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# Indian Franchise Committee

## Volume III

**MEMORANDA**

*submitted by the*

**Local Governments**

*and the*

**Provincial Franchise Committees**

*in reply to the*

**Indian Franchise Committee's Questionnaires.**

(Punjab, Bihar and Orissa, Central Provinces, Assam, North-West Frontier Province, Coorg and Ajmer-Merwara)

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## *ERRATA.*

### (*Vol. III*).

Page 24, Statement, columns 2 and 3, top heading, lines 2 and 4—

*Read* " *cantonment* " *for* " *contonment* ".

Page 48, para. 10, third line from bottom—

*Read* " franchise " *for* " franchised ".

Page 154, foot-note No. 1—

*Read* " pages 158-162 " *for* " pages 158-160 ".

Page 297, foot-note—

*Read* " at page 304 " *for* " as page 304 ".

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Madras, Bombay, Bengal and the United Provinces.

number—but not more than 25 per cent. of the total population—if that should on full investigation, be found practicable and desirable".

(*a*) What means can you suggest by which the existing franchise for the Provincial Legislature could be extended so as to include 10 per cent. of the population in the electoral roll?

(*b*) Do you consider that such an electorate will be capable of casting an intelligent vote?

(*c*) Do you consider that such an electorate would be administratively manageable having regard to the arrangements likely to be feasible for the preparation, maintenance and revision of the electoral rolls, and for the recording and counting of votes?

(*d*) If the answer to (*b*) and (*c*) is in the negative, what alternative qualifications for the electorate would you propose?

(*e*) If the answer to (*b*) and (*c*) is in the affirmative, do you consider that it would be practicable and desirable, having regard to the same considerations, to enlarge the electoral roll still further and, if so, what means would you suggest for the purpose?

(*f*) It has been suggested that, assuming adult suffrage to be impracticable at present, all adults not entitled to a direct vote should be grouped together in primary groups of about 20 or in some other suitable manner for the election of one or more representative members from each group, who would be entitled to vote in the provincial elections either in the same constituencies as the directly qualified voters or in separate constituencies to be framed for them. The suggestion has been discussed mainly with reference to rural villages, but might be made applicable to towns also.

Do you consider that any such system would be feasible and advantageous in the areas with which you are acquainted, and, if so, would you advise that the group electors should vote in the same constituencies as the directly qualified electors, or in separate constituencies composed of group electors only?

(*g*) It has been proposed that in the event of separate constituencies being framed for group electors, only group electors should be qualified to stand as candidates for such constituencies?

Are you in favour of this course?

(*h*) Do you consider that it would be feasible and advantageous to abolish all the existing qualifications for voters and to extend a system of the nature described in (*f*), and to confine the electorate for all constituencies to secondaries chosen by groups of primary voters?

(*i*) In the event of your answer to (*f*) or (*h*) being in the affirmative, what do you consider would be a suitable size for the groups referred to above? On what basis would you constitute them, and whom would you charge with the duties of framing them?

(*j*) Would you require any special qualification, whether property, educational or other, in the persons chosen by such groups to vote on their behalf for the election of members? If so, what?

## 2. Franchise qualifications.

(*a*) Do you consider that in the areas with which you are acquainted there is any marked disparity in the operation of the franchise qualifications in urban as compared with rural areas? If so, what measures would you suggest in order to rectify such disparities?

(*b*) It has been suggested that each community should be given a voting strength proportionate to its numbers, and that the franchise system should be so contrived as to secure this result, in so far as it may be practicable.

Are you in agreement with this suggestion, and, if so, what measures would you suggest for giving effect to it in your province on the assumption (*i*) that separate electorates are retained, (*ii*) of joint electorates with reservation of seats, and (*iii*) of joint electorates without reservation of seats?

(*c*) Is the possession of property of some kind in your opinion a suitable test of fitness for the franchise? (The term "property" should be understood in its widest sense as including not only the ownership of landed property but also the occupation of land or house property or the receipt of income or wages whether in cash or kind.) If so, do you consider the existing property qualifications suitable? If you do not, what modification do you suggest?

(*d*) Are you in favour of introducing a qualification based on education, independently of property? If so, what educational qualification would you suggest?

(*e*) Are you in favour of retaining the existing military service qualification and extending it so as to include service in the Auxiliary and Territorial Forces?

## 3. Women's suffrage.

(*a*) At present women are admitted to the suffrage on the same terms as men, but as the existing qualifications are mainly based on property and the payment of taxes, the number of women on the provincial electoral rolls is only a little over a quarter of a million as compared with 6½ million men. The Statutory Commission proposed that the wives and widows (if over 25 years of age) of men entitled to vote under the property qualification, should be enfranchised, and that in addition an educational qualification should apply to women over 21 as well

as to men. In the Franchise Sub-Committee of the Round Table Conference it was suggested that the age-limit should be 21 for women as well as for men.

Are you in favour of increasing the women's electorate in the ways suggested or would you prefer any other method? If so, what method? To what extent would you favour an increase in women's electorate?

(*b*) In the event of a system of group representation being established as proposed in paragraph 1 (*f*), do you consider that women should be formed into groups, and, if so, should separate groups be formed for women or should groups contain both men and women?

(*c*) The suggestion has been made that at any rate as a temporary measure the legislature should co-opt women members to an extent not exceeding 5 per cent. by a system of proportional representation so as to ensure some representation of women in the legislature. What are your views on this suggestion?

### 4. Representation of the depressed classes.

It is evident from the discussions which have occurred in various connections in the Round Table Conference, that it is generally felt that provision should be made in the new constitution for better representation of the depressed classes, and that the method of representation by nomination is no longer regarded as appropriate.

What communities would you include as belonging to depressed classes? Would you include classes other thanuntouchables, and if so, which?

Do you consider that the depressed classes are likely, through such general extension of the franchise as you favour, to secure representatives of their own choice in the general electorates, and if so, to what extent? If your answer is in the negative, what specific proposals would you make to secure their representation in the legislatures? The possible application of the group system of representation to the depressed classes should be specially considered.

### 5. Representation of labour.

Assuming that such widening of the basis of suffrage in general constituencies as is found practicable does not provide adequate representation of labour what special measures would you recommend for representation of labour (*a*) where it is or can be organized as in industrial areas, (*b*) where it is unorganized as in the case of agricultural and plantation labour? On what basis would you allot representation to labour in each case?

### 5-A. Representation of special interests.

What are your views as to the retention of the representation of special interests (Universities, Commerce, European and Indian, Mining, Planting, Labour, Landholders, etc.) in the legislatures? If you favour its retention, do you consider that the existing methods of election thereto are satisfactory? If not, what suggestions would you make?

## II.—THE FEDERAL LEGISLATURE.

### 6. Allocation of seats to British Indian Provinces.

In the third report of the Federal Structure Committee the following allocation of seats to provinces of British India in the two chambers of the Federal Legislature was tentatively suggested :—

| Names of provinces. | Upper Chamber. | Lower Chamber. |
|---|---|---|
| Madras .. .. .. .. .. .. | 17 | 32 |
| Bombay .. .. .. .. .. .. | 17 | 26 |
| Bengal .. .. .. .. .. .. | 17 | 32 |
| United Provinces .. .. .. .. .. | 17 | 32 |
| Punjab .. .. .. .. .. .. | 17 | 26 |
| Bihar and Orissa .. .. .. .. .. | 17 | 26 |
| Central Provinces (if Berar is included) .. .. | 7 | 12 |
| Assam .. .. .. .. .. .. | 5 | 7 |
| North-West Frontier Province .. .. .. | 2 | 3 |
| Delhi .. .. .. .. .. .. | 1 | 1 |
| Ajmer-Merwara .. .. .. .. .. | 1 | 1 |
| Coorg .. .. .. .. .. .. | 1 | 1 |
| British Baluchistan .. .. .. .. | 1 | 1 |
| | 120 | 200 |

As a working hypothesis for the purpose of arithmetical calculation at the present stage it may be assumed that the Federal Legislature will be approximately of the size indicated in the report of the Federal Structure Committee.

(*a*) The Federal Structure Committee proposed that the representatives of British Indian Provinces in the Upper Chamber should be elected by the Provincial Legislatures by a single transferable vote. Do you agree with this proposal or have you any alternative to suggest ?

(*b*) Do you consider that the franchise qualifications ought to be different for the Federal and Provincial Legislatures ? If so, what do you consider it ought to be in the case of the Federal Legislature ?

(*c*) The majority of members of the Federal Structure Committee considered that election to the Lower Chamber of the Federal Legislature

should be by territorial constituencies consisting of qualified voters who would cast their vote directly for the candidates of their choice. Under a scheme of this nature there would be more than a million inhabitants on an average in each constituency. The constituency would in some cases be of enormous size, especially if communal electorates were introduced. In view of the obvious difficulties which must confront a candidate in canvassing and maintaining contact with such large constituencies the Committee recommended that the alternatives of direct and indirect elections should be fully explored and suggested that while it might be possible without difficulty to adopt direct election in certain areas some form of indirect election might prove desirable in rural areas.

The Franchise Committee would be glad to have your views on this difficult question. In the event of your favouring some system of direct election it would be very useful if you would indicate the nature of the constituency that you would form having regard to the number of seats which you consider ought to be allotted to your province.

### 7. Representation of women, labour and depressed classes

Please add any further suggestions which you desire to make regarding the representation of women, labour and the depressed classes and other interests at present specially represented in the Federal Legislature.

### 8. General.

It will be of great assistance to the Franchise Committee if you will favour them with any observations on the working of the existing franchise and electoral rules which will throw light on the problems now under consideration. The Committee will of course require information later on many other questions but it is not necessary to deal at present with matters outside the scope of this questionnaire.

It is not the function of the Franchise Committee to consider the maintenance, modification or abolition of the existing system of separate communal electorates, though it is clear that this question must be decided before a final scheme can be drawn up for the composition of the various legislatures and the arrangement of the constituencies upon which they are to be based. His Majesty's Government have instructed the Franchise Committee to proceed, in so far as they may find that the absence of such an assumption may preclude them from arriving at conclusions, on the assumption that separate communal electorates will continue to form a feature of the new constitution. It is hoped, however, that it will be possible to offer answers to the questions asked in this paper, without entering upon a discussion of the communal problem.

### Points for local Governments.

(1) The Franchise Committee are anxious to save local Governments unnecessary labour as far as possible. A great deal of information which will be of great value in connection with their inquiries must already be available in reports on the working of the present constitution prepared for the Statutory Commission or for other purposes.

In dealing with the questions now raised it will suffice to refer to such reports or to send copies corrected up to date where such a course is found convenient.

(2) The Franchise Committee desire, if possible, during their visit to each provincial headquarters, to spend a day or part of a day in a conveniently situated village, where they would meet typical bodies of villagers and discuss with them questions arising out of this inquiry. The Committee would like to have an opportunity of talking to a group of existing voters, a group of those who would become entitled to a vote if the franchise were extended in the manner considered possible by the local Government, and a group of those to whom the vote could not be granted within the limits of any practicable system of franchise. In the last case, the Committee would like to consider, on the spot, the possibility of adopting some system of group representation. The Committee would be grateful if one or two officers could be deputed to accompany them as interpreters, who are well acquainted with the village selected for a visit or with village life in general.

# APPENDIX TO THE QUESTIONNAIRE.

## I

TELEGRAM XX, FROM THE SECRETARY OF STATE FOR INDIA, LONDON, TO THE VICEROY (REFORMS DEPARTMENT), NEW DELHI, No. 168, DATED THE 13TH (RECEIVED 14TH) JANUARY 1932.

Chairman who is anxious to expedite work of Franchise Committee as far as possible would be glad if this was practicable to ascertain in general terms during first stage of enquiry any preliminary views which Provincial Governments and Committees may feel able to express on—

(*a*) size of Provincial Legislatures,

(*b*) representation of special interests,

(*c*) qualification of candidates,

(*d*) if possible on question of Bicameral Legislatures in Provinces.

It would be unnecessary of course to go into details at present stage but written statement would be of much value. If time permits it might be possible to arrange for brief general discussion of such statements after franchise questionnaire had been disposed of. Chairman recognises difficulties of expressing any save provisional views on (*a*) and (*b*) above in absence of communal agreement but as hypothetical basis of discussion provisional working hypothesis referred to in paragraph 7 of Prime Minister's letter of 29th December may be adopted as a basis in this connection.

Please inform local Governments accordingly and ask them to take such steps as they consider feasible to prepare the ground. In the light of experience in first two Provinces visited Committee will probably be able to decide definitely whether or not any extension of field to be explored beyond that covered by questionnaire already issued will in fact be feasible at this stage having regard to very short time at their disposal.

## II

TELEGRAM FROM THE JOINT SECRETARIES, INDIAN FRANCHISE COMMITTEE, TO ALL LOCAL GOVERNMENTS (EXCEPT BIHAR AND ORISSA AND BURMA), No. S.-570, DATED THE 13TH FEBRUARY 1932.

As stated in paragraph 2 of Questionnaire question of bicameral legislatures will probably have to await final decision till a later stage, though Chairman will be glad to receive written statement of local Governments' views asked for in January through Government of India. Point has however now been taken in United Provinces and Bihar and Orissa that wider extension of franchise could be contemplated if Provincial Legislatures contained second chamber which would at once serve as stabilizing influence and as source from which persons with administrative experience could be drawn to serve as Ministers etc. Chairman would be glad if local Governments and committees could consider, and be prepared to discuss question of second chamber as affecting extension of franchise.

# Replies

# of the

# Government of the Punjab

# and the

# Punjab Provincial Franchise Committee

# to the

# Indian Franchise Committee's Questionnaires.

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# THE PUNJAB.

## I

## Memorandum by the Government of the Punjab.

PROVISIONAL VIEWS OF THE GOVERNMENT OF THE PUNJAB ON THE QUESTIONNAIRE OF THE INDIAN FRANCHISE COMMITTEE.

## I.—PROVINCIAL LEGISLATURES.

### 1. Extension of the Franchise.

(*a*) The population of the Punjab in the Census of 1931 was classified into urban and rural according to the distinction made for electoral purposes, that is, including as urban all towns of a population of 10,000 and over, with headquarters of districts and cantonments; and according to this classification, the population at the Census of 1931 and the number of voters in general constituencies on the register of last election is as shown in the attached statement :—

| | Male. | Female. | Total. |
|---|---|---|---|
| Urban population .. .. .. | 1,343,712 | 907,346 | 2,251,058 |
| Voters .. .. .. .. | 141,353 | 2,893 | 144,246 |
| Rural population .. .. .. | 11,536,798 | 9,792,996 | 21,329,794 |
| Voters .. .. .. .. | 578,559 | 22,104 | 600,663 |
| Total population .. | 12,880,510 | 10,700,342 | 23,580,852 |
| Voters .. | 719,912 | 24,997 | 744,909 |

It will be observed that at present the electorate which is preponderatingly male represent 3·1 per cent. of the total population and 6·4 and 2·8 respectively of the urban and rural population*. In order to enfranchise 10 per cent. of the population, and at the same time to make the percentage the same in urban and rural areas would involve an addition of 8,000 urban and 1,532,000 rural voters. The Punjab Government think that this will be too large a number from the point of view of the practical considerations involved in the conduct of elections. They prefer merely to double the number of the present electorates and, while leaving the urban qualification unchanged, to lower the rural qualification so as to admit approximately 5,30,000 more land-owners and also to enfranchise 1,75,000 tenants, a class which has been hitherto without a vote.

(*b*) The Punjab Government consider that such an electorate will be capable of casting an intelligent vote. The limitations imposed on its number are due to considerations of what is administratively practicable.

* *Vide* statement on page 16.

(*c*) The management of even this limited electorate will undoubtedly present great difficulty. This however, could be largely overcome by prolonging the time taken by the elections.

(*d*) Does not arise.

(*e*) The Punjab Government think that any further enlargement of the electorate beyond what is here proposed would make it unmanageable.

(*f*) to (*j*). The Punjab Government has considered with great care the proposals for primary elections, and, with the exception of the Hon'ble Minister for Agriculture, consider that in spite of its success in other countries it would not be administratively manageable in the Punjab. The Hon'ble Member for Revenue and the Hon'ble Minister for Local Self-Government consider that its introduction would be unnecessary if separate elctorates are to continue.

**2. Franchise Qualifications.**

(*a*) The figures given above show that there is a marked disparity represented by the percentages of 6·4 and 2·8 between the operation of the franchise qualification in urban as compared with rural areas. By the proposal above mentioned, namely the lowering of rural landlord's qualifications and enfranchising a certain number of tenants, this disparity will tend to disappear.

(*b*) The Punjab Government is unable to consider feasible any system by which the qualifications of a vote could be different in the various communities, which would be the only method of giving them a voting strength proportionate to their numbers. The Punjab Government observe that if communal electorates are retained such a step would in any case be unnecessary while by lowering qualifications as they propose the disproportion will tend to disappear.

(*c*) The Punjab Government while not committing itself to the principle that the possession of property of some kind is a suitable test of fitness for the franchise, consider that it is the only possible test by which the number of electors can be reduced to a manageable proportion. The only important defect in the existing qualifications is that they fail to enfranchise the agricultural tenant, whereas urban tenants receive the vote. This defect it has been proposed to remedy.

(*d*) The Hon'ble Ministers for Agriculture and Local Self-Government desire that passing the Matriculate examinations should carry with it the right of a vote irrespective of property qualification. Other members of the Government adhere to the opinion expressed in paragraph 42 (4) of the Official Memorandum on the recommendations of the Indian Statutory Commission.

(*e*) All members of Government are in favour of retaining the existing military service qualification, but do not wish to extend it so as to include service in the Auxiliary and Territorial Forces.

### 3. Women's Suffrage.

(*a*) All members of Government are of opinion that women should receive the vote on the same property qualification as men and that any further extension of the Franchise to women should be left to the Legislative Council.

(*b*) As above stated, the Punjab Government have not been able to discover any practicable method of introducing the group system.

### 4. Representation of the Depressed Classes.

The Punjab Government is of opinion that the enfranchisement of the tenant will give the vote to a considerable number of the Depressed Classes, and to that extent will give them influence in the election of representatives to the Council.

### 5. Representation of Labour.

Industrial labour can in the opinion of the Punjab Government be represented by a general constituency. There are no plantations or large estates in the Punjab as in the United Provinces, Bihar and Orissa, Bengal and Assam which is mainly a province of small yeoman farmers and peasant proprietors. The representation of unorganised agricultural labour is unnecessary. Tenants require some representation, and the views of the Punjab Government on the point have already been stated.

## II.—THE FEDERAL LEGISLATURE.

### 6. Allocation of Seats to British Indian Provinces.

The official members of Government, the Hon'ble Member for Revenue, and the Hon'ble Minister for Education adhere to the opinion expressed in paragraph 49 of the official memorandum on the recommendations of the Indian Statutory Commission. The Hon'ble Minister for Agriculture agrees subject to reservations of seats. The Hon'ble Minister for Local Self-Government will prefer direct election.

(*b*) All members of Government consider that the franchise qualification of the Upper and Lower Houses of the head of legislature should be the existing qualifications respectively for the Council of State and the Legislative Assembly.

(*c*) The Punjab Government is in favour of indirect election as suggested in paragraph 139 of the report on the Indian Statutory Commission, without territorial constituencies, except for the Upper House. Election to the Upper House should be direct.

### 7. Representation of Women, Labour and Depressed Classes.

The Punjab Government consider it important that labour should be represented in the Lower House.

### 8. General.

An account of the work of the first three elections will be found in chapter II of the memorandum prepared for the use of the Indian Statutory Commission, Part I. A report on the recent election will follow. The only observation which the Punjab Government desire to make at this stage is that the rules for rejection of nomination papers have proved to be somewhat inelastic, and it is desirable to provide a summary method of review of rejection of nomination papers.

## 2.—Statistical information.

1. Population and voters.
2. Population and electors by constituencies.
3. Statement of owners and Crown tenants of each community (Provincial totals).
4. Comparative statement of voters in rural constituencies and landlords.

*5. Statements by tahsils of landlords and tenants.

*6. Area cultivated by tenants-at-will.

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* Not printed.

## Statement showing Population and Voters.

| — | Males. | Females. | Total. |
|---|---|---|---|
| *Urban*— | | | |
| Population (1931) .. .. .. | 1,343,712 | 907,346 | 2,251,058 |
| Population (1921) .. .. .. | 997,116 | 675,284 | 1,672,400 |
| Voters (1929) .. .. .. | 141,353 | 2,893 | 144,246 |
| Voters (1921) .. .. .. | 123,546 | 2,030 | 125,576 |
| (1931) .. .. .. | 10·5 | .. | 6·4 |
| (1921) .. .. .. | 12·3 | .. | 7·5 |
| *Rural*— | | | |
| Population (1931) .. .. | 11,536,798 | 9,792,996 | 21,329,794 |
| Population (1921) .. .. .. | 10,309,149 | 8,703,475 | 19,012,624 |
| Voters (1929) .. .. .. | 579,559 | 22,104 | 600,663 |
| Voters (1921) .. .. .. | 552,229 | 19,174 | 571,403 |
| (1931) .. .. .. | 5·0 | .. | 2·8 |
| (1921) .. .. .. | 5·3 | .. | 3·0 |
| Total population (1931) .. .. | 12,880,510 | 10,700,342 | 23,580,852 |
| (1921) .. .. | 11,306,265 | 9,378,759 | 20,685,024 |
| Voters (general) (1929) .. .. | 719,912 | 24,997 | 744,909 |
| (1921) .. .. | 675,775 | 21,204 | 696,079 |
| Percentage (1931) .. .. .. | 5·5 | .. | 3·1 |
| Percentage (1921) .. .. .. | 5·9 | .. | 3·3 |
| *Muhammadans*— | | | |
| Population (1931) .. .. .. | 7,241,636 | 6,090,824 | 13,332,460 |
| Population (1921) .. .. | 6,195,738 | 5,248,583 | 11,444,321 |
| Voters (1929) .. .. .. | 319,707 | 10,004 | 329,711 |
| Voters (1921) .. .. .. | 296,821 | 8,282 | 305,103 |
| (1931) .. .. .. | 4·4 | .. | 2·4 |
| (1921) .. .. .. | 4·8 | .. | 2·6 |

| —— | Males. | Females. | Total. |
|---|---|---|---|
| *Non-Muhammadans—* | | | |
| Population (1931) .. .. .. | 3,935,314 | 3,248,934 | 7,184,248 |
| Population (1921) .. .. .. | 3,814,570 | 3,131,926 | 6,946,496 |
| Voters (1929) .. .. .. | 331,306 | 8,471 | 239,777 |
| Voters (1921) .. .. .. | 216,757 | 7,220 | 223,977 |
| (1931) .. .. .. | 5·8 | .. | 3·3 |
| (1921) .. .. .. | 5·8 | .. | 3·3 |
| *Sikhs—* | | | |
| Population (1931) .. .. .. | 1,703,584 | 1,360,560 | 3,064,144 |
| Population (1921) .. .. .. | 1,295,957 | 998,250 | 2,294,207 |
| Voters (1929) .. .. .. | 168,899 | 6,522 | 175,421 |
| Voters (1921) .. .. .. | 162,197 | 5,702 | 167,892 |
| (1931) .. .. .. | 9·9 | .. | 5·7 |
| (1921) .. .. .. | 12·4 | .. | 7·5 |

## Punjab Legislative Council.

*Statement showing the population and electors by constituencies.*

| Serial No. | Name of Constituency. | Population, 1931. | | | Number of Electors, 1929. | | |
|---|---|---|---|---|---|---|---|
| | | Total. | Male. | Female. | Total. | Male. | Female. |
| | NON-MUHAMMADAN (URBAN). | | | | | | |
| 1 | Lahore City .. .. | 156,955 | 102,575 | 54,380 | 13,822 | 13,534 | 288 |
| 2 | Amritsar City .. .. | 100,460 | 60,940 | 39,529 | 11,645 | 11,198 | 447 |
| 3 | South-East Towns .. | 149,686 | 85,165 | 64,521 | 9,372 | 9,177 | 195 |
| 4 | North-East Towns .. | 148,088 | 90,325 | 57,763 | 10,757 | 10,593 | 164 |
| 5 | East-West Central Towns.. | 102,829 | 62,082 | 40,747 | 7,086 | 6,988 | 98 |
| 6 | North-West Towns .. | 126,339 | 71,108 | 55,231 | 11,527 | 11,358 | 169 |
| 7 | West Punjab Towns .. | 115,766 | 66,671 | 49,095 | 10,507 | 10,329 | 178 |
| | Total Non-Muhammadan (Urban). | 900,132 | 538,866 | 361,266 | 74,716 | 73,177 | 1,539 |
| | Percentage of voters to population (1931). | 8·2 | 13·5 | .. | .. | .. | .. |
| | Percentage of voters to population (1921). | 9·2 | 14·9 | .. | .. | .. | .. |
| | NON-MUHAMMADAN (RURAL). | | | | | | |
| 8 | Hissar .. .. | 527,043 | 283,848 | 243,195 | 13,407 | 13,150 | 257 |
| 9 | South-East Rohtak (the Jhajjar and Sonepat Tahsils of the Rohtak district). | 338,079 | 179,903 | 158,176 | 16,365 | 15,755 | 590 |
| 10 | North West Rohtak (the Rohtak and Gohana Tahsils of the Rohtak district). | 297,840 | 161,364 | 136,476 | 10,689 | 10,150 | 539 |
| 11 | Gurgaon .. .. | 478,962 | 258,447 | 220,515 | 18,495 | 17,546 | 949 |
| 12 | Karnal . .. | 539,430 | 297,947 | 241,483 | 10,997 | 10,189 | 808 |
| 13 | Ambala-*cum*-Simla .. | 316,002 | 175,468 | 140,534 | 8,041 | 7,352 | 689 |
| 14 | Kangra .. .. | 753,013 | 387,947 | 365,066 | 12,960 | 12,511 | 449 |
| 15 | Hoshiarpur .. .. | 518,327 | 275,404 | 242,923 | 14,511 | 13,791 | 720 |
| 16 | Jullundur-*cum*-Ludhiana .. | 336,783 | 181,861 | 154,922 | 6,014 | 5,838 | 176 |
| 17 | Lahore and Ferozepore-*cum*-Sheikhupura. | 487,664 | 266,961 | 220.703 | 8,613 | 8,414 | 199 |
| 18 | Amritsar-*cum*-Gurdaspur | 371,443 | 201,776 | 169,667 | 9,314 | 8,818 | 496 |
| 19 | Rawalpindi Division and Lahore Division (North). | 625,844 | 340,199 | 285,645 | 20,291 | 19,677 | 614 |
| 20 | Multan Division .. | 693,686 | 385,323 | 308,363 | 15,364 | 14,918 | 446 |
| | Total Non-Muhammadan (Rural). | 6,284,116 | 3,396,448 | 2,887.668 | 155,061 | 158,129 | 6,932 |
| | Percentage of voters to population (1931). | 2·6 | 4·6 | .. | .. | .. | .. |
| | Percentage of voters to population (1921). | 2·5 | 4·1 | .. | .. | .. | .. |
| | Total Non-Muhammadan | 7,184,248 | 3,935,314 | 3,248,934 | 239,777 | 231,306 | 8,471 |
| | | 3·3 | 5·8 | .. | .. | .. | .. |

*Statement showing the population and electors by constituencies*—contd.

| Serial No. | Name of Constituency. | Population, 1931. | | | Number of Electors, 1929. | | |
|---|---|---|---|---|---|---|---|
| | | Total. | Male. | Female. | Total. | Male. | Female. |
| | MUHAMMADAN (URBAN). | | | | | | |
| 21 | Lahore City .. .. | 249,315 | 156,486 | 92,829 | 17,657 | 17,379 | 278 |
| 22 | Amritsar City .. .. | 132,362 | 79,324 | 53,038 | 8,964 | 8,811 | 153 |
| 23 | West Punjab Towns .. | 306,519 | 183,061 | 123,458 | 12,702 | 12,475 | 227 |
| 24 | East and West Central Towns. | 288,378 | 165,554 | 122,824 | 11,503 | 11,326 | 177 |
| 25 | South-East Towns .. | 234,583 | 132,450 | 102,123 | 7,468 | 7,228 | 240 |
| | Total Muhammadan (Urban) | 1,211,157 | 716,875 | 494,282 | 58,294 | 57,219 | 1,075 |
| | Percentage of voters to population (1931) | 4·8 | 7·9 | .. | .. | .. | .. |
| | Percentage of voters to population (1921). | 5·5 | 9·5 | .. | .. | .. | .. |
| | MUHAMMADAN (RURAL). | | | | | | |
| 26 | Gurgaon-*cum*-Hissar .. | 448,607 | 239,609 | 209,538 | 11,996 | 11,498 | 498 |
| 27 | Ambala Division (North-East). | 501,600 | 270,706 | 230,894 | 10,480 | 9,838 | 642 |
| 28 | Hoshiarpur-*cum*-Ludhiana | 493,613 | 264,078 | 229,535 | 11,984 | 11,370 | 614 |
| 29 | Ferozepore .. . | 480,785 | 259,933 | 220,852 | 4,912 | 4,714 | 198 |
| 30 | Jullundur .. .. | 366,979 | 194,733 | 172,246 | 7,660 | 7,248 | 412 |
| 31 | Kangra-*cum*-Gurdaspur .. | 503,488 | 274,294 | 229,194 | 8,456 | 8,182 | 274 |
| 32 | Lahore .. .. | 566,505 | 307,557 | 258,948 | 5,389 | 5,160 | 229 |
| 33 | Amritsar .. .. | 392,314 | 211,063 | 181,251 | 4,727 | 4,543 | 184 |
| 34 | Sialkot .. .. | 539,933 | 293,032 | 246,901 | 9,145 | 8,854 | 291 |
| 35 | Gujranwala .. .. | 473,678 | 260,397 | 213,281 | 9,128 | 8,641 | 487 |
| 36 | Sheikhupura .. .. | 440,280 | 240,495 | 199,785 | 9,459 | 9,006 | 453 |
| 37 | Gujrat West (the Phalia Tahsils of the Gujrat District). | 269,763 | 150,182 | 119,581 | 7,760 | 7,508 | 252 |
| 38 | Gujrat East (the Gujrat and Kharian Tahsils of the Gujrat District). | 487,732 | 259,561 | 228,171 | 17,726 | 17,383 | 343 |
| 39 | Shahpur West (the Shahpur and the Khushab Tahsils of the Shahpur District). | 280,314 | 146,521 | 133,793 | 8,806 | 8,620 | 186 |
| 40 | Shahpur East (the Bhalwal and the Sargodha Tahsils of the Shahpur District). | 364,002 | 200,846 | 163,156 | 9,951 | 9,590 | 361 |

*Statement showing the population and electors by constituencies*—contd.

| Serial No. | Name of Constituency. | Population, 1931. | | | Number of Electors, 1929. | | |
|---|---|---|---|---|---|---|---|
| | | Total. | Male. | Female. | Total. | Male. | Female. |
| | MUHAMMADAN (RURAL)—*contd.* | | | | | | |
| 41 | Mianwali .. .. | 348,264 | 182,674 | 165,590 | 4,905 | 4,834 | 71 |
| 42 | Attock.. .. .. | 524,375 | 274,750 | 249,625 | 16,264 | 15,832 | 432 |
| 43 | Rawalpindi .. .. | 468,126 | 241,574 | 226,552 | 21,477 | 21,281 | 196 |
| 44 | Jhelum .. .. | 461,296 | 238,246 | 223,050 | 22,255 | 22,068 | 187 |
| 45 | Lyallpur North (the Lyallpur and the Jaranwala Tahsils of the Lyallpur District). | 318,209 | 171,139 | 147,070 | 13,517 | 12,980 | 537 |
| 46 | Lyallpur South (the Samundri and Toba Tek Singh Tahsils of the Lyallpur District). | 387,253 | 207,905 | 179,348 | 16,978 | 16,429 | 549 |
| 47 | Montgomery .. .. | 686,374 | 374,386 | 311,988 | 10,548 | 10,354 | 194 |
| 48 | Multan East (the Kabirwala, Khanewal and Mailsi Tahsils of Multan District). | 442,857 | 241,322 | 201,535 | 6,146 | 5,904 | 242 |
| 49 | Multan West (the Multan, Shujabad and Lodhran Tahsils of the Multan District). | 427,946 | 232,675 | 195,271 | 4,847 | 4,524 | 323 |
| 50 | Jhang .. .. | 517,898 | 278,840 | 239,058 | 11,601 | 11,072 | 529 |
| 51 | Muzaffargarh .. .. | 510,154 | 277,454 | 232,700 | 3,031 | 2,848 | 183 |
| 52 | Dera Ghazi Khan .. | 418,958 | 231,329 | 187,629 | 2,269 | 2,207 | 62 |
| | Total Muhammadan (Rural) | 12,121,303 | 6,524,761 | 5,596,542 | 271,417 | 262,488 | 8,929 |
| | Percentage of voters to population (1931). | 2·2 | 4·1 | .. | .. | .. | .. |
| | Percentage of voters to population (1921). | 2·4 | 4·3 | .. | .. | .. | .. |
| | Total Muhammadan .. | 13,332,460 | 7,241,636 | 6,090,824 | 329,711 | 319,707 | 10,004 |
| | SIKH. | 2·4 | 4·4 | .. | .. | .. | .. |
| 53 | Sikh Urban .. .. | 139,369 | 87,571 | 51,798 | 11,236 | 10,957 | 279 |
| | Total Urban .. | 139,369 | 87,571 | 51,798 | 11,236 | 10,957 | 279 |
| | Percentage of voters to population (1931). | 8·0 | 12·5 | .. | .. | .. | .. |
| | Percentage of voters to population (1921). | 10·1 | 17·4 | .. | .. | .. | .. |

