The Honourable Mr. Garud.

Then my only submission is that a committee should be appointed in the first instance to enquire and find out to what extent the evil is fampant in that particular place and then measures might be taken to suppress it. With these words I support the original resolution. -only it live and the property of the contraction

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YOUR EXCELLENCY,
I am sorry I have to oppose the resolution and the amendment respectively of my honourable friends Mr. BHURGRI and Mr. PATEL: I do not think that it is at all necessary to appoint a committee to consider what measures should be taken for these supposed evils or grievances, for the reasons I am just going to mention. is already suppressed and in order to prevent its recurrence strict orders are issued every year by the administrative executive officers and the result is that some of the mukhtyarkars, police inspectors and even officers of lower grades carry supplies with them. I have had occasions to be in the camps of some officers and I learnt that the tapadars—here they are called village talatiswere strictly prohibited from attending the camps except on public business and I found that shop-keepers who had opened shops in camps through zemindars were paid to a pie.

As regards cherr, I know that touring officers have at their services tent-pitchers or khalasis. Hence they need no cherr. The public works department as a rule give on contract the work of clearance or excavation of canals and of the construction or repairs of buildings and pay the contractors direct. It is only in the case of emergency, such as breaches in canals or in protective bunds, that the department calls upon the zemindars to come to its aid and in this case too the cherr (labourers and coolies) are fully paid and I may add here that on such occasions the zamindars themselves willingly come forward to help the public works department in closing breaches as soon as possible in order to avoid their crops and villages being damaged or destroyed by floods. Therefore, to hold an enquiry into the matters suggested by the resolution would be a waste of energy.

As regards lapo I do not think the proposed committee would be able to suggest more effective measures for the punishment of such evil than what the Indian Penal Code provides. The measures will be found in chapter IX of the Code and in the compilation of departmental rules which are worked whenever and wherever necessary.

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The Honourable Mr. H. S. Lawrence

YOUR EXCELLENCY,

The terms employed in this resolution are liable to some misunderstanding. Rasai does not mean free supplies but all supplies. Lapo is not necessarily an illegal exaction, it means in Upper Sind the rent of a landlord; cherr is not necessarily forced labour, but includes the services which tenants are bound by agreement to render to their zamindars.

It is well to define these terms, for if any members of this Council were to visit Sind in a year or two, and enquire if rasai, lapo and cherr had ceased, they would be understood by the Sindhi zamindar to enquire whether the zamindar had ceased to receive rent or his customary dues from his tenants; and they would be distressed to learn that these customs still continue.

The Honourable member has drawn a very black and gloomy picture. I think that his speech suggests that the officers of Government in all departments oppress the people by exacting supplies of all kinds without payment, by levying illegal gratifications, and by enforcing unpaid labour.

Now these different forms of tyranny are of course possible in every country by all persons who are entrusted with the power of the state; and it is to prevent such tyrannies that the British Government has established its elaborate machimery, with grades of supervising officers one above the other; and I have no doubt that this Council recognises, as many impartial observers have recognised, that this machinery works with substantial justice. No one will deny that in a vast country, with millions of inhabitants, and thousands of Government agents of every variety and calibre, petty acts of tyranny must occur; but when these are brought to light, they are visited with condign punishment.

Firstly in regard to rasai. This has many heads, with slightly differing characteristics as concerns different departments But if we take the form which seems to bulk most largely in the view of the honourable member, rasai by village accountants, in its usual form this is understood to mean the collection by the village accountant of supplies of various kinds and also of cash. The supplies are collected under the guise of being consumed by the touring officer and his establishment, and the cash is collected under the guise of presents to the clerks, pattewallas and private servants. It is generally believed that the collections by the tapedar are very greatly in excess of any consumption by the establishments or payment to the establishments. Any way the evil has existed, and for a good many years now a rule has been made that wherever possible supplies should be obtained, not from the tapedar, but from some neighbouring zamindar or bania; that these supplies should be kept down to the smallest quantity of articles possible, and that notice should be given of what articles would

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actually be required. This system is reported, in the reports which I have received very recently, to be working fairly satisfactorily, but in some places, where the zemindars are men of high position and wealth, it is impossible to induce them to agree to perform a duty which they regard as derogatory to their dignity. But all reports coincide in holding that a great advance has been made in educating the zemindar to a sense of his rights, in reducing his fear of and dependence upon the tapedar, and thereby in reducing the amount of the loot which the tapedar secured from the zemindar. This is the result of continuous efforts by the superior officers of Government over several years, and these efforts are being persevered in.

The next point is lapo or in more familiar terms dasturi or graft. This is a far more insidious and widespread evil; and whereas rasai is confined to the occasional sporadic visits of officers, lapo goes on all the time. It has been attacked by various methods, and it is generally agreed that it is far more under control than it was, say, even ten years ago.

As you have been told by the honourable member, it has been customary for the tapedar to add a percentage to the Government revenue. The remedy lies in better supervision; and some 12 years ago a vigorous effort was made by adding 50 per cent to the number of supervising officers called supervising tapedars, under whose immediate supervision the tapedars work. There

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had been 150 of these officers in Sind, and they were suddenly increased to 225. But complaint has been made that these supervising tapedars do not supervise and that the evils continue. Then, efforts have been made to improve the class of our mukhtiarkars; and I think there is no doubt that with the spread of education, our mukhtiarkars are better men all round than they were twenty years ago. I have heard from many sources that the tapedars do not now gather in more than a fraction of what they used to gather before.

At the same time the Council may be assured that this is not always a one-sided business. The zamindar receives his quid pro quo, and that, naturally enough, at the expense of Government. Cases not in frequently come to light where cultivated lands are shown as uncultivated, and the zemindar thereby escapes payment of the assessment, but the tapedar and the zamindar conjointly share the profit. If supervision is tightened up, as I hope it will be more and more, I am not at all sure that the zamindar will not before long be pining for a return to the good old days of lapo.

Only recently I have submitted a scheme to Government for the improvement of the position of the tapedar, for the improvement, above all, of the supervision under which he will be controlled, and have told Government that I trust that this scheme will result to the benefit both of the zemindar and of Government: that the zamindar will be free from exactions, and that

Government may be free from frauds upon its revenue.

The third head mentioned by the honourable member is that of cherr or unpaid labour. This is the first time that I have heard a complaint made of this matter and I am not therefore in a position to discuss it with any detailed knowledge. Conditions in Sind are not really in the deplorable condition which he depicts. But I should like to tell the Council that the relations between the zamindar and his tenants are similar to those which prevailed in England in former years. The landlord not only shares the produce with the tenant, but also gives the tenant his protection and advice in times of difficulty. In Sind the landlord also gives his tenants advances of money free of interest. In return he is entitled to receive services from his tenant; for which he pays not in cash but in friendly services. I was unable to hear the honourable member fully but I gathered he referred to occasions of shikar.

The Honourable Mr. Bhurgri

No, I spoke of the preparation of roads and camping grounds.

The Honourable Mr. Lawrence

I can only say at present that if the honourable member can give any instances of unjust treatment, I shall be very glad to have the matter

investigated, and any person responsible made liable for his misdeeds.

The honourable member has suggested a public enquiry and has complained that the public has not been consulted hitherto. I have received reports from the Collectors which, as every one who knows Sind can appreciate, are based upon consultation with the principal zamindars of the district. The Council will realise that it is often more easy to secure full advice from zamindars in private discussion that in a public enquiry.

However, if the Government desire a public enquiry, there is of course no possible objection on the part of any officers in Sind. I have no great confidence that the enquiry will be more effective than the measures already in operation; but of course those measures will continue.

The Hon'ble Sardar Dulabawa Raisingji Thakor of Kerwada

YOUR EXCELLENCY,

I rise to support the amendment moved by my honourable friend. I must confess that I have neither the experience of my honourable friend Khan Bahadur PIR BAKSH, nor have I the advantage which my honourable fried Mr. LAWRENCE has of knowledge with regard to Sind. But I do think that it is a revelation to many of us to hear of this forced labour and supply of lapo that is required by officers, which really means an illegal imposition in these days

of civilisation. I consider that the evil as it exists in Sind certainly exceeds the limits. However great facilities these customs may give to touring officers in the matter of getting supplies that they may want, Government should really do something to put a stop to these old customs which could not have been sanctioned by any law.

With these remarks I support the resolution moved by my honourable friend Mr. BHURGRI.

The Hon'ble Shaikh Chulam Hussain Hidayatallah

Your Excellency,

Coming from the same part of the country to which this resolution relates, I consider it my duty to say a few words about it. Referring to the speech of my honourable friend Khan Bahadur PIR BAKSH, I was very much amused to hear that there is no rasai and lapo in Sind. The Honourable Mr. LAWRENCE, the Commissioner in Sind, whose speech all the members of the Council have listened to, leaves the impression on the minds of every one of us that there is rasai and lapo in Sind. I That is the honourable mover's complaint, and the Hon'ble Mr. LAWRENCE admits that there is a real evil. But the evil exists not only now, but it existed before the British came to Sind. It is the duty of Government to see that it is put down. this system originated before the British conquered Sind. The original custom used to be that small officials of the Government used to get from the

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zamindars a certain percentage of the assessment either in cash or in kind for the purpose of entertaining officials when they came on tour, and that system continued even after the British advent. Originally all these arrangements used to be made before the British Raj by petty officers, now known as tapedars. Now the tapedar has been prohibited, under the orders of the local Government, from takeing rasai and has nothing to do with the rasai and his place has been taken by the zamindar of the local area. Now I must make it very clear to this Council that though there is a complaint about rasai on our side, we know that there is not much of railway communication in Sind and officers of the revenue department especially have to tour 210 days out of each year, that is, seven months. Now, supposing you take the example of a deputy collector, he has about three talukas in his charge. He has to go about and spend those 210 days at each corner of the taluka. Now there are places where it is very difficult for him to get supplies. For instance, supplies of the nature of flour, bread and ghee he might carry with himself. But what about grass, fuel and milk? It is very difficult for him to carry these things. There I quite realise the difficulties of the officer. Besides that, these things have not much value in the mofussil in normal times. Mussalman zamindars who have got a large number of cattle do not like to sell their milk and they therefore willingly give gratis milk, and also grass and fuel. I do not resent that. But it is not only grass and fuel that is given gratis to the officials, but besides that cash payments

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are made to the clerical establishments, patte-wallas, butlers and so on, of the superior officers. Supposing a deputy collector comes on tour, his head munshi and his head clerk are given something of the lapo paid to the tapedar I resent these cash payments. I know of zamindars who can provide supplies to ten officers if they come along. They won't mind that. But they have to pay very heavily in the form of cash payments which are given to the office people, to the pattewalas and other menials.

Now I have told the Council that formerly this arrangement used to be made by the tapedar. This evil is admitted even by the Government of Bombay. If I am not wrong, there was a resolution by the Government of Bombay in 1902 that this evil ought to be put down. Again I remember four or five years ago the Commissioner in Sind reduced a mukhtiarkar for making rasai. No doubt the Government officials, specially the Commissioner in Sind, have been from time to time taking steps to put it down, but to my mind it appears that all this depends on the individual officers and on individual zamindars. U know an instance of an officer in Sind who asked the tapedar why no arrangements had been made for his rasai, and who on being told hy the tapedar that there was a circular of the Commissioner prohibiting rasai, told the tapedar that that circular was only binding on the Commissioner and not on him, and that till he issued such a circular himself arrangements for his rasai should continue to be made.

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Again I must blame the zamindars also. I know of a zamindar who called upon an officer with a dhali (present) and who, on being told by the officer that there was a circular of the Commissioner prohibiting rasai, told the officer it would be very humiliating for him to take it back and that anyhow he must accept it. The problem, I admit, is really a hard one.

Coming to the present system that is being carried on in Sind, the zamindar has to make "rasai". Now the poor zamindar, although he has to make rasai and the tapedar has absolutely nothing to do with it, yet the zamindar has to pay lapo to the tapedar. That is an additional burden. I must say that for this the zamindar is burdened with extra cost now. He has to make the rasai and he has to pay the lapo. The Honourable Mr. LAWRENCE has told this Council that the tapedar has very wide powers. He can do a lot of favours and a good deal of harm as well. The zamindars pay money to him, I think, in some cases because he can show cultivated land as uncultivated. So, this system of lapo, I am afraid, will continue unless Government puts it down with very stringent measures.