*Statement showing the population and electors by constituencies*—contd.

| Serial No. | Name of Constituency. | Population, 1931. | | | Number of Electors, 1929. | | |
|---|---|---|---|---|---|---|---|
| | | Total. | Male. | Female. | Total. | Male. | Female. |
| | SIKH (RURAL). | | | | | | |
| 54 | Ambala Division .. | 220,464 | 124,035 | 96,429 | 9,168 | 8,761 | 407 |
| 55 | Hoshiarpur and Kangra .. | 174,274 | 95,171 | 79,103 | 9,369 | 9,157 | 212 |
| 56 | Jullundur .. .. | 246,568 | 137,006 | 109,562 | 14,631 | 14,080 | 551 |
| 57 | Ludhiana .. .. | 305,599 | 170,475 | 135,124 | 20,391 | 19,725 | 666 |
| 58 | Ferozepore .. .. | 384,101 | 211,355 | 172,746 | 16,003 | 15,201 | 802 |
| 59 | Lahore .. .. | 219,298 | 121,002 | 98,296 | 10,732 | 10,105 | 627 |
| 60 | Amritsar .. .. | 367,942 | 201,067 | 166,875 | 19,475 | 18,639 | 836 |
| 61 | Sialkot-*cum*-Gurdaspur .. | 265,723 | 148,769 | 116,954 | 16,590 | 16,047 | 543 |
| 62 | Lyallpur .. .. | 206,210 | 113,796 | 92,414 | 17,324 | 16,566 | 758 |
| 63 | Multan Division and Sheikhupura. (The Sheikhupura District and the Multan Division excluding the Lyallpur District). | 311,798 | 173,930 | 137,868 | 16,273 | 15,726 | 547 |
| 64 | Rawalpindi Division and Gujranwala. | 222,798 | 119,407 | 103,391 | 14,229 | 13,935 | 294 |
| | Total Sikh Rural .. | 2,924,775 | 1,616,013 | 1,308,762 | 164,185 | 157,942 | 6,243 |
| | Percentage of voters to population (1931). | 5·3 | 9·9 | .. | .. | .. | .. |
| | Percentage of voters to population (1921). | 7·1 | 12·5 | .. | .. | .. | .. |
| | Total Sikh .. | 3,064,144 | 1,703,584 | 1,360,560 | 175,421 | 168,899 | 6,522 |
| | Percentage .. | 5·7 | 9·9 | .. | .. | .. | .. |
| | Total General Constituencies (Urban). | 2,251,058 | 1,343,712 | 907,346 | 144,246 | 141,353 | 2,893 |
| | Percentage (1931) .. | 6·4 | 10·5 | .. | .. | .. | .. |
| | Percentage (1921) .. | 7·5 | 12·3 | .. | .. | .. | .. |
| | Total General Constituencies (Rural). | 21,329,794 | 11,536,798 | 9,792,996 | 600,663 | 578,559 | 22,104 |
| | Percentage (1931) .. | 2·8 | 5·0 | .. | .. | .. | .. |
| | Percentage (1921) .. | 3·0 | 5·3 | .. | .. | .. | .. |
| | Grand Total Legislative Council General Constituencies. | 23,580,852 | 12,880,510 | 10,700,342 | 744,909 | 719,912 | 24,997 |
| | Percentage (1931) .. | 3·1 | 5·5 | .. | .. | .. | .. |
| | Percentage (1921) .. | 3·3 | 5·9 | .. | .. | .. | .. |

*Statement showing the population and electors by constituencies*—concld.

| Serial No. | Name of Constituency. | Population, 1931. | | | Number of Electors, 1929. | | |
|---|---|---|---|---|---|---|---|
| | | Total. | Male. | Female. | Total. | Male. | Female. |
| | | SPECIAL CONSTITUENCIES. | | | | | |
| 1 | Punjab Landholders (General). | .. | .. | .. | 776 | 731 | 45 |
| 2 | Muhammadan Landholders | .. | .. | .. | 1,740 | 1,634 | 106 |
| 3 | Sikh Landholders .. | .. | .. | .. | 941 | 894 | 47 |
| 4 | Baloch Tumandars .. | .. | .. | .. | 10 | 10 | .. |
| 5 | Punjab University .. | .. | .. | .. | 3,907 | 3,903 | 4 |
| 6 | Punjab Chamber of Commerce and Trades Association. | .. | .. | .. | 94 | 94 | .. |
| 7 | Punjab Industries .. | .. | .. | .. | 229 | 229 | .. |
| | Total Legislative Council Special Constituencies. | .. | .. | .. | 7,697 | 7,495 | 202 |
| | Grand Total Legislative Council. | .. | .. | .. | 752,606 | 727,407 | 25,199 |
| | Grand Total of Electors | .. | .. | .. | 752,606 | | |

## Punjab Legislative Council.

*Statement showing extent of Urban Constituencies.*

S. E.=South-East Towns; N. E.=North-East Towns; E. W. C.=East and West Central Towns; N. W.=North-West Towns; and W.=West Towns.

| | | | | | LAHORE MUNICIPALITY. *Lahore Cantonment.* AMRITSAR MUNICIPALITY. *Amritsar Cantonment.* | |
|---|---|---|---|---|---|---|
| | | | | | *Non-Muhammadan Urban.* | *Muhammadan Urban.* |
| Bhiwani | Municipality | .. | .. | .. | S. E. | S. E. |
| Hissar | ,, | .. | .. | .. | S. E. | S. E. |
| Sirsa | ,, | .. | .. | .. | S. E. | S. E. |
| Hansi | ,, | .. | .. | .. | S. E. | S. E. |
| Rohtak | ,, | .. | .. | .. | S. E. | S. E. |
| Sonepat | ,, | .. | .. | .. | S. E. | S. E. |
| Jhajjar | ,, | .. | .. | .. | S. E. | S. E. |
| Rewari | ,, | .. | .. | .. | S. E. | S. E. |
| Panipat | ,, | .. | .. | .. | S. E. | S. E. |
| Karnal | ,, | .. | .. | .. | S. E. | S. E. |

| | LAHORE MUNICIPALITY. *Lahore Cantonment.* AMRITSAR MUNICIPALITY. *Amritsar Cantonment.* | |
|---|---|---|
| | *Non-Muhammadan Urban.* | *Muhammadan Urban.* |
| Shahabad Municipality .. .. .. | S. E. | S. E. |
| Karnal Notified Area (Civil Station) .. | S. E. | S. E. |
| Kaithal „ „ .. .. .. | S. E. | S. E. |
| Hidayatpur Chhaoni Notified Area .. .. | S. E. | .. |
| Ambala Municipality .. .. .. | N. E. | S. E. |
| Jagadhri „ .. .. .. | N. E. | S. E. |
| Simla „ .. .. .. | N. E. | S. E. |
| Ludhiana „ .. .. .. | N. E. | S. E. |
| Jagraon „ .. .. .. | N. E. | S. E. |
| Ambala Cantonment .. .. .. | N. E. | S. E. |
| Kasauli „ .. .. .. | N. E. | S. E. |
| Dagshai „ .. .. .. | N. E. | S. E. |
| Sabathu „ .. .. .. | N. E. | S. E. |
| Jutogh „ .. .. .. | N. E. | S. E. |
| Hoshiarpur Municipality .. .. .. | N. E. | E. W. C. |
| Jullundur „ .. .. .. | N. E. | E. W. C. |
| Jullundur Cantonment .. .. .. | N. E. | E. W. C. |
| Kasur Municipality .. .. .. | E. W. C. | E. W. C. |
| Ferozepore „ .. .. .. | E. W. C. | E. W. C. |
| Fazilka „ .. .. .. | E. W. C. | E. W. C. |
| Gurdaspur „ .. .. .. | E. W. C. | E. W. C. |
| Batala „ .. .. .. | E. W. C. | E. W. C. |
| Dalhousie „ .. .. .. | E. W. C. | E. W. C. |
| Sialkot „ .. .. .. | E. W. C. | E. W. C. |
| Dharmsala „ .. .. .. | E. W. C. | E. W. C. |
| Dharmsala Cantonment .. .. .. | E. W. C. | E. W. C. |
| Sialkot „ .. .. .. | E. W. C. | E. W. C. |
| Ferozepore „ .. .. .. | E. W. C. | E. W. C. |
| Balun „ .. .. .. | E. W. C. | E. W. C. |
| Bakloh „ .. .. .. | E. W. C. | E. W. C. |
| Gujrat Municipality .. .. .. | N. W. | W. |
| Jalalpur-Jattan „ .. .. .. | N. W. | W. |
| Bhera „ .. .. .. | N. W. | W. |
| Khushab „ .. .. .. | N. W. | W. |
| Jhelum „ .. .. .. | N. W. | W. |
| Pind Dadan Khan Municipality .. .. | N. W. | W. |

| | | | | Lahore Municipality. Lahore Contonment. Amritsar Municipality. Amritsar Contonment. | |
|---|---|---|---|---|---|
| | | | | *Non-Muhammadan Urban.* | *Muhammadan Urban.* |
| Rawalpindi | Municipality | .. | .. | N. W. | W. |
| Murree | ,, | .. | .. | N. W. | W. |
| Mianwali | ,, | .. | .. | N. W. | W. |
| Gujranwala | ,, | .. | .. | N. W. | E. W. C. |
| Wazirabad | ,, | .. | .. | N. W. | E. W. C. |
| Jhelum | Cantonment | .. | .. | N. W. | W. |
| Rawalpindi | ,, | .. | .. | N. W. | W. |
| Murree | ,, | .. | .. | N. W. | W. |
| Campbellpur | ,, | .. | .. | N. W. | W. |
| Attock | ,, | .. | .. | N. W. | W. |
| Sargodha | (Notified Area) | .. | .. | N. W. | W. |
| Campbellpur | ,, | .. | .. | N. W. | W. |
| Sheikhupura | ,, | .. | .. | N. W. | E. W. C. |
| Montgomery | Municipality | .. | .. | W. | W. |
| Lyallpur | ,, | .. | .. | W. | W. |
| Jhang | ,, | .. | .. | W. | W. |
| Chiniot | ,, | .. | .. | W. | W. |
| Multan | ,, | .. | .. | W. | W. |
| Muzaffargarh | ,, | .. | .. | W. | W. |
| Dera Ghazi Khan | ,, | .. | .. | W. | W. |
| Multan Cantonment | | .. | .. | W. | W. |

*Statement showing the numbers of owners and Crown tenants of each community and the amount of Land Revenue paid by each.*

Provincial Totals.

| Serial No. | Community. | Landlords. | | Crown tenants. | | Land Revenue. |
|---|---|---|---|---|---|---|
| | | Adult. | Minor. | Adult. | Minor. | |
| 1 | 2 | 3 | 4 | 5 | 6 | 7 |
| | | | | | | Rs. |
| 1 | Mussalman .. .. | 1,637,230 | 192,616 | 54,784 | 6,346 | 2,21,41,064 |
| 2 | Hindu .. .. | 977,031 | 128,936 | 5,626 | 476 | 1,03,01,042 |
| 3 | Sikh .. .. | 578,290 | 49,264 | 10,926 | 1,022 | 1,16,59,208 |
| 4 | Other persons .. .. | 5,841 | 525 | 1,600 | 175 | 2,85,663 |
| 5 | Total .. .. | 3,198,392 | 371,341 | 72,936 | 8,019 | 4,43,86,977 |
| 6 | Belonging to Agricultural Tribes. | 2,666,127 | 312,903 | 63,759 | 7,198 | 3,91,40,862 |
| 7 | Other persons .. .. | 532,265 | 58,438 | 9,177 | 821 | 52,46,115 |
| 8 | Total .. .. | 3,198,392 | 371,341 | 72,936 | 8,019 | 4,43,86,977 |
| 9 | Institutions .. .. | 3,609 | .. | 4 | .. | 1,65,167 |

## Comparative Statement of Voters in Rural Constituencies and Land-owners.

(Actual figures in thousands.)

| | Voters in Rural Constituencies. | | Land-owners and Crown Tenants paying Land Revenue. | | | | | | | | | | | |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | | | Rs. 25 and upwards. | | Rs. 20 to 25. | | Rs. 15 to 20. | | Rs. 10 to 15. | | Rs. 5 to 10. | | Total. | |
| | No. | Per cent. | No. | Per cent. | No. | Per cent. | No. | Per cent. | No. | Per cent. | No. | Per cent. | No. | Per cent. |
| Muhammadans | 256 | 46 | 169 | 48·5 | 47 | 46 | 72 | 45 | 126 | 47 | 258 | 50 | 672 | 48 |
| Others .. | 157 | 27 | 76 | 21·5 | 27 | 26 | 42 | 27 | 75 | 28 | 152 | 29 | 372 | 27 |
| Sikhs .. | 158 | 27 | 105 | 30 | 29 | 28 | 44 | 28 | 68 | 25 | 108 | 21 | 354 | 25 |
| Total .. | 571 | 100 | 350 | 100 | 103 | 100 | 158 | 100 | 269 | 100 | 518 | 100 | 1,398 | 100 |

**I. (i)—Note by the Hon'ble Sardar Sir Jogendra Singh, Kt., Minister for Agriculture in the Punjab Government.**

In the matter of franchise I adhere to the views already expressed. Unless an agreement is reached I hold that the franchise should not be lowered and that the same principle should be applied to the Sikh minority as is applied to Muslim minority in other provinces. The Sikhs should get the benefit of their increase in population and of the weightage based on a single principle applicable to all minorities.

My own view remains unaltered that the lowering of the franchise should be left to the legislature itself and should take place in response to a demand for the enlargement by the people themselves.

My reason for standing for a high property franchise is to secure representation of a responsible and stable element in the Council which would not be secured if franchise is lowered and separate communal electorates are perpetuated. The harm that separate electorates have done is so far confined to towns, the continuance of separate electorates with a larger enfranchisement of the village population will poison the village life also, which at present runs smoothly. The new constitution may become the cockpit of communal conflicts.

Before reaching decisions the Franchise Committee may study the effect of separate electorates on –

(*a*) efficiency of administration,

(*b*) impartiality of services,

(*c*) social life generally.

It is evident to any careful observer that disruptive forces brought in motion by this arrangement are making efficiency of administration, impartiality of services and happy social relations between various communities impossible.

I am prepared to concede as an alternative to high property and educational franchise the adult male franchise, provided that the primary voters have to select secondary voters to exercise the vote on behalf of a group of 20 or 30 voters, and property and educational qualifications are fixed for the secondary voters.

I would constitute a village into a primary electorate and allow the village to elect secondary representatives in proportion to its adult male population as fixed by the Election Commissioner.

The secondary voters will form a single electoral plural constituency in every district and proceed to elect by a single non-transferable vote from a joint electorate thus enabling all interests to find an adequate representation.

It is said that administratively this system may be difficult to work. It is true that primary election of secondary electors will have to be held from village to village, but once this election has taken place, a much smaller organization will suffice to supervise the council election. Primary elections could be held by the village officers, the Patwari and the

Zaildar. The number of secondary voters for each village will be fixed by the Election Commissioner on the basis of its adult male population. The village officers will receive nominations on a fixed date, and supervise the election. Candidates of required qualification of age, education and property will have to get their nominations by 2 primary voters, and then for each nominated candidate a coloured ballot box can be provided and coloured discs allotted to each candidate. As many boxes as candidates can be placed in an empty room, where the voter will proceed and place a disc in the box of the candidate of his choice. As soon as voting is over, and time fixed for voting has expired, these boxes will be brought and opened before the voters, and the discs counted out, and the names of elected voters recorded in the book of the secondary voters.

The primary election must take place six months before the general election, and secondary voters must be elected for a period of six years. In case of death of a secondary voter, the village would immediately elect his successor so that the register of secondary voters will be always complete. This system will be less expensive and more equitable, provide representation of all interests from joint electorate and at the same time safeguard minorities without creating permanent cleavages. It has worked in other countries and there is no reason why it should not work in the Punjab.

I was inclined to recommend indirect election for the Federal Assembly, it attracted me as a convenient method, though I was aware that it may rob provincial councils of some of their best members. On further consideration I have come to believe that direct election both for the Council of State and the Federal Assembly is a more suitable method as it would secure a better and a stronger representation to the Central Legislatures.

The well-being of the country demands that we must not be driven into decisions which are likey to defeat our main purposes, the attainment of self-government and self-government's power to secure a better life for the people. We are not accepting the creed of advanced politicians, why should we acquiesce and accept the communal creed of others which seeks to keep the communities in continuous conflict? We must do what we think right, just and of permanent value.

## II

## Supplementary memorandum by the Punjab Government on the Questionnaire of the Indian Franchise Committee.

The Punjab Government adhere to their views expressed in the document entitled "Provisional Views," already forwarded to the Franchise Committee, except in so far as any change is indicated in the following observations :—

### I.—PROVINCIAL LEGISLATURES.

#### 1. Extension of the Franchise.

(*a*) If it is desired to enfranchise 10 per cent. of the population by means of direct representation the Punjab Government considers that the plan A* attached to the opinions of the Provincial Franchise Committee is suitable, but it adheres to its opinion that so large an electorate will be administratively unmanageable, an opinion which is reinforced by the views of experienced officers.

Plan A, in the view of several Members and Ministers, would only be suitable if separate electorates are retained. Otherwise, it would be unacceptable. The Hon'ble Minister for Local Self-Government considers that if separate electorates are ever abandoned, then a formula such as that applied to Municipal Committees in the Punjab, which combines voting strength and population, should be considered. It is expected that the Muslims will refuse to accept this device.

(*d*) The Punjab Government adheres to its alternative proposal which roughly doubles the number of existing electorates. This proposal is in their own opinion adequately represented by plan C† attached to the opinion of the Provincial Franchise Committee.

(*f*) to (*j*) The Punjab Government has further considered the proposals for primary elections, and with the exception of the Hon'ble Minister for Agriculture find in the reports of district officer's confirmation of the opinion that they would not be administratively manageable except on the proposal now made by the Provincial Committee that they should be spread over a period of four years. This they consider would be manageable, but the system will remain open to very grave abuses. They also consider that grave dissatisfaction would be caused by postponement of the new electorate for four years.

#### 2. Franchise qualifications.

To their original remarks, the Punjab Government have only to add that no doubt it would be ideal that each community should be given a voting strength proportionate to its numbers. In the Punjab this could partly be secured by giving a vote to all payers of land revenue. This would result in giving the members of the three communities, who have some property qualification, representation more approximate to their population proportion; but they consider that an electorate of this size (about 3 million landholder alone excluding others qualified)

* Page 37. † Page 39.

would be completely unmanageable for direct voting. This number would be unmanageable whatever the form (*i.e.*, separate or joint) of the electorates.

The Hon'ble Minister for Local Self-Government wishes to record that the Hindu advocates of joint electorates, with reserved seats for minorities, would be prepared to face the inconveniences likely to arise from the unwieldy character of such a large electorate. While wishing it to be clearly understood that they do not express any opinion in favour of joint electorates, the other members of the Government do not consider that the practical difficulties in holding the election could be removed.

### 3. Women's Suffrage.

As regards co-option we should prefer to leave it to the legislature to extend women's suffrage, if they desire to do so, which, in the normal course, would enable women to stand for membership with some reasonable prospect of success. We do not favour co-option.

### 4. Representation of the Depressed Classes.

As regards the Depressed Classes, the Punjab Government has no reason to depart from the view which it has already expressed in paragraph 25 of the memorandum containing the opinions of the official members of the Government on the recommendations of the Indian Statutory Commission, that these classes are not a pressing problem in the Punjab, and will get some representation as tenants.

### 5-A. Representation of Special Interests.

The Punjab Government generally adhere to their views expressed in paragraphs 26 *sqq.* of the above memorandum, that is to say, that Europeans and Indian Christians should be represented by special electorates, and that Anglo-Indians should have a choice as to whether they should merge in the category of Europeans or in the general constituencies. They are in favour of retaining special electorates for landholders, Baloch Tumandars and for the University. Some of the Ministers in their printed notes on the Simon Commission Report have advocated an increase in the number of landholders' seats. The official members, as regards Commerce and Industry, consider that only the former requires special representation. Two of the Ministers would like special representation for both Commerce and Industry separately. The Hon'ble Member for Revenue considers that only Industry needs representation. The other Minister would prefer no special representation for either unless it can be arranged that their representation would not affect communal proportion in the House.

## III

### Memorandum by the Punjab Provincial Franchise Committee.

1 (*a*). *What means can you suggest by which the existing franchise for the provincial legislature could be extended so as to include 10 per cent. of the population in the electoral roll ?*

The Committee observes that this question suggests an extension of the property qualification to enfranchise a larger number of direct voters. The majority reject this system in favour of some form of the group system, and their answer to the question is therefore that if they were asked how to include 10 per cent. of the population in the electoral roll, their reply is, " by some form of the group system by itself or supplementing the existing system." Sardar Buta Singh and R. B. Chaudhri Chhotu Ram are definitely opposed to the group system.

If for any reason the group system is excluded then the only two systems put forward are systems (*a*)* and (*b*)† attached to this reply, (*a*) representing an extension of the franchise on the basis of enfranchisement of land-owners down to Rs. 5 and tenants down to 6 acres (which will enfranchise very few women), or, (*b*) a wives' and widows' qualification which will go down only to Rs. 10 land revenue. Mr. Owen Roberts considered it unnecessary at this stage to choose between these systems. Mr. Nazir Hussain, K. B. Muhammad Hayat, Qureshi, R. B. Chaudhri Chhotu Ram and Sardar Buta Singh preferred system (*a*) and the Chairman and Mrs. Chatterji, system (*b*). Messrs Din Muhammad, Ghani and Hansraj were not prepared to make any suggestion for extending the franchise on a property qualification. Pandit Nanak Chand would like to include payment of haisiyat tax and therefore restrict the land revenue qualification so as not to raise the numbers above 10 per cent. R. B. Chaudhri Chhotu Ram does not give first place to the group system and Sardar Buta Singh is definitely opposed to it.

1 (*b*). *Do you consider that such an electorate will be capable of casting an intelligent vote ?*

The Committee generally suggested that the intelligence of the electorate comprising 10 per cent. of population will not be materially different from that of the existing electorate of 3 to 6 per cent. Mr. Owen Roberts was inclined to doubt this.

1 (*c*). *Do you consider that such an electorate would be administratively manageable having regard to the arrangements likely to be feasible for the preparation, maintenance and revision of the electoral rolls and for the recording and counting of votes ?*

Mr. Owen Roberts, the Chairman, Pandit Nanak Chand and R. B. Chaudhri Chhotu Ram regarded 10 per cent. electorate from the point of view of its being administratively manageable with opinions ranging from that it was " difficult " to that it was " administratively unmanageable." Mr. Nazir Hussain, Sardar Buta Singh, K. B. Din Muhammad, Mr. Ghani, K. B. Muhammad Hayat, Qureshi, Mrs. Chatterji and Mr. Hansraj considered it manageable.

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* Page 37. † Page 38.

1 (*d*). *If answer to* (*b*) *and* (*c*) *is in the negative, what alternative qualifications for the electorate would you propose ?*

The alternative proposal for the electorate made by the members generally is the group system. System (*c*)* recommended by the Punjab Government was put forward by the Chairman. R. B. Chaudhri Chhotu Ram and Sardar Buta Singh are opposed to the group system.

1 (*e*). *If the answer to* (*b*) *and* (*c*) *is in the affirmative, do you consider that it would be practicable and desirable having regard to the same considerations to enlarge the electoral roll still further, and, if so, what means would you suggest for the purpose ?*

No member of the Committee desired to have more than 10 per cent. of the population voting directly for the Legislative Council.

1 (*f*), (*g*) and (*h*). Opinions were divided between those who favoured a combination of direct and indirect election such as outlined in question (*f*), and those in favour of the substitution throughout of indirect election by group system R. B. Chaudhri Chhotu Ram, K. B. Muhammad Hayat, Qureshi, Pandit Nanak Chand and the Chairman favoured the incomplete group system. The following favoured the complete group system : -Messrs. Din Muhammed, Nazir Hussain, Owen Roberts, Abdul Ghani, Hansraj and Mrs. Chatterji. Sardar Buta Singh is not in favour of indirect election in any form. With reference to the second paragraph of (*f*) Pandit Nanak Chand and Mrs. Chatterji are of opinion that if group elections are held on non-communal basis, group electors should vote in separate constituencies composed of group electors only, but if groups are confined to members of the same communal class they recommend that the group electors should vote in the regular communal electorates.

2 (*g*). No member is in favour of the proposal that in the event of separate constituencies being framed for group electorates only group electors should stand as candidates for such constituencies.

1 (*i*). *In the event of your answer to* (*f*) *and* (*h*) *being in the affirmative, what do you consider would be a suitable size for the groups referred to above ? On what basis would you constitute them, and whom would you charge with the duties of framing them ?*

The Committee observes that in the event of the complete group system being adopted groups of 10 adults would give 1,165,000 secondary voters which would represent 5 per cent. of the population, and would be administratively manageable. Similarly in the event of the combined system being adopted if the existing number of voters of 745,000 is deducted from an adult population of 11,655,000, the balance of primary voters would be 10,910,000. If they were divided into groups of 10, then 1,091,000 and 745,000 would give 1,836,000 and this again would not be beyond the bounds of what would be administratively manageable. Further, supposing the Punjab Government proposal for direct electors were adopted this would give 1,308,000 voters, leaving 10,347,000 adults unenfranchised. Groups of 10 would produce electorates of 2,343,000 or 10 per cent. of the population. As already stated opinions are divided as

* Page 39.

to whether so large an electorate is administratively manageable, and it will be the opinion of some members of the Committee, at any rate, that if the group system were to be combined with so large a direct electorate the numbers in the group would have to be increased.

1 (*j*). *Would you require any special qualification, whether property, educational or other, in the persons chosen by such groups to vote on their behalf for the election of members ? If so, what ?*

It is the general opinion of the members that special qualification should not be required for secondary voters, but this must be read subject to the views of those including R. B. Chaudhri Chhotu Ram, Sardar Buta Singh and the Chairman who definitely hold that the existing property qualification should be retained, as giving property its fair representation. If the complete group system were introduced those members would have to reconsider their position. Several members were in favour of the existing property qualification for the candidates.

With regard to the administrative possibility of the group system, the majority of the Committee are of the opinion that the primary elections cannot be carried out simultaneously and that it will be necessary that they should be conducted over a period of years. It is the practice in the Punjab for the revenue records in one quarter of the villages of each district to be revised each year, and the Committee are of opinion that the opportunity of this revision should be taken to conduct the primary elections in the villages, that is to say, in a district containing a thousand villages the primary elections should be carried out in 250 villages each year, and each secondary elector would retain his position for 4 years quite irrespective of any general election to the Council. The Committee (Mr. Ghani and Mr. Hansraj dissenting) recognized that it is a corollary of this that the first election under the reforms should be held on the existing franchise or possibly on the modified franchise proposed by the Punjab Government and that the group system whether complete or imperfect should not be introduced until after four years. Mr. Hansraj and Mr. Ghani thought that it would be possible to introduce the group system at once. The Chairman, while inclining to the view that primary elections spread over four years are administratively possible, is of opinion that it will be impossible to prevent malpractices on a large scale cropping up during the elections, and it would be impossible to deal with those practices except in the most summary manner.

## 2. Franchise qualifications.

2 (*a*). *Do you consider that in the areas with which you are acquainted there is any marked disparity in the operation of the franchise qualifications in urban as compared with rural areas ? If so, what measures would you suggest in order to rectify such disparities ?*

The Committee observes that the disparity in urban as compared with rural areas is obvious from the figures. It observes that it will be rectified by either systems (*a*), (*b*) or (*c*)* and would be finally disposed of by the group system.

* Pages 37-39.

2 (*b*). *It has been suggested that each community should be given a voting strength proportionate to its numbers, and that the franchise system should be so contrived as to secure this result, in so far as it may be practicable.*

*Are you in agreement with this suggestion, and, if so, what measures would you suggest for giving effect to it in your province on the assumption* (*i*) *that separate electorates are retained,* (*ii*) *of joint electorates with reservation of seats, and* (*iii*) *of joint electorates without reservation of seats ?*

The Committee agree in principle that each community should be given a voting strength proportionate to its numbers, and observe that this will be secured by the complete group system. In the imperfect group system Messrs. Nazir Hussain, Owen Roberts, K. B. Muhammad Hayat, Qureshi, and K. B. Din Muhammad are of opinion that weighting by increasing or decreasing the size of groups would have the desired effect. Some other members are opposed to this. The Committee are unanimously of opinion that under the property qualification franchise, it will be impossible to give each community the voting strength proportionate to its numbers. Mr. Ghani is in favour of giving special electorates to all the communities in the Province for at least ten years as an experiment. Sardar Buta Singh holds that enfranchisement should be on the basis of property or other qualification.

2 (*c*). *Is the possession of property of some kind in your opinion a suitable test of fitness for the franchise? (The term " property " should be understood in its widest sense as including not only the ownership of landed property, but also the occupation of land or house property or the receipt of income or wages whether in cash or kind). If so, do you consider the existing property qualifications suitable ? If you do not, what modification do you suggest ?*

R. B. Chaudhri Chhotu Ram, K. B. Muhammad Hayat, Qureshi, Sardar Buta Singh and the Chairman consider that in the Punjab the existence of property and particularly property in land should have recognition. As has been above stated in the incomplete system, this recognition is already given, but if the complete system is adopted, these members would require property qualification for secondary electors. Mr. Ghani and Mrs. Chatterji are against all property qualifications.

2 (*d*). *Are you in favour of introducing a qualification based an education, independently of property, and, if so, what educational qualification would you suggest ?*

With the exception of Sardar Buta Singh no member of the Committee is in favour of introducing a qualification based on education independent of property.

2 (*e*). *Are you in favour of retaining the existing military service qualification and extending it so as to include service in the Auxiliary and Territorial Forces ?*

All the members are in favour of retaining the existing military service qualification and extending it so as to include service in the

Auxiliary and Territorial Forces in the event of there being a direct franchise.

### 3. Women's Suffrage.

3. (*a*) *At present women are admitted to the suffrage on the same terms as men, but as the existing qualifications are mainly based on property and the payment of taxes, the number of women on the provincial electoral rolls is only a little over a quarter of a million as compared with 6½ million men. The Statutory Commission proposed that the wives and widows (if over 25 years of age) of men entitled to vote under the property qualification, should be enfranchised, and that in addition an educational qualification should apply to women over 21 as well as to men. In the Franchise Sub-Committee of the Round Table Conference it was suggested that the age-limit should be 21 for women as well as for men.*

*Are you in favour of increasing the women's electorate in the ways suggested or would you prefer any other method, if so, what method ? To what extent would you favour increase in women's electorate ?*

The Chairman, Pandit Nanak Chand and Mr. Owen Roberts are in favour of the wives and widows franchise coupled with literacy franchise for unmarried women in the event of there being no group system perfect or imperfect. Mrs. Chatterji's support of the group system is mainly due to the fact that it is only under this system that women come in on an equality with men : she would only accept the wives' and widows' qualification as a last resort if the group system was turned down as completely unworkable. Other members of the Committee are against it in all circumstances.

3. (*b*) *In the event of a system of group representation being established as proposed in paragraph 1 (f), do you consider that women should be formed into groups, and, if so, should separate groups be formed for women or should groups contain both men and women ?*

It is generally the opinion of the Committee that it should be optional for women to group themselves in groups of their own or combine with men, but Mr. Ghani is against mixed groups for men and women.

3. (*c*) *The suggestion has been made that at any rate as a temporary measure legislatures should co-opt women members to an extent not exceeding 5 per cent. by a system of proportional representation so as to ensure representation of women in legislature.*

*What are your views as to this suggestion ?*

With the exception of the Chairman and Sardar Buta Singh the Committee is opposed to the proposal that women should be co-opted as members to an extent not exceeding 5 per cent. The Chairman is of opinion that from the point of view of special legislation the important thing is not how women should get into the Council but that they should be represented there.

## 4. Representation of the Depressed Classes.

*It is evident from the discussions which have occurred in various connexions in the Round Table Conference, that it is generally felt that provision should be made in the new Constitution for better representation of the Depressed Classes, and that the method of representation by nomination is no longer regarded as appropriate.*

*What communities would you include as belonging to Depressed Classes? Would you include classes other than untouchable, and, if so, which?*

*Do you consider that the Depressed Classes are likely, through such general extension of the franchise as you favour, to secure representatives of their own choice in the general electorates, and, if so, to what extent? If your answer is in the negative, what specific proposals would you make to secure their representation in legislature? The possible application of the group system of representation to the Depressed Classes should be specially considered.*

K. B. Din Mohammad and Mr. Hansraj held that, while there are no depressed classes among the Mussalmans, there exist depressed classes among the Hindus and Sikhs which may be taken to be those selected for the purpose of the Census, namely :—

(*a*) Ad-Dharmis of all classes ;

(*b*) Hindu castes as noted below :—

(1) Bawaria.
(2) Chamar.
(3) Chuhra.
(4) Dagi and Koli.
(5) Dumna.
(6) Megh.
(7) Od.
(8) Ramdasi.
(9) Sansi.
(10) Sarera.

Their total number being 1,310,709. Mr. Hans Raj considers this list incomplete.