Now, the resolution of my Honourable friend Mr. BHURGRI is that an enquiry should be made by the appointment of a committee. I would suggest to my Honourable friend to leave the matter to the Commissioner in Sind. I feel confident that the Commissioner in Sind will take the non-officials into his confidence, consult

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them, consider the suggestions that they willimake, and try his level best to put down the evil, and I hope that the Honourable Mr. BHURGRI will accept my suggestion.

The Hon'ble Mr. R. P. Paranjpye

YOUR EXCELLENCY,

14.42

I rise to support heartily the motion of my Honourable friend Mr. BHURGRI. The Honourable the THAKOR of KERWADA has said that the instate of things revealed in the speech of my Honourable friend Mr. BHURGRI is nothing short of a scandal. We have been always told that strict orders have been issued in these matters. and we have occasionally been told that the explanation of this state of things is that the zamindars are so very hospitable. This leads one to wonder whether the Indian is a different being from the people of other countries in his ideas. We have thus been told that the Indian criminal is so anxious to confess his crime that he will: come before the courts to confess anything that he has done or even anything that he has not done. In the same manner we are often told that the zamindar, in Sind particularly, is so very anxious to be hospitable to officers whom he had never seen before and whom he is not likely to see again that he will not accept any payment for all the services that he renders them. I am afraid, however, that, as the Honourable Mr. LAWRENCE. has admitted, there is an object in all this vociferous hospitality that the zamindars show.

I believe that the Honourable Mr. LAWRENCE as

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well as the Honourable mover of the resolution has made out a very clear case for an enquiry. The Honourable Mr. BHURGRI says that these practices constitute a very great hardship to the people. The Honourable Mr. LAWRENCE has told us that they result in great loss to Government; so that from both points of view, from the point of view of the people and from the point of view of Government, there has been made out a clear case for enquiry.

As regards the remarks of the Honourable Khan Bahadur PIR BAKSH, I am tempted to think that he is more royalist than the king himself. The Honourable Mr. LAWRENCE admits that to a certain extent the evil does exist, whereas the Honourable Khan Bahadur PIR BAKSH thinks that there is no evil at all.

The Hon'ble K. B. Pir Baksh

Not as regards lapo.

The Hon'ble Mr. Paranjpye

The Honourable Mr. Lawrence has told us that he has appointed supervisors, but I would ask him "who watches the watchmen themselves?" If these supervisors get a share of the illegal exactions some other and better machinery has got to be provided for stopping all these evils. So I think a clear case has been made out for an enquiry; but I think the Honourable Mr. PATEL'S amendment should not be carried, but I would

rather vote for the Honourable Mr. BHURGRI'S resolution, because it wants that a public enquiry of the nature suggested should be conducted and the committee might suggest methods in preference to those which the Honourable Mr. LAWRENCE says are being used, because admittedly they are not proving very effectual.

With these words I beg to support the resolution of the Honourable Mr. BHURGRI.

The Hon'ble Mr. P. R. Cadell

Your Excellency,

As a member of the Council who has perhaps done more touring in Sind than any other member of this Council with the exception of the Honourable Mr. LARWENCE, I may be allowed to say a few words in support of the remarks just made by that gentleman. I must, in the first place, point out that this is a very difficult subject for members of the Council who have not been in Sind to understand. This is proved by the Honourable Mr. PATEL'S remarks. He apparently imagines, for example, after hearing the Honourable mover's speech, that lapo is a fund got up for entertaining officers. Of course it is nothing of the kind. I did not hear the whole of the Honourable Mr. BHURGRI'S speech, but he has been good enough to let me read his own copy of it. I can only say that if other Honourable members were able to follow that speech, they must have been most seriously misled. Take for example the question of rasai, i.e., the procuring

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of supplies for officers on tour. He alleges an instance of an officer being supplied with all articles on tour, including fowls and eggs, at a cost of a rupee per diem, and says that that is a typical case of rasai. I say that if the case is true at all it is not a typical case of rasai but it is a case of corruption. I gather from the honourable gentleman that the officer was not a European. Perhaps the Honourable gentleman will tell us whether he was a Hindu or a Mahomedan and what rank he held.

The question of rasai is undoubtedly one of considerable difficulty. The Honourable mover's remarks about the hospitality of the zamindars seem to have caused amusement to some members of this Council, among others to the Honourable Mr. PARANJPYE, who apparently cannot believe that such hospitality can exist. I say is that the Honourable Mr. PRANJPYE does not know the spirit of the Baluch. It is perfectly true that it is extremely difficult to get a Baluch zamindar to accept payment for what he regards as a gift or to understand that it is improper for an officer to accept anything without payment. But, even where payment is readily accepted, it is extremely difficult to see that payment reaches the proper person. This is due to the petty corruption of subordinates, particularly the tapedars. We know the evil to exist and it is an evil which can be met only by constant supervision and constant care. That care and attention is being given by the Commissioner in Sind.

As regards lapo, the Honourable mover

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adduced no evidence for his statement that it is derived from rasai and the statement is on the face of it absurd. Lapo is not only a much bigger but a much more ancient thing than rasai. the Honourable Mr. LAWRENCE pointed out, lapo has in Upper Sind the perfectly legitimate sense of a rent or cess levied by the zamindar on land occupied by his tenant. It has now obtained the derived and improper sense of a percentage taken by the tapedar from the zamindar. The latter often does not regard it as extortion, but as a mere extra rate, which it is worth while to pay to the tapedar. The unfortunate thing about lapo is that it is lucrative both to the zamindar and to the tapedar. The latter reports the land to be uncultivated or unirrigated or to have a poor crop. The zamindar benefits by much more than the amount of lapo he pays to the tapedar. The only sufferer is Government, that is, the public revenue. It is undoubtedly a serious evil, and one that must be prevented. But at any rate it is an evil which does not injure the zamindar, in most cases, but Government.

As regards cherr or forced labour, the account given by the Honourable mover was so lurid that it made the Honourable THAKOR of Kerwada marvel that such things were possible under British rule. I have no hesitation in saying that that account is a ridiculous exaggeration. I shall try to bring home to members not acquainted with Sind what this amount of labour really means. In Sind the labour for preparing a camp and pitching tents for a district officer on

sole reason that at least in a good many places in Sind there are camping grounds already prepared at the expense of Government for the camping of Government officers. Honourable members know that prepared camping grounds are rare in the Presidency proper, and that when district officers visit a place it is necessary to have a camping ground prepared before they encamp; but no one has ever thought of complaining that the small amount of labour involved is a serious hardship for the villagers.

The Hon'ble Mr. Bhurgri

What about roads?

The Hon'ble Mr. Cadell

true that roads are occasionally prepared for officers, but who gets the benefit of them? The district officer who merely goes from one place to another or the people who use the roads constantly? And it must be remembered that in some cases the zamindars are responsible to the local boards for the upkeep of portions of roads. The condition, or rather the absence, of roads in Sind is undoubtedly a hardship. There are, of course, great natural difficulties in maintaining them but it would be a very good thing if the Honourable Mr. Bhurgri would pay attention to the subject. But that has nothing to do with the question of rasai, lapo and cherr.

But the Honourable members may well ask why the Honourable Mr. BHURGRI should have made so misleading and inaccurate a speech. I cannot help feeling after reading the Honourable Mr. BHURGRI'S speech that he is attacking the system of officers' touring. Gentlemen like the Honourable mover do not like the touring system. They do not wish officers to go round to ascertain the condition and wants of the people. In respect of touring, however, the Presidency system does not differ from that in Sind. The touring system, that is to say, the obligation on officers of Government to travel in their charges for seven months in the year, is the foundation of our Bombay system of Government. It was, I believe, as a historical fact, introduced by that great administrator Sir Thomas Munro who brought it from Madras. It was, and I hope still is, known as the Char Darwaze Kole, the system of the four open doors. It was and is literally true that the tents of officers are always open to the people in places near their homes. That system has continued and exists I believe more in Bombay than any other part of India, with the possible exception of Madras, and I believe it to be one of the principal causes of the success of our district system. I would point out to Honourable members that if Indians are going to have a larger share in the administration, if, for example, the Brahman from the Deccan is to be employed in Upper Sind, it will be not less but more necessary that the system should prevail, and I hope it will always continue. It is perfectly true that this system means a severe tax on the time of

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officers and their establishment; it is true that these establishments are liable sometimes to become a burden; but I say that the good of the system far outweighs the evil. I remember once when I was a Collector in Upper Sind, I once checked the average number of petitions that were given me by hand in one particular tract and I found that it was between 80 and 90 a day. It may be imagined what trouble and time were saved to the people by this opportunity of giving petitions. Honourable members may take that as a sample of how an officer's touring in Sind is appreciated. As the Honourable Mr. GHULAM HUSSEIN HIDAYATALLAH said, communication is very difficult in Sind. Apart from the opportunity given to the poorer classes to petition, the big zamindars are glad to see the officer coming round and it is in the interests of administration that he should go round. To attempt to destroy the touring system because of the admitted difficulty of supplies would be a great mistake. The difficulty, as I have said, does exist, but it is now very much better in Sind than in the old pre-British days or even than it was a few years ago. It is almost impossible to eradicate that evil altogether, but it can best be reduced by the measures which the Honourable Mr. LAWRENCE has sketched. It would be very unfortunate if gentlemen like the Honourable THAKOR SAHEB of Kerwada were led by the honourable mover's speech to think that the evil is increasing or that the touring of officers, particularly in Sind, causes serious hardship; I think that is absolutely untrue. I think that the best way of meeting this evil

would be to strengthen the hands of the Commissioner; to bring home to the zamindars, notwithstanding their notions of dignity, that payment for supplies must be taken; to bring home to them still more that payments to tapedars whether in the form of lapo or otherwise are illegal; and also to make tapedars understand that the taking of illegal gratifications is dangerous; while at the same time, as the Honourable Mr. LAWRENCE has said, taking steps to improve the tapedar's pay and prospects.

The Hon'ble Mr. F. G. Pratt

Your Excellency,

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I would like to add my testimony to that of the Sind officer who preceded me. I have served in Sind for a good many years and have done a fair amount of touring there. The last time I served in Sind was in 1905, and I remember that one of the first things that I did after taking over charge of the Hyderabad district was to deal with a case in which an assistant collector in the course of trying certain income-tax appeals had seen the books of certain village banias and on looking at those books had found evidence that a number of tapedars and supervising tapedars had been taking illegal gratifications of the nature included in the term lapo. He held careful departmental enquiries into the matter and the case came to me, and one of the first things which I had to do in the district was to pass an order of dismissal at one stroke of about six tapedars and one supervising tapedar. That was

twelve years ago.

Well, sir, in the discussions which we have heard today. I do not think that those who have spoken in favour of this resolution have made it clear, as they ought to have made it clear, that this evil is on the increase. I think the fact are exactly in the other direction. This evil has long been recognised by Government and has been receiving continuous attention from touring officers, by supervising officers in Sind, and not only in the province of Sind but in the other parts of the Presidency also; I think it is incumbent upon those who ask the Council to give their time to a discussion of this question to show that the matter is not receiving sufficient attention, that the evil is on the increase, or is not being adequately dealt with. We contend that Government officers are well aware that it is an evil which is deeply rooted in the habits of the population of this country and in the subordinate Indian officials of this country, and that it is only through increased enlightenment that this evil can be remedied. It is only by the people more and more co-operating with the officers of Government to put a stop to these practices that we will get any improvement. I think it is unquestionable that this evil has very greatly decreased during the last 20 years, and that decrease is due to the continuous attention which it has been receiving from Government officers.