They held that provision should be made for separate representation by treating the depressed classes as a separate community. Mr. Nazir Hussain, Rai Bahadur Chaudhri Chhotu Ram, Mr. Owen Roberts, K. B. Muhammad Hayat, Qureishi, Mrs. Chatterji, Sardar Buta Singh and Pandit Nanak Chand held that it is impossible to say that there are depressed classes in the Punjab in the sense that any person by reason of his religion suffers any diminution of civic rights, and that it is undesirable that any attempt should be made to stereotype the division proposed. The Chairman, Pandit Nanak Chand and Sardar Buta Singh are of opinion that the depressed classes do not exist in the sense in which they exist in southern India, and that, while there are in the villages certain classes who occupy a very definitely inferior economic and social position, it is not possible to differentiate the Hindu leather worker or Chamar who is claimed as a depressed class from the Mussulman leather worker or Mochi who no one alleges belongs to a separate class. At the same time the Chairman feels that choice should be left to members of the so-called depressed classes to elect whether they prefer

to draw their lot with Hindus or to stand by themselves, and in the event of communal electorates being continued it should be open to any person on his own choice to register in a separate class, but he cannot logically confine the depressed persons to the castes mentioned and prevent Mussalmans or Christians or any other persons exercising their choice if they so desire.

### 5. Representation of Labour.

*Assuming that such widening of the basis of suffrage in general constituencies as is found practicable does not provide adequate representation of labour, what special measures would you recommend for representation of labour (a) where it is or can be organised as in industrial areas, (b) where it is unorganised as in case of agricultural and plantation labour. On what basis would you allot representation to labour in each case?*

With the exception of Mr. Ghani and Mr. Hansraj, it was considered that there was no organized labour in the Punjab. Mr. Ghani was of opinion that labour should have special representation. Every factory worker, farm worker and other industrial workers, whether organized or not, should be formed into a separate constituency and they should elect their representative through the group system. In the case of unorganized agricultural labour he suggested that they should form separate constituencies for tenants and kamins.

### 5 (a). Representation of Special Interests.

*What are your views regarding the retention of representation of special interests (University, Commerce, European, Indian, Mining, Planting, Labour, Landholders, etc.) in legislatures?*

*If you favour its retention do you consider the existing methods of election thereto are satisfactory? If not, what suggestions would you make?*

Except the Chairman, the Committee was generally against special representation of special interests. They, except Pandit Nanak Chand, agreed that Europeans and Indian Christians should be given special representation in their own electorates. The Committee thought that if Universities were represented then Land-owners and Tumandars should also receive special representation. The Chairman is of opinion that Landholders, Universities and Tumandars should be represented. It was the opinion of the majority of the members of the Committee that if Universities were represented then voters should be the Fellows and not the graduates. Some members wished it to be observed that the reason for not having special representation of Commerce and Labour was that they were central and not provincial subjects. Sardar Buta Singh considered that (apart from European and Indian Christians) only the University should be represented. Pandit Nanak Chand is of the opinion that the representation of the University should be retained and that Europeans and Indian Christians should not have separate representation, but should vote in the general constituency as is the case at present.

### 6. Allocation of seats to British Indian Provinces.

The majority of the members asked for 32 members in the Punjab.

*The Federal Structure Committee proposed that the representatives of British Indian Provinces in the Upper Chamber should be elected by the Provincial Legislatures by a single transferable vote. Do you agree with this proposal or have you any alternative to suggest ?*

Except Pandit Nanak Chand, the Committee was unanimously of opinion that the Lower Chamber should be elected indirectly by the Provincial Council, while there should be direct election of the Upper Chamber on the existing franchise for the Council of State. Pandit Nanak Chand supports direct election to both.

So far as the depressed classes are concerned, Mr. Hansraj would like the existing franchise rules modified so as to enable those classes to vote in larger numbers or in the alternative that they may be given special representation.

### 7. Representation of Women, Labour and Depressed Classes.

In the view of Mr. Din Muhammad, R. B. Chaudhri Chhotu Ram, Mr. Owen Roberts and K. B. Muhammad Hayat Qureshi, the reservation of seats for labour, depressed classes, women or other interests in the Central Legislature is not opposed, provided :

(*a*) that the seats reserved are not taken from the provincial quota ;

(*b*) that if election is resorted to, the election of members allotted to any province shall be indirect through the Provincial Legislature. This decision is subject to the reservation already made by those members in connection with Labour and Depressed Classes.

**Plan A.**

| | |
|---|---|
| Rural population .. .. .. .. | 21,330,000 |
| Total number to be enfranchised .. .. | 2,133,000 |
| Existing rural voters .. .. .. .. | 601,000 |
| New voters to be enfranchised .. .. .. | 1,532,000 |

The number of voters in rural constituencies in 1926 was 571,000, consisting of the following :—

| | |
|---|---|
| Land-owners paying Rs. 25 and upwards .. .. | 350,000 |
| Others .. .. .. .. .. | 221,000 |

We do not know how the present 601,000 are distributed, but as the number of ' others ' is not likely to increase and indeed tends to decrease we may assume that the existing distribution of voters is :—

| | |
|---|---|
| Land-owners paying Rs. 25 and upwards .. | 380,000 |
| Others .. .. .. .. .. | 221,000 |

We can now, in order to make up the deficiency of 1,532,000, add the following groups :—

| | |
|---|---|
| Land-owners paying from Rs. 20 to Rs. 25 .. | 103,000 |
| " " " " Rs. 15 to Rs. 20 .. | 158,000 |
| " " " " Rs. 10 to Rs. 15 .. | 269,000 |
| " " " " Rs. 5 to Rs. 10 .. | 518,000 |
| Total new land-owners .. | 1,048,000 |
| Tenants holding more than 24 acres irrigated or 48 acres unirrigated .. .. .. .. | 42,000 |
| Tenants holding more than 18 and 36 .. .. | 37,000 |
| Tenants holding more than 12 and 24 .. .. | 98,000 |
| Tenants holding more than 6 and 12 .. .. | 230,000 |
| Total of tenants .. | 407,000 |
| Total of new additions .. | 1,455,000 |

This is as near the number required as we can reach. The result is that in order to enfranchise 10 per cent. of the population in rural areas we have to go down to land-owners and tenants paying Rs. 5 land revenue and upwards and tenants-at-will holding 6 acres irrigated or 12 acres unirrigated.

As regards urban areas the population of 1931 is 2,251,000 of which 10 per cent. is, say, 225,000. The present urban voters are 144,000 ; so we have to enfranchise 81,000 more. This will not present any particular difficulty. It cannot be calculated precisely what lowering of the qualification will be necessary in order to bring it about, but it will be something of the order of a reduction of the tenant qualification from Rs. 8 to, say, Rs. 5 or Rs. 6.

The total result will be :—

| | Present. | Added. | Total. |
|---|---|---|---|
| Urban .. .. | 144,000 | 81,000 | 225,000 |
| Rural .. .. | 601,000 | 1,455,000 | 2,056,000 |

**Plan B.**

In order to ascertain how the 10 per cent. of voters can be obtained with the enfranchisement of women in equal numbers with men, the following figures are put forward. It must be observed that this proposal cannot be carried out by a property qualification, but it would have to be done by means of a wife or widow qualification. We get the figures

by doubling the number of qualified voters. This is not quite accurate, but near enough.

| | *Under property qualification.* | *With addition of wives.* |
|---|---|---|
| Existing rural voters .. .. | 601,000 | 1,202,000 |
| Land-owners paying from Rs. 20 to Rs. 25 .. .. .. | 103,000 | 206,000 |
| Land-owners paying from Rs. 15 to Rs. 20 .. .. .. | 158,000 | 316,000 |
| | | 1,724,000 |

If we add the next group of land-owners paying from Rs. 10 to Rs. 15 we have to double 269,000, which will give us more than enough, namely, 1,724,000 *plus* 538,000=2,262,000 and will leave no room for tenants. On the other hand, if we double the first two classes of tenants we add twice (42,000 *plus* 37,000), that is, 121,000, which is not enough, and if we go down to a lower class of tenants, we would be giving the tenants a vote more cheaply than the land-owners. Therefore, in order to get our two million voters in the way I have described we shall probably have to go down somewhere about Rs. 12 land revenue and put in the first two classes of tenants.

**Plan C.**

The provisional proposal of the Punjab Government is to leave the urban electorate alone and roughly to double the rural electorate. As has been stated above the rural electorate is 601,000; to this may be added —

| | |
|---|---|
| Land-owners paying Rs. 20 to Rs. 25 .. | 103,000 |
| ,, ,, ,, Rs. 15 to Rs. 20 .. | 158,000 |
| ,, ,, ,, Rs. 10 to Rs. 15 .. | 269,000 |
| Total new land-owners .. | 530,000 |
| Tenants holding 24 acres irrigated or 48 acres unirrigated .. .. .. .. | 42,000 |
| Tenants holding 15 acres or 36 acres .. | 37,000 |
| ,, ,, 12 acres or 24 acres .. .. | 98,000 |
| Total Tenants .. | 177,000 |
| Total New Voters .. | 707,000 |
| Total of Voters .. | 1,308,000 |

This will give 6·2 per cent. of the rural population while the urban voting strength will remain as at present at 6·4 per cent.

## IV

**Supplementary Questionnaire addressed by the Indian Franchise Committee to the Government of the Punjab and the Punjab Provincial Franchise Committee.**

1. The Prime Minister's letter to the Franchise Committee instructs them so to widen the electorate that the Legislatures to which responsibility is to be entrusted should be representative of the general mass of the population and that no important section of the community may lack the means of expressing its needs and its opinions.

The proposals of the local Government provide for the enfranchisement of 6·3 per cent. only of the population of the Punjab. The number of women included would apparently not exceed 48,000. The number of the depressed classes included would be exceedingly small. It is exceedingly doubtful whether the industrial worker (in so far as he exists in the Punjab) or the landless labourer would succeed in obtaining any adequate representation under them. The Franchise Committee would be glad if the Punjab Government would reconsider its views with the object of securing a fairer distribution of voting power among the main categories of the population.

2. It is understood that the majority of the voters enfranchised under the revenue and tenancy qualifications proposed in the three plans of the Provincial Committee will be members of agricultural voters notified under the Land Alienation Act. The Franchise Committee would be obliged if they could be furnished with an approximate estimate of the numbers of those who will be excluded from the franchise under the Provincial Committee's plan 'A'*, and they would be glad to know what proposals the Local Government/Provincial Committee would make for enfranchising them or any section of them on the basis of the haisiyat tax, profession tax, chaukidari tax, or otherwise? What is the number of persons entitled to vote under (*a*) the existing District Board, and (*b*) the Municipal franchise, and could such franchise be utilised in connection with the Council elections?

3. A suggestion has been made that the group system of election should be applied on a household basis. A list of houses would be drawn up, in the villages by the revenue authorities and in the towns by the municipal authorities, and the head of each household would be called upon to report by a fixed date the name of the person empowered by the adult members of his household to vote on behalf of the household at the Council election. Each name so reported would be entered on the electoral roll, and if any household failed to make a report by the date fixed it would lose its right to vote. The Franchise Committee would be glad to have the views of the Local Government/Provincial Committee as to the practicability and desirability of this scheme in urban and rural areas, respectively.

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* Page 37.

4. The Local Government in their letter state that the administrative difficulty of polling a larger electorate than 6·3 per cent. of the population is one of their principal reasons for not recommending an electorate in excess of that figure. Evidence tendered to the Committee by responsible Government officials and others goes to show that difficulty need not be anticipated in polling 10 to 15 per cent. of the population. The Franchise Committee would be grateful for a considered opinion of the Local Government/Provincial Committee in the light of the discussions which have taken place as to the maximum number of votes that could be accurately polled in the province using the total number of officers and the maximum accommodation possible.

(1) If the election is spread over—

(*a*) one day,

(*b*) two days,

(2) taking 800 as the average number of voters with whom a presiding officer could deal in a day—

(*a*) if 40 per cent. of the voters are women,

(*b*) if 10 per cent. of the voters are women.

They would be glad if in answering this question the Local Government would state what, if any, further simplification they consider possible in their polling machinery and whether they consider on the average that 1,000 registered votes could be per day polled, either independently or as a result of such simplification, by each polling unit.

5. What polling hours do the Local Government propose ?

6. To what extent will the voting strength secured under their final proposals reflect the population strength of the various communities ?

7. The Franchise Committee would be grateful for a detailed analysis showing the distribution of voting power between the various classes and categories of the population under the proposals finally adopted by the Local Government/Provincial Committee and indicating how the unenfranchised residuum is composed.

8. What is the approximate cost (including preparation of the electoral rolls) of a general election on the present basis ? What would be approximately the cost on the basis of the franchise finally recommended by the Local Government/Provincial Committee ?

9. What is the final opinion of the Local Government/Provincial Committee in the light of the discussions which have taken place as between

(*a*) the combination of direct voting with a group system in any form ?

(*b*) wholly indirect system (*i.e.*, the complete abandonment of the direct vote) ;

(*c*) the extension of the direct franchise to the maximum administratively possible and practicable ?

10. Have the Local Government/Provincial Committee any views as to the desirability of single-member as opposed to multi-member constituencies electing 3, 4 or 5 representatives either by a single non-transferable vote or any other recognised device ?

11. The Franchise Committee understand that in the Punjab towns with a population of over 10,000 are grouped together for electoral purposes. Does this system work well in the view of the Local Government ? Do they desire to suggest any change in it ?

## Women.

12. The Prime Minister's letter emphasises the special importance of securing a more adequate enfranchisement of women—

(*a*) What are the final views of the Local Government/Provincial Committee in the light of the discussions that have taken place as to the steps to be taken for securing an increased number of women voters ?

(*b*) The suggestion has been made that if the existing Council franchise is adopted as the future Federal Assembly franchise the wives of the future Assembly voters should be enfranchised. What is the view of the local Government as to the desirability of such a suggestion in the Punjab ? How many women approximately would be enfranchised under it ?

(*c*) A further suggestion has been made that the wives of husbands with double the minimum property qualification should be enfranchised. What are the views of the Local Government/Provincial Committee as to the desirability and practicability of such a proposal ? Can any estimate, even approximate, be given of the number of women who would be enfranchised under it—

(*i*) on the existing property qualification ;

(*ii*) on the property qualification finally recommended by the Local Government/Provincial Committee ?

(*d*) What are the views of the Local Government/Provincial Committee on the proposal that has been made that in order to secure women voters mere literacy (*i.e.*, the ability to read and write in any language certified by a responsible person, *e.g.*, school-master, etc.), should be the qualification of a woman ?

(*e*) Do you see any objection to the wives qualified to vote in view of their husband's property retaining the right to vote on widowhood ?

(*f*) What are your views on the suggestion that has been made that the wives and widows of literates should be enfranchised ?

How many women would be enfranchised on account of the franchise finally recommended (the Franchise Committee would be grateful for even an approximate estimate) ?

**Methods of securing the presence of women in the Legislature.**

13. A memorandum containing the various alternative suggestions made elsewhere on the subject is attached*. The Franchise Committee would be glad of the final views of the Local Government/Provincial Committee, in the light of the discussions, which have taken place, as to the method by which a small number of women should be specially elected to the Council.

**Depressed Classes.**

14. The Prime Minister's letter draws special attention to the problem of securing for the depressed classes representation of their own choice in the Legislatures—

(*a*) What do the Local Government/Provincial Committee consider is the number of the Depressed Classes (applying the criterion of untouchability) what castes or sub-castes would be included in this category in the Punjab ?

(*b*) How many members of the depressed classes are at present elected or nominated to municipalities and local boards and panchayats in the Punjab ?

(*c*) The Committee would be grateful if they could be furnished with a copy of the statement supplied by the Punjab Government to the Simon Commission in the light of which that body reached the conclusion that the population of the depressed classes in the Punjab was approximately 2,800,000.

(*d*) The Committee would be grateful for a statement (even approximate) of the number of depressed class voters who would be brought on the electoral roll under the final proposals of the Provincial Committee/Local Government. The estimate might be based on an examination of two or three typical constituencies if necessary.

15. The suggestion has been made that even if for any reason the group system was not considered suitable for general adoption, it might be employed in the case of the depressed classes only in order to solve the difficulties of securing representation for that community on the electoral roll. What are the views of the Local Government/Provincial Committee as to the desirability and practicability of such a suggestion in the Punjab. ?

A further suggestion has been made that either the secondary voters belonging to the depressed classes or all depressed class voters might be made into a special electorate returning a certain number of representatives to the legislature by means of a second or additional vote. What are the views of the Local Government/Provincial Committee as to the desirability and practicability of these proposals ?

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* Printed on page 114, Volume II.

The suggestion has also been made that a non-proprietary body of electors should be formed which would include, *e.g.*, village menials, and that this would dispose of the depressed class problem.

If none of these suggestions is considered practicable, what scheme can the Local Government/Provincial Committee propose for securing a fairly substantial electorate and representation of the Depressed Classes.

**Labour.**

16. The Prime Minister's letter emphasises the importance of securing representation of labour, (*a*) which are the main industrial centres in the Province, and what is their respective industrial population ? (*b*) How many industrial workers would come on the electoral roll in urban general constituencies under the franchise ultimately proposed by the Local Government/Provincial Committee ? Would it be possible for industrial labour to secure representatives of its own choice in the general constituencies ? (*c*) The Whitley Commission have recommended that representation should be secured through registered trade unions. (*d*) An alternative method of securing such representation which has been suggested is the creation of a special labour electorate, or electorates of the factory population receiving wages above a certain minimum. The Franchise Committee would be glad if the Local Government/Provincial Committee would further consider their proposals for the representation of labour in the light of the above alternatives and of the discussions which have taken place at Lahore.

**Provincial Legislature.**

17. What are the final views of the Local Government/Provincial Committee as to the special interests to be represented in it and the number of seats to be reserved for them ? In particular what are their views on the subject of special representation for Tumandars and for the University ? Would they alter their views, and if so in what respect, in the event of a second chamber being established in the Provincial Legislature.

18. What are the final views of the Local Government/Provincial Committee as to the size of the Provincial Legislature, taking into account the necessity of making constituencies conform to district boundaries and assuming the maintenance of separate electorates for Muslims on the present basis ?

**Second Chamber.**

19. Do the Local Government/Provincial Committee wish to modify the views already expressed by them as to the desirability of the Second Chamber ? If the Local Government/Provincial Committee are in favour of such a Chamber, what should be its number, on what basis should it be constituted, and what should be its powers *vis-à-vis* the Lower Chamber ? What qualifications would the Local Government/Provincial Committee prescribe for its membership ?

## Federal Legislature.

20. What are the final views of the Local Government/Provincial Committee as to the basis of the franchise for—

(*a*) the Senate,

(*b*) the Federal Assembly and the extent to which it should be enlarged ?

21. The Franchise Committee would be glad if the Local Government/Provincial Committee would further consider the desirability of special representation for women in the Federal Assembly.

22. What are the final views of the Local Government/Provincial Committee as to the special interests other than women and, in the case of the Local Government, Labour to be represented in the Federal Legislature, and the extent and method of such representation.

23. Would you require a literacy qualification for members of—

(*a*) the Provincial Council ; and

(*b*) the Federal Assembly ?

24. The Franchise Committee would be glad if the Local Government/Provincial Committee would state any other respects, not covered by the above questions, in which they would modify their original proposals.

## V

## Memorandum by the Punjab Government in reply to the Supplementary Questionnaire* of the Indian Franchise Committee.

1. At least 17 per cent. of the landowners are not members of agricultural tribes as is shown in the statement† showing the numbers of owners and crown tenants of each community furnished to the Indian Franchise Committee in the statistical portion of the Punjab Government's provisional views. For the tenants, accurate figures are not available, but a certain porportion of these is certainly drawn either from village menials or from the tribes not notified as agricultural tribes. The persons contained in plans A and C‡ referred to by the Provincial Committee, so far as revenue payers are concerned, represent a much larger number of adult persons, because during a man's lifetime not only his wife but also his sons, even if adult, pay no land revenue. After deducting the figures entered in plan A from the total adults, the proportion remaining unenfranchised is—

Paragraph 2.

(*a*) In plan C .. .. .. .. 10 millions.

(*b*) In plan A .. .. .. .. 9 millions.

In these are included the wives, adult sons and daughters (if any) of enfranchised revenue payers and probably some of tenants: both, as has already been explained above, are already represented. The numbers are not available; but after deducting the latter number the residue falls with in two main classes—

(*a*) the shopkeeping and kindred occupational groups who do not pay income-tax or fulfil the house qualification, or who are not land revenue payers or qualified tenants, and

(*b*) the village menials.

The latter would be far the more numerous. It would not be far from the mark to assume that each enfranchised revenue payer and some of those proposed to be enfranchised as tenants, represent between 3 and 4 unenfranchised adults. This also holds true of income-tax payers and persons qualified under the house qualification. There are 180,000 persons enfranchised in district boards and other local bodies on a haisiyat tax and professional tax basis. The tax is unpopular among the assessees. If these were added to the voters' roll, the result would be to enfranchise a number of persons in group (*a*) and a smaller number in group (*b*). It is only a few of the artizan menials who would come in under group (*b*) not the menials generally. Out of the 180,000 assessed to haisiyat tax, a number of group (*a*) will already be qualified for a vote as land revenue payers, income-tax payers, tenants, and on the house qualification. After excluding these, it would be unfair to enfranchise a larger number of the remainder than the proportion of total number of landowners enfranchised. The other way of visualising it is that a person qualified under haisiyat tax should pay a sum in tax at least equal to that of the lowest land revenue class. The Punjab Government are prepared to accept the latter. They would not, however,

* Page 40. † Page 24. ‡ Pages 37 and 39 respectively.

put this limit on menials paying a professional tax. For the present they consider that there is no practicable means of enfranchising a larger number of menials or depressed classes, except through the tenancy or haisiyat or professional tax qualification. The Chaukidari tax is not a practical test as very few menials pay it. The Punjab Government do not think a household vote possible. It would lead to a lot of very corrupt practices and inquisitorial enquiries. As regards women, the Punjab Government feel that the demand only comes from a very small educated class and they adhere to their previous views.

Paragraph 4.

2. Though the Punjab Government view with grave misgivings an increase in the franchise over the figure they have previously advised, they believe that by extending the period for polling over two days in some parts of the province it would be possible to adopt the scheme referred to as plan A by the Provincial Franchise Committee which is hereto appended (Annexure 1*) and with some reluctance they are prepared to agree to this, especially as by including the lowest class of tenant they would give some additional representation to the landless, menials and depressed classes. The Punjab Government would include haisiyat tax payers to the limit of the lowest class of land revenue without, however, placing this restriction on menials. They have not been able to include in plan A an estimate of the number of haisiyat tax payers included in these proposals but it would not be large. In agreeing to this course, they assume that any extension of women franchise, which they deprecate beyond what they get under the property qualification, will be kept within the total of 2,281,000.

Paragraph 3.

3. The views of the Punjab Government on the group system generally are given below.

Paragraph 4.

4. The Punjab Government are not able in the brief time at their disposal (the enquiries of the Indian Franchise Committee were placed in their hands on April 6th and this reply is to be in the hands of the Indian Franchise Committee on April 9th) to criticise in detail the views of their officers on the technique of polling which are before the Committee. They merely repeat the view that the total of 2,281,000 represents the maximum which can be dealt with.

Paragraph 5.

5. The Punjab Government considers it useless to open the poll before 9 A.M. as voters will not come earlier. With a break of half-an-hour polling might go on till 4-30 P.M.

Paragraph 6.

6. A statement (Annexure 2†) is attached.

Paragraph 7.

7. It is not quite clear what are the classes and categories of the population (other than religious communities) into which it is desired that the voting power should be distributed. But the following general observations may be made.

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* Page 52. † Page 53.

8. In the first place as between members of the agricultural tribes and others, the Punjab Government has above shown that 17 per cent. of landowners belong to non-agricultural tribes. Therefore, out of 1,398,000 landowners voters 238,000 are outside the agricultural tribes. The proportion of tenants outside these tribes is even larger, and a large number of menial classes, even of the lowest, are tenants. If, as the Provincial Committee believes, it is as large as one half, this adds 203,000. The 251,000 "other" voters on the existing register includes income-tax payers, owners of house property and soldiers of the non-combatant branches of the army, all of whom belong largely to non-agricultural tribes. The Punjab Government observes that the Provincial Committee considers that as many as 150,000 belong to these classes.

9. As regards the unenfranchised residuum, the total adult male population is 6½ million and the unenfranchised residuum is, therefore, in the neighbourhood of 4½ millions. If each land owner represents only two adult males besides himself, these account for 2½ millions, and the tenant voters may similarly account for half-a-million more. This will leave a male adult unenfranchised residuum of 1½ millions, belonging to the poorer classes, and including the large floating population of beggars and vagrants which alone exceeds half a million.

Paragraph 8.

10. The following figures give the cost of elections to Government in the four general elections :—

| | Rs. |
|---|---|
| 1920 .. .. .. .. .. | 4,75,000 |
| 1923 .. .. .. .. .. | 2,65,000 |
| 1926 .. .. .. .. .. | 2,58,000 |
| 1929-30 .. .. .. .. .. | 1,88,000 |

This sum includes honoraria and allowances, etc., paid to patwaris, kanungos, and others who assisted in the preparation of electoral rolls as well as the expenditure on the printing of rolls, ballot papers and all other papers connected with the Council and Assembly elections. Marked reduction in expenditure in 1929-30 elections was due to the fact that the electoral rolls for both the Council and the Gurdwara elections were prepared simultaneously and cost was shared half and half.

The cost of the elections on an extended franchised covering 10 per cent. of the whole population is as shown in the attached statement, Rs. 6,34,000 (Annexure 3*).

Paragraph 9.

11. In principle the Punjab Government is in favour of the extension of the direct franchise as opposed to (*a*) the group system and (*b*) the group system and direct system combined. If, however, it is finally decided to extend the number of electorates beyond 2,280,000 (what the Punjab Government hopes will not be the case) the Punjab Government would like to reconsider their view with reference to the group system.

* Page 54.

Paragraph 10.

12. So long as separate electorates continue, the Punjab Government, with one dissenting member, considers that territorial seats with a single member constituency are the most practical method. The Hon'ble Member for Local Self-Government would support multiple member constituencies with a single non-transferable vote.

Paragraph 11.

13. The Punjab Government is divided in its views on the question of urban constituencies as the Hon'ble Minister for Local Self-Government is against the urban distinction altogether.

Paragraph 12.

14. The Punjab Government has above expressed its views on the enfranchisement of women and is not in favour of any of the schemes proposed in paragraph 12. As regards the number of women that would be enfranchised under A, as proposed, the Punjab Government observes that in rural areas the only women enfranchised in any numbers are the widows of landowners. These number on the existing roll about 22,000 out of 350,000 or 7 per cent. Applying this percentage to the 1,398,000 landowners which it is proposed to enfranchise the number would be 98,000. In towns 1,000 may be added to the existing electorate of 2,000.

15. As regards the numbers that would be enfranchised by taking the wives and widows of various classes, it has been calculated that for every 100 adult males there are 65 widows and wives of the age of 21 and upward. The Punjab Government has proposed that if there is direct election to the Federal Assembly, the existing qualification for the Assembly should be retained. The wives and widows would give about 52,000. As to the number of wives and widows which would be enfranchised on double the proposed property qualification, the number of landowners, paying Rs. 10 and upwards is 880,000 and of tenants of 12 irrigated acres and upwards is 177,000. Sixty-five per cent. of 1,057,000 is 697,000. It is not possible to make any calculation of the number in urban areas. The number that would be enfranchised under double the existing property qualification is not known. But the Provincial Franchise Committee has calculated the number of wives and widows that would be enfranchised under the existing property qualification.

Paragraph 13.

16. The Punjab Government is in favour of a woman's property qualification for franchise. Women if qualified as voters could stand for election: and the position should continue until altered by the action of the Provincial Legislature.

Paragraph 14.

17. The Punjab Government considers that the tribes to be regarded as untouchables should be those selected under the orders of the Census Commissioner, namely, the following :—

(*a*) Ad-Dharmis of all classes ;

(*b*) Hindu castes as noted below :—

(1) Bawaria.
(2) Chamar.
(3) Chuhra.
(4) Dagi and Koli.
(5) Dumna.
(6) Megh.
(7) Od.
(8) Ramdasi.
(9) Sansi.
(10) Sarera.

Their total number being 1,310,709.

The Punjab Government has no information as to the number of these classes elected or appointed to local bodies. Enquiries are being made, but will take a long time to complete. The Punjab Government, however, believes the number to be negligible.

The Punjab Government believes that the figure of 2·8 million referred to in the Simon Commission Report, was taken from the Quinquennial Report on the Progress of Education from 1912 to 1917. These figures were not supplied by the Punjab Government to the Simon Commission, and are believed to have been based on somewhat misleading extracts from the Census Report of 1911. A copy of letter No. 14111-L. S.-G., dated the 13th of April 1929, to the Deputy Secretary, Indian Central Committee, is the basis of paragraph 25 of the memorandum containing the opinion of official members of Government on the recommendations of the Indian Statutory Commission (Annexure 4*).

18. It has already been stated that at least 441,000 of the landowners and tenants which it is proposed to enfranchise belong to other than agricultural tribes. The Provincial Committee has suggested that as many as 150,000 out of the 250,000 "other" voters belong to this class. But it is quite impossible to say how many of this number of non-agricultural tribes belong to the depressed classes. All that can be said is that some are tenants and some have a military qualification for the non-combatant branches of the service, but that it is probable that the greater number consist of members of the superior menial tribes and of tribes which though not notified as agricultural do in certain localities practice agriculture.

Paragraph 15.

19. The Punjab Government is not in favour of any of the proposals for the enfranchisement of the depressed classes given in paragraph 15. Some of these classes will secure representation, as already explained, through the extension of the franchise.

Paragraph 16.

20. Statements are given as Annexures 5 and 6†. A great proportion of factories are seasonal ginning factories distributed all over the Punjab. If labour

* Page 55. † Page 57.

gets representation (and the Punjab Government advises one seat) it is considered that a special electorate should be created composed of the factory population receiving wages above a certain figure and employed continuously for a certain minimum time.

Paragraph 17.

21. The Punjab Government has nothing to add to its previous views on the subject of representation of special interests. If seats are provided for special constituencies for landlords, the Tumandar's seats should be kept, as one of them. It is also desirable to retain this seat on political grounds. It is desirable that special constituencies should not affect the balance of communal representation. If there is a second Chamber all the special interests should be represented in the Upper and not the Lower House.

Paragraph 18.

22. In fixing the size of the Legislature, the question of *expense* is a very important consideration—buildings, salaries (if these are to be given), travelling allowance, Secretariat, etc., all increase with the size of the Legislature; and the more constituencies the greater will be the expense of conducting general and bye-elections. Another consideration which has already been urged is the limit of the number of persons who are both qualified to it as legislators and have the time at their disposal. The Punjab Government in view of these considerations puts the number at 150.

Paragraph 19.

23. Two of the Members and Ministers think it would be preferable to have a block of seats reserved for the more sober element of the population in a single Chamber rather than in an Upper House. Two would prefer an Upper House. In theory the official members of Government are in favour of an Upper House as a controlling and sobering influence but they consider that in this province it would be difficult to constitute and the Lower House would *pro tanto* deteriorate in material.

Paragraph 20.

24. The Punjab Government adhere to its view that the franchise qualification of the Upper and Lower Houses of the Federal Legislature should be the existing qualifications respectively for the Council of State and the Legislative Assembly and they find no reason to alter their opinion in favour of indirect election for the Lower House. Election to the Upper House should, in their opinion, be direct.

Paragraph 21.

25. The Punjab Government continue to favour the admission of women to the Federal Assembly through the property qualification only to be exercised on the same terms as men.

Paragraph 22.

26. The Punjab Government is strongly in favour of an adequate representation of labour in both Houses of the Federal Legislature and also favours special representation for Commerce and Europeans.

Paragraph 23.

27. The Punjab Government holds no strong views, but on the whole favours a literacy qualification.

## ANNEXURE 1.

| | *Plan A.* |
|---|---|
| (1) Rural— | |
| Rural population .. .. .. .. | 21,330,000 |
| Existing rural voters .. .. | 601,000 |
| **Proposals.** | |
| Land-owners paying Rs. 25 and upwards .. | 350,000 |
| ,, ,, from Rs. 20 to Rs. 25 .. | 103,000 |
| ,, ,, ,, ,, 15 to Rs. 20 .. | 158,000 |
| ,, ,, ,, ,, 10 to Rs. 15 .. | 269,000 |
| ,, ,, ,, ,, 5 to Rs. 10 .. | 518,000 |
| Total landowners .. .. .. | 1,398,000 |
| Tenants holding more than 24 acres irrigated or 48 acres unirrigated. | 42,000 |
| Tenants holding more than 18 and 36 and less than above. | 37,000 |
| ,, ,, ,, 12 and 24 ,, ,, | 98,000 |
| ,, ,, ,, 6 and 12 ,, ,, | 230,000 |
| Total tenants.. .. | 407,000 |
| Voters other than landowners or owners on the present register. | 251,000 |
| Tota' Rural Voters .. .. .. | 2,056,000 |
| (2) Urban— | |
| Urban population .. .. .. | 2,251,000 |
| Existing urban voters .. .. .. | 144,000 |
| **Proposal.** | |
| Existing voters .. .. .. .. | 144,000 |
| *Add* by lowering tenancy qualification if necessary. | 81,000 |
| | 225,000 |
| (2) Total proposed electorate .. | 2,281,000 |

*Note.*—There is a slight statistical readjustment made as compared with the Plan A originally published (*vide* page 37). Detailed statistics of the present register exist for 1926 since when the roll has risen by 30,000. For statistical convenience these have been assigned to "others" instead of to landowners.