I would like to add a word or two also as to what the Honourable Mr. CADELL was saying

just now about the touring system. One disadvantage, I venture to suggest, that an unnecessary discussion of this kind has is that it produces an idea that the touring system is a monstrous system which villagers who are very easily misled in this matter would be justified in hindering or opposing. I have recently received information from at least one of the districts in my division that the tour of the collector has been hindered by organised opposition to such a trifling requirement as the carts required to move his kit for the purpose of travelling from camp to camp. Now, Sir, without such touring, the administration of this country could not be carried on well. It was only yesterday that a member of this Council spoke to me personally about a matter in which he was interested in one of the larger districts of the Northern Division. It was with regard to the question of a burial ground in which the Hindus and Muhammadans were in conflict with each other. As I happened to be there on the spot, I took the opportunity of seeing the place and I heard what both sides had to say in the matter. If officers do not tour, such questions cannot properly be investigated and if such questions are not investigated the result would be likely to be serious disturbance and perhaps a riot and disorder in the village.

The Hon'ble Mr. G. Carmichael

YOUR EXCELLENCY,

I confess that I have no acquaintance with Sind itself, except on paper, and I feel a difficulty

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in discussing this particular subject without local knowledge. The Honourable Mr. PATEL and a good many others who have spoken on the subject are in the same position as myself in that respect. The honourable member proposes that the resolution should be amended so as to recommend that measures be taken to suppress this undesirable state of affairs, but he himself does not suggest any measures, and I find as the Honourable Mr. LAWRENCE and the Honourable Mr. CADELL have pointed out, that none of the members who really know the actual state of things in Sind make any suggestion at all with regard to any particular measure. They recommend that the question should be investigated first of all. None of them are prepared to say that any particular measure should be applied.

The Honourable Mr. BHURGRI suggests that the system of officers' touring is at the root of this evil and goes on to argue that if touring were to be put a stop to, the evil would stop.

Gthe Hon'ble Mr. Bhurgrite

What I say is that there is a good deal of touring apart from necessary touring. That might be curtailed. I have not said that touring should be abolished.

The Hon'ble Mr. Carmichael

It is very difficult to ascertain what the honourable member means by unnecessary touring.

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The Hon'ble Mr. Bhurgri.

There are certain periods fixed by Government under certain rules for the touring of a collector, assistant collector or district superintendent of police. Of course, I can understand that they have to do this touring in connection with their work. But in many cases a good deal of unnecessary touring is done and this may be curtailed to some extent.

The Hon'ble Mr. Carmichael

think he must leave it to the collector and to the assistant collector to decide what amount of touring is necessary in order to complete the work which he has to do. You cannot tie down his conscience and say that he should not do any particular work if he feels that it is his duty to do it.

HIDAYATALLAH made out that as a matter of fact the custom of rasai and lapo has had its origin from a date long before the advent of British Rule in Sind. It is a legacy from ancient times and it is a legacy which perhaps in some form or other exiated when the British Government came into other parts of India. The difficulty with regard to Sind is that the conditions there are peculiar, particularly with regard to the method of cultivation. The cultivation there is dependent on irrigation and the method of land settlement which has been found most suitable for Sind is different from that in the Presidency.

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These conditions are special and there are others too, as the Honourable Mr. LAWRENCE pointed out, such as the rarity of bania shops. These conditions have made it a very difficult matter to diminish the evils arising out of the ancient customs which were found to exist when the country was taken over by the British. In other parts of the Presidency I think there is no doubt that the success of the British administration in purifying the atmosphere has been much greater and more rapid than in Sind, but that is no reason why we should despair of reaching in Sind the same standard which has been obtained in this matter in the other parts of the Presidency proper. In any area which has to depend on irrigation for cultivation, there is no doubt that it is very difficult to suppress an evil of the nature of lapo, even in the Presidency proper; I may say that one of the measures which will tend to reduce the dependence of the zamindar on the tapedar is a more regular and systematic cultivation of land and greater control over the water supply and the possibility of selling water in bulk. When these improvements are achieved in Sind, the evil of lapo at least would practically be stopped. The zamindar will then have nothing for which to look to the tapedar, the tapedar would not be able to do anything for the zamindar in return for the lapo and I presume the zamindar would not pay him. But that is looking a long way ahead. In the meantime we have to deal There is no doubt with matters as we find them. that the evil does exist. The Honourable Mr. PRATT and the Honourable Khan Bahadur Pirk

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BAKSH have told us that it has diminished, that it is still decreasing owing to the action which has been taken by Government or rather by the Commissioner in Sind under the instructions of Government. The matter came prominently to the notice of Government in 1902 and Government took certain measures at that time which have had, I believe, a great effect in diminishing the evil results of this practice. There is still more to be done and personally I am inclined to agree with the Honourable SHEIKH GHULAM HUSSEIN and the Honourable Mr. CADELL that the best way might be to leave it to the Commissioner in Sind to devise measures and to maintain constant vigilance in suppressing the evil practice wherever it can be found out. I am inclined to think that that would be the best method of dealing with the question, but if this Council is of opinion that the enquiry recommended in the Honourable Mr. BHURGRI'S resolution would be a better method, then I can assure them that Government will be prepared to accept that recommendation and act upon it and have a public enquiry held. At the same time the measures taken by the Commissioner in Sind will be proceeded with simultaneously.

The great difficulty is to secure the co-operation of the zamindars themselves. The Honourable Mr. PARANJPVE rather mocked at the hospitality of the zamindars. I do not think that his remarks would be appreciated very much instact, I am sure that they would be resented by agreat many of these zamindars. That is one of

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the difficulties which have to be faced in dealing with this problem.

The other difficulty is, as the Honourable Mr. LAWRENCE pointed out, that of securing the co-operation of the zamindars and of preventing them from depending on the tapedars.

The Honourable Mr. LAWRENCE has referred to the proposals which he has submitted to Government for the improvement of the pay of the tapedar. His proposals Government are disposed to regard with favour and they are being taken up. In this direction I think I can safely say that the necessity of obtaining a better staff is a matter of considerable urgency. We have seen the results which have been obtained in the Presidency proper when these improvements have been carried out, and there is no doubt that at the present day in the Presidency proper—I speak of that part of the Presidency which I know best—there has been a very great improvement in this matter in all branches of the revenue service, if we compare the condition of things as they exist now and as they existed say 30 years ago. But the possible advantage of having a committee of the Hon'ble. committee, which is recommended by the Hon'ble Mr. BHURGRI, is that the attention of the zamindars themselves would be focussed on the problem and we may hope, by stimulating them, to obtain much greater co-operation in this particular matter than has been obtained in the past. So if this Council is in favour of the Honourable Mr. BHURGRI'S recommendation, I say that

Government are prepared to accept it and to act upon it. I do not think that the amendment proposed by the Honourable Mr. PATEL should be accepted, because no one has any measures to suggest and no non-official member who has spoken has any definite measure to recommend.

The Hon'ble Mr. Patel

I understand that Government is going to accept the resolution of my Honourable friend Mr. Bhurgri. In that case I withdraw my amendment.

The Hon'ble Mr. G. M. Bhurgri

Your Excellency,

It is only left for me to thank the Honourable member in charge for accepting my resolution. There are, however, a few remarks which I should like to make in reply to certain objections. First it has been urged that the meaning I have attached to the words rasai, lapo and cherr is misleading. I have only to say that the meaning I have given to these words is the meaning which these words actually convey to the people. Then, my resolution has been construed into an attack on the touring system. But I have made it clear in my opening speech and in my statement during the course of my Honourable friend Mr. CARMICHAEL'S speech that all that I have contended is that there is a great deal of unnecessary touring, which might profitably becurtailed. Further, the remarks which have fallen.

from officers who have been in Sind and know Sind seem to imply that I have drawn rather a gloomy picture. But I can assure this Council that, far from the picture being gloomy or exaggerated, my presentment of the situation has been made with studied care and moderation, and that, if anything, it rather understates the truth. It has also been urged that the present system has been working well. But I can state with certainty, from my personal knowledge as a zamindar, that the present state of things is worse than the old, as the burden which formerly rested on the shoulders of many has now fallen on the shoulders of one. Then it has been objected that the instance I have given is not a typical case, and that the officer in question was not a European officers; but I have studiously avoided being dragged into personalities.

As regards lapo, my Honourable friend Mr. LAWRENCE has tried to make out that lapo is quite separate and unconnected with rasai. But I maintain that this is not the case. Else, how comes it that lapo is levied only by those subordinate officers who have to do with rasai, such as the tapedar and the darogah. In regard to lapo, it has also been contended that zamindars pay lapo with a view to obtain some benefit for themselves from the tapedar. It is alleged that tapedars are sometimes known to enter cultivated numbers as uncultivated, and thus cause damage to Government revenue. I asked my Honourable friend Mr. LAWRENCE how many such cases had come to his notice, but I received no reply. The

pity is that the poor zamindar is mulcted, and, at at the same time a grievance is made against him that he profits at the expense of Government.

In regard to cherr an attempt has been made to show that there is no such thing in Sind. It has been contended that camping grounds are kept ready for officials in Sind, and that all that the people are asked to do is to give their labour for a very short time only. I asked my Hon'ble friend Mr. CADELL what about roads. He replied that officials only used these for a short time, and that the people alternately stood to benefit from them. But if such a proposition is once accepted, why then not abolish the Public Works and other departments and get all work for the public good done by forced labour.

Finally, I would repeat that rasai and lapo can be stopped if only a determined effort is made by the officers of Government. As I have said before, lapo is collected by those subordinate officers who have to arrange for rasai, that is, tapedars. Now, the tapedar is only a subordinate officer, and if he has not got the support of his superior, the Mukhtyarkar, he will find it difficult to impose lapo. The Mukhtyarkar will only give his support when he knows that he must depend on his subordinate officer for the collection of rasai. Hence, I am confident that, if superior officers make their intentions clear in the matter, rasai and lapo will be stopped. They have been stopped in the past by a few officers who have endeavoured to do so. I can give the names of

Mr. Monie, Mr. Beyts, Mr. Moysey, Mr. Covernton and of other officers who have tried, and successfully, to stop the evil. And what was the secret of their success? It was that they impressed upon the Mukhtiarkars and their subordinate officers that they would not tolerate any nonsense like rasai and lapo. Well, if all officers of Government were to act likewise, rasai and lapo would be no more. With these words, I again thank the Honourable member in charge for accepting my resolution.

His Excellency the President

I have only one word to add. In the first place, I am glad to find that the Honourable Mr. PATEL has had the wisdom to withdraw his amendment. With his considerable knowledge of Sind he moved his amendment, apparently thinking that no measures were ever taken by the Commissioners in the past or in the present to try and remove what is admitted to be a serious difficulty. He must know that measures being taken, measures have been taken in the past, and that this is a question of extraordinary difficulty which Commissioners one after another have been trying to grapple with. I should like to endorse what my honourable colleague has said with regard to the remark that fell from the Honourable Mr. PARANJPYE. I own that I thougt that his remark, that the zamindar showed his hospitility with an object, was an extremely ungenerous one. I can safely say from my personal experience—and I think it will be the

experience of all gentlemen who go and tour in Sind—that the zamindar is a most open-handed and generous person and, as far as I am individually concerned, I have never found, directly or indirectly, that he ever showed me any hospitality with any object in view.

Government's position, as my Honourable colleague has said, is that we are perfectly satisfied in our own minds that the Commissioner in Sind and his officers are doing everything that they possibly can to get rid of this admittedly serious evil. But I hope my Honourable friend Mr. BHURGRI will not take it hardly if I say that he and a good many of his friends have been continually representing what I have sometimes read in newspaper reports, the rather shocking behaviour of officials in regard to these matters; having regard to that fact and in order to satisfy him, Government are perfectly ready to have this committee appointed, of officials and non-officials, to enquire into the whole matter and if, which I own I very much doubt, they find the golden way to get rid of these difficulties which have taxed the ingenuity of the various Commissioners in . Sind for the last 20 years, nobody will be more gratified than the Commissioner in Sind himself That is the and the Government of Bombay. position in which we stand in accepting the resolution of the Honourable Member.

The resolution was then put to the vote and carried.