# ANNEXURE 2.

## Distribution by Communities of Voters in Plan A.*

| —— | Total. | Muhammadans. | Non-Muhammadans. | Sikhs. |
|---|---|---|---|---|
| (1) RURAL. | | | | |
| Land-owners paying Rs. 25 and upwards | 350,000 | 169,000 | 76,000 | 105,000 |
| ,, ,, ,, from Rs. 20 to Rs. 25 | 103,000 | 47,000 | 27,000 | 29,000 |
| ,, ,, ,, ,, 15 ,, 20 | 158,000 | 72,000 | 42,000 | 44,000 |
| ,, ,, ,, ,, 10 ,, 15 | 269,000 | 126,000 | 75,000 | 68,000 |
| ,, ,, ,, ,, 5 ,, 10 | 518,000 | 258,000 | 152,000 | 108,000 |
| Total landowners .. | 1,398,000 | 672,000 | 372,000 | 354,000 |
| Tenants holding more than 24 acres irrigated or 48 acres unirrigated. | 42,000 | 32,000 | 5,000 | 5,000 |
| Tenants holding more than 18 and 36.. | 37,000 | 28,000 | 5,000 | 4,000 |
| ,, ,, ,, ,, 12 ,, 24.. | 98,000 | 72,000 | 15,000 | 11,000 |
| ,, ,, ,, ,, 6 ,, 12.. | 230,000 | 158,000 | 44,000 | 28,000 |
| Total of tenants .. | 407,000 | 290,000 70% | 69,000 17% | 48,000 13% |
| Existing "other" voters (distribution partly by estimate). | 251,000 | 107,000 | 85,000 | 59,000 |
| Total rural voters .. | 2,056,000 | 1,069,000 | 526,000 | 461,000 |
| (2) URBAN. | | | | |
| Existing voters .. .. .. | 144,000 | 58,000 | 74,000 | 12,000 |
| Added (estimate) .. .. .. | 81,000 | 33,000 | 43,000 | 5,000 |
| Total .. | 225,000 | 91,000 | 117,000 | 17,000 |

* Printed at page 37.

# ANNEXURE 3.

## Estimated cost of Election.

| | | Rs. |
|---|---|---|
| Total population .. .. .. .. | 23,580,852 | |
| 10 per cent. to be enfranchised in round figures | 2,360,000 | |
| *Cost on the preparation of electoral rolls for the extended franchise (honoraria to patwaris, moharrirs and others) .. .. | | 1,50,000 |
| Average of electors assigned per polling station (for Council) .. .. .. | 750 | |
| For each one lakh electors the number of polling stations will be about .. .. | 133 | |
| Cost per polling station is about Rs. 60. | | |
| Total cost on polling stations for one lakh electors | | 8,000 |
| Printing and reprinting of electoral rolls at the rate of Re. 1 each per 40 names for one lakh | | 2,500 |
| Total cost per one lakh electors .. .. | | 10,500 |
| Total cost on the number to be enfranchised on account of printing of rolls and polling arrangements .. .. .. | | 2,47,800 |
| Printing of ballot papers and other election papers with cost of paper at Rs. 1,000 per one lakh electors .. .. .. | | 23,600 |
| *Staff*— | | |
| Reforms officers .. .. .. .. | 36,000 | |
| 6 Officers .. .. .. .. | 24,000 | |
| 29 District Electoral Officers at Rs. 50 each (allowance) .. .. .. .. | 17,400 | |
| | | 77,400 |
| Superintendent at Rs. 250 .. .. .. | 3,000 | |
| Assistant at Rs. 150 .. .. .. | 1,800 | |
| Accountant at Rs. 150 .. .. .. | 1,800 | |
| Stenographer at Rs. 100 .. .. .. | 1,200 | |
| 1 Clerk at Rs. 75 .. .. .. .. | 900 | |
| 3 Clerks at Rs. 30 .. .. .. | 1,080 | |
| 12 peons .. .. .. .. | 2,016 | |
| 1 Daftri .. .. .. .. .. | 240 | |
| | | 12,036 |
| 29 Kanungos at Rs. 40 each+Rs. 15 Lahore Allowance for 5 months .. .. | 16,095 | |
| 29 Moharrirs at Rs. 25 each+Rs. 10 Lahore Allowance for 5 months .. .. | 10,150 | |
| Naib-Tahsildar for Lahore and Amritsar Urban at Rs. 120 .. .. .. .. | 1,440 | |
| 100 Registration Moharrirs .. .. | 7,500 | |
| 40 Supervisors .. .. .. .. | 3,600 | |
| Temporary staff for proof reading (2 additional Moharrirs for 3 months, *i.e.*, 58) .. | 4,350 | |
| | | 43,135 |
| Travelling Allowance .. .. .. | 30,000 | |
| Contingencies .. .. .. .. | 40,000 | |
| Stationery .. .. .. .. | 10,000 | |
| | | 80,000 |
| For rounding .. .. .. .. | | 29 |
| GRAND TOTAL .. | | 6,34,000 |

*On present basis cost on about 8 lakhs voters is Rs. 1 lakh.

## ANNEXURE 4.

LETTER FROM THE SECRETARY TO GOVERNMENT, PUNJAB, TRANSFERRED DEPARTMENTS, TO THE DEPUTY SECRETARY, INDIAN CENTRAL COMMITTEE, No. 14111-L.S.G., DATED THE 13TH APRIL 1929.

In reply to your letter No. 150, dated the 24th January 1929, I am directed by the Governor in Council to say that the figures both for depressed classes and for criminal tribes quoted in the Quinquennial Report on the Progress of Education for 1912-17 are based on somewhat misleading extracts from the Census return for the Punjab in the year 1911.

2. With regard to the depressed classes it is observed that the figures refer to the following ten classes only, the figures shown against each being, except in the case of Ramdasias, the result of adding the total figures for males and females shown against "British Territory" in the Punjab at the head of Table XIII of Volume XIV, Part II, or the report of the Census of India 1911 :—

| Tribe or caste. | Number in Quinquennial Report 1912-17 and in Census Report for 1911. | Numbers as in Census Report for 1921. |
|---|---|---|
| Megh .. .. .. | 40,313 | 31,157 |
| Od .. .. .. | 28,611 | 25,515 |
| Chamar .. .. .. | 854,530 | 848,265 |
| Ramdasia .. .. .. | 167,623 | 10,777 |
| Mazhbi .. .. .. | 19,878 | 61,597 |
| Dhobi .. .. .. | 138,885 | 150,290 |
| Mahtam .. .. .. | 68,396 | 83,142 |
| *Marchee .. .. .. | 1,273 | 535 |
| Ghosi .. .. .. | 2,800 | 264 |
| †Sweeper .. .. .. | 785,284 | 600,901 |
| Total .. | 2,107,293 | 1,812.443 |

As regards Ramdasias as a class of Sikhs, these do not appear as a caste or tribe in Census Table XIII, and it is not known on what data the figure of 167,623 for 1911 was based, the corresponding figure for 1921 taken from paragraph 104 of Volume XV, Part I, being so much lower.

For purpose of comparison the figures from Table XIII of Volume XV, Part II, of the Census Report for 1921 have been shown also, and it will be seen that, omitting Ramdasias as to whom there must be some mistake, the nine classes which totalled 1,938,670 in the Census of 1911 now total 1,801,766.

*(Marija or Marecha). †(Chuhra).

The difficulty in dealing with a matter of this kind is that in the Punjab there is no clearly defined line separating the depressed classes from the rest of the population. Of the classes referred to in the Quinquennial Report on the Progress of Education in India (1912-17) Ods are not generally regarded in this province as a depressed class in the sense of being untouchables, but are regarded on the same level as other labouring classes. Meghs are now being "purified" and consider themselves of equal status with other castes. Dhobis are neither a depressed class nor untouchables. In the case of Chamars and Chuhras (sweepers) it is the profession rather than the faith that creates the class and those who become agricultural labourers and work at sugar making and as cultivators of land are like other agricultural labourers.

3. Of the castes and tribes given in Table XIII of Volume XV, Part I, of the Census Report for 1921, the following classes may by some be regarded as depressed classes :—

**Depressed Classes.**

| | *No. in 1921.* | | *No. in 1921.* |
|---|---|---|---|
| Bangali .. .. | 815 | Khatik .. .. | 23,888 |
| Banjara .. .. | 5,404 | Kori.. .. .. | 12,558 |
| Barar.. .. .. | 2,324 | Mahtam .. .. | 83,142 |
| Bawaria (Baoria) .. | 21,272 | Mazhabi .. .. | 61,597 |
| Bazigar .. .. | 26,010 | Megh .. .. | 31,257 |
| Bhanjra .. .. | 2,312 | Nat .. .. .. | 4,197 |
| Chamar .. .. | 848,265 | Pasi .. .. | 1,872 |
| Chanal .. .. | 1,026 | Perna .. .. | 1,299 |
| Chuhra .. .. | 600,901 | Rihar (Rehara) .. | 203 |
| Dagi and Koli .. .. | 40,917 | Saiqalgar .. .. | 1,345 |
| Daoli (Doala) .. .. | 930 | Sansi .. .. | 26,936 |
| Dhanak .. .. | 61,796 | Sapela .. .. | 1,057 |
| Dumna (Domra) .. | 19,061 | Sarera .. .. | 9,346 |
| Gagra .. .. | 1,992 | Sirkiband .. .. | 3,629 |
| Gandhiala .. .. | 767 | And possibly also Labanas. | 48,988 |
| Gedri .. .. | 17 | | |
| Kehal .. .. | 305 | Total .. | 1,945,441 |

It will be seen that the total figure for these classes is not greatly dissimilar to the tota' worked out in a different manner in Appendix XIII to the Quinquennial Report. It should, however, be noted that of this figure of 1,945,441 Chuhras and Chamars, who may be regarded as forming the bulk of the depressed classes, amount to 1,469,166. Meghs on purification are getting out of this class, and Mahtams engage in agriculture also.

Furthermore the above list includes certain criminal tribes such as Sansis, Bawarias and Bazigars, who on reclamation are taking their place with other classes and are not regarded as depressed, so that the lists in some cases overlap. It is therefore extremely difficult to say that there are any untouchables other than those who are so regarded on account of the profession or work they are engaged in.

## ANNEXURE 5.

### Statement showing operatives employed in registered factories in the Punjab.

| —— | 1926 | 1927 | 1928 | 1929 | 1930 | 1931 |
|---|---|---|---|---|---|---|
| Total number .. .. | (52,648) | (50,888) | (51,613) | (49,875) | (49,549) | (44,729) |
| North-Western Railway Workshops. | 13,829 | 12,476 | 12,125 | 10,935 | 10,648 | 9,826 |
| Woollen Mills, Dhariwal .. | 1,314 | 1,378 | 886 | 1,309 | 846 | 1,188 |
| Seasonal Factories— | | | | | | |
| (1) Cotton Ginning and Pressing Factories. | 20,950 | 20,428 | 21,335 | 20,255 | 19,835 | 17,206 |
| (2) Others, Ice Factories and Tea Plantations. | 768 | 521 | 556 | 505 | 540 | 459 |
| Attock Oil Company (Refinery). | 483 | 496 | 582 | 694 | 451 | 325 |

## ANNEXURE 6.

### Statement showing the trade unions registered in the Punjab.

| —— | 1927-28. | 1928-29. | 1929-30. | 1930-31. | Existing. |
|---|---|---|---|---|---|
| Total number of unions on the Register at the end of the year. | 6 | 13 | 16 | 19 | 22 |
| Unions registered during the year. | 6 | 7 | 6 | 6 | 7 |
| Certificates cancelled during the year. | .. | .. | 3 | 3 | 3 |
| Membership at the close of each year. | 5,799 (6 unions). | 14,507 (10 unions). Returns of three not received. | 26,318 (12 unions). Returns of four not received. | 9,931 (15 unions). Returns of four not received. | Information not available as the reports for 1931-32 are due at the end of July next. |

NOTE.—There are in addition to the above three federations registered in 1928-29 in which there has been no change.

## V (i).—Note by the Hon'ble Sardar Sir Jogendra Singh, Kt., Minister for Agriculture in the Punjab Government.

### The Group System.

It is impossible to evade reality. The Prime Minister rightly holds that responsibility could only be transferred to the people as a whole and all sections of the population should find an adequate representation.

The trend of opinions in the Punjab has been influenced more by considerations of communal representation than by any endeavour to create a self-governing constitution which would secure a stable and just government for all. It is somehow sub-consciously held that an outside power will still continue to impose its will and secure stability and good government. The Franchise Committee in drawing pointed attention to the real problem affords another opportunity to revise our views and to visualise the objective, which is none other than forming a representative, stable and responsible Government on British model, which Balfour called the Cabinet System in contra-distinction to Presidential System.

It seems inevitable that franchise qualifications will be lowered to afford representation to about 10 per cent. of our population, creating invidious distinctions between various classes and communities, and the next step will undoubtedly enfranchise whole of our adult male and female population. The question is whether it would not be more in the interest of the province and afford a fairer representation to the whole of our population if the Group System, or the "House-hold System" was accepted. The forming of primaries does not present such insurmountable difficulties as is imagined, but it may require time and preparation; and we can easily begin with the House-hold System, which would provide a rough and ready method, and would be in keeping with the traditions of the country. It will amount to giving every household, irrespective of its numbers, the right to select a single representative, male or female to exercise the vote for the whole family. It will not present any administrative difficulties and would provide an equal basis for both male and female voters. Its defects are obvious, but it can serve as a training ground for forming primaries.

I am strongly of opinion that common electorates with some kind of Group System are absolutely essential, if "efficient parts" are to be provided in the constitution, otherwise the change in the form of government may in fact hasten revolution disguised under a constitutional procedure.

### Second Chamber.

The Punjab's decision to have a single chamber was based on the assumption that franchise qualification will remain high and that an adequate representation of the vested and special interests will be provided in the single house itself. This will not be possible now. I have no hesitation in expressing my opinion that the Punjab requires a second chamber. It may dispense with it afterwards, but it would be wise to

begin provincial autonomy with it. My official colleagues are in agreement with me in theory, but foresee difficulties. I have little doubt that opinion would have veered round in favour of a second chamber. If there was time enough to disperse preconcieved acceptances. I am sure we all agree that we must mobilise all our wisdom and experience and responsibility if we are to work the new constitution with success. This we can only do if we have a second chamber.

The election to the Upper House should be from a joint electorate. The desire of communities for adequate representation can be met by reservation of seats. I would recommend a small house of 50 members.

I would draw from the following constituencies :—

5 retired Ministers and Presidents in their own right.

15 Members from a constituency of retired high officials, such as Executive Counsellors, Ministers, High Court Judges, Sessions Judges, Deputy Commissioners, Chief and Superintending Engineers.

12 Landholders.

6 from University constituency.

6 from Industrial constituency.

6 from Commerce constituency.

## VI.

### Memorandum by the Punjab Provincial Franchise Committee in reply to the Supplementary Questionnaire* of the Indian Franchise Committee.

Paragraph 2.

1. The proposal which finally commends itself to the Provincial Committee is the extension of the direct franchise on the lines of the plan "A"† proposed in its first recommendations subject to the following modifications which are embodied in the enclosed plan "D"‡ :—

(1) The reduction of the qualification represented by the ownership of immoveable property not assessed to land revenue from Rs. 4,000 to Rs. 2,000 in urban areas and Rs. 1,000 in rural areas ;

(2) The enfranchisement of the wives and widows of the male voters under the present franchise ;

(3) The reduction of the limit of income-tax assessment from Rs. 2,000 to Rs. 1,000 operates, the Committee observes, as an automatic extension of the franchise ;

(4) While no decision was reached on the literacy qualification some members strongly pressed for literacy qualification for women. In view, however, of the absence of a unanimous decision this has not been included in the statistical table giving the result of the proposal which is appended to this report as plan "D"‡. The numbers would not be large.

Plan "D" gives enfranchisement on the property qualification in rural areas as follows :—

| | |
|---|---|
| Landowners .. .. .. .. | 1,398,000 |
| Tenants .. .. .. .. | 407,000 |
| Persons other than landowners at present exercising the franchise .. .. .. | 251,000 |
| Persons admitted by the lower income-tax and house property qualifications .. .. | 50,000 |
| Total .. | 2,106,000 |

Of these it may be assumed that 98,000 will be women. This estimate is based on the assumption that the only women who exercise the present franchise to any appreciable extent are the widows of landowners. The present register of 22,000 rural voters is 7 per cent. of the landowners, and thus figures applied to 1,398,000 gives 98,000.

Pandit Nanak Chand records his dissent§ from these proposals as giving overwhelming predominance to the agricultural tribes and landowning classes, and placing the landless class and non-agricultural tribes at their mercy, especially when the landless classes are debarred from improving their status by acquiring property under the land laws of the

* Page 40. † Page 37. ‡ Page 65. § Page 66.

Punjab. He proposed a franchise based (*a*) on a literacy qualification, (*b*) on possession of a civil pension, and (*c*) on possession of Government securities of Rs. 1,000.

(A slight variation between these figures and those of plan "A"* as previously published may be explained here. In the last register there is an increase of 30,000 on the figures of 1926 on which our statistics are based. In plan "A" these were added to landowners but it is more convenient for statistical purposes to add them to others.)

2. As regards wives and widows a calculation based (*a*) on the percentage of unmarried adults and (*b*) on the age of distribution to married women from the 1921 Census makes it appear that for every 100 adult males there will be 65 wives and widows of the age of 21 and upwards. The wives and widows of 579,000 male voters on the present register will give 376,000 female voters.

3. A reference to the statement† giving the number of owners and tenants of each community appended to the provisional views of the Punjab Government shows that out of 3,198,000 adult landlords 2,666,000 belong to agricultural tribes and 532,000 to other classes of the community. Therefore the proportion of landowners belonging to other than agriculturists is 17 per cent. Applying this figure to 1,398,000 landowners we find that out of the landowners franchised 238,000 belong to those classes. Again out of 407,000 tenants it is believed that not less than half belong to persons other than members of agricultural tribes, as tenancy is frequently taken by village menials including the lowest class such as Chuhras and Chumars. This gives 203,000. Of the 251,000 persons described as other than land revenue payers in the existing electorate the Committee observes that a certain proportion is to be accounted for by income-tax payers and owners of house property. Also out of the persons enjoying the soldier qualification a large number belong to the non-combatant branches of the service which are largely filled by persons not belonging to agricultural tribes. The Committee estimates that 150,000 out of the whole number of 251,000 belong to non-agricultural tribes.

4. Finally the 50,000 voters which are expected to be added by the Lower House and income-tax qualifications are attributed entirely to non-agricultural tribes. The result is that out of the total of 2,106,000 male voters it is expected that not less than 641,000 belong to persons other than agricultural tribes.

5. The Committee has considered whether this number could not be increased by enfranchising persons paying the local taxes levied under the name of Haisiyat tax, or profession tax, on persons in rural areas whose income is derived otherwise than from agriculture. With two dissentients they are against this proposal chiefly on the constitutional grounds that it would place in the power of local bodies the right of extending or restricting the franchise and also because its incidence differs from district to district. The dissentients represent that these taxes are the only way of enfranchising the village shop-keeper and the superior artizen and menial classes. They are not in favour of using the

* Page 37. † Page 24.

Chaukidari tax as a basis for the franchise largely on the ground that the classes which it is proposed to benefit are very generally exempted from payment. They observe that the total number of voters on the District Board register is 1,306,000, which approximates closely to the number which they propose to franchise on the landowners' vote alone, the limit of Rs. 5 land revenue being the same in both cases.

6. With the addition of the female voters the total proposed electorate in rural areas under plan "D" amounts to 2,482,000, being 11·7 per cent. of the total rural population. Applying the same percentage to the urban population 2,251,000 it will be necessary that the electorate should be 263,000, giving an increase of 119,000 over the existing electorate of 144,000. Of this surplus 92,000 will be accounted for by wives and widows of those holding the vote at present and the remainder by voters who will be brought in by reducing the house property qualification to Rs. 2,000 in towns and by the reduction of the income-tax limit. It is therefore unnecessary to propose any other modification in the franchise in urban areas.

7. These proposals must be read subject to the protest by Mrs. Chatterji* against applying a different property qualification to men and women. The Committee have sympathetically considered this protest but their view is that if franchise were given to women on equal terms with men it will be necessary to restrict the limits of property qualification and that by doing so they would be seriously affecting the non-proprietary and inferior classes represented most strongly in the lower grades both of land revenue payers and particularly of tenants. Moreover, they consider that enfranchisement of 468,000 women in addition to the 98,000 property holders in rural areas, and some in towns is a very great advance which is as much as the rural constituencies can assimilate at a single step and which carries within it the potency of future extension.

8. It will be observed from what has preceded that the Committee has, in view of the administrative difficulties that have been advanced in the course of discussion, for the time being reluctantly abandoned the group system. But were it not for these difficulties they would be strongly inclined to this system on its merits in one form or another. In no circumstances are they in favour of the suggestion that the group system should be applied on a household basis. It would operate unfairly in the case of large joint Hindu families and would entail domiciliary enquiries which might be resented.

Paragraphs 3 and 4.

9. Without going into details the Committee considers that the 11·7 per cent. of the population which it proposes to enfranchise approaches the maximum of what is administratively workable at the present stage.

Paragraph 4.

10. The Committee observes that in rural areas out of an adult male population of 6,500,000, 2,000,000 are enfranchised leaving un-enfranchised 4,500,000. It desires in the first place to lay great stress on the fact that no adult owns land or pays revenue during his father's life-time, therefore

Paragraph 7.

* Page 78.

each voter on the landowners qualification represents on an average at least 2 adult males besides himself. Similarly the owners and tenants commonly though not so universally work with their father and are not returned separately as tenants. If it is assumed that each of the 407,000 voters represents on an average 1·5 sons we get a further addition of 610,000, and it will appear that out of the 4,500,000 adult males not enfranchised some 3,500,000 are indirectly enfranchised through the heads of their families.

Paragraph 10.

11. The Provincial Committee is definitely opposed to multi-member constituencies. They consider that any form of proportional representation would be quite unworkable owing to the fact that it cannot be readily explained, while as regards the single non-transferable vote they consider that as applied to large numbers over any considerable area it postulates a party organization which does not exist.

Paragraph 11.

12. The Committee is unable unanimously to support any departure from the system under which towns with a population of over 10,000 are grouped together. Some are inclined to support a lower limit of 5,000, while two would like to have only cities with a population of over one lakh classed as urban and the rest merged in territorial constituencies.

Paragraphs 12 and 13.

13. The question of enfranchisement of women has already been dealt with, and the final view of the Provincial Committee, subject to the note of disagreement of Mrs. Chatterji above mentioned, is that all that can be done as a first step is the enfranchisement of 468,000 women as the wives and widows of those holding the existing qualifications in addition to those holding the property qualification itself who will be over 100,000. Mrs. Chatterji also presses for a literacy qualification for women not otherwise enfranchised which some members support on the ground that it gives the vote to a class which is very capable of exercising it.

14. The Committee has not been able to recommend any proposal for bringing a small number of women to the Council. A proposal by Mrs. Chatterji is appended*.

Paragraph 14.

15. A majority of the members of the Committee is of the opinion that only Chuhras and Chumars can be regarded in the Punjab as in any sense untouchables, while Mr. Ghani and Mr. Hansraj adhere to the lists given respectively in Mr. Ghani's memorandum and that of the Punjab Ad-Dharm Mandal. The Committee is unable to give even an approximate estimate of the number of depressed classes who will come on the electoral roll under their proposal, but they observe that a very considerable number of tenants and persons holding a military qualification from the non-combatant branches of the service will belong to this class. They have not as a whole been able to support any scheme for the enfranchisement of the depressed classes by the group system, and, having in view their recommendations for the enfranchisement of labour, consider that their propsals represent all that can be done at the present stage.

* Page 65.

Paragraphs 16 and 17.

16. With regard to the representation of labour, the Committee is unable to say to what extent industrial workers will come on the electoral roll, but does not consider that it will be able to secure representation in general constituencies. They recommend with one dissentient that representation of labour should be secured by three seats, two representing unorganized urban labour through special constituencies and one representing registered trade unions. The Committee is unable to arrive at any unanimous opinion on the subject of representation of special interests. They recommend representation for landowners with two dissentients and for Tumandars with three dissentients. A minority of 4 recommend representation of University and 3 for the special representation of industry and commerce.

Paragraph 18.

17. The Committee recommends that there should be in the neighbourhood of 200 seats in the provincial legislature.

Paragraph 19.

18. The Committee is opposed to a second chamber.

Paragraph 20.

19. The Committee is divided in opinion as to whether there should be direct or indirect election for the Assembly, some being convinced by the argument in favour of direct election that it is the Assembly which should represent the nation. They are unanimous in considering that if election to the Assembly is direct it should be indirect in the Council and *vice versa*. If there is direct voting for the Assembly they consider that the existing franchise to the Council should be applied with wives and widows, though some members desire to point out the difficulty involved in canvassing so large an electorate. If there is direct voting for the Council of State it was agreed that the existing Assembly vote *plus* wives and widows should be adopted. But the same difficulty of the size of constituencies is pointed out.

Paragraph 21.

20. The Committee is in favour of special representation of women in the Federal Assembly.

Paragraph 22.

21. It is agreed that the following institutions should be represented each by one seat in the Federal Legislature :—

Commerce and Industry, Labour, Landowners.

Paragraph 23.

22. The Committee was in favour of literacy qualification both for the Provincial Council and the Federal Assembly.

23. The Committee had not before it in its final deliberations its previous proposal for extension of the existing military service qualifications so as to include services in the Indian Auxiliary Force and the Indian Territorial Force. This proposal did not form any part of Plan D* as envisaged in the final proposals, and the Committee has not made any recommendations as to details. It may be understood as not having withdrawn its general recommendation.

* Page 65.

## The Representation and Election of Women to the Councils.

*Proposed by Mrs. Chatterjee, Member, Provincial Franchise Committee.*

I suggest 5 per cent. of the total number of seats should be reserved for women.

To fill these 5 per cent. special seats I propose as suggested in the I. F. C. circular* Note E.-285-Bom., under (*b*) 4 and 3, *i.e.*, the general constituency of the following six towns namely Lahore, Amritsar, Ambala, Jullundur, Rawalpindi and Multan, "should be required to elect one woman representative in addition to their ordinary allotted number of Council representatives". The remaining seats to be filled in by (*b*) 3, *i.e.*, "women candidates polling the highest number of votes in a general constituency".

### Plan D.

| | |
|---|---|
| (1) *Rural*— | |
| Rural population .. .. .. .. | 21,330,000 |
| Existing rural voters .. .. .. | 601,000 |
| *Proposals*— | |
| Land-owners paying Rs. 25 and upwards | 350,000 |
| ,, ,, ,, from Rs. 20 to Rs. 25 .. | 103,000 |
| ,, ,, ,, ,, Rs. 15 to Rs. 20 .. | 158,000 |
| ,, ,, ,, ,, Rs. 10 to Rs. 15 .. | 269,000 |
| ,, ,, ,, ,, Rs. 5 to Rs. 10 .. | 518,000 |
| Total land-owners .. .. | 1,398,000 |
| Tenants holding more than 24 acres irrigated or 48 acres unirrigated. | 42,000 |
| ,, ,, ,, ,, 18 and 36 and less than the above. | 37,000 |
| ,, ,, ,, ,, 12 and 24 .. | 98,000 |
| ,, ,, ,, ,, 6 and 12 .. | 230,000 |
| Total tenants .. .. | 407,000 |
| By lower house and income-tax qualification .. | 50,000 |
| Voters other than land-owners on the present register. | 251,000 |
| Wives and widows .. .. .. .. | 376,000 |
| Total rural voters .. .. | 2,482,000 |
| (2) *Urban*— | |
| Urban population .. .. .. .. | 2,251,000 |
| Existing urban voters .. .. .. | 144,000 |
| *Proposals*— | |
| Existing voters .. .. .. .. | 144,000 |
| By wives, widows and lowered income tax and house qualifications. | 119,000 |
| | 263,000 |
| Total proposed electorates .. .. | 2,745,000 |

*Page 114, Vol. II.

## VI

### (i) Minute of dissent by Pandit Nanak Chand, M.A. (Oxon.), M.L.C., Bar-at-Law, Member, Punjab Provincial Franchise Committee, along with Plans M and N* submitted for the consideration of the Franchise Committee.

I regret very much that I have to write a dissenting note, the proposals of the majority of the Punjab Provincial Franchise Committee being unacceptable to me on most of the important points. As a matter of fact, it was a foregone conclusion, that the committee as a whole will not accept any proposal for widening the electorate on the lines suggested by the Indian Franchise Committee. In their note† headed "Points for further consideration by the Government of the Punjab and the Punjab Provincial Committee" the Indian Franchise Committee drew the attention of the Provincial Committee to the Prime Minister's letter which insists that the electorate should be widened so that it should be representative of the general mass of the population and that no important section of the community may lack the means of expressing its needs and its opinions. The Franchise Committee, therefore, pointed out that the claims of the following classes should be carefully considered:—(*a*) Women, (*b*) Depressed classes, (*c*) Industrial workers or the landless labourers, (*d*) the non-agricultural tribes or castes of the Punjab.

It is regretted that the majority of the Provincial Committee was in no mood to listen to the widening of the electorate on the line suggested above. In fact, their final proposals do not materially differ from Plan (A), submitted by them in the first instance, excepting in the case of (*a*) women. Here, too, the franchise is to be so extended that the class which has already got predominant share should be further strengthened by enfranchising those women who are the wives of the existing qualified voters and it is notorious that the present qualifications are extremely favourable to the land-owning classes or the members of the agricultural tribes.

### Plan (A) and Plan (D)‡ compared.

The various classes enfranchised under plan (A) and plan (D) may be separately considered.

(*a*) *Land-owners.*—Under both the plans, land-owners paying land revenue from Rs. 5 upward are to be enfranchised. Their number comes to 1,398,000, that is to say, the present voters under this head number 350,000 and the land-owners who will be enfranchised under the two schemes number 1,048,000. It is estimated that only 17 per cent. of these people will be the members of the non-agricultural tribes. Thus their number will not be more than 237,660. This figure has been accepted generally by the Government and the members of the Punjab Provincial Committee, though certain authorities place the total of the members of non-agricultural tribes at less than 16 per cent. of the total voters under this head. However for the purposes of calculation the higher figure may be adopted.

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* Pages 72 and 73 respectively. † Supplementary Questionnarie, page 40.

‡ Pages 37 and 65 respectively.

(*b*) *Tenants.*—Under both schemes, that is, Plan (A) and Plan (D) tenants of 6 acres or more have been enfranchised. Their total is given as 470,000. According to the majority of the Provincial Committee 50 per cent. of these tenants belong to the non-agricultural tribes. This estimate is entirely wrong. It is true that the percentage of the tenants of agricultural castes differs from district to district; in some districts of the Punjab the tenants may number up to 33 per cent. or slightly more of the tenants' class, but it must not be forgotten that there are several districts in the Punjab where the tenant's number from the non-agricultural class would be negligible. It has been estimated that tenants average from 7 per cent. to 33 per cent. in various districts. However giving a very generous allowance for the tenants of the non-agricultural tribes or castes their figure could not be more than 17 per cent. of the total number of tenants to be enfranchised. Allowing 17 per cent. which as I have said is a most generous estimate of their strength, the numbers of the tenants belonging to the non agricultural tribes will be 69,109, but it is wrong to estimate the tenants belonging to these tribes at 50 per cent. of the total tenant's population, as has been done by the Provincial Committee of the Punjab.

(*c*) Persons falling under the category of "Others":—

The figures given in Plan (A) are 221,000, while in Plan (D) they are estimated at 251,000. These are the people who have already been enfranchised under the old qualifications. The majority of these are enfranchised demobilised soldiers. 90 per cent. or more of this number belongs to the members of agricultural tribes, as non-agricultural tribes under convention adopted by the British Government are not taken into the Army. Mr. Jenkins, the Deputy Commissioner of Amritsar also agrees that the majority of this vote is agricultural vote. The remaining persons are with house property qualifications or persons who pay income-tax. Very few agriculturists will fall under the category of income-tax-payers, while as the owners of the house property they might have good share of the voters. In no case the non-agriculturists under these qualifications named as "others" will be more than 100,000.

(4) Persons estimated to get franchise under "lower house property qualification":- This number has been fixed at 50,000 and may not be disputed; but it must be stated that some agriculturists also will be enfranchised under this qualification too.

(5) *Women.* Under Plan (D) the wives of the existing qualified voters have been given the right to vote and their number has been estimated at 396,000. It must be stated here once more that under this new head the wives of the members of the agricultural tribes will have a lion's share.

The total thus enfranchised under all heads amounts to 2,502,000. The non-agriculturists enfranchised would be 524,170. This is the most generous estimate which can be formed of the non-agricultural vote. This will give about 20 per cent. to the members of the non-agricultural tribes living in the rural areas while their population in rural areas is 47 per cent.; and will give 80 per cent. to the agricultural tribes; while their

population strength is 53 per cent. in rural areas. Thus it will be seen that there is a glaring disparity between the two classes enfranchised under Plan (D), *i.e.*, the final proposals of the Punjab Committee.

### Injustice involved under Plan (D).*

Plan (D) is manifestly unjust and absurdly one sided, because :—

(*a*) It entirely ignores the Sikh Memorandum. In fact the Sikh Memorandum was not considered at all by the Punjab Provincial Committee in its sittings held on 6th and 7th of April 1932.

(*b*) So far as the non-agriculturists are concerned their case has been discussed above. They get not more than 20 per cent. representation while their population is 47 per cent. in rural areas.

(*c*) The Hindu point of view was placed before the Committee by me and proposal after proposal, put forward by me for including a certain class of people who would not otherwise get vote, was rejected without compunction. As a matter of fact the constitution of the Punjab Provincial Committee never inspired any confidence in the minds of the public, as the Committee was a nominated one. Except the Chairman the Hon'ble Mr. Miles Irving, the Financial Commissioner and the two members, who were added afterwards to represent the limited special interests from outside the Punjab Council, the Punjab Provincial Committee was mainly representative of members of the agricultural tribes or of the rural or zamindar party (otherwise called Nationalist—Unionist party) of the Punjab Legislative Council. It was, therefore, a foregone conclusion that its recommendations will not be substantially different from those which are embodied in the Plan (A)† and the points stated for further consideration by the Franchise Committee carried, therefore, no weight. In fact the subsequent discussions were utilised in making recommendations for strengthening the hold of the agricultural classes.

(*d*) The Chairman's suggestions, which are embodied under Plan (M)‡ and which were placed for consideration by him before the Committee on 7th April 1932, that is, the second or the last day of the sitting of the Committee after the departure of the Franchise Committee from Lahore, were also not accepted by the majority. These proposals embodied in the Plan (M) certainly take a fairly generous view of the claims of the various classes whose case was specially mentioned for further consideration by Lord Lothian's Committee. I will have to say a word or two later on with regard to the proposal of Mr. Miles Irving, our Chairman, *i.e.*, the proposals embodied in Plan (M).

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* Page 65. † Page 37. ‡ Page 72.

(*e*) The Punjab Provincial Committee did not take into consideration the very fair and remarkable evidence given by Mr. E. M. Jenkins, I.C.S., Deputy Commissioner of Amritsar, which impressed everybody on account of its clearness and fairness. Had these proposals been considered and due weight attached to these recommendations the final recommendations of the Committee would have been materially different from those made in Plan A or D.

(*f*) Haisiat tax or professional tax was suggested as a means of bringing in a number of those people who cannot otherwise get vote either under Plan (A) or Plan (D). The persons who come under this head are generally those members of the non-proprietary bodies in the rural areas who have got neither the right to acquire agricultural land or house property under the land laws of the Punjab. They represent substantially an intelligent class of village artisans, small traders, petty shopkeepers, village menials and other lower classes who otherwise cannot get vote under either the income-tax qualification which is too high or house property qualification which would be impossible for them to acquire under the special conditions of this province.

The majority rejected the haisiat tax or professional tax proposal on the most fanciful and illogical ground that they do not want to place the power of enfranchising and disfranchising the voters in the hands of the district boards, while under the proposals accepted by the majority will not object to the enfranchising and disfranchising of tenants by individual landlords ! It must not be forgotten that the persons who pay tax on incomes of four hundred or more are certainly in a better position to appreciate the political problems and the right of vote than a land-owner who pays land revenue from Rs. 5 to Rs. 15, and has an income ranging from 100 to 300 a year. Moreover, the professional tax could be made a provincial subject and could be regulated and realised in a more efficient manner than is being done at present. Even this argument did not appeal to the majority. The argument namely that the burden of taxation falls on the land-owners, they must, therefore, have a share far in excess of their population strength looses all its force when we remember that the members of the non-agricultural classes and of labouring, artisans and depressed classes are not under the law permitted to purchase land or house property, and thus improve their economic condition and political status. If the payment of land revenue is regarded as a burden surely those willing to share that burden must be permitted to do so and thus earn the right of vote. It must however not be forgotten that the local bodies, the provincial governments, and the Central Government are parts of the organic whole and therefore payment made to one of these must be regarded as payment made to the state as a whole.

(*g*) *The depressed class.*—The members of the backward classes no doubt will be enfranchised to a certain extent under the tenancy qualification

but their representation, as has been stated above, has been over-estimated. The non-agriculturists who will be enfranchised under the tenancy qualification will number not more than 17 per cent. The estimate made by the majority that 50 per cent. tenants will be agriculturists and 50 per cent. non-agriculturists is wrong and therefore misleading. The non-agriculturists will not get more than 17 per cent. The depressed classes will get only 10 per cent.

53 per cent. of the population of the rural areas consists of members of agriculturist tribes and 47 per cent. of members of non-agriculturist tribes. Under the recommendations made under Plan (D) the percentage will be 20 per cent. non-agriculturist. Thus it will be seen that the representation granted to the agricultural tribes and land-owning class is entirely disproportionate to their population strength in rural areas. The rule of the agricultural tribes and castes in the Punjab will become extremely oppressive, and land revenue and water rate the main sources of the provincial income will be constantly attacked in the Council and fresh burdens will be imposed on the shoulders of those who will find no representation or very inadequate representation under Plan (A) or Plan (D). [Kindly see Plan (M) and (N)* attached to this note for further consideration.]

## Multi-member Constituencies.

In order to protect the minorities in the general communal electorates multi-member constituencies are essential. I disagree with the view of the majority that the present system of single member constituencies should be retained.

## Points Nos. 6, 7 and 9.

It will be thus clear that the members of non-agricultural tribes, artisans, and members of non-proprietary body and the backward classes do not get adequate and fair representation in accordance with their population strength under Plan (D) or even under Plans (M) and (N). The " un-enfranchised residuum " should be enfranchised by group system, that is, by indirect voting as proposed by Mr. Jenkins. It will be unfair not to give the remaining people any right of vote. Plan (D) cannot be combined with indirect system as the percentage of electors will become over 15 per cent. but under plan M and N there would be still room for extension by group system, especially when the women could be enfranchised under the indirect system in a better way, the wives of the present electorate also coming in through the same door ; there would be a fair and equitable distribution of voting power amongst women also. As a matter of fact, there is no escape from the group system. The Government with proper expenditure of money could work the combined system and get good results. In fact the majority of our Committee, excepting one member, R. B. Ch. Chotu Ram, regarded this method as fair and just.

The extension of direct franchise in the manner suggested under Plan (D), as has already been stated leaves out large numbers of classes wholly unrepresented.

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* Pages 72 and 73 respectively.

The communal percentages of voters will not present any disparity under either Plan (M) or Plan (N). The communities can be enfranchised in accordance with their population strength by resorting to the combined system if necessary.

*Point No. 11.*—I maintain very strongly that the division of town and country in the Punjab is most arbitrary, because towns above the population of 10,000 are in no way different from large villages. Landowners, traders, shop-keepers, artisans, manual labourers alike live in the town, the only difference is that the number of non-agriculturists is larger in the town than in the villages. This division of town and country does not work well as town constituencies are extremely extensive and the candidates find it difficult to keep in touch with their constituents. The rural areas find their full expression of public life in the district towns ; their district boards and municipalities which are bound up with the life of the rural areas, have their headquarters in the towns. They can on no reasonable ground be excluded from larger political life by separating them from the rural areas of which they are the headquarters.

*Point No. 12.*—I have already stated that women should be enfranchised through either the group system or the suggestions of the majority be adopted, and the remaining women be enfranchised through the group system. The groups of women may be larger than those of males so that they return the requisite number and no more.

*Point No. 13.*—At least 5 per cent. seats should be reserved for women who should come in through non-communal door. Selected areas both urban and rural should be made to return these 5 per cent. ladies to the legislature.

*Points Nos. 14 and 15.*—There is no depressed class problem in the Punjab and it is difficult to define these classes ; backward or economically depressed classes exist in all communities and they will find representation only if either of the Plan (M) or (N) is adopted ; group system may be resorted to for the balance.

I agree with the recommendation of the majority.

*Point No. 16.*—The majority wish to give labour 3 seats and recommend that Commerce, Industry and University should have no representation and if representation is allowed to Commerce, Industry and University, then big Landlords and Tumandars should also be represented. I submit that communal considerations should not be permitted to influence our decisions on these questions. Labour should get 2 seats, likewise 2 seats should be allowed to Commerce, Industry and University each. The graduates should retain their right of vote. The big landowners will find sufficient representation through general electorates. Tumandar constituency should be abolished as it consists of only 9 voters.

**Federal or Legislative Assembly.**

Election to this assembly should be direct and in no case indirect. indirect election through the Council will lead to bribery and corruption

and the public life of the Punjab will be ruined by adopting the indirect method. I am in favour of direct election to both the Imperial Legislatures but, if indirect election is to be resorted to, it should be resorted to in the case of the Upper Chamber and not for the Lower Chamber.

In the end I wish again to submit that Points Nos. 1 and 2 require very careful consideration and a system must be adopted which will bring all classes of people on the electoral roll and not one class of people only. Under the Plan (D) the rule of the land-owners will be established by giving them a predominant vote. The division of the Punjab population into two classes namely agricultural and non-agricultural based upon a person's birth in certain castes and not upon occupation is arbitrary. Property qualification will become disqualification for those who cannot under the law acquire property. In a democratic system caste distinctions for acquiring political and civil rights cannot be retained. And if retained persons of non-agricultural tribes should have representation in proportion to their population strength. While they are 50 per cent. in the Punjab, amongst the voters—both rural and urban—they will number only 24 per cent. if Plan (D) is adopted while in rural areas they will not be more than 20 per cent. only. Thus these classes of people will be entirely submerged and an oppressive class rule will be established which will be opposed to Prime Minister's instructions and opposed to all canons of justice.

## Plan (M).

This was prepared by our Chairman, the Hon'ble Mr. Miles Irving, and was considered by the Punjab Committee on 7th April 1932 but was not accepted by the majority.

| | | |
|---|---|---|
| Land owners :—Land-revenue— | | |
| | Rs. 25 .. .. .. | 350,000 |
| | Rs. 20 .. .. .. | 103,000 |
| | Rs. 15 .. .. .. | 158,000 |
| | Rs. 10 .. .. .. | 269,000 |
| | Total .. | 880,000 |
| Tenants :— | 24 acres .. .. .. | 42,000 |
| | 18 acres .. .. .. | 37,000 |
| | 12 acres .. .. .. | 98,000 |
| | 6 acres .. .. . | 230,000 |
| | Total .. | 407,000 |
| Others .. .. .. .. .. | | 251,000 |
| Lower house qualification .. .. .. | | (100,000) |
| | (The figures actually accepted were) | 50,000 |
| Wives and widows of existing qualified voters .. | | 369,000 |
| | Total .. | 1,994,000 |

Non-proprietors: included by putting the tenant franchise lower than that of the land-lord and by the inclusion of haisiat or professional tax.

*Note.*—According to these proposals the total number enfranchised would be 1,994,000. Mr. Miles Irving included non-proprietors in the voters' list by making the tenant franchise lower than that permitted in the case of land-owners, and by including Haisiat and Professional tax, as one of the qualification for voters. These proposals as I have above stated were certainly fairer and more just than Plan (D). It would enfranchise a fairly large number of non-agricultural tribes and land-less classes and would have given the right of vote to some artisans, village menials, etc., etc. Percentage of the people thus enfranchised under the various qualifications would be about 75 per cent. agriculturists and 25 per cent. non-agriculturists in the rural areas. This proportion is in no way satisfactory to the non-agriculturists but is certainly more just and fair than the final proposal of the Provincial Committee. Disparity could be made up by resorting to group or indirect system with Plan (M), though Mr. Irving did not suggest group system to work with Plan (M).

**Plan (N).**

| | | |
|---|---|---|
| 1. Land-owners paying land revenue— | | |
| Rs. 25 .. .. .. | 350,000 | |
| Rs. 20 .. .. .. | 103,000 | |
| Rs. 15 .. .. .. | 158,000 | |
| Total .. | 611,000 | 611,000 |
| 2. Tenants cultivating— | | |
| 24 acres .. .. .. | 42,000 | |
| 18 acres .. .. .. | 37,000 | |
| 12 acres .. .. .. | 98,000 | |
| 6 acres .. .. .. | 230,000 | 407,000 |
| 3. Others (including soldiers' vote income-tax payers, Owners of small houses of the value of Rs. 4,000) .. .. .. .. | | 251,000 |
| 4. Professional or haisiat tax (persons who pay income-tax and persons who have Rs. 4,000 property qualified should not be counted as they pay this tax also) income-tax payers who also pay haisiat or professional tax .. | | 100,000 |
| 5. Owners of houses worth Rs. 1,000 to Rs. 4,000 (lower qualification than in No. 3 others) .. | | 50,000 |
| *6. Persons who have deposited Rs. 1,000 in Government securities or in postal certificates .. | | 50,000 |
| 7. Matriculates and retired civil servants in rural areas .. .. .. .. .. | | 25,000 |
| Total .. | | 1,494,000 |
| 8. The balance should be left for women who should come either through group system or as wives of qualified existing voters .. .. | | 396,000 |
| Total .. | | 1,890,000 |

*Notes* : —

1. 17 per cent. of land-owners are non-agriculturists.
2. 17 per cent. to 30 per cent. tenants will be members of the non-agricultural or depressed castes in various districts. Figures differ from district to district. Average has been variously counted; many districts have few or no tenants. 17 per cent. tenants will belong to non-agriculturist classes.
3. Amongst " Others " soldiers predominate and they belong to agricultural tribes. The number of non-agriculturists cannot be placed above one hundred thousand.
4. Haisiat tax has been rejected by the majority, on fanciful grounds, that the district boards will possess the power of increasing or decreasing the voters, as if the land-lords cannot turn out tenants-at-will or take them in larger numbers. Professional tax is one of the best means of bringing persons on the electoral roll.

*6. In rural areas people who cannot buy house property or agricultural lands, and lay by money in postal certificates and Government securities. This will not be a money-lender's vote; as money-lenders lend money on interest to individuals. I have excluded them; but it will be easy to ascertain the investors of small capital in postal certificates and Government securities. This will substantially benefit the state also.

7. Matriculates and retired civil servants could be easily ascertained.

## VI

### (ii) Memorandum submitted to the Franchise Committee by Pandit Nanak Chand, M.A., M.L.C., Bar-at-Law, Advocate, High Court, Lahore.

No recommendations regarding the extension of Franchise in the Punjab could be regarded as sound or fair which ignore certain important features peculiar to the Punjab. These are intimately and vitally connected with the Franchise problem. Unless these features are understood in all their bearings, recommendation regarding the Franchise will work great injustice. An attempt has been made in the memorandum to explain the points peculiar to the Punjab.

I. The first important point to note is the almost feudal character of the Punjab village. The constitution of the Punjab village must therefore be thoroughly grasped. The village is sharply divided into the proprietary body and the non-proprietary body. The proprietary body is generally a brotherhood. Where blood ties have broken down the tie of the ownership of land still endures. The proprietary body is the owner not only of the agricultural land, but of the village habitation site, tanks, wells, graveyards, ponds, pastures for cattle and uncultivated waste. The non-proprietors on the other hand are occupancy tenants, tenants-at-will, kamins (menials) servants of the village, washermen, carpenters, blacksmiths, shopkeepers, artisians and others. These non-proprietors include men of all castes high and low. They have more or less restricted rights of user of pastures, tanks etc., etc. The non-proprietors in most villages pay certain dues to the proprietary body which show that the proprietors are the feudal lords. The site on which the dwellings of the non-proprietors stand is the property of the proprietary body, and the residents are permitted to remove or sell the materials only. The effect of all these restrictions is to hold down in serfdom the non-proprietary body. The disputes regarding use of wells, of playing music in the village at the time of marriages, are disputes not between high caste Hindus and the untouchables but between the proprietors of the village and the non-proprietary body.

II. The second important feature to be noted is the arbitrary division of the Punjab population into two classes, the agricultural castes or tribes on the one side and the non-agricultural castes or tribes on the other. This division is not based upon a person's profession, or occupation but upon his birth in a particular caste. A person may change his religion but not his caste. The non-agricultural tribes are not permitted to purchase agricultural land from the agricultural tribes. Whatever may be said in defence of the Punjab Land Alienation Act under which this distinction has been created as an economic measure, it is certain that it becomes a source of political grievance when the Franchise is to be determined by a person's property qualification. The Act has created privileged castes which seek to rule the Punjab to their own exclusive advantage and hence the activity of the members of the privileged agricultural castes to bar the door on all others on one ground or another, to improve their status. But it needs no arguments to show that the Electoral Roll of a Democratic country should represent all classes and

interests. The agriculturists and the non-agriculturists in the Punjab are half and half. But amongst the Hindus the agriculturists are 25%, while non-agriculturists are 75%. The Electoral Roll of the various communities must reflect these two classes on their population basis. At least there should not be any glaring disparity. Otherwise it will not represent the picture truly and justly.

III. The Communal problem in the Punjab though not exclusively provincial is certainly a marked feature of our public life. The tension here has been very bitter and is responsible for indirect and under-hand methods of increasing the population strength of the contending communities.

IV. The depressed class problem here presents no difficulty. It should not be magnified beyond its legitimate sphere. Untouchability to some extent exists amongst sweepers who are actually engaged in unclean occupations and possess unclean habits. Occupation not caste is responsible for their social backwardness. But backward or economically depressed classes are the classes we mainly think of when we talk of the Depressed classes. Religious reformation was initiated by the Christian missionaries and Hindu reforming bodies long before people dreamt of democratic rule in India. The stride of reform during the past years has been tremendous. Any attempt to separate any of these classes or part of these classes will perpetuate their degradation and humiliation. The views of the Simon Commission on this point require very serious consideration at the hands of those who are interested in this problem. Keeping these main consideration in view I make the following recommendations :—

**Recommendations.**

The right of vote must be extended :— (1) to all owners of agricultural lands paying Rs. 15 or more as land revenue (2) to all Lambardars and Zaildars, (3) to all persons who pay an Income-tax or Haisiat tax or Professional tax, (4) to all owners of immoveable property upto the value of Rs. 1,000, in the case of rural areas, but in the case of cities above the population of 50,000 to owners of immoveable property of the value of Rs. 3,000 or more, (5) to all persons who draw a salary of Rs. 15 or more, (6) to all persons who have passed matriculation examination or its equivalent, (7) to all persons who receive pension from the Government whether from Civil or Military Department, (8) to all the employees of District Boards, Municipal Committees and Government Servants, (9) to all persons who pay house-rent of Rs. 72 annually, (10) to all occupancy tenants or crown tenants of lands assessed to annual land revenue of Rs. 15, (11) to all wage earners and agricultural labours who are willing to pay a hearth-tax of Rs. 2 per annum in order to earn the right of vote.

By accepting the proposals named above it will be possible to have all classes of people in sufficient numbers.

**Women suffrage.**

I am in favour of alloting 5 per cent. at least of the seats of the Council to them through special non-Communal Constituencies. It

should be open to them to contest other seats with men in the general constituencies if they so desire. All women who are literates must get the right to vote.

**Representation of the Depressed Classes.**

The Depressed classes will come in sufficiently large numbers on the Electoral Roll by the recommendations made above.

**Representation of Labour.**

After reconsidering my views in regard to the representation of special interests such as labour, commerce, industry and University, I am of opinion that they must find representation on the Council provided their non-Communal Character is retained.

**The nature of the Constituency.**

I believe in having territorial constituencies, and in ruling out the arbitrary division of urban and rural. There are no industrial towns excepting Lahore and Amritsar which may be classed as urban.

**Composition of the Punjab Council.**

The Punjab Council should consist of 250 members as recommended by the Statutory Commission. I believe that the enlargement of the Council will help to bring in really more capable men, who understand the value of Democratic institutions and their working. There should be a literary qualification for a candidate seeking election to the Council which should not be less than matriculation or its equivalent.

**Legislative Assembly.**

The election to the Legislative Assembly and the Council of State must be direct as at present and not indirect.

In the end I submit that I am not opposed to a combination of direct voting system with an indirect voting system through group, provided :— (1) Amongst the direct voters persons paying Haisiat tax and matriculates are included and all other qualifications which exist at present are retained, (2) provided further the indirect system is declared to be administratively sound. I would here make another suggestion. In case this indirect system is adopted for the remaining population, the groups may be joint and common and secondaries may form joint or common constituencies for the returning of members to the Council and the direct voters forming separate electorates returning members of different communities through such separate electorates. The suggestion deserves consideration. Suggestion of a similar nature was made by Their Excellencies Sir Malcolm Hailey and Sir Geoffrey De Montmorency in their official memorandum submitted to the Simon Commission.

## VI

### (iii) Note by Mrs. Chatterji, Member, Punjab Provincial Franchise Committee.

### Women's Franchise.

From the discussions which took place during the joint session of the Indian and Provincial Franchise Committees at Lahore it does not appear that any completely satisfactory policy has been evolved for the enfranchisement of women. While I have attempted to express my own views on this subject in the Provincial Committees memorandum, as well as during the discussions with the Indian Franchise Committee, it seems desirable to put these down in some fuller details in a separate note.

(*a*) If Adult Franchise is adopted, Direct or Indirect, women will come in on an equality with the men and the whole question will be solved. There is however little possibility of this being given effect to, in view of the administrative and other difficulties. The choice then narrows down to the two following—

(*a*) The Imperfect Group System.

(*b*) Direct franchise on a much lower property qualification.

(*b*) In the Imperfect Group System the balance of equality between men and women is greatly disturbed. The present property qualification will tend to maintain the disparity which already exists *i.e.*, 1 in 26 in the first half of the system. The application of the group system to the remainder will not help to adjust the balance and the feeling of the franchise having been extended on unequal basis, will remain. I would therefore press that the wives and widows of direct voters as well as all literate unmarried women should also be allowed to exercise the direct vote. If this system is so amended I would regard this as my second choice.

(*c*) Should the Imperfect System be considered unworkable and the direct system on lower property qualification finally accepted, it must be borne in mind that the franchise, if extended to women on the "wives and widows" qualification must be to the wives and widows of *all voters*.

The proposal to enfranchise the wives and widows of voters possessing a higher property qualification, introduces an invidious differentiation between the political rights of the two sexes, and is therefore wholly unacceptable.

I beg to submit that a certain property held in common by husband and wife, while for legal purposes is exclusively in the hands of the man, from the point of view of civic rights should confer the same benefits and privileges on the women, as it does on the man. As the Committee is already aware there is considerable feeling among the women against making their political rights contingent upon their relation to a man, but while this objection loses much of its force when it is conceded

that a certain property which enfranchises a man, enfranchises his wife also, it certainly has weight against the proposal requiring a higher qualification for the enfranchisement of wives.

If it is objected that this will greatly increase the number of voters of certain sections, I venture to suggest that if the franchise qualifications are sufficiently lowered this will confer no undue advantage upon any particular community to seriously disturb the proportion of their voters. Whatever disproportion does exist will be exactly the same which would result from the vote being confined to the men only. To illustrate my points, if in accordance with the property qualification five out of ten Hindus are enfranchised, and only four Muslims, by giving the vote to their wives the proportion of votes will still remain the same —assuming that both Hindu and Muslim voters are married.

I am anxious that the widows of voters should also be enfranchised. As is well known the widow's lot in India is extremely hard under the old traditional social system and the modern social reform movements are striving to improve their lot. If the widow is enfranchised, not only will it raise her social status, but it will also uphold the woman's right to equal citizenship.

These proposals have been objected to on the ground that these will enfranchise a very much larger number of the population then the 10 per cent. originally contemplated. This however, only results if the qualifications are so lowered as to *first* enfranchise 10 per cent. of the male population, and then the women are added to this number. It has now been verified that there are 65 wives and widows to every 100 men voters as at present on the register. In view of the excess of the male population over the female, there seems no reason why the wives and widows of *all voters* should not be enfranchised along with the insignificant number of unmarried literate women.

To summarize, on the question of franchise for women, my first choice is, Adult franchise Direct or Indirect. My second choice is the Imperfect Group System as amended in these proposals. If neither of these systems can be given effect to, I would then reluctantly accept the third alternative, but only with the additions I have suggested in his note.

There remains the question of the *representation* of women in the Council. My opinion is that whatever system of franchise may be adopted, it is extremely unlikely that in the beginning women will be fairly represented in the Council without special provision. I would therefore suggest that 5 per cent. of the total number of seats in the Council should be reserved for women. To fill these 5 per cent. special seats I propose as suggested in your Circular Note* E.-285-Bom., under (*b*) 1 and 3 *i.e.*, "that seats should be set apart for women in certain selected towns in the Punjab, the electorate for the purpose in each such area being the electorate men and women belonging to that area on the rolls of the general constituency who would have two votes one of which must be cast for the women candidates". With regard to this proposal my

* Printed at page 114, Volume II.

suggestion is that the general constituency of the following six towns, namely, Lahore, Amritsar, Ambala, Jullundur, Rawalpindi and Multan should be required to elect one woman representative in addition to their ordinary allotted number of Council representatives. The remaining reserved seats for women may then be allotted as proposed in (*b*) 3 of your note* *i.e.*, " the women candidates who not having forfeited their deposit poll the highest proportion of votes " in the other constituencies. The combination of these two methods seems to me to be the most suitable for securing the representation of women. These special provisions however should be only of a temporary character to remain in force for such time till women have gained the necessary experience in the contest of elections to secure their representation in the ordinary way.

* Printed at page 114, Volume II.

## VI

## (iv) Note by Rai Bahadur Chaudhri Chotu Ram, M.L.C., on depressed classes in the Punjab.

### The Punjab and Depressed Classes.

Ever since the day when the Simon Commission was appointed the question of depressed classes has loomed very large on the political horizon of India. The discussions at the Round Table Conference, Dr. Ambedkar's vigorous advocacy for the separation of depressed classes from the general body of Hindus, the Minorities Agreement, the Rajah-Moonje Pact and the frequent ventilation of this vexed question in the press from varying points of view are all calculated to hinder rather than to help a just appreciation and a clear perception of the real issue. In view of the far-reaching consequences and grave results which are likely to flow from a wrong decision of this question I need offer no apology for an attempt to discuss it at some length.

There is, perhaps, no country in the world where class distinctions based on birth, race, wealth or power do not exist in some form or other. The difference lies only in the nature, extent and scope of these distinctions. As a result of these distinctions superiority of some sort is claimed by certain classes while inferiority is, in practice if not avowedly, assigned to others. Varying degrees of restraint on social intercourse and differential social treatment are the inevitable result. Even free (and now democratic) England is not free from this taint of inequality among human beings of different classes. I do not possess any first-hand knowledge of life in Western countries, but I understand that in most of them social relations are very deeply influenced by class distinctions which are, in their turn, fairly well marked and even sharp. I further understand that there are many clubs in England which are very exclusive in the character of their constitution and will not admit any individual to their membership unless he belongs to one of certain well-defined classes.

The controversy now raging round the question of depressed classes is likely to prove very bewildering to the European members of the Indian Franchise Committee even though they are not entirely unfamiliar with the spectacle of the distinctions of social status reflecting themselves in the day-to-day social life of a country. Just at present when the question of recognizing depressed classes as a separate political group is under consideration the issue is likely to be still more befogged by the protagonists on either side taking up an extreme attitude. The representatives of depressed classes smarting under the pain of age-long disabilities may be inclined to relate a tale of exaggerated grievances while the representatives of caste Hindus, now fully alive to the dangers of a definite secession from the parent body on the part of depressed classes, may seek to minimise the wrongs to which these classes have been subjected in the past. The result of these extreme attitudes may be the presentation of two different pictures with the colours put on either too heavily or too lightly. A correct delineation of the situation is thus of paramount importance. I belong to a class which stands midway

between the authors of the Hindu social system and the victims of this system. Moreover my personal sympathies have always lain with the depressed classes. I may thus be able to draw a picture which is as nearly faithful to life as possible.

To make the ground clear I will make a few preliminary observations which will help a correct appreciation of the problem. All the untouchables belong to depressed classes, and a number of depressed classes are also untouchable. Therefore in common parlance 'untouchables' and 'depressed classes' are convertible terms. But in point of fact they are not. There is a real distinction between depressed classes and untouchables, and the loose manner in which we use the two appellations as interchangeable in ordinary conversation should not be allowed to cloud this distinction.

Even in Hindi there are two separate designations to mark this distinction, *dalit* standing for depressed and *achhut* for untouchable. But precision of language is disregarded even in the use of Hindi designations when describing these classes.

The expression *chhut chhat* (pollution by touch), is again, used in a variety of senses, and is to be distinguished from the word *achhut* whether used by itself or as an adjective qualifying the word *jati* (class). The latter invariably stands for 'untouchable' whether used in respect of an individual or a class. On the other hand, the expression *chhut chhat* stands for the doctrine of touchability and untouchability, the set of social or semi-religious conventions and rules regulating the practice of 'touch' in actual life.

*Chhut chhat* may indicate pollution by approach as in South India, or may relate to the person of an individual or to food or to water. All sweepers and chamars are regarded as untouchable in respect of bodily touch in most of the provinces of India. Orthodox Hindus of higher classes in the Punjab take more or less the same view. But among unorthodox Hindus, such as Arya Samajists, objection to physical touch is seldom favoured, and untouchability of other types is recognised only in respect of sweeper and chamars who normally follow the profession of scavenging and tanning. Scavenging in the sense of cleaning latrines is practically non-existent in rural areas.

*Chhut chhat* in respect of food and water exists more extensively though in varying degrees among various classes. An orthodox Brahmin will not drink water from the house of a Jat or a Rajput, though he will have no objection to drinking water fetched by him from a well or from a Brahmin's house. An orthodox Brahmin, again, will not eat *kutcha* food cooked in the house of a Jat or a Rajput, but will have no hesitation in eating *pucca* food (food fried in butter) from the house of a Jat or a Rajput. An orthodox Brahmin will not, however, eat under any circumstances any kind of food cooked in the house of a chamar or a sweeper or touched by him. Similarly he will refuse to drink any water brought by a chamar or a sweeper either from a well or from his house. Mere touch is regarded as pollution in this case.

Curious as it may seem *chhut chhat* even in respect of physical touch is observed among untouchable classes *inter se*, while *chhut chhat* in respect of food and water is observed almost as strictly among various untouchable classes *inter se* as it is observed between untouchable classes on the one hand and the so-called higher classes on the other.

Right of entry into temples and other places of worship is another sore point of grievance with untouchables in many parts of the country. Similarly admission to schools is, it is alleged, denied to untouchables in some provinces.

Recruitment to services furnishes another cause of complaint to the champions of untouchable classes. The prohibition of the use of wells for drawing water may be added to this list of grievances.

It may, however, be noted that depressed classes as distinguished from untouchable classes suffer from none of the grievances which have been detailed above, in any manner or form. There are some classes which do not fall within the category of untouchables, but are depressed either socially or economically or in both respects. But in a purely economic sense the Punjab Zamindars are as a class more 'depressed' than any of the so-called depressed classes. Except during the last two years they have, for a quarter of a century, enjoyed, and suffered grievously, in consequence of an inflated credit. A perusal of Mr. Darling's book will show the extent of the economic ruin which has overtaken the Zamindar class. But the prestige of the Zamindar is certainly high and enables him to bear his misfortune without squelling. As regards social depression, well, that is a merely relative term. A Rajput may be regarded socially depressed as compared with a Brahmin, and a Vaish may be regarded socially depressed as compared with a Rajput, and so on. However the word "depressed" is probably appropriate only to those classes which, either from the nature of the professions followed by them or from the position assigned to them in the social scale, are looked down upon. But as remarked above apart from untouchables depressed classes have no valid grounds of complaint, and the problem of depressed classes, such as it is, is confined to untouchables.

I will now deal with the problem under discussion as it affects the Punjab in all its aspects.

Islam guarantees equality of all human beings in a greater measure than any other religion of the world and recognizes no inequality in the religious sphere. The Punjab is he stronghold of Is'am which has influenced, both directly and indirectly, the whole problem of untouchability in this Province. There are Musallis and Mochis, no doubt, among Muslims following the profession of scavenging and leather work. Partly as a result of the character of their vocation and partly as a result of the impact of the Hindu social system which, in its original working, meted out a treatment of contempt to corresponding classes among Hindus, Musallis and Mochis may have received in the past and may even now occasionally receive, a treatment of unequal or restrained social amenities, but the true democratic spirit of Islam is a sufficient guarantee

against any glaring or continuing breach of the principle of equality among Moslems in any sphere of life.

Sikhism was an avowed revolt against the shackles of old Hindu orthodoxy, and recognises no spiritual superiority based on birth. Sikh Gurdwaras (places of worship) are equally open to all, irrespective of caste. Sikhs employ freely men of all classes for the conduct of their religious worship as also for the custody of their scriptures and Gurdwaras. The Holy Grant Sahib contains the sayings and psalms of saints drawn from the lowest classes. As among Moslems the problem of untouchability does not exist among Sikhs either.

Arya Samaj is a society of protestant Hindus, and is a remarkably living and vitalising force. It has all but demolished the citadel of orthodoxy among the Hindus of the Punjab. It maintains two degree colleges, two Intermediate Colleges, several Gurukuls and a net-work of schools of all grades throughout the province. Caste superiority and untouchability are sheer anathemas in its estimation. The teachings of this society have revolutionised the religious and social beliefs of Hindus. The major portion of Hindu intelligentsia has formally gone over to the fold of Arya Samaj. The remainder is deeply tinged by its cult. The general population, except in remote hill tracts, has lost all faith in the old religious beliefs and is increasingly inclined to the doctrines of Arya Samaj. The programme of social reform (including the reclamation and uplift of untouchable and depressed classes) chalked out by Arya Samaj has been accepted in principle by all sections of the Hindu community, and voices of dissent, if any, are more apologetic than earnest. In fact, caution rather than opposition is the general keynote of even the orthodox Hindu position in relation to the process of reclaiming untouchables.

The Congress has also taken up the question of untouchability in right earnest, and the vigorous efforts of Mahatma Gandhi in this behalf have induced men like Pandit Madan Mohan Malviya to come down from their pedestral of orthodoxy and bless the movement for the eradication of the curse of untouchability.

The Jats constitute the most numerous and predominant agricultural tribe among Hindus as among Moslems and Sikhs in the Punjab. They are singularly free from caste scruples and caste prejudices. They have never cared, and care less now, for the social stupidities preached and practised by orthodox Hindus. This has proved a great ameliorating factor. Most of the members of untouchable and depressed classes are engaged in agricultural labour, and receive a kind and considerate treatment at the hands of Jats. Both work side by side in the field and on the threshing floor without a thought of untouchability crossing the threshold of their minds. And this may be regarded as a normal feature of rural life in the Punjab.