III

This Representation of the Sind Moslem League

PRESENTED TO

The Right Hon'ble E. S. MONTAGU

His Majesty's Secretary of State for India

d:

His Excellency Lord CHELMSFORD

Viceroy & Governor General of India,

MOST RESPECTFULLY SHEWETH:

THAT the Sind Moslem League was formally established on the 1st of November 1917, in response to a widely expressed desire on the part of the educated and independent section of the Musalman community, many of whom had been individually taking a keen interest in politics for a number of years, for an organization to give free expression to the real grievances of Mussulmans and their legitimate aspirations to take an active part in the Government of their Mother Land, and with that end in view to press on the attention of government the introduction of such reforms in the present system of administration as shall lead to the establishment of Self-government within the Empire under the aegis of the British Crown. Although the Sind Moslem League has come into being through the persistent demands of the independent and educated section of the community for an independent political organization, it is nevertheless quite welcomed by the more numerous section of the community, the

Zamindars (Land-holders) and agriculturists, who on account of their backwardness in education, and also because of their dependent position as Landholders have not made up their minds to join the League openly. Far from various quarters information has been received, which is necessarily of a private nature, that the intelligent Zamindars and agriculturists are in full sympathy with the League and its objects, for the simple reason that they hope and believe that the League will freely voice the sentiments of the community, which they themselves have not the courage to do on account of their hopelessly dependent position.

2. It will not be out of place to state here the present condition of the Mussulman community in Sind. By far the largest number of the community is engaged in agriculture. They are not at all satisfied with their present lot by reason of the dependent position and the great disabilities under which they labour. The richest Zamindar feels that he has no real independence and in all political matters he is afraid of giving expression to his views. He is liable at any moment to be hauled up as a bad character and prosecuted under section 110 of the Criminal Procedure Code, which is, in not a few cases, very harshly administered in the province of Sind. The number of prosecutions in Sind under this section is in excess of that in other divisions of the Presidency. The sureties offered are not accepted in the vast majority of cases. Men convicted. under this section are kept in jail together with

hardened offenders. If the Zamindar fails to render help in precuring supplies for touring officers and their staff, he incurs the displeasure of local officials, on whom devolves the duty of making arrangements for providing the necessary supplies, and as a result of this displeasure, he can be harassed by the local officials in diverse ways. The Zamindar in order to maintain his respect, must needs be a chair-holder which means, that unless he has been granted the privilege of occupying a chair at official Durbars (public functions), he cannot occupy a chair when he sees officials on business. This practice is a breach of the rules of the most common courtesy and is most obnoxious to self-respecting people. It exercises a baneful influence on character. The privilege of occupying a chair is highly esteemed by the Zamindars as a mark of distinction and no price is considered too great for it. Similarly the Zamindar feels dishonoured, if he is not allowed to keep arms and would willingly make any sacrifice to have a license to possess arms. The power to grant these privileges is a strong weapon in the hand of officials and therefore the Zamindar dare not take a step which would in his opinion go to displease officials. Education has not made headway in the landholding classes. A few of them are acquainted with the vernacular and Persian. The beneficence of the English language has not reached them. Their economic condition is every day growing worse, and ancestral lands are passing out of their hands owing to heavy taxation, want of thrift on their own part and

machinations of the ruthless money-lender, who trades on their ignorance and credulity. The condition of the peasantry, to which class by far the great majority of the community belongs, is very bad indeed. Long years of the bureaucratic system of government have failed to effect any appreciable improvement in their lot, which is very miserable. The description of the Indian peasantry by the Honourable Mr. Mazharal Haque in his Presidential address on the occasion of the 1915 Session of the All-India Moslem League at Bombay, is applicable to Sind and may be quoted with advantage. He said:—"No toil or trouble is spared for the cultivation of their fields by the wretched and over-worked peasantry.
All that manual labour can do is done, but because of the want of scientific methods and other causes beyond their control, the profits which ought to have been theirs are lost to them. Side by side with green, minutely and industriously cultivated fields we find tiny and dilapidated mud hovels thatched with old and rotten straw. In these hovels there are neither windows nor floor cloths and the only furniture, that they can boast of, are a few earthen vessels and perhaps a chata (mat). Human beings and cattle herd together with no arrangement for sanitation. Such are the conditions in which the great majority of our people pass their miserable existence." The peasantry of Sind like that of the rest of British India has not received the benefits of education. In Sind they are also subject to a practice known as 'cherr', which is a system of enforcing the free labour of agriculturists in connection with officials

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touring in the districts. On the arrival of a touring officer in a place, a demand is made for the supply of free labour. This demand is reluctantly answered by the cultivators whose free labour is utilised for sundry purposes in connection with official touring such as making roads, preparing camping grounds, pitching tents, fetching water, fuel etc., and generally running errands of all sorts. This sort of thing goes on from camp to camp and entails the greatest hardship on the poor cultivators and also on Zamindars. The taking away of the cultivators from their ordinary labours has the most disastrous. effect on their subsistence and their withdrawal from cultivation, sometimes at very necessary and critical times, inflicts serious damage on the Zamindars in the shape of a poor out-turn and consequent financial loss.

present condition of the Mussalmans of Sind in order to point out that they are far from being happy and contented with the present state of affairs. They are as much yearning for a change for the better as the other communities all over the country. Here your memorialists are constrained to state that if the Sind Mahomedan Association, claiming to speak on behalf of the Mussulmans of Sind, expresses satisfaction with the present system of administration, it is not representing the actual state of affairs, as, by reason of its present constitution, it is not in a position to fearlessly express the wishes and feelings of the community. It has very lately been swam-

ped by the hopeless and dependent type of Zamindars referred to in para 2, who would not like to say anything unpalatable to the official class. Moreover, the Association has now for its president, a Government official lent to the Khairpur State.