Coming to the Council, we find three parties in it. The Hindu Sabha Party is and has always been completely dominated by the Arya Samajic element, and may thus be regarded as wholly sympathetic to the cause of depressed classes. Even the non-Arya Samajic element

in the party has always favoured a policy of special consideration for the uplift of these classes. The Sikh Party has generally consisted of a body of individuals possessing progressive and liberal views on social and political questions. The practice no less than the religious tenets of Sikhs has been and may be expected to remain consistently democratic and free from the canker of caste prejudices. The National Unionist Party has, during the last eight years of its existence, consisted mainly of Muslims with a few Hindu and Sikh Jats and a couple of other members drawn from European, Anglo-Indian and Indian Christian communities. Obviously these members cannot be expected to have an anti-depressed class mentality. But this is not all. The National Unionist Party stands for the rights of backward classes. These classes will *ex-hypothesi* include all untouchable and depressed classes. The avowed policy of the National Unionist Party is to press the claims of backward classes and backward areas upon the attention of Government for special treatment and so to guide and regulate the distribution of the beneficent activities of Government as to enable, within the shortest time possible, backward classes and backward areas to come up, as nearly as possible, to the level of intelligence, economic welfare and physical comfort attained by others. The Government as a whole accepted this policy, and the Unionist Party when in power in the Transferred field gave effect to it. Since 1927 Unionists are neither in power nor out of power. But I am not aware of any serious change made—at least avowedly—in that policy.

As a result of the policy followed by the Punjab Government the children of untouchable and depressed classes are freely admitted into all public schools maintained by Government or local bodies and all recognised and aided schools. If any school refuses to admit any student on the ground that he belongs to an untouchable class the penalty is withdrawal of recognition and aid. Special concessions in tuition fees are allowed to boys of *Kamin* classes. A special Reclamation Department for the benefit of some of these classes with criminal propensities is in existence. The boys of these classes receive not only free education, but are granted stipends to induce them to stick to schools. Thus Government is also doing all it can for the uplift of these classes.

A dispassionate view of what has been set forth above ought to convince any fair-minded person that all possible steps are being taken in this province both by Government and private agencies to ameliorate the condition of depressed classes, and the general trend of circumstances on all sides is so favourable to their uplift that if the normal operation of these favourable conditions is not disturbed by the awakening of class antagonism in consequence of the ill-advised endeavours of impatient idealists for separation, the time is not far when these classes will grow to the full stature of citizenship enjoying equal social and political status with the rest of the community.

The peculiar conditions obtaining in the Punjab are inimical to the growth or continued existence of sharp inequalities, social or political. The presence of Islam, Sikhism, Arya Samaj and Christianity with

their reforming zeal and active programme bent to the conversion of depressed classes to their own faith in ever-increasing rivalry is a factor of the happiest augury for these classes. The increasing importance of numbers in politics has given a rude shock to Hindu orthodoxy and has aroused it to a full sense of its danger with the result that its desire to cling to the old social order has very largely evaporated. Thanks to the rise of successive religious and social reformers preaching equality and brotherhood of man the inhabitants of the Punjab have been endowed with a mentality which is peculiarly prone to be democratic. This disposition towards democracy has been further strengthened by a very wide distribution of land-ownership which, through a long chain of holdings of slowly expanding dimensions, provides a succession of easy gradients and serves to break the steepness and bridge the gulf between the biggest landholder and the smallest peasant proprietor. The singular indifference of the predominant agricultural tribe (Jats) to caste prejudices and social nostrums like untouchability is also a factor of great value. The size of the holding owned by a peasant proprietor compels him to till his own land, and in the course of agricultural operations, rub shoulders with the agricultural labourer from one of the depressed classes. This constant association between the high class owner and the low class labourer helps to develop a spirit of comradeship and kills that spirit of exclusiveness which a sense of religious and social superiority under another system of land tenure may breed in land-holding classes. The combined operation of the forces mentioned in the preceding paragraph coupled with the helpful attitude of Government has prevented from coming into existence or very substantially redressed most of the grievances from which depressed classes suffer in other provinces. *Chhut chhat* in respect of physical touch is observed only by a small section of orthodox Hindus, and that too in the case of those alone who follow unclean professions. *Chhut chhat* in respect of food and water exists more generally but is not approved by the intelligentsia except as applied to those engaged in unclean work. Moreover this type of *chhut chhat* exists among the orthodox sections of higher classes *inter se* as also among lower classes *inter se*.

The use of wells is generally forbidden to chamars, sweepers and dhanaks. This is a real grievance. But a tactful handling of the question can yield very good results. Arya Samaj has already made some headway in this direction, and if perseverance is shown wells will be thrown open to these classes. There is no difficulty about getting land for separate wells though I do not regard this as a real solution. Real trouble about the use of wells or acquiring land for separate wells only arises when instead of resorting to persuasion and negotiation pressure from outside is invoked.

No reasonable complaint can be made in relation to the admission of the boys of depressed classes into educational institutions so far as the Punjab is concerned. Right of entry into places of worship is freely recognised by Sikhism and Arya Samaj. Minor shrines, such as those dedicated to the goddess of small-pox, are open to all. Bigger temples such as those dedicated to Siva, exist only in towns. Entry into them is certainly for-

bidden to untouchables. But the force of public opinion is gradually breaking this barrier. In any case the trouble is mostly confined to urban areas. Moreover men of untouchable classes are being converted to Arya Samaj in large numbers and the question of temple entry is of minor importance in this province.

The question of recruitment to services is bound up with considerations other than those of untouchability. If men possessing the requisite qualifications are forthcoming from among untouchable classes nobody would have any objection to their recruitment. I have seen chamars holding appointments under Government without anybody making any grievance about it.

In view of what has been stated above it cannot be contended that the problem of depressed classes exists in the Punjab, at least, in a form or to an extent which will justify the separation of these classes from the general body of Hindus. The Advisory Franchise Committee appointed by the Punjab Government in 1918 came to the same conclusion. Things have considerably improved since then. The Punjab Government expressed an identical view in its memorandum submitted to the Simon Commission. The Punjab Reforms Committee expressed a unanimous opinion that the depressed classes in the Punjab did not constitute a problem requiring solution. The Punjab Government adheres even now to the view expressed by it when the Simon Commission came out. The present Punjab Franchise Committee has, by an overwhelming majority, endorsed the view which has held the field so far in this province. Having regard to the weight of competent opinion as indicated above, it will be a political blunder of the first magnitude to countenance any departure from the prevailing view.

Again, a departure from the prevailing view will present almost insurmountable difficulties. In the first instance, it will be highly unjust and undesirable to tear away from the Hindu fold those who returned themselves as Hindus in the recent census in spite of a vigorous propaganda to the contrary, conducted by interested people. Only about four lakhs have returned themselves as Adi-dharmis. Will the separation be confined to them ? If not, will a fresh referendum be taken to ascertain the classes which desire separation ? Is it worth while to waste any more time, and possibly delay the reforms ? And what will happen if as a result of this referendum the figure of Adi-dharmis reaches a vanishing point ? If it is decided to treat as untouchable or depressed classes certain specific castes arbitrarily, what will be the criterion and where will you draw the line ? A chamar considers a sweeper as untouchable *qua* himself. Similarly a sweeper, I understand, considers a dhanak as untouchable *qua* himself. Will all these be placed in separate categories or will they be lumped together ? On what principle will the decision be based ? The actual social conditions prevailing in the Punjab do not justify the treatment of the so-called depressed classes as a separate group. Will, then, the general Hindu social system as it prevails in other provinces or as it was interpreted in by-gone times be invoked to settle the question ? If so, the Jats have been held by the Punjab High Court to be Sudras, the

lowest rung of the Hindu social ladder. Will Jats be grouped with depressed classes ? These questions raise difficulties which are not easy to overcome, and the best course to follow will be not to give occasion for such questions to arise.

Lastly, gravest political difficulties will come in the wake of recognising depressed classes as a separate group or community. Apart from stereotyping a whole class as untouchable in the body of the constitution—deplorable enough in itself—a storm of indignation will sweep the province from end to end as a result of this mutilation of the Hindu community. When separation has become an accomplished fact a bitter class antagonism will in all probability spring up between the main body of Hindus and depressed classes, and the good work which is being done by so many philanthropic societies for the uplift of these classes will receive a severe set-back. Another deplorable result will be the creation of a third communal minority which will make any solution of the communal problem well nigh impossible. In the event of the separation of depressed classes Hindus, Sikhs and the new communal minority will all stand at a numerical strength which will entitle each to claim weightage. This will further complicate an already complicated problem and all communities will begin to impute the worst possible motives to the British nation. The representatives of depressed classes will, in any case, be either of the order of mute spectators or fanatics having extreme views on politics and venomous outlook on communal problems.

In all the circumstances of the case I will earnestly advise Lord Lothian and his Committee to let sleeping dogs lie.

VI

**(v) Note on the agricultural, non-agricultural and Kamin classes in the Punjab by (1) Rai Bahadur Chaudhri Chotu Ram, B.A., LL.B., M.L.C., Advocate, Rohtak, (2) Sardar Buta Singh, B.A., LL.B., M.L.C., Deputy President, Punjab Legislative Council and Advocate, Sheikhupura, (3) Chaudhri Nazir Hussain, B.A., LL.B., M.L.C., Advocate, Lahore, (4) Mr. S. A. Ghani, M.L.C., (5) K. B. Quraishi Muhammad Hayat, C.I.E., M.L.C., Shahpur, and (6) Khan Bahadur Shaik Din Muhammad, M.A., LL.B., M.L.C., Advocate, Lahore, Members of the Punjab Provincial Franchise Committee.**

**Agricultural, non-agricultural and kamin classes in the Punjab.**

Certain representations made to the Indian Franchise Committee by the representatives of urban Hindus and the discussions which followed on them have brought the question of the quantum of representation to be granted to the various sections of the community to the forefront. This question is different from the question of the measure of communal representation claimed by Moslems. Hindus and Sikhs which is not within the scope of the Franchise Committee, and requires to be dealt with on different considerations. For a proper understanding of this question certain features of the economy of life in the Punjab will not be out of place. This task is being attempted in the present brief note so that all the relevant facts may be seen in their proper perspective.

The Punjab is essentially and pre-eminently a land of peasant proprietors. The average holding in the province is 8 acres in extent (*vide* page 11 of Mr. Darling's book—The Punjab Peasant). Out of 3¼ millions of landowners barely 3,500 pay an annual land revenue of Rs. 500 or above. Roughly speaking Rs. 1-8-0 is the incidence of land revenue per acre. This means that only one out of a thousand owns land which is 300 acres or more in area.

Total revenue receipts in 1932-33 are estimated to be Rs. 10,37,94,000. The main heads of revenue are Land Revenue Rs. 4,47,31,000; Irrigation charges or water rates Rs. 4,25,32,000; Stamps Rs. 1,11,91,000 and Excise Rs. 94,98,000. The nature of receipts shows that the bulk of provincial revenues is derived from land and is paid by land-owning classes. On a rough estimate it may be claimed that 90 per cent. of the provincial revenues is contributed by land-owning classes. The statement prepared by the Government shows that out of a total land revenue of Rs. 4,43,86,977 as much as Rs. 3,91,40,862, that is 88·2 per cent. is paid by what are known as agricultural tribes.

Cantonment areas, district headquarters and all places with a population of 10,000 or over are classed as urban. On this basis the urban and rural populations according to the census of 1921 were 8 and 92 per cent. respectively. According to the census of 1931 these proportions are 9·5 and 90·5 per cent. respectively.

The Southborough Committee proposed 54 general constituencies, 10 urban and 44 rural. "The Parliamentary Joint Committee regarded the rural representative thus given as disproportionately low". In

deference to this opinion the Punjab Government proposed the addition of four more seats to the rural share. The Government of India made some other changes in the proposals and the following distribution of seats was ultimately adopted :—

| | | | | |
|---|---|---|---|---|
| Urban | .. | 13 | Non-Moslem .. .. .. | 7 |
| | | | Moslem .. .. .. | 5 |
| | | | Sikh .. .. .. .. | 1 |
| Rural | .. | 51 | General .. .. .. .. | 13 |
| | | | Moslem .. .. .. | 27 |
| | | | Sikh .. .. .. .. | 11 |
| Total | .. | 64 | | 64 |

To this total of 64 general seats 7 special seats were added as follows :—

| | | |
|---|---|---|
| Moslem, Hindu and Sikh landholders one each .. .. | | 3 |
| Tumandars .. .. .. .. .. .. | | 1 |
| University .. .. .. .. .. .. | | 1 |
| Industries .. .. .. .. .. .. | | 1 |
| Commerce .. .. .. .. .. .. | | 1 |
| | Total .. | 7 |

The pe centage of voters to population in urban and rural areas was 7·5 and 3 respectively in 1921 and is 6·4 and 2·8 respectively now.

The population and voters per constituency in urban and rural areas are as under : —

| | Population. | Voters |
|---|---|---|
| **Urban.** | | |
| Moslems .. .. .. .. | 177,563 | 9,688 |
| Hindus .. .. .. .. | 104,021 | 9,609 |
| Sikhs .. .. .. .. | 86,436 | 9,870 |
| General average .. .. = | 122,673 | 9,722 |
| **Rural.** | | |
| Moslems .. .. .. .. | 392,093 | 9,506 |
| Hindus .. .. .. .. | 478,334 | 12,055 |
| Sikhs .. .. .. .. | 200,706 | 14,366 |
| General average .. .. = | 357,044 | 11,975 |

The above figures show that in rural areas each constituency had nearly three times the population of an urban constituency, and the rural Hindu fared the worst of all under this arrangement.

Of the special seats the first four may be regarded as definitely rural and the last three as definitely urban. Thus out of 71 elective seats 55 are definitely rural and 16 definitely urban. This gives a representation of 77·4 and 22·6 per cent. respectively to rural and urban populations. The Parliamentary Joint Committee had regarded a

distribution of 81·5 and 18·5 per cent. as between the rural and urban populations distinctly unfair to the former. The action suggested by the Punjab Government had raised rural representation to 82·8 per cent. But the Government of India changed the proportions to the disadvantage of rural areas even as compared with the proportions criticised adversely by the Joint Parliamentary Committee.

Both in view of the proportions of population in rural and urban areas and the amount of taxes paid to the provincial exchequer by landowning classes which are almost exclusively rural the balance requires to be redressed.

Another fact also requires to be borne in mind. The Hindu landholders seat has invariably gone to an urban candidate, and out of 13 Hindu rural seats 6 or 7 have at each election been captured by urban candidates. Similarly two out of 11 Sikh rural seats have at each election gone to urban Sikhs except in 1923 when rural Sikhs had lost only one seat to their urban brethren. This suggests that places with a population of between 5,000 and 10,000 should also be classed as urban. The Punjab Government in its memorandum—Volume I, Part I, Descriptive Matter—prepared for the Simon Commission admits that "this line of division excluded some towns with a population of less than 10,000 which nevertheless possessed distinctly urban characteristics". It is most significant in this connection that no urban constituency has ever elected a rural candidate.

The distribution of the Punjab population between rural and urban areas, the share of the burden of taxation which each section bears and the measure of representation which it enjoys on the electoral roll and in the legislature have been described above. There is another feature of the Punjab population which deserves to be noticed. Empires have risen and fallen, dynasties have ruled and vanished, invaders and adventurers have swept through the land and disappeared, but the village communities have managed to survive all the political upheavals and visitations to a very large extent. Until the advent of British rule which brought an individualistic civilisation in its train the village community was a compact body, self-contained, self-reliant and with its own traditions and institutions. Beyond the payment of revenue it had not much concern with the Government of the day. It had its own panchayat which settled local disputes and looked after the welfare of the village population. The proprietary body owned the lands and wielded general authority. The priest supplied the spiritual needs of the community, performed their religious rites and received his customary fees. The village Bania supplied the credit and acted as middle-man. The goldsmith, the carpenter, the blacksmith, the barber, the weaver, the potter, the chamar and the sweeper performed their appointed functions and received their customary dues in kind with the exception of the goldsmith who charged his wages in cash. The proprietory body was the overlord. The rest were kamins which simply means dependents with the exception of the Brahmin at one end and the sweeper at the other

all kamins paid a hearth-cess variously known as *kudhi kamini, atrafi, haq bua*, etc. The amount of this cess was Re. 1 or Rs. 2 a year. All non-proprietors (kamins) received a house-site free, which was the subject of inheritance, but would not be alienated, and reverted to the proprietory body when the occupier died heirless or abandoned the village. Non-proprietors could graze their cattle on the village common (generally without payment), take fuel wood from it and cut grass from the fields of proprietors without any payment. British police and British courts supplanted the authority of the proprietory body and the panchayat while the methods of British administration caused all the old ties to snap.

The Land Alienation Act is another peculiar feature of the economic structure of the Punjab. This measure was conceived and enacted when the hereditary land-owning classes were being steadily expropriated and when the process of expropriation had become a definite menace. This Act does not confer any privilege on any class ; it only casts a disability on agricultural classes inasmuch as it restricts their liberty to deal with their property as they like. It is true that this law was conceived in their interests and operates to their advantage in so far as it protects these classes from the consequences of their economic helplessness and ignorance. Protection of this kind in exceptional circumstances is not unknown. Minors are not allowed to deal with their property or enter into contracts. Unconsciousable bargains are not upheld in courts. Fraud and undue influence are regarded as valid grounds to avoid contracts. The level of intelligence of these classes is so low that money-lending classes can and always do take an undue advantage of them in any class of dealings. Their ignorance is colossal. Economically they are at the mercy of their creditors. Systematic fraud and undue influence were being resorted to by money-lending classes in order to oust agricultural classes from their heritage. This measure thus became a stark necessity and continues to be a necessity even now. Agricultural classes of the Punjab are also the martial classes of India. No Government can tolerate a condition of affairs in which the bulk, if not the whole, of the land would pass into the hands of a comparatively limited number of absentee landlords and the sturdy, independent and self-respecting classes from which its army is chiefly recruited would be reduced to the level of serfs, devoid of self-respect and manly-spirit. So that on political no less than on moral and economic grounds the measure is fully justified.

But it has been contended that even barristers, advocates, doctors and engineers belonging to agricultural classes are protected under this law, and that the Land Alienation Act makes birth instead of profession the basis of distinction between agricultural and non-agricultural classes. In the first instance, a legislation of this kind aiming as it does at protecting hereditary landowning classes from certain other classes cannot take note of individuals. *Ex-hypothesi* it has to deal with classes, and not individuals. Moreover, in the present case birth coincides in 999 cases out of a thousand with profession. One swallow does not make the summer and a stray member of an agricultural tribe adopting here and there a profession other than agriculture will not detract from the essentially and over-whelmingly agricultural character of his class as such.

It has further been made a point of grievance that even chamars who are the right hand men of agriculturists and depend so much on agriculture for their livelihood have not been given the benefit of this legislation. Critics in their zeal fail to realise that the underlying principle of the Alienation Act is the protection of the hereditary land-owning classes, and chamars, sweepers, etc. are not land-owning classes, hereditary or otherwise. So they have nothing to which the protection of this Act can be extended and are thus outside the principle and scope of this law. Moreover, it is open to any class to claim a place on the list of agricultural tribes on proof that it falls within the principle underlying the Alienation Act. Many classes have been added to this list since the original list was prepared.

Lastly it has been claimed that the Land Alienation Act stands in the way of many people obtaining the franchise on land revenue which is the most common qualification. The contention is erroneous for the simple reason that those who are in a position to purchase sufficient land to obtain a vote on the land revenue qualification will almost invariably be able to get a vote on the immoveable property qualification. Those who put forward this contention forget that agriculture on a limited scale which alone is ordinarily possible in the Punjab is not a paying profession, and agricultural tribes stick to this profession partly on sentimental grounds and partly on the ground that there is nothing else to which they can turn their hand. As for the so-called depressed classes in whose name pathetic appeals are sometimes made, they are not in a sufficiently strong economic position to purchase land even if it be conceded that they are keen to do so. The truth is that money-lending classes desire to use other non-agricultural classes, without any desire or authority from the latter, in order to strengthen their claim for the repeal of the Land Alienation Act with the object of being once again in the position to despoil agricultural classes by fraudulent means. That there is precious little desire on the part of non-agricultural classes to purchase land either as a means of investment or source of livelihood is conclusively proved by the result of auction sales of crown lands in colony tracts where vast areas are sold annually in open and free market without any restrictions which the Land Alienation Act imposes on certain other sales. Even when there was a boom in the prices of agricultural produce only 13 per cent. of the area sold by auction was purchased by non-agricultural tribes. This percentage has now fallen to 3 or 4. It is only agricultural tribes who are not in the habit of calculating cost in the pursuit of an honourable (and in their case hereditary) profession who purchase the bulk of the area even at these sales.

Again, temporary alienations in execution of decrees and mortgages of land for periods not exceeding 20 years are not forbidden even under the Land Alienation Act. Nor are farms and leases for specified periods. Tenancies under the crown are also open to all in respect of huge areas in the new colonies. Besides, there is no bar to the purchase of agricultural land from non-agricultural classes who still own about 12 per cent. of the total area.

Thus the complaint that the Land Alienation Act has the effect of restricting the land franchise to any appreciable extent, if at all, has little force behind it. The plain truth is that economically backward classes have not the means to purchase land and those who can afford to purchase it have not the desire to do so because land is, in fact, a losing bargain.

The figures relating to the population of agricultural tribes quoted in Raja Narendra Nath's pamphlet and relied on by Pandit Nanak Chand are wrong and incomplete. The reasons are that except in respect of the principal tribes such as Jats and Rajputs the population of agricultural tribes is difficult to calculate. The nomenclature adopted in the census report is at variance with actual facts in many cases. Minor tribes which have been notified by Government as agricultural do not, in some cases, find a place at all in the census table. Sheikhs among Muslims and Brahmins among Hindus are generally understood to be as non-agricultural. But approximately half of them have been notified as agricultural under names borne by their sub-division. To take only one instance among Hindus, Gaur Brahmins who number about three lakhs in the territories where they have been notified as an agricultural tribe do not figure as a separate tribe in the census report. Similar is the case with Mohiyal and Dutt Brahmins. The population of agricultural tribes has been considerably under-estimated by Raja Narendra Nath, particularly in the case of Hindus the under-estimate is very serious. Without claiming to have roped in all the agricultural tribes among Hindus one of us was able to bring up their total to 2¼ millions which according to the population of Hindus as calculated in the census of 1931 gave a percentage of slightly over 33 per cent. Over 4 lakhs of Adi-Dharmis who are all non-agriculturists under the Land Alienation Act have now been calculated separately from Hindus. Allowing for a rough increase of 10 per cent. in the population the strength of Hindu agricultural tribes now will be 2,450,000. The present population of non-Muslims (which term includes, Hindus Adi-Dharmis, Jains, Indian Christians, Bhuddist, Parsis, Europeans and Anglo-Indians) as shown in the statement supplied by the Punjab Government to the Franchise Committee is 6,946,496. Making an allowance of 8 to 9 lakhs for others the Hindus will be left with a total in the neighbourhood of 60 lakhs. Thus the percentage of agricultural tribes among Hindus will be slightly over 40.

The subject of agricultural and non-agricultural classes has been presented by urban Hindus in a manner which would seem to suggest that there was a real conflict of interest between these classes. Pandit Nanak Chand has even gone to the extent of suggesting that " the disputes regarding use of wells, of playing music in the village at the time of marriages, are disputes not between high caste Hindus and the untouchables but between the proprietors of the village and the non-proprietary body." The average agriculturist in the Punjab does not care a straw for *chhut chhat* (touchability or untouchability), and the trouble about the use of wells would disappear in no time but for the village Bania and the village priest who egg on the rest to deny the use of wells to untouchables

in the name of religion. We never heard of any trouble about the playing of music at the time of marriages until we came to attend the meetings of the Franchise Committee. Even as alleged the trouble is confined to a very limited and benighted part of the Punjab.

The use of the designations agricultural classes and non-agricultural classes is a little misleading. Approximately 80 per cent. of the Punjab population lives on agriculture. Some sections of this population have been declared as agricultural tribes under the Land Alienation Act. The others may be divided into three groups ; (*a*) classes which own land and cultivate it, but with whom the profession of agriculture is a subsidiary thing, a sort of second string to the bow ; (*b*) classes of agricultural tenants, agricultural artisans and agricultural labourers, and (*c*) money-lending and shop-keeping or trading classes. Though in the sense of the Land Alienation Act it is permissible to speak of agricultural tribes as indicating one division and non-agricultural tribes as indicating the other division consisting of groups (*a*), (*b*) and (*c*), yet this classification does not mean that there is any conflict of interest between the first division on the one hand and the second division on the other. As clearly shown in a previous portion of this communication the population comprised in groups (*a*) and (*b*) have no complaint against the Land Alienation Act, and the conflict of interest, if any, is restricted to the operation of the Land Alienation Act only. In all other respects the economic interests of agricultural tribes and groups (*a*) and (*b*) who also follow the profession of agriculture and may be regarded agricultural classes in varying degrees as distinct from the statutory agricultural tribes, are identical. On the other hand we fail to see any community of interest between groups (*a*) and (*b*) on the one hand and group (*c*) on the other. The real conflict of interest is between those who depend for their livelihood on agriculture and those who follow the profession of money-lending, trading or shop-keeping. The former constitute a class of debtors, the latter a class of creditors. The former are producers, the latter are consumers. The former are purchasers, the latter are retailers. The former produce raw goods, the latter act as middlemen. The former are the victims of the guiles of the shop-keepers and traders, the latter practise all the frauds of short weights, false measures, mendacious rates and a tricky balance. In one word while the agricultural tribes (Statutory), other agricultural classes and labourers sink or swim together the money-lending and the shop-keeper thrive on the former's ignorance, poverty and misfortunes.

On the contrary, if the interests of all the Kamins (non-proprietors) are one and the same as the urban Hindu—the representative of commercial, trading and money-lending interests—would have us believe why is any further representation in the name of artisan and depressed classes being asked for ? The interests of all classes other than statutory agricultural tribes are, on this hypothesis, safe in the hands of the Bania, Khatri, Arora and non-agricultural Brahmins who will be represented in excess of their share both in the electoral roll and the Council.

In a previous paragraph it has already been brought out that the Joint Parliamentary Committee considered a representation of 81·5 per

cent. for the rural population as too low. In the proposal finally adopted this representation came down to 77·4 per cent. As compared with this allocation of seats actual representation came still lower down. In the present Council the proportion of seats captured by urban and rural candidates is as follows :—

| | Muslims. | Non-Muslims. | Sikhs. | Total. |
|---|---|---|---|---|
| Rural .. .. .. .. | 28 | 8 | 10 | 46 |
| Urban .. .. .. .. | 6 | 16 | 3 | 25 |
| Total .. | 34 | 24 | 13 | 71[1] |

The above analysis of figures shows that out of 55 seats which should have gone to rural men only 46 have fallen to their share and 9 have been lost to urban men. This means that from 81·5 per cent. regarded as inadequate by the Joint Parliamentary Committee rural share has fallen to 64·8 per cent.

Now let us examine the electoral roll. Urban population according to the latest figures is 9·5 per cent.

On the electoral roll urban voters constitute 19·4 per cent. being 144,246 out of a total of 744,909.

Taking rural as an essentially agricultural and urban as an essentially non-agricultural franchise it will appear that the urban and non-agricultural element is excessively represented even on the electoral roll.

Another ground of attack urged by Pandit Nanak Chand and his urban friends is that the proprietary body in villages is, generally speaking, a compact body of statutary agriculturists. This proprietary body dominates and tyranises over non-proprietors, tramples their rights under foot, and usurps all the rights of representation of non-proprietors whether in the electoral roll or in the Council. Urban Hindus, therefore, propose that in order to counterbalance the influence of the proprietary body special means should be devised to bring non-proprietors on the electoral roll in proportion to their population. All the premises here are wrong, and the conclusions drawn could not be otherwise. There must be very few villages, indeed, if any, where the entire body consists of statutory agriculturists alone. There is always a fair sprinkling of men of non-agricultural classes in every village, and there are some villages in every Tehsil in which all main castes including Chamars residing therein are represented in the proprietary body. Again, it is the men of money-lending classes who really rule the village country-side. They always manage to keep the proprietary body sharply divided, and are thus able to maintain their supremacy. The money-lending fraternity are a determining factor in all rural elections. Their intelligence enables them to see which candidate suits their interests best and their position as creditors enables them to dominate the will of the electorate. The very fact that 9 out of 55 rural seats have been captured by urban men is a sufficient refutation of the complaint of urban Hindus in this respect. As against this no urban seat has ever been won by a candidate from

a rural area although in smaller towns there is always a considerable number of agricultural voters.

Further examination of this complaint will establish its hollowness still more clearly, excluding institutions which pay an annual land revenue of Rs. 165,167 land-owners other than members of agricultural tribes pay a land-revenue of Rs. 5,246,115 which is 11·8 per cent. of the total. But the strength of non-agricultural land-owners who are described as 'others' in the official statement is 532,265 out of a total of 3,198,992, *i.e.*, 16·6 per cent. If we add the number of institutions (3,609) which are almost invariably managed by non-agriculturists this percentage will rise to 17. This means that roughly 17 per cent. of the voters enfranchised on the land revenue qualification in rural areas will be other than members of agricultural tribes. All income-tax payers and owners of house property of the value of Rs. 4,000 are already voters. The assessable minimum of income has now been lowered from Rs. 2,000 to 1,000. The house property qualification may be lowered to Rs. 2,000. Both these qualifications will benefit, nearly exclusively, the non-proprietor or Kamin element in the village. Every gold-smith, every carpenter, and most of the barbers and a fair proportion of black-smith and other skilled artisans will be enfranchised in consequence of the lowering of these qualifications. During the War the Punjab supplied non-combatants in about the same proportion as combatants. Most of the non-combatants came from the ranks of lower Kamin classes, generally Chamars and sweepers, and are all entitled to a vote. Official plan A which is acceptable to all of us, at least as the second best alternative, seeks to enfranchise 407,000 tenants. Out of these about 50 per cent. (some of us think more) will be other than statutory agriculturists, and mostly Chamars and sweepers. In the new colonies all Kamins have received grants of a few acres each, and will be covered by the lowered land revenue qualification proposed under plan A.

The proposal to make Haisiat tax a qualification for the vote is a mere device to weigh the dice in favour of money-lending classes. Haisiat tax is essentially a money-lenders' franchise, and benefits the lower class Kamin to a very limited extent, if at all. Moreover, Haisiat tax is a very variable factor and is controlled by District Boards. In the districts of Simla, Ludhiana, Lyallpur and Rawalpindi, Haisiat tax does not exist at all, nor does the professional tax. These districts may continue to refrain from imposing this tax, and the rest may, if they like, abolish it. As for chowkidari tax, custom forbids its imposition on the lowest classes including sweepers who are most numerous, and even if the tax is made universally leviable by law its operation will be extremely uneven, will tend to break the joint Hindu family, will give a most unwieldy electorate, and will provide tremendous chances to creditor classes to sweep the polls.

Taking a comprehensive view of all the factors enumerated above we begin to apprehend lest the statutory agricultural tribes should be swamped, and will advise caution with regard to the lowering of the house property qualification which is mainly a money-lender's qualification.

We have observed with some surprise and pain a tendency to view the agricultural classes as tyrants to be curbed and weakened. These classes represent a very important interest and substantial stake in the province. They contribute over 88 per cent. of land revenue and almost necessarily the same proportion of water-rates. Their love of litigation would suggest that an equally high proportion of stamp revenue is being derived from them. They may be expected to be fairly heavy contributors to Excise Revenue also. Over 80 per cent. of them are indebted, are educationally backward and live in rural areas. They will be the best champions of all debtor and backward classes. They are chiefly responsible for working the present constitution successfully. About 80 per cent. among Sikhs, 70 per cent. among Moslems and over 40 per cent. among Hindus are statutory agricultural tribes. Raja Narendra Nath's calculation is substantially incorrect. The interests of non-statutory agriculturists and agricultural labour are more or less the same as those of statutory agricultural tribes. With the latter two categories they will form about 95 per cent. of the rural population. Even taken by themselves they form 64 per cent. of the total population and over 75 per cent. of the rural population. Having regard to all these considerations their position deserves to be strengthened further. Any accession of strength to urban elements, directly or indirectly, whether through the inflation of non-agricultural vote, or otherwise, will be as risky and undesirable as it will be unjust. Let us not forget that the Congress is not co-operating and some other elements are also sulking. It will be highly dangerous under the circumstances to refuse to strengthen tried elements of stability in society, or to introduce many untried and uncertain factors or to strengthen urban influence by emphasising non-agricultural vote. The Assembly is dominated by urban elements and has, consequently, been always intransigent, obstructive and destructive, even in the Punjab at the last election both the cities of Lahore and Amritsar elected a sweeper and a barber, not as *bona fide* candidates but to slight and redicule the constitution. Urban mentality is prone to be extremist and *anti*-government thus requiring to be discountenanced and not encouraged by unmerited favours. In any case the Franchise Committee should do nothing to smoothen the course of those who would wreck the constitution.

Even at the risk of repetition we should like to emphasise that it is wrong to draw a line between agricultural tribes on the one hand and the rest on the other as if the interests of the various component parts of the latter were identical and those of the whole opposed to the interests of agricultural tribes. It is only a clever move on the part of money-lending classes to claim the advantage of the numbers of some of their victims for themselves and usurp their share. It is mischievous and unjustifiable to marshal non-statutory agriculturists, agricultural labour, tenants and lower classes of Kamins on the side of money-lending and trading classes simply because the former set of classes are not covered by the Land Alienation Act. They are all debtor classes and comrades in (economic) misfortune along with agricultural tribes. For all purposes of representation these classes should be grouped with agricultural tribes.

Another point which has not received any notice so far may also be mentioned. One of the objects of giving representation to various sections of the community is to enable them to influence the administration in the discharge of its functions. Urban classes already posses a tremendous advantage over others in this respect inasmuch as the whole press is a monopoly of these classes.

Lastly, the tendency to multiply distinctions, classes and interests is highly to be deprecated. We have enough divisions already. To add to them unnecessarily is to introduce fresh germs of disease into the body politic and to impose a serious handicap on the constitution. Depressed classes, women, Kamin classes, agricultural classes and non-agricultural classes are all gratuitous innovations. Women are up in arms, at least in the Punjab, against any differential franchise of separate representation. And yet the trend of the questionnaire is to treat them as a separate and special group. Everybody who is of any account in the Province asserts that depressed classes are not at all a pressing problem here, and yet there is a disposition to treat them as constituting a problem. A very considerable portion of the so-called depressed classes and Kamins will be in a position to influence elections in general constituencies and a fair proportion of the rest will be represented through labour, and still there is uncalled for anxiety to treat them as separate units. This looks like forcible severance of these limbs of society. It will leave ugly scars and bruises on the body politic and is very likely to be misunderstood and resented. We have every hope that wiser counsels will prevail in the end.

**Miscellaneous correspondence with the local Government and the Provincial Franchise Committee on matters arising out of replies to questionnaire.**

## APPENDIX.

### I

TELEGRAM No. E.-682-PUN., DATED THE 15TH APRIL 1932, FROM JOINT SECRETARY, INDIAN FRANCHISE COMMITTEE, TO THE REFORMS OFFICER, LAHORE.

Committee would be grateful for even approximate estimate of strength of non-agricultural tribes in Punjab. Please telegraph information if possible by Monday.

TELEGRAM No. E.-688-PUN., DATED THE 16TH APRIL 1932, FROM JOINT SECRETARY, INDIAN FRANCHISE COMMITTEE, TO THE REFORMS OFFICER, LAHORE.

Reference local Governments proposal to lower existing house rent qualification in municipalities in order to produce electorate equivalent to approximately ten per cent. Please wire as precise figures as possible showing what new qualification will be and indicate your views as to possibility of any further reduction.

TELEGRAM, DATED THE 17TH APRIL 1932, FROM THE FINANCIAL COMMISSIONER, PUNJAB, TO THE JOINT SECRETARY, INDIAN FRANCHISE COMMITTEE.

Your two wires. (1) non-agricultural tribes derivable by subtraction of agricultural tribes from total population. Latter estimated ten millions Punjab memorand m Simon Commission descriptive chapter one, para. twenty. Figure not official but not unreasonable with allowance natural growth say one million. Attempt being made compile from recent census may take time. Compare adult landlords agricultural tribes two point six million and crown tenants sixty-four thousand in statement Punjab Provisional views. Seems possible that adult owners do not represent many other adults as supposed by Provincial Committee. (2) your E-688, as no records exist showing house values and rents in towns by classes impossible say what qualification will produce ten per cent. and it will be necessary conduct house to house survey and fix qualification in light of facts. Committee has suggested five or six rupees rental and two thousand house value.

TELEGRAM, DATED THE 17TH APRIL 1932, FROM THE FINANCIAL COMMISSIONER, PUNJAB, TO THE JOINT SECRETARY, INDIAN FRANCHISE COMMITTEE.

Continuation my telegram this morning compilation from Census 1921 gives agricultural tribes ten millions one sixty three thousand.

### II

DEMI-OFFICIAL No. N.-499/PUN., DATED 31ST MARCH 1932, FROM THE JOINT SECRETARY, INDIAN FRANCHISE COMMITTEE, TO THE CHAIRMAN, PUNJAB PROVINCIAL FRANCHISE COMMITTEE.

The Indian Franchise Committee would be grateful in the light of discussions which have taken place, for the following information :—

1. Statement by districts of the number of *haisiat* or profession tax payers.
2. A note on the possibility of adopting a chaukidari tax as a basis for the franchise.
3. The Committee would be grateful if in connection with point (1) the desirability of bringing non-agricultural tribes on to the voter's list which was mentioned in the discussions this afternoon could be considered.
4. The suggestion has been made that the receipt of wages in cash or kind might be adopted as a basis for the franchise, different levels (say Rs. 12

and Rs. 8) being adopted for men and for women. What are your views on this suggestion ?

5. The Committee would be grateful for figures of literacy showing men and women separately.

6. What are your views on the possibility of polling the whole adult population of the province in a period of say four days ?

The Committee would be grateful if in replying this question weight could be given to the necessity for polling Assembly voters simultaneously with voters for the Provincial Council and to the percentage of illiteracy likely to prevail among voters.

REPLY FROM THE CHAIRMAN, PUNJAB PROVINCIAL FRANCHISE COMMITTEE, TO THE JOINT SECRETARY, INDIAN FRANCHISE COMMITTEE.

(1) Statement by districts of the number of *Haisiyat* or profession tax-payers is attached. One district besides Simla has not replied.

(2) There exists in every village a list of payers of the Chaukidari tax. No figures are available for the number. The tax is not paid into the Government treasury but direct to the headman who pays the Chaukidars their wages, so the numbers will have to be obtained by enquiry from each village, but it may be taken that the list includes all residents of the village except the poorest of the poor, and the franchise based on the Chaukidari tax would not be far removed from the adult franchise.

(3) The members of non-agricultural tribes may be divided into three main classes :—

(*a*) persons who though not members of notified tribes do actually own land. There are many who have purchased it before the commencement of the Act. Others belong to tribes which have been excluded from the Act because they are not of sufficient numerical importance in any particular district or because they are supposed to combine money-lending with agriculture. These of course will be provided for automatically.

(*b*) the second class consists of persons not members of agricultural tribe who cultivate land as tenants. This class includes considerable numbers of alleged depressed classes as Chamars. These also will be provided for.

(*c*) the third class consists of the professional money-lending and commercial classes. These are mostly but not entirely urban. Most will be covered by payment of income-tax or a house property qualification reduced, if necessary. The suggestion to enfranchise civil pensioners gives a very easy way of enfranchising a large body of this class.

(*d*) The remaining class consists of labouring and depressed classes. If the group system is excluded it is difficult to find means of enfranchising these except by some form of special electorate which presents difficulties of its own.

4. The Committee will realise from its examination of agricultural wages that it is quite impossible to assess them so accurately in cash as to afford the basis for giving or refusing the vote to any individual.

5. The statement of literacy and age is attached.

6. I prefer not to give a definite opinion on this difficult question of the number of voters that can be polled without the further examination of the experts, which will be made tomorrow.

**Statement showing the number of Haisiyat or Profession Tax-payers (by districts.)**

| | District. | District Boards. | | In other local bodies. | | Total. | Remarks. |
|---|---|---|---|---|---|---|---|
| | | Number of assessees regarding | | | | | |
| | | *Haisiyat* tax. | Profession tax. | *Haisiyat* tax. | Profession tax. | | |
| Ambala. | Hissar .. | 3,243 | .. | .. | .. | 3,243 | |
| | Rohtak .. | .. | 3,591 | .. | .. | 3,591 | |
| | Gurgaon .. | .. | .. | .. | 1,962 | 1,962 | |
| | Karnal .. | 4,069 | .. | .. | .. | 4,069 | |
| | Ambala .. | 7,260 | .. | .. | .. | 7,260 | |
| | Simla .. .. | .. | .. | .. | .. | .. | |
| | Total .. | .. | .. | .. | .. | 20,125 | |
| Jullundur. | Kangra .. | .. | 5,481 | .. | .. | 5,481 | |
| | Hoshiarpur .. | .. | 17,792 | .. | .. | 17,792 | |
| | Jullundur .. | .. | 14,330 | .. | .. | 14,330 | |
| | Ludhiana .. | .. | 16,000* | .. | 439 | 16,439 | *Probable No. for the proposed tax. |
| | Ferozepore .. | .. | 11,216 | .. | .. | 11,216 | |
| | Total .. | .. | .. | .. | .. | 65,258 | |
| Lahore. | Lahore .. | .. | 24,795 | .. | .. | 24,795 | |
| | Amritsar .. | 5,839 | .. | .. | .. | 5,839 | Includes 677 agriculturists, 129 income tax payers. |
| | Gurdaspur .. | 2,838 | .. | .. | .. | 2,838 | |
| | Sialkot .. | 3,487 | .. | .. | .. | 3,487 | |
| | Gujranwala .. | .. | .. | .. | .. | .. | |
| | Sheikhupura .. | .. | 766 | .. | .. | 766 | |
| | Total .. | .. | .. | .. | .. | 37,725 | |
| Rawalpindi. | Gujrat .. | 4,000† | .. | .. | .. | 4,000 | †Approximate. |
| | Shahpur .. | 4,556 | .. | .. | .. | 4,556 | |
| | Jhelum .. | .. | 3,436 | .. | .. | 3,436 | |
| | Rawalpindi .. | .. | .. | .. | .. | .. | |
| | Attock.. .. | 3,292 | .. | .. | .. | 3,292 | |
| | Mianwali .. | 1,659 | .. | .. | .. | 1,659 | |
| | Total .. | .. | .. | .. | .. | 16,943 | |
| Multan. | Montgomery .. | 4,321 | .. | .. | .. | 4,321 | |
| | Lyallpur .. | .. | .. | .. | .. | .. | |
| | Jhang .. .. | 5,446 | .. | .. | .. | 5,446 | |
| | Multan .. | .. | 4,472 | .. | .. | 4,472 | |
| | Muzaffargarh .. | .. | 6,114 | .. | .. | 6,114 | |
| | D. G. Khan .. | 1,432 | .. | .. | .. | 1,432 | |
| | Total, including 361 officials. | .. | .. | .. | .. | 34,785 | |
| | GRAND TOTAL .. | .. | .. | .. | .. | 174,836 | |

## Statement showing Literacy and Age.

| —— | —— | Total | Male. | Female. |
|---|---|---|---|---|
| All Religions .. | Population .. .. | 23,581,000 | 12,881,000 | 10,700,000 |
| | Adults .. .. | 11,655,000 | 6,505,000 | 5,150,000 |
| | Literate adults .. | 854,000 | 768,500 | 84,500 |
| | Voters .. .. | 745,000 | 720,000 | 25,000 |
| Hindus .. | Population .. .. | 6,329,000 | 3,466,000 | 2,863,000 |
| | Adults .. .. | 3,188,000 | 1,792,500 | 1,395,500 |
| | Literate adults .. | 392,000 | 357,000 | 34,000 |
| | Voters (non-Muhammadan). | 239,000 | 231,000 | 8,000 |
| Sikhs .. | Population .. .. | 3,064,000 | 1,703,500 | 1,360,500 |
| | Adults .. .. | 1,558,000 | 881,000 | 677,000 |
| | Literate adults .. | 171,000 | 151,000 | 20,000 |
| | Voters .. .. | 175,000 | 169,000 | 6,000 |
| Muslims .. | Population .. .. | 13,332,000 | 7,241,000 | 6,091 000 |
| | Adults .. .. | 6,504,000 | 3,602,000 | 2,902,000 |
| | Literate adults .. | 256,000 | 234,000 | 22,000 |
| | Voters .. .. | 330,000 | 320,000 | 10,000 |
| Christians .. | Population .. .. | 415,000 | 230,000 | 185,000 |
| | Adults .. .. | 194,000 | 112,000 | 82,000 |
| | Literate adults .. | 24,000 | 17,000 | 7,000 |

The Indian Franchise Committee would be grateful for the following figures :—

*Questions.*

1. An analysis showing the number of landlords paying Rs. 750 and Rs. 500 in the tables under plan A together with, if possible, an estimate of the average area held by them.

2. The latest figures for District Board voters.

3. Who would be enfranchised under the District Board franchise but who would not be enfranchised under plan A.

*Answers.*

1. The number of landlords paying Rs. 750 or more as land revenue is 1,389, and of those paying Rs. 500 or more is 3,472. It is not possible to give an estimate of the average area held by them.

2. Number of District Board voters is 1,305,831. *Vide* statement attached*.

3. Under the present rules every person is qualified to be an elector for District Boards if he :—

(1) is a male of not less than 21 years of age ; and
(2) is a zaildar, inamdar, sufedposh or lambardar ; or
(3) owns land assessed to land revenue annually of at least Rs. 5, or
(4) enjoys assignment of land revenue annually of at least Rs. 10, or
(5) is a lessee or tenant of crown land at a rent annually of at least Rs. 5, or
(6) is an occupancy tenant of land assessed to land revenue annually of at least Rs. 5, or
(7) is assessed to income tax, or
(8) is a retired, pensioned, or discharged Commissioned or Non-commissioned officer or soldier of His Majesty's Regular Forces, or
(9) has in the year preceding the publication of the roll paid not less than the sum of two rupees on account of any cess, rate or tax payable to the Board.

It will appear that persons qualified under No. 9 above alone will not be enfranchised under plan A.

FAZAL ILAHI,
*Joint Secretary, Punjab Transferred Department.*
MILES IRVING.

* Page 104.

*Statement showing Voting strength of District Boards in the Punjab as it stood on 1st of April 1931.*

| Name of District Board. | Voting strength. |
|---|---|
| *Ambala Division—* | |
| Hissar | 50,504 |
| Rohtak | 66,266 |
| Gurgaon | 54,904 |
| Karnal | 45,318 |
| Ambala | 51,393 |
| Simla | .. |
| *Jullundur Division—* | |
| Kangra | 41,957 |
| Hoshiarpur | 90,051 |
| Jullundur | 75,480 |
| Ludhiana | 64,131 |
| Ferozepore | 79,992 |
| *Lahore Division—* | |
| Lahore | 33,337 |
| Amritsar | 57,110 |
| Gurdaspur | 60,671 |
| Sialkot | 26,681 |
| Gujranwala | 28,564 |
| Sheikhupura | 28,752 |
| *Rawalpindi Division—* | |
| Gujrat | 66,331 |
| Shahpur | 38,258 |
| Jhelum | 48,612 |
| Rawalpindi | 41,635 |
| Attock | 39,974 |
| Mianwali | 17,562 |
| *Multan Division—* | |
| Montgomery | 43,828 |
| Lyallpur | 43,953 |
| Jhang | 22,422 |
| Multan | 37,329 |
| Muzaffargarh | 17,816 |
| D. G. Khan | 13,000 |
| Grand Total | 1,305,831 |

# Replies
# of the
# Government of Bihar and Orissa
# and the
# Bihar and Orissa Provincial Franchise Committee
# to the
# Indian Franchise Committee's Questionnaires.

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## BIHAR AND ORISSA.

### I

### Memorandum by the Government of Bihar and Orissa.

PROVISIONAL VIEWS OF THE GOVERNMENT OF BIHAR AND ORISSA ON THE QUESTIONNAIRE OF THE INDIAN FRANCHISE COMMITTEE.

The local Government have refrained from submitting replies to the questionnaire prepared by the Franchise Committee and have embodied their provisional views in this memorandum which is intended to form a basis for discussion between them and the Central Franchise Committee. They have done so partly because they have not been able to obtain in the short time at their disposal all the facts and figures which are necessary in order to form an opinion on and to draft replies to many of the quest ons but mainly because there are some fundamental questions which need careful consideration and on which a decision must be arrived at before it is possible to work out detailed proposals regarding the franchise. Until the general plan of responsible government is outlined and until some decision is reached regarding the form of the legislature, it is difficult to frame any definite proposals about the franchise.

**Need for a Second Chamber.**

2. It is assumed that provincial governments wil be autonomous. But the fundamental question then arises whether there will be a second Chamber and if so what will be its powers. The local Government in expressing their opinion on the report of the Statutory Commission considered that on the whole the arguments in favour of the creation of a second Chamber outweighed those against it, the main argument being that it would introduce an element of stability and responsibility in the constitution and would tend to prevent the enactment of hasty and ill-considered legislation. They pointed out that though the power proposed for the Governor would afford some check on an irresponsible egislature, yet in time those powers might become modified or become obsolete in which case the need for a second Chamber would be insistent, while even under the constitution proposed by the Statutory Commission the second Chamber might save the Governor from frequent recourse to his overriding powers and thus promote the smooth-working of the constitution. This view was based on the assumption that effective powers would be given to the Governor, but it is uncertain what safeguards will be introduced into the constitution ultimately approved and it appears at least doubtful whether the Governor will be given such effective powers as those proposed by the Statutory Commission. Under the constitution now proposed, the need for a second Chamber has become more insistent.

3. Further in dealing with the recommendations of the Statutory Commission, the local Government put forward arguments against a large and immediate increase in the electorate and suggested that it was inadvisable to do more than double the existing e ectorate, but the view accepted by the Franchise Sub-Committee of the Round Table Conference is that adult suffrage is the goal to be ultimately attained,

and while some members were in favour of immediate adult suffrage, even the majority recommended an immediate increase of the electorate so as to enfranchise not less than 10 per cent. of the population, and indeed a larger number if that should on full investigat on be found practicable and desirable. Various reasons may be urged in favour of a large increase. The Statutory Commission, even though they recognised that many of the present voters very imperfectly understood, if they understood at all, the full implicat.on of enfranchisement or the constitutional functions of their representatives, were influenced largely by the view that the vote is a potent instrument of political education, a view from which the local Government basing their opinion on the experience of elections both to the Council and to local bodies since 1920, ventured to differ. They held, and still hold, the view that till the political education of the present electorate has developed any rapid ncrease in the number of voters will be undesirable and that it will be dangerous to swamp the present electorate which is just beginning to learn the lesson of the power of the vote by a wide extension of the franchise. Others in advocating such an increase hold the view that without it it is impossible to secure due representation of all interests in the proposed constitution while some with an inherent belief in the virtues of democracy held that it is desirable under all conditions, even in a country where the vast mass of the people are uneducated and illiterate. It is unnecessary, however, to discuss at length these arguments but the local Government consider it necessary to emphasize the point that giving the power of the vote to a largely increased number of voters will not increase the stability of government; it will make for instability, especially under the conditions at present prevailing in India. If, on the other hand, the increase is gradual, the result will not be so marked. The need for securing a stable government must be admitted and the fact that the election of the Council by a very large electorate will tend towards instabi ity makes it the more necessary to introduce some stable element into the constitution and this can best be done by creating a second Chamber and by giving it effective powers. Some points regarding the constitution of a second Chamber are given in a subsequent paragraph; if it is to be the stabilising element in the constitution, it must be largely representative of the stake-holders in the province.

## Representation of Interests.

4. Another preliminary point to be taken into account is the effect of the extension of the electorate on the representation of interests. In the Councils elected since 1920, nearly all the elected members in the general constituencies have been representatives of the landlords or of the professional classes, the latter chiefly from the urban areas. This result has been obtained even though on the present electorate the tenants largely outnumber the landlords. It may be partly due to the fact that on two occasions the only organised party in the country, the Swaraj or Congress party, has kept aloof from the elections, but in 1926 they stood as candidates and secured a large number of seats and

on this occasion they professed to represent the interests of the tenants and in their election programme held out promises of dealing with their grievances. It is doubtful, however, whether this secured their return. Many of those who were returned were themselves landlords and they refrained from pressing strongly the demands of their constituents and the attempt to amend the Bengal Tenancy Act in favour of the tenants or even in a manner which would effect a compromise between the claims of the tenants and the claims of the landlords had to be abandoned. In the recent election of 1930, at which the Congress party refrained from contesting any seat, all the candidates returned from the general constituencies were representatives of the landlords and it became necessary to secure some representation of the interests of the tenants by means of nomination.

5. Though these results have been obtained at recent elections the increase of the electorate, whether it is limited to 10 per cent. of the population or whether a larger number are enfranchised, will make a vast increase in the representation of the tenants' interests and their representatives may swamp all other interests, that of the landlords, that of the rural labouring class which is to some extent identical with that of the depressed classes as well as other minor interests. The Census figures for 1921 show that the total population whose occupation or means of livelihood was recorded as income from rent of agricultural land was 341,203, of whom 96,370 males and 17 063 females were recorded as workers; the total number of ordinary cultivators practically all of whom would be tenants was 21,836,591, of whom 6,771,626 males and 3,142,582 females were workers; the number of farm servants was 146,446 and of field labourers was 4,726,936. These rough figures will suffice to show that the question of the representation of interests presents very serious difficulties and that it may be difficult to devise a franchise which will give even a minimum of representation to all the various interests and which will avoid giving a predominating interest to one class. It is recognised that the chief object of the extension of the franchise is to secure adequate representation for all interests and to provide that no important section of the community should lack the means of expressing its needs and its opinion. But it is doubtful how far a mere extension of the franchise will secure this result and it may be desirable to consider alternative methods.

## Direct and Indirect Election.

6. The next question to be considered is the extent to which it is practicable to extend the electorate, and this at once raises the question of direct *versus* indirect election. Before discussing the arguments for and against these two systems, it is necessary to refer to the suggestion of the Sub-Committee of the Round Table Conference that in addition to a large number of direct electors, including 10 per cent. or an even higher percentage of the total population, there should be primary groups of all adults, who would elect representatives who would either vote in the same constituencies as the direct elector or in separate constituencies. This system of combining direct and indirect election

has, in the opinion of the local Government, little to commend it and is unlikely to prove acceptable. If the representatives of the groups vote with the direct electors, they will be swamped by them and whether this system or the alternative system of separate constituencies is adopted, it will result in a line of cleavage between the "haves" and "have-nots" and may accentuate the difference between the propertied class and others. There is also the fatal practical objection that it would be impossible to arrange for the double poll that would be involved.

7. The local Government are extremely doubtful whether it will be practicable to arrange for a direct election by an electorate consisting of 10 per cent. of the total population which in this province will amount to $3\frac{3}{4}$ millions. Such a system will be extremely expensive, a point which cannot be overlooked under present conditions and will throw a very severe strain on the whole executive machinery of Government. The difficulties which will arise are amplified in the note* annexed.

8. The system of indirect election by means of primary groups is, it must be recognised, an experiment and for that reason it is difficult to forecast the result. But the fact that it is reported to have proved successful in other Eastern countries tends to show that it would prove equally successful in India, though the existence of separate electorates for Muhammadans may make the result less certain. If we consider the question from the point of view of practicability, there is no reason to believe that it would be impracticable to introduce a general system of indirect election and it appears probable that such a system would be less expensive and would throw less strain on the administrative machinery than direct election with a very large number of voters. This aspect of the question is discussed in greater detail in the note* appended to this memorandum and some suggestions as to the system that might be followed are examined. Assuming, however, that the system is feasible, an attempt must be made to estimate its results and reactions.

9. The first question that arises is: "Who will be returned by the primary groups to the secondary college of electors—will they be really representatives of the village community by which they are elected and will they be competent to cast their votes intelligently and honestly in the secondary election?" Conditions vary to a very large extent in this heterogeneous province. In certain areas where the aboriginal population predominates, in particular in the Santal Parganas and in the Kolhan Government Estate in Singhbhum the village is a well-recognised unit; the village community consists of persons nearly all of the same tribe or caste and in each village there is a village headman who exercises some revenue and executive functions, while villages are grouped together under a circle headman who has more extensive duties and powers. In such an area partly because of this village system, partly because of the community of interest between all the residents in the village, the group system may be expected to prove specially successful; the village headman, or possibly in some cases the village priest, would be returned by the primary group and be

* Not printed.

fully able to represent their interests. The same result might be obtained in other aboriginal areas but in other parts of Chota Nagpur the village system is not so well-preserved and the inroads of Aryan settlers during the last century have divided up the aboriginal tribes, but in those parts where members of aboriginal tribes still are in a majority, it may be expected that the group system will prove successful and many persons well-acquainted with these areas are in favour of it.

10. In the non-aboriginal areas of Bihar and Orissa the results are still more difficult to forecast. In most villages there is usually some resident of the village who is respected by his co-villagers and who, if he stood as a candidate and was returned by the primary group, would be a capable representative of their interests. But some doubts have been expressed whether a person of this type, a respected elder of the village, would stand for election by the primary group, if it merely involved a journey to a distant polling station for the purpose of recording a vote. Success in the primary election would not increase his position or prestige in the village while, on the other hand, defeat in a contested election by a candidate of lower position would be regarded as ignominious. If, however, some system of village self-government such as is contemplated by the Bihar and Orissa Village Administration Act were developed, and if the representatives of primary groups were given some functions other than the mere recording of the vote, the post might become more attractive and responsible and shrewd villagers might come forward as candidates. This result may also be obtained if the political education of the masses makes more rapid progress and if they come to appreciate the power of the vote. But there is a certain risk, especially in the early years after the introduction of this novel system, that suitable candidates will not be forthcoming and that the secondary electors will be men of straw, men of the type of the village tout or professional agitator. But in considering what class of person is likely to be returned on a secondary election we have also to take into account not merely what type of candidates will be forthcoming but how the villagers will cast their votes. It is held by some that in a village election a voter will be more exposed to undue influence than if he records his vote directly by ballot at a distant polling station and hence a preference is expressed for direct election. Others hold that the experience of direct election during the last ten years shows that voters go to the polling station without any knowledge of the candidates and still less knowledge of the policy which they profess; they are caught hold of by the agents of the candidates and told to place their vote in a box of a certain colour; they do so and depart without any knowledge of the effect of their vote. In a village election, on the other hand, the elector will know that he has to choose the man he considers best able to represent his interests; he will know the rival candidates intimately and can be trusted to exercise his judgment wisely.

11. A further point which should not be overlooked in considering the question of indirect election is the question of the size of the

secondary college of electors. If the number of secondary voters is small, and if unreliable people are returned by the primary groups, corruption and bribery or intimidation might become rife, until public opinion in India definitely expresses itself against these methods. If corruption of secondary electors becomes prevalent, the standard of secondary elector will fall still lower and only professional politicians will stand as candidates. This objection could be lessened by increasing the number of secondary electors, *e.g.*, by providing two or more from each group or by having large secondary constituencies.

12. Though risks are involved, there appears no reason to hold that the system will prove a failure ; it may not give so stable a government as one based on a system of direct election with a high franchise, but it will, on the other hand, prevent that sense of instability and uncertainty which would certainly be felt if the Constitution was based on a low franchise and direct election ; it will also tend to secure better representation of all interests.

**Adult suffrage in indirect elections.**

13. Assuming, therefore, that a general system of indirect election is adopted, the further question arises whether there should be adult suffrage in the primary groups and whether a low property qualification should be necessary to entitle a person to vote.

14. From the point of view of practicability it does not make any material difference whether all the adults in a village have the right to vote or only a limited number ; adult suffrage would not increase to any marked extent the work involved in holding a group election. On the question whether in a system of indirect election adult suffrage is desirable or not there are divergent views. On the one hand, it is urged that the country is by no means fit for adult suffrage, even in the indirect system and that its introduction would increase the sense of instability. The primary groups would include not merely the landholders, tenants and shop-keepers in a village who could be expected to vote with a due sense of responsibility, but also the irresponsible half-educated youth of the village. There is a risk that this class would dominate an election. Indirect election is likely to prove some check on instability but this result will be less likely to be obtained if you do not have a limited primary electorate. The imposition of a property qualification, however low, will ensure that all voters have some position and some stake, however small, in the country. With adult suffrage the vote will be regarded as of no value and the chances of suitable secondary electors being returned are greatly lessened.

15. On the other hand, it is argued that if a large percentage of the population is enfranchised, it will make very little difference to the Constitution or its working if a further step is taken and adult suffrage is introduced forthwith with the group of village system of election. It is anticipated that the village, as a whole, will exercise its powers wisely and will select the best man. It is further urged that in this province the line of party cleavage in furture will be between landlords and tenants, that if a low property qualification is imposed, this will result in the

enfranchisement of tenants only who will be in a predominating majority over the landlords and all other classes. If the franchise is extended still further, other classes such as the rural labouring class will be included and it is possible, though on this point also there are very divergent opinions, that this class, if enfranchised, will support the landlords on whom they are in some cases economically dependent as against the tenants. Adult suffrage will help, therefore, to stabilise the position of the landlords which might be jeopardised by a large increase in the electorate based on a low property qualification which would give an overpowering vote to the one class of tenants. This view, it may be suggested, tends to regard the conflict of interests between landlords and tenants in a province such as Bihar as more fundamental than it really is. It is true that there are disputes between these two classes over minor points but at bottom their interests are identical. There is really a more fundamental difference between the landlords and tenants on the one side and the labouring classes on the other, between the "haves" and the "have-nots". There may also prove to be in future more marked diversity of interest between the town and the country, between the agricultural and the industrial interests.

**Franchise qualification.**

16. Though the local Government for reasons already given are not in favour of a wide extension of the franchise, yet it is desirable to examine what should be the franchise qualification, assuming that it is decided to enfranchise 10 per cent. of the population. The present franchise is based on payment of revenue, rent or cess in rural areas and on payment of municipal tax in urban areas. The present rural franchise gives rise to some practical difficulties which are described in greater detail in the note annexed.* It is difficult to make even an approximately accurate estimate of the number of voters who will be enrolled if payment of a certain amount of cess or rent is the qualification ; the preparation and maintenance of the electoral roll is laborious and also, a more serious difficulty, it is not easy in a province where rents vary to a very large extent between district and district and even between village and village to equalise the qualification over the whole province. Chaukidari tax is, however, in force throughout the whole province except some aboriginal areas ; it is assessed on all owners and occupants of houses in a village according to their circumstance and property and a list of all assessees which could be used as the electoral roll is kept both in the village and in the office of the Subdivisional Magistrate. If the franchise qualification is the payment of chaukidari tax of any amount (six annas per annum is the minimum amount payable) it will mean the enfranchisement of all householders except the very poorest, and it has been ascertained by enquiry that the total number of persons assessed to this tax in the province (excluding those areas in which the tax is not in force) is 2,741,012 (2,695,755 males and 45,257 females), a figure which is not very far short of 10 per cent. of the rural population. If a higher franchise is desired and the qualification is fixed at payment of Re. 1 as chaukidari tax, the total number of persons qualified would be only 1,331,076, of whom

* Not printed.

18,817 would be females. Chaukidari tax is thus the simplest qualification and at the same time the one most intelligible to the villager ; if the payment of chaukidari tax in any form is adopted, it will also mean that practically every interest is represented. In urban areas payment of tax by owners or occupants of houses is suitable and is the existing qualification for municipal elections ; it would, it is calculated, enfranchise about 136,893 persons of the urban population of 1,432,381. Payment of income-tax should continue as a qualification and it may also be necessary to include for rural areas payment of land revenue or cess though it is probable that most payers of revenue or cess will also be payers of chaukidari tax.

**Educational qualification.**

17. A further question that has been considered is whether any educational qualification should by itself be a franchise qualification without any property qualification. The argument in favour of making education a qualification irrespective of property is that thereby you may enrol some intelligent and educated men who would otherwise not be qualified and thereby improve the electorate. But if a low property qualification such as payment of municipal, chaukidari or income-tax of any amount is adopted, the number enfranchised by any additional qualification would be very small. On the other hand, there are objections to adopting any educational qualification, especially if the general qualification is based on property, for it goes contrary to the principle that representation should be based on payment to the State. With a low property qualification, it is anticipated that the only effect of an educational qualification in particular in rural areas, will be to enfranchise the junior educated members of a joint family. It remains, therefore, to consider the problem of the joint family.

**Joint family.**

18. Under the present rules only the head or manager of a joint family gets the vote, a system which is strictly logical, for it may be argued that if the manager represents the family in other matters he should also represent them in electoral matters. It has the practical effect however, of disfranchising a larger number of the members of families of higher caste among whom the joint family system prevails and it has been suggested that all members of a joint family should be given the vote. If, however, a joint family consisting of four members pays Rs. 64 as rent and if each member of the family is given a vote, there will at once be the anomaly that each member of the family obtains the vote by payment of only his share of Rs. 16 as rent, while a member of a separate family who pays Rs. 64 has only a single vote. It is difficult to get over the anomaly but the local Government consider that if the property qualification of the payment of minimum chaukidari tax is adopted, some method of enfranchising more adult members of a joint family is desirable. This might be done by giving votes to other adult members of a family, in addition to the head of the family, in proportion to the amount of tax paid, if they have reached a certain educational standard. This would get over the difficulty of joint families, and would give some weight to

educational qualifications, without unduly stressing them. A similar system might be adopted in the case of Muhammadan families, where the joint family system does not exist, but one member of the family pays the tax. This suggestion though possibly not free from objection gets over the difficulty of joint families and the objection that an educational qualification by itself is undesirable.

**Women's suffrage.**

19. Though His Majesty's Government attach special importance to the question of securing a more adequate enfranchisement of women than under the present system which applies to women the same qualifications as men and has produced a women's electorate numbering less than one-twentieth of the total male electorate, the local Government adhere to the opinions which they expressed on the recommendation of the Statutory Commission that as far as Bihar and Orissa is concerned, no case has been made for a rapid enfranchisement of women by giving the vote to the wives and widows of men with the necessary franchise qualification. They there pointed out that such a proposal had been generally condemned, in particular, by the higher castes who represented that it would lead to a duplication of the voting power of the less responsible and less educated classes of the community and also that a large increase in the number of women voters would render the actual holding of elections more difficult. It is difficult in fact to appreciate the reasons in support of this proposal. If it is put forward with the object of benefiting the cause of women and of securing that the legislature pays adequate attention to their special problems, this object will not be attained, for there is not the faintest chance that a woman candidate will ever be elected even if the number of women voters is substantially increased.

20. The local Government fully recognise that it is desirable that the new legislature should pay adequate attention to the problem of the women of India, the development of education, the provision of medical relief, etc. But this will not be secured by bringing women into the turmoil of politics and by endeavouring to drag them out of the " purdah " to record their votes at a polling booth. It will be better attained for many years to come by providing for special seats for women in the provincial legislatures and thereby ensuring that the Council has the benefit of the opinions of a few educated women. These seats may either be fitted by nomination or if that system is thought to be out of date by allowing the Council to co-opt a certain number of women members. If neither of these proposals is regarded as feasible, then the only alternative would be to create a special electorate for the whole province consisting of educated women ; even if a low educational qualification was adopted, the total number of voters would not be large for in 1921 only 67,000 women were recorded as literate in the Census ; voting would have to be conducted by post but this does not present any insuperable practical difficulties. Apart from the special electorate, women possessing the property qualification fixed for men would be enfranchised, but judging by the last election, the percentage which will actually record their votes will be small.