4. Your Memorialists beg to point out that in India, the educated and independent classes of every community should be regarded its proper representatives and it is they who feel for the condition of the masses. In support of this it may be pointed out that all initiative for the amelioration of the condition of the masses has proceeded from the educated and advanced section of the community. It was the late Honorable Mr. Gokhale who introduced in the Imperial Legislative Council a Bill for compulsory education; it was the late Sir Syed Ahmed Khan who founded the M. A. O. College for Mahomedans at Aligarh; and in Sind, it was the late K. B. Hussanally Bey Effindi Majid who founded the High School in Karachi known as the Sind Madresseh-tul-Islam. The real impetus was given to the education of the Mussalman community only after the establishment of the two institutions above-named. The assertions made by Europeans and Anglo-Indians that Government looks after the masses and the educated classes are clamouring for themselves are untrue and mischievous. Besides what is mentioned above, instances could be multiplied to show that the initiative to improve the condition of the masses has proceeded from the educated classes. The Sind Mahomedan

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Education Cess Bill, a Bill which proposed that a cess should be levied on the Mahomedan community for the purposes of providing funds for the education of the community, was introduced in the Bombay Legislative Council by the late Honourable K. B. Shaikh Sadikali and subsequently by the Honourable Mr. G. M. Bhurgri. Recently the Honourable Mr. Patel has introduced in the same Council a Bill for giving the Municipalties in the Bombay Presidency power and option to intruduce compulsory education in schools.

your Memorialists beg to point out that while much has been done by England for the uplift of India, very much more remains to be done; and for what is not done, the present system of government in which the children of the soil have no real voice, is mainly responsible, and the time has arrived when the people of the country should be given a potent voice in the government of their country. What England has accomplished and what she has not, was very aptly put by the Honourable Mr. Mazharal Haque in his Presidential address on the occasion of the 1915 session of the All-India Moslem League which is quoted below:—

"Bretheren, just as we owe duties to Government, similarly, the Government owes duties to us. It would be ungrateful on our part not to acknowledge the innumerable advantages that India has derived from her contact with England. England has given to India the inestimable bless-

ing of peace. She has maintained order amongst us. She is protecting us from external invasion and internal anarchy. She has given us a settled government. She has brought the inventions of Science to our very door. Lastly, she has freed the intellect of India from its cramped prison, wherein it was able to rise no higher than a blind adherence to rather out of date authorities. To my mind, this is the greatest blessing that the British rule has brought in its wake. After all, brain rules the world, and when once it has become free and begun to perform its proper functions without let or hindrance, progress is bound to follow as a natural consequence. England brought with her rule her noble literature, with its fine teachings of freedom and liberty. That is a real gift to India, and she can never sufficiently repay it. I freely confess all these, and am sincerely grateful for them. But much more yet remains to be accomplished, and, from an Indian point of view, the things that have been left unaccomplished are the things that really matter in the life of a nation. England has borne the burden of India, but has not prepared her to bear her own burdens. She has not made her strong, self-reliant and self-supporting. She has not made her a nation respected by the other nations of the world. She has not developed the resources of the country as it was her duty to develop them. She has not helped the Indian people to live a life of the greatest possible fulness. She has failed to bring out the capacities of the people of Hindustan to their fullest extent. England's connection with India has lasted for

about a century and a half and most parts of the country have been under her direct rule during this period. But the progress India has made with all her vast resources material, moral and economic, is comparatively very small. Compare her with other countries. Compare her Japan. Within 40 years Japan, from being one of the weakest and most backward countries of the world, has advanced to the position of one of the foremost and the most highly developed nations and is counted among the great Powers. But in the case of India, the government of the country has been conducted on lines which were not conducive to any better results. The children of the soil have no real share in the Government of their own country. Policy is laid down and carried on by non-Indians which oftener goes against the wishes of the people and ignores their sentiments. Remember, I do not attribute motives. I believe the administration of the country has been carried on by conscientious, hard-working men, who have honestly done their work according to their best lights, but their work has degenerated into a mere routine. People who have spent their lives in carrying out details can hardly over rise above their surroundings and view things from a broader outlook."

6. Your Memorialists are strongly of opinion that the present system of Indian Government is obsolete, and that the majority of Europeans—both official and non-official—is not in sympathy with the aspirations of the people. The Government have never put forth any gigantic effort to

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raise India to the level of a nation respected by the other nations of the world. On the contrary. various attempts made by leaders of Indian thought, notably the attempt of the late Hon'ble Mr. Gokhale to introduce compulsory education which was a sure way of regenerating India, co not receive sufficient encouragement or support from the all-powerful official class. There is a great awakening among the people, and they are every where demanding to have a share in the Government of the country. The differences between the Hindus and the Mussalmans-the two great communities in India—are gradually disappearing. Such differences as exist in some quarters are in respect of the proportion in which the two communities should get a share of Government, but not in regard to the principle that the children of the soil should have an adequate voice in the Government of their country. There is a singular unanimity of opinion that India should have responsible government, government, responsible to the people, instead of the present form in which the executive is practically responsible to nobody. It certainly is not responsible to the people. INSTITUTE

7. Your Memorialists accord the fullest upport to the joint Scheme of Reforms which has been prepared by the Indian National Congress and the All-India Moslem League as a first instalment towards Self-Government. These two bodies are the real representatives of the people of India. Your Memorialists are convinced that the grant of the Reforms contained in the Scheme

framed by them, will prove beneficial to the Mussalmans of Sind. Without going into the details of the Scheme which is already before you, your Memorialists wish only to observe that the general principle underlying it, which gives the people a determining voice in the matters affecting the internal administration and the raising and disposal of revenues is, a very healthy one and must commend itself to acceptance by all lovers of liberty. Your Memorialists beg respectfully to urge that the Reforms mentioned in the Congress-League Scheme are urgently and immediately necessary for the people of India. Their introduction will enable the people to devote very large sums of money to education and the fostering of indigenous industries—the two things necessary for the regeneration of India. The separation of the Judicial and the Executive functions will go a great way to mitigate miscarriage of justice. Volunteering and milirary training will preserve and strengthen the martial spirit of Mussalmans which is fast disappearing.

8. In conclusion your Memorialists trust that the great hopes that have been raised by your visit will be fully realized and that on a careful study of the problem you will clearly see that the interests of the people and the Empire alike require that the people of India should be given a potent voice in the Government of their beloved Motherland. Your Memorialists are sanguine that in the reforms to be introduced, the political and religious interests of the Mussalman Community will be properly safeguarded.

And your memorialists shall as in duty bound ever pray.

(Sd.) Yusufali Alibhoy

PRESIDENT,

Sind Moslem League.

Ghulamali G. Chagla Haji Abdulla Haroon

HON: SECRETARIES,

Sind Moslem League.

Karachi,

13th December 1917.

Gul Hayat Sistitute

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