## Second Chamber.

21. Up to this point some of the questions that arise in regard to the franchise for a lower Chamber have been considered. The need for a second Chamber has already been emphasized and many of the suggestions in regard to a lower Chamber have been based on the assumption that there will be a second Chamber. It remains to put forward some suggestions in regard to the second Chamber. The local Government do not propose to make definite suggestions as to the size of either Chamber but these questions will require careful consideration.

22. In their opinion on the report of the Statutory Commission the local Government suggested that the second Chamber should consist of three elements ; one-third should consist of persons directly elected by voters on a high franchise, thereby securing an adequate representation of the stake-holders in the country ; one-third to be elected by the lower Houses, thereby establishing connection between second Chamber and the general electorate and one-third to be nominated non-officials, thereby securing in the upper Chamber persons of ripe administrative experience, such as retired officers, etc. The suggestion that one-third should be nominated non-officials no longer appears practicable under the scheme of provincial autonomy now proposed and if it is considered desirable to obtain for the upper Chamber persons of age and experience who are unwilling to enter the turmoil of a contested election, some other means must be devised. The system of other democratic countries may be examined to see by what means this end is secured ; possibly election by a College of Electors, consisting of persons with administrative experience might be suitable. Apart from this it is, however, essential that at least one-third of the Chamber should be elected by electors with a high property qualification, such as that in force at present for the Council of State. By this means only can adequate representation of the stake-holders be secured and unless such representation is secured the stability of the constitution will be endangered.

## Special Interests.

23. If in the interest of a stable constitution, the propertied classes are represented in the upper Chamber, it remains to consider whether any special representation should be given to special interests in the lower Chamber. Under the present constitution there are special constituencies for—

(*a*) landholders (five seats) ;
(*b*) the mining industry (two seats) ;
(*c*) the planting industry (one seat) ;
(*d*) Europeans (one seat) ;
(*e*) University (one seat).

Industrial interests other than planting and mining, the Anglo-Indian community, the domiciled Bengali community and the Indian Christian community are represented by means of nomination. It is doubtful whether any special representation is needed for the domiciled Bengali

community or the Indian Christian community but this is a point on which the views of the members of these communities should be considered. The Anglo-Indian community, though not large in this province, will need some representation for its interests are very different from those which will receive representation in the general constituencies. Europeans will also have to retain some seats for their advice and experience may be useful especially in the early days of the new constitution. The mining interest and the industrial interests will secure representation in the upper Chamber for they will form a considerable percentage of the electorate of stake-holders. The main question is thus whether the landholders who will also have a predominant voice in the electorate of the second Chamber should also have special representation in the lower Chamber. There can be little or no doubt that even a moderate extension of the franchise will decrease the representation of the landholders in the lower Chamber and may reduce it to insignificance. Their interests will, it is true, be protected to some extent by their influence in the upper Chamber but it is doubtful if this will be sufficient. Constant friction between the upper and lower Houses will not lead to smooth and efficient working of the constitution. If, on the other hand, the landholders are also represented in the lower Chamber, this friction may be avoided. It is desirable that representatives of the stake-holders should have the opportunity of placing their views directly before the democratic lower Chamber and this can only be secured by the reservation of seats for some members of this class.

## II

### Provisional memorandum by the Bihar and Orissa Provincial Franchise Committee.

The following Press Communiqué was issued by the local Government on the 19th January 1932 :—

" The Governor in Council has appointed a Provincial Franchise Committee to advise on the question which will be examined by the Central Franchise Committee which has been appointed by His Majesty's Government. The following have agreed to serve as members of the Committee :—

1. Lady Imam.
2. Babu Chandreshwar Prasad Narayan Singh, M.L.C.
3. Rai Bahadur Lakshmidhar Mahanti, M.L.C.
4. Rai Bahadur Sarat Chandra Roy, M.L.C.
5. Mr. Saiyd Muhammad Athar Husain, M.L.C.
6. The Reverend Brajananda Das, M.L.C.
7. Babu Swayambar Das, M.L.C.
8. Babu Shiva Shankar Jha.
9. Babu Gur Sahay Lal.
10. Maulvi Saiyid Mubarak Ali Sahib.
11. Mr. A. P. Middleton, I.C.S.
12. Mr. G. E. Owen, M.L.C., I.C.S.
13. Rai Bahadur Satish Chandra Mukharji, Secretary and Member.

The Committee will elect their own Chairman. The questionnaire prepared by the Central Committee has been widely circulated in the province and any person wishing to give an opinion on the questions included therein is requested to send in his opinion to the Secretary with as little delay as possible and not later than February 7th, 1932. The Secretary can supply spare copies of the questionnaire, if needed."

Mr. E. Danby was subsequently appointed as a member of the Committee.

At the first meeting of the Committee on the 20th January 1932 the Hon'ble Mr. J. T. Whitty, C.S.I., C.I.E., I.C.S., Member of the Bihar and Orissa Executive Council, welcomed the members of the Committee on behalf of Government. His speech is appended as annexure A* to this report. Babu Chandreshwar Prasad Narayan Singh was unanimously elected as Chairman.

The Committee subsequently met on the 23rd January 1932 and on the 2nd, 3rd and 4th February, 1932. For convenience of reference, the provisional views of the Committee have been stated under each question of the questionnaire issued by the Indian Franchise Committee. In

* Page 134.

dealing with these questions the Committee has kept in view the following observations of the Chairman of the Indian Franchise Committee :—

"The Franchise Committee of the Round Table Conference considered that adult suffrage was the goal which should ultimately be attained but majority thought that it was not practicable to reach that goal immediately and recommended the immediate increase of the electorate so as to enfranchise not less than 10 per cent. of the population, and indeed a larger number—but not more than 25 per cent. of the total population —if that should, on full investigation, be found practicable and desirable."

## I.—PROVINCIAL LEGISLATURE.

### 1.—Extension of Franchise.

*Question 1 (a).*—What means can you suggest by which the existing franchise for the provincial legislature could be extended so as to include 10 per cent. of the population in the electoral roll ?

According to the Census of 1931, the total population of Bihar and Orissa excluding the Feudatory States is 37,677,576. The statement below shows the number of non-Muhammadans and Muhammadans, both male and female, in British Bihar and Orissa :—

I

| Description of persons. | Non-Muhammadan. | Muhammadan. | Total. |
|---|---|---|---|
| Male .. .. | 16,679,026 | 2,115,112 | 18,794,138 |
| Female .. | 16,730,244 | 2,153,194 | 18,883,438 |
| Total .. | 33,499,270 | 4,268,306 | 37,677,576 |

If 10 per cent. of the total population be enfranchised, the total number of voters would be 3,767,757. Women constitute approximately half the total population. The approximate number of persons of and above 21 years of age in 1931 is given below —

II

| Description of persons. | Non-Muhammadan. | Muhammadan. | Total. |
|---|---|---|---|
| Male .. .. | 8,236,409 | 995,036 | 9,231,445 |
| Female .. | 8,518,355 | 1,052,343 | 9,570,698 |
| Total .. | 16,754,764 | 2,047,379 | 18,802,143 |

According to the above table, 50 per cent. of the total population are persons of and above 21 years of age and of these the women slightly outnumber the men. If the wives and widows of and over 21 years of age of male voters are enfranchised, the number of such women who have attained majority will be as follows :—

III

| Description. | Non-Muhammadan. | Muhammadan. | Total. |
|---|---|---|---|
| Married .. | 5,762,900 | 730,000 | 6,492,900 |
| Widows .. | 2,656,100 | 308,000 | 2,964,100 |
| Total .. | 8,419,000 | 1,038,000 | 9,457,000 |

At present, the main franchise qualification in urban constituencies is the payment of Rs. 3 annually as municipal or cantonment rates. In the general elections of 1930, the total number of urban votors was as follows :—

IV

| Description of persons. | Non-Muhammadan. | Muhammadan. | Total. |
|---|---|---|---|
| Male .. .. | 53,623 | 12,786 | 66,409 |
| Female .. | 3,058 | 1,315 | 4,373 |
| Total .. | 56,681 | 14,101 | 70,782 |

The existing franchise qualifications for rural constituencies vary in different parts of the province. They are mainly property qualifications, *viz.*, payment of revenue, cess and rent by proprietors, tenure-holders and tenants at certain rates per annum. The statement gives the total number of voters in rural constituencies during the general elections of 1930 :—

V

| Description of persons. | Non-Muhammadan. | Muhammadan. | Total. |
|---|---|---|---|
| Male .. .. | 319,498 | 35,562 | 355,060 |
| Female .. | 1,695 | 787 | 2,482 |
| Total .. | 321,193 | 36,349 | 357,542 |

The total urban population of Bihar and Orissa including the town of Jamshedpur is 1,516,119. As no municipal tax or any other tax or rate is levied in Jamshedpur " notified area ", the population of the town has been excluded for the present for purposes of calculation. Proposals for enfranchising the population of Jamshedpur are being separately considered. The table below gives the urban population of Bihar and Orissa excluding Jamshedpur :—

VI

| Description of persons. | Non-Muhammadan. | Muhammadan. | Total. |
|---|---|---|---|
| Male .. .. | 607,457 | 177,539 | 784,996 |
| Female .. | 492,213 | 155,172 | 647,385 |
| Total .. | 1,099,670 | 332,711 | 1,432,381 |

The total urban population being 1,432,381, the number of urban voters if 10 per cent. of the urban population be enfranchised, will be 143,238. At present one of the main qualifications for the municipal franchise is the payment of Rs. 1-8-0 as municipal tax. Enquiries were made as to the total number of persons on the municipal electoral roll. Figures were also obtained for the number of persons who pay Rs. 1-8-0 as tax in Doranda and Jugsalai " notified area " and in the Patna New Capital under the Patna Administration Committee. The results reported have been tabulated in the statement which is appended to this report as annexure B*. The total number of voters on the municipal electoral roll

* Pages 136-137.

and of persons who pay Rs. 1-8-0 as tax in the "notified areas" of Doranda and Jugsalai and in the Patna New Capital, is 148,943, of whom 121,579 are non-Muhammadans and 27,367 are Muhammadans. Of these, only 995 are women. Although women are entitled to vote in municipalities, very few of them are enrolled as voters. This is due to the indifference of women generally in the matter of having their names registered as electors whereas the number on the municipal electoral roll is only 995. The question of increasing the number of women voters is dealt with in the portion of the report relating to women's suffrage. The figures given above show that approximately 10 per cent. of the total population in urban areas will be enfranchised if all the voters on the municipal roll and those who pay Rs. 1-8-0 as tax in other urban areas are brought under the franchise for the local Council. Having in view these figures the Committee is of opinion that the extension of the franchise in the manner suggested in the question can be effected if the main municipal franchise, *viz.*, payment of Rs. 1-8-0 as tax or fee is adopted as the basis of the franchise qualification for the Council in urban areas.

In round figures, the rural population of the province is 36,000,000; franchise, *viz.*, payment of Rs. 1-8-0 as tax or fee is adopted as the basis. Parganas have been left out as these areas will have to be dealt with separately. This will be explained later on. The table below gives the figures of population in rural areas :—

VII

| Description of persons. | Non-Muhammadans. | Muhammadans. | Total. |
|---|---|---|---|
| Male .. .. | 14,704,370 | 1,818,794 | 16,523,164 |
| Female .. | 14,836,045 | 1,775,083 | 16,721,128 |
| Total .. | 29,540,415 | 3,703,877 | 33,244,292 |

10 per cent. of the total population will be 3,324,429. Before the general elections of 1920 a suggestion was made that it would be simpler and more economical if the payment of chaukidari tax was made the basis of franchise for the local Council in rural areas and in favour of this it was urged that all classes would be represented including wage-earners, figures of voters could be easily compiled from chaukidari assessment list maintained in each sub-divisional office and no special staff would be required for the preparation of the electoral roll. It was also urged that the electoral roll could be prepared far more expeditiously than at present and it would not necessitate laying down franchise qualifications for different areas. After the general elections of 1926 the Elections Officer, Mr. Berthoud, observed as follows :—

"The franchise in rural areas is based on property qualification, but the vast bulk of the residents in these areas is as indifferent as ever in election matters and this causes considerable difficulty in hunting up property qualifications with a view to compiling a complete and correct roll. It would simplify work if the payment of chaukidari tax were made the basis of the franchise in rural areas, inasmuch as an up-to-date

register of assessees under the Chaukidari Act is maintained almost everywhere, from which a list of voters could be compiled with less difficulty. This is a question of some importance." For meeting the cost of upkeep of the rural police, *viz.*, village chaukidars (watchmen) and dafadars (head watchmen), a certain rate is levied in each village under section 15 of the Village Chaukidari Act VI of 1870. This rate is assessed according to the circumstances and the property to be protected of the persons liable to the same, provided that the amount assessed on any one person is not more than Re. 1 a month and that all persons who in the opinion of the *panches* (village officials) are too poor to pay half an anna a month are altogether exempted from assessment. The minimum chaukidari tax is half an anna a month or 6 annas a year. The payment of the minimum chaukidari tax has been adopted as a franchise qualification for the election of members of the Union Board or Panchayat under the Bihar and Orissa Village Administration Act III of 1922. In view of the advantages of adopting the payment of chaukidari tax as the basis of franchise qualification, the Committee had enquiries made in order to ascertain the number of persons who pay chaukidari tax of Re. 1 and of 6 annas a year. The Act is in force in the Patna, Tirhut, Bhagalpur (except in the Santal Parganas) and Orissa (except in the districts of Sambalpur and Angul) Divisions and a similar Act, *viz.*, the Chota Nagpur Rural Police Act I of 1914, is in force in the Chota Nagpur Division. The results of the enquiries are tabulated in a statement which forms annexure C* to this report. The table below shows the total number of persons paying chaukidari tax of 6 annas a year :—

VIII

| Description of persons. | Non-Muhammadans. | Muhammadans. | Total. |
|---|---|---|---|
| Male .. .. | 2,561,945 | 322,988 | 2,884,933 |
| Female .. | 40,268 | 7,417 | 47,685 |
| Total .. | 2,602,213 | 330,405 | 2,932,618 |

If the payment of the minimum chaukidari tax of annas 6 is adopted as the basis of franchise qualifications, 2,932,618 out of a total of 33,244,292 persons or about 9 per cent. of the rural population will have the right to vote. So far as men in rural areas are concerned, about 17·5 per cent. of the total male population or 35 per cent. of the adult male population will be enfranchised. The relative voting strength of the two main communities, non-Muhammadans and Muhammadans, would be more or less the same. The total number of women chaukidari tax-payers is 47,685 or approximately 1·6 per cent. of the total number of such tax-payers. As stated above, the question of increasing the number of women voters will be dealt with in the portion of the report regarding "Women's suffrage". It may be mentioned here that the chaukidari tax provides for assessment of *separate interests*. If the chaukidari tax is adopted as the basis of franchise, the adult members of a joint family other than the head of the family will have no right to vote. The same principle has been adopted in the existing Electoral Rules. Where property is held or

* Pages 138-141.

payments are made on the principle of a joint family, the family is adopted as the unit for deciding whether the requisite qualification exists, and if it does exist, the person qualified is, in the case of a Hindu joint family, the manager or head thereof and, in other cases, the member authorised in that behalf by the family concerned. The Committee has considered the question whether disqualification of the other members of a family entitled to vote should be removed and all adult members of such a family given the franchise. This, however, is bound to involve the question of lowering the franchise qualification in favour of Hindu joint families. As the Chaukidari Act provides for the assessment of the separate interests, some at least of the adult members of a joint family, who live joint in mess but have separately recorded shares for which they pay revenue, rent or cess separately of an amount sufficient to make them liable to chaukidari assessment, will be included in the electoral roll. Some again will be so included if there is an educational qualification in addition to the property qualifications. Having regard to the figures shown in Statement C* the Committee considers that approximately 10 per cent. of the population will be included in the electoral roll if the payment of the minimum chaukidari tax is adopted as the basis of the franchise qualifications in rural areas.

*Question 1* (*b*).—Do you consider that such an electorate will be capable of casting an intelligent vote ?

The majority of members of the Committee are of opinion that the percentage of voters who cast their votes intelligently under the existing franchise is very low and that it would be lower still if the franchise is further extended. Babu Gur Sahay Lal holds the view that the proportion of intelligent voters is increasing at every general election and there is no reason why the number of such voters will not increase further if the franchise is lowered, the political education of the masses being only a question of time. Pandit Shiva Shankar Jha is of opinion that it would make no difference in the proportion of intelligent voters if 10 per cent. of the total population were enfranchised.

*Question 1* (*c*).—Do you consider that such an electorate would be administratively manageable having regard to the arrangements likely to be feasible for the preparation, maintenance and revision of the Electoral Rolls, and for the recording and counting of votes ?

The answer to the question depends on whether the election should be by the direct method or by the indirect method. The task of preparation, maintenance and revision of electoral rolls will, no doubt, be simplified if the municipal rolls are taken as the basis of franchise for urban areas and chaukidari assessment lists as the basis for rural areas. But if the direct method is adopted it will be necessary to print the rolls, and the cost of printing an electoral roll containing the names, qualifications and addresses of 37 lakhs of persons would be enormous. By the direct method of election there will be also considerable administrative difficulties

* Pages 138—141.

in the recording and counting of votes of such a large number of voters. It may be possible to make some sort of polling arrangements for 10 per cent. of the population by increasing the number of polling stations, employing all available Government officers, gazetted, non-gazetted and ministerial, and also a number of Government pensioners and invoking the aid of Honorary Magistrates and a few other reliable non-officials including members of local bodies. The pensioners, however, might often be too old for the very strenuous work of presiding at a poll and the other non-officials, including members of local bodies, would probably have inadequate executive experience and in many cases may be taking part in the election. In certain areas where the staff available will not be sufficient for conducting the election of non-Muhammadan voters in rural areas in one day, it may be necessary to spread the election over more than one day. But this would mean an unusual amount of strain on the administrative machinery, and would be unwise and impracticable—if there be a joint electorate for non-Muhammadans and Muhammadans.

Moreover, a protracted election, if party feeling was high, will tend to increase the chances of rioting and serious breaches of peace. At any rate, it will be a make-shift arrangement which is bound to break down if the franchise is further extended in future and if adult suffrage is the goal to be ultimately reached. It is true that indirect election is not without its drawbacks, specially in India where there are several religious communities and sects or sub-sects under each community. There is also the risk that in the interval between the primary and the secondary election pressure or undue influence may be brought to bear on a secondary voter by interested persons. But this risk will be minimised if the interval between the two elections is shortened and if the number of secondary electors is increased. This may be done by allowing the primary groups to elect, 2, 3 or even 4 representatives so that each community or each important caste or sect may have a secondary elector of its own choice. The Committee has given its careful consideration to this question. The majority of its members are of opinion that if adult suffrage is to be the goal, it would be necessary to adopt the indirect method of election later on and that it would be better to adopt it now in order to familiarise the people with the method which they would have to ultimately adopt. They consider that it will solve all difficulties and will work admirably if it is ultimately decided to have a joint electorate with or without reservation of seats for all communities. It will facilitate the recording of votes of women, if they are given the vote. If the system of indirect election is adopted, the group must be the chaukidari village which is a well-known unit and is defined in the Village Chaukidari Act. Two of the members of the Committee, namely, Pandit Shiva Shankar Jha and Babu Gursahay Lal are definitely opposed to any form of indirect election on the ground that the candidates will not be in direct touch with their voters and that money-lenders and village touts will play a very prominent part under this system. According to them, indirect election has no life in it and is likely to promote undesirable factions in villages and corruption will be rife. This opinion is also, to

a large extent, shared by Babu Swayambar Das who would not like professional politicians to get a chance of succeeding in the elections whether by direct or indirect method.

*Question 1 (d).*—If answer to (*b*) and (*c*) is in the negative, what alternative qualifications for the electorate would you propose ?

The Committee is of opinion that the payment of chaukidari tax in rural areas and of Rs. 1-8-0 as municipal tax or fees in urban areas if adopted as basis of the franchise qualification will produce the desired number of voters. Some of the members (Pandit Shiva Shankar Jha, Babu Gur Sahay Lal, Babu Swayambar Das and Rai Bahadur Sarat Chandra Ray) think that in order to increase the number of voters, who will be able to cast their votes intelligently, the Committee may suggest an alternative educational qualification. This will be also dealt with under 2(*d*). On the other hand, those who favour indirect election, feel that the question does not arise since everybody who is somebody will have the chance to exercise his vote in a group with whom he is directly concerned and is in touch, so that no question of intelligent voting could arise. It has also been shown that such a system would be workable if adopted.

*Question 1 (e).*—If the answer to (*b*) and (*c*) is in the affirmative, do you consider that it would be practicable and desirable, having regard to the same consideration, to enlarge the electoral roll still further and, if so, what means would you suggest for the purpose ?

The majority of the Committee consider that whatever system of election be adopted, it was not desirable for the present to extend the franchise to more than 10 per cent. of the total population though it would be quite practicable to enlarge the electoral roll still further under the indirect method. Some of the members, namely, Lady Imam, Babu Gur Sahay Lal, Rai Bahadur Sarat Chandra Ray and Pandit Shiva Shankar Jha are of opinion that the franchise should be extended still further up to 25 per cent., if it is practicable. Others, however, think that the question would not arise if indirect election with adult suffrage is adopted.

*Question 1 (f).*—It has been suggested that, assuming adult suffrage to be impracticable at present, all adults not entitled to a direct vote should be grouped together in primary groups of about 20 or in some other suitable manner for the election of one or more representative members from each group, who would be entitled to vote in the provincial election either in the same constituencies as the directly qualified voters or in separate constituencies to be framed for them. The suggestion has been discussed mainly with reference to rural villages, but might be made applicable to towns also.

Do you consider that any such system would be feasible and advantageous in the areas with which you are acquainted, and, if so, would you advise that the group electors should vote in the same constituencies as the directly qualified electors, or in separate constituencies composed of group electors only ?

(*g*) It has been proposed that in the event of separate constituencies being framed for group electors, only group electors should be qualified to stand as candidates for such constituencies.

Are you in favour of this course ?

The Committee has been unanimous in its decision that a combination of the two systems, direct and indirect, will lead to quite undesirable results, as it will always tend to bring about feelings of distinction between the two classes and may ultimately result in a sort of class war. It will also be impracticable from the administrative points of view as it will throw a very heavy strain on the electoral machinery.

*Question 1* (*h*).—Do you consider it would be feasible and advantageous to abolish all existing qualifications for voters and to extend a system of the nature described in (*f*) (corrupt group) adult voters, confining electorate for all constituents to secondaries chosen by groups of primary voters ?

(*i*) In the event of your answer to (*f*) or (*h*) being in affirmative, what do you consider would be a suitable size for out groups referred to above ? On what basis would you constitute them and whom would you charge with the duty of framing them ?

(*j*) Would you require any special qualifications, whether property, educational or other, in person chosen by out groups to vote on their behalf for election of members ? If so, what ?

Lady Imam would answer this question as follows : " Yes. This is an improvement on the scheme described in (*f*). If the entire basis of the franchise is rested on primary groups of adults, men and women, the nearest approach to universal suffrage will be made. This scheme has the additional merit of reducing administrative difficulties. As for instance, a primary group of one hundred adults will be represented by one of its own secondary group to be its representative, and this representative will be a direct voter to election to the legislature. With local non-official aid the administrative arrangements of the primary and the secondary groups can be easily carried out at a nominal cost. Considering the size of the province I would fix the strength of the primary group at one hundred of whom not less than five per cent. should have the property or literacy qualification. I would further restrict the election of the representatives of the primary group to only such as may have either of these two qualifications. Thus, the primary representatives will represent the majority in the primary groups. As regards the secondary group, I would fix its number at twenty-five. In this way, the elected

representatives of the secondary group will represent groups of the aggregate strength of two thousand five hundred adults. In this way, the number of direct voters to election to the Legislatures in a single constituency will be reduced to a manageable size, thereby largely obviating administrative difficulties. I have put forward the above suggestion as a general exposition of the scheme. It may be that in some separate communal elections the strength of the primary and secondary group may have to be lowered but that will make no difference in principle. As in some parts of the province there may be congested areas and in some sparse population a fractional primary group may be joined to a neighbouring group of the same class."

The majority of the members do not favour this type of indirect election. They prefer a system of indirect election in which there is but one primary election followed by the general election by the electors selected by the primary groups.

## 2. Franchise Qualifications.

*Question 2 (a).*—Do you consider that in the areas with which you are acquainted there is any marked disparity in the operation of the franchise qualifications in urban as compared with rural areas? If so, what measures would you suggest in order to rectify such disparities?

The Committee recognises that at present there is some disparity in the operation of the franchise qualifications in urban as compared with rural areas. They consider, however, that the adoption of the payment of minimum chaukidari tax for rural areas and of the municipal franchise for urban areas will remove such disparities.

*Question 2 (b).*—It has been suggested that each community should be given a voting strength proportionate to its numbers, and that the franchise system should be so contrived as to secure this result, in so far as it may be practicable.

Are you in agreement with this suggestion, and, if so, what measures would you suggest for giving effect to it in your province on the assumption (*a*) that separate electorates are retained, (*b*) of joint electorates with reservation of seats and (*c*) of joint electorates without reservation of seats?

From annexures B and C* it will be seen that the relative voting strength of the non-Muhammadan and Muhammadan population in rural and urban areas will be practically the same if the franchise qualifications suggested are adopted.

*Question 2 (c).*—Is the possession of property of some kind in your opinion a suitable test of fitness for the franchise—the term "property" should be understood in its widest sense as including ownership of landed property and also occupation of land or house property or receipt of income or wage whether in cash or kind? If so, do you consider the existing property

* Printed at pages 136 and 138, respectively.

qualifications suitable ? If you do not, what modification do you suggest ?

The majority of the Committee considers that a franchise qualification based on property is necessary. As stated above, chaukidari tax is assessed according to circumstances, and the property to be protected of the persons liable to the same. It is levied in rural areas on small traders according to their income and on agricultural labourers according to their wages. A voter should have some stake in the country and in suggesting the payment of chaukidari tax and the municipal franchise as the basis the Committee has kept this point in view.

*Question 2* (*d*).—Are you in favour of introducing a qualification based on education, independently of property, and, if so, what educational qualification would you suggest ?

The Committee is in favour of introducing a qualification based on education apart from property but not independently of property. The general opinion is that all men who have passed the Middle standard (Middle English or Middle Vernacular and the corresponding oriental examinations in *tols* and *madrasas*) and women who are literate, that is, able to read and write a letter, should have the right to vote. Some of the members, Babu Gursahay Lal, Babu Swayambar Das and Rev. Brajananda Das, are in favour of lowering the educational qualification for men to the passing of the upper primary examination only. Rai Bahadur Sarat Chandra Ray recommends that a lower educational standard should be fixed for the aboriginals.

*Question 2* (*e*).—Are you in favour of retaining the existing military service qualification and extending it so as to include service in the Auxiliary and Territorial Forces ?

The members are unanimously in favour of this.

### 3. Women's Suffrage.

*Question 3* (*a*).—At present women are admitted to the suffrage on the same terms as men, but as the existing qualifications are mainly based on property and the payments of taxes, the number of women on the provincial electoral rolls is only a little over a quarter of a million as compared with 6½ million men. The Statutory Commission proposed that the wives and widows (if over 25 years of age) of men, entitled to vote under the property qualification, should be enfranchised, and that in addition an educational qualification should apply to women over 21 as well as to men. In the franchise sub-committee of the Round Table Conference it was suggested that the age-limit should be 21 for women as for men.

Are you in favour of increasing the women's electorate in the ways suggested or would you prefer any other method, if so, what method ? To what extent would you favour increase in women's electorate ?

(*b*) In the event of a system of group representation being established as proposed in paragraph 1 (*f*), do you consider that women should be formed into groups, and, if so, should separate groups be formed for women or should groups contain both men and women?

Of the members, Lady Imam is in favour of the proposal of enfranchising wives and widows of the men entitled to vote under the qualifications mentioned above; literacy may be an additional qualification. The other members are, however, of opinion that literacy and the property qualifications should be the franchise qualifications for women. The number of adult literate women in the province is about 72,000. The property qualifications may bring in only another 8,000 as in the case of women such qualifications are likely to overlap educational qualifications. Altogether there will be about 80,000 women voters. For them, the indirect method of election is, in the opinion of the Committee, most suitable, particularly in rural areas. If 80,000 women voters be allowed to vote in the first stage in groups of 25, the total number of secondaries will be 3,200. For them the system of postal voting may be adopted. Should it be decided to introduce direct method of election, the Committee considers that it will be necessary to have separate polling booths for them as the majority of women in the province observe *purdah*.

*Question 3* (*c*).—The suggestion has been made that at any rate as a temporary measure legislature should co-opt women members to the extent not exceeding 5 per cent. by a system of proportional representation so as to ensure some representation of women in legislature. What are your views?

The majority of the Committee is of opinion that women should have separate representation in the Council and a certain number of seats should be reserved for them.

### 4. Depressed Classes.

*Question 4.*—Do you consider that the depressed classes are likely, through such general franchise as you favour, to secure representatives of their own choice in the general electorates, and, if so, to what extent? If your answer is in the negative, are you in favour of the institution of (*a*) separate electorates for the depressed classes, and, if so, on what basis or (*b*) joint electorates with reserved seats. The possible application of the group system of representation to the depressed classes should be specially considered.

It is difficult to give an exhaustive list of the castes or sects who come under the definition of depressed classes. The only classes which can be called depressed are *Mushars*, *Dusadhs*, *Chamars*, *Doms and Mehtars*. Their number is not sufficiently large to justify their being grouped in a separate electoral roll. The problem of depressed classes is not so acute in Bihar as in Bombay or South India. The Committee

considers that there is no need for special representation of the depressed classes. A sufficiently large number of them would be entitled to vote if the qualifications as suggested above are adopted; they may be included in the non-Muhammadan electoral roll. The Chairman, Mr. Middleton and Mr. Danby do not think that a sufficient number of depressed classes and untouchables would be included, if the property qualification, as suggested in the beginning of this memorandum, is adopted as the basis of franchise. They, however, consider that the difficulties of their representation will have been very greatly solved, if the indirect election with adult suffrage is adopted; and if each primary group is allowed to elect two or more secondaries, there is every possibility of some candidates of the depressed classes succeeding at the polls. The Committee is unanimous that there is no need for a separate electorate for the depressed classes and that it would be unwise and unworkable.

### 5. Representation of Special Interests.

*Question 5* (*a*).—What are the special measures which you recommend for representation of labour where it is or can be organised as in industrial areas, (*b*) where it is organised as in case of Agricultural and Plantation Labour? On what basis would you allot representation of labour in each case?

*A. 5* (*a*). The Committee is not in favour of special representation for the university and for the domiciled Bengalis.

All the members favour the retention of special representation for the Europeans.

As regards Commerce, most of the members agree that it should have special representation.

The Committee is generally in favour of a separate representation for the Indian Christians. Rev. Brajananda Das and Rai Bahadur Sarat Chandra Ray, however, consider that they may vote in the general electorate but should have seats reserved for them.

The Committee is divided in the matter of giving special representation to the landholders. Some of the members are of opinion that if a second chamber was established in which the landholders are likely to be sufficiently represented, it is not necessary for them to be specially represented in the Lower House. There are others who think that they would be able to contest seats successfully in the general constituencies. But the majority considers that as the landholders have a considerable stake in the country and as they are likely to be out-numbered by the general voters, some sort of special representation should be provided for them in the Lower House. The maintenance of special representation for the landholders in the Lower House is also essential because their absence in the parliament of the people might tend to increase the hostility against them as a class and may finally result in the unpopularity of the upper chamber.

5 (*b*). Regarding industrial labour the Committee is of opinion that it is not necessary to provide special representation but a separate constituency should be formed for Jamshedpur town for which franchise qualifications are being considered.

About agricultural labour, the general opinion is that a sufficient number of members will be returned from the general constituencies on the chaukidari tax basis.

## II.—THE FEDERAL LEGISLATURE.

### 6. Allocation of seats to British Indian Provinces.

In the third report of the Federal Structure Committee the following allocation of seats to provinces of British India in the two chambers of the federal legislature was tentatively suggested :—

| Names of Provinces. | Upper Chamber. | Lower Chamber. |
|---|---|---|
| Madras .. .. .. .. | 17 | 32 |
| Bombay .. .. .. .. | 17 | 26 |
| Bengal .. .. .. .. | 17 | 32 |
| United Provinces .. .. .. | 17 | 32 |
| Punjab .. .. .. .. | 17 | 26 |
| Bihar and Orissa .. .. .. | 17 | 26 |
| Central Provinces (if Berar is included) | 7 | 12 |
| Assam .. .. .. .. | 5 | 7 |
| North-West Frontier Province .. | 2 | 3 |
| Delhi .. .. .. .. | 1 | 1 |
| Ajmer-Merwara .. .. .. | 1 | 1 |
| Coorg .. .. .. .. | 1 | 1 |
| British Baluchistan .. .. | 1 | 1 |
| Total .. | 120 | 200 |

As a working hypothesis for the purpose of arithmetical calculation at the present stage it may be assumed that the general legislature will be approximately of the size included in the report of the Federal Structure Committee.

(*a*) The Federal Structure Committee proposed that the representatives of British Indian Provinces in the Upper Chamber should be elected by the Provincial Legislature by a single transferable vote. Do you agree with this proposal or have you any alternative to suggest ?
(*b*) Do you consider that the franchise qualifications ought to be different for the Federal and Provincial Legislature ? If so, what do you consider it ought to be in the case of the Federal Legislature ?

(*c*) The majority of members of the Federal Structure Committee considered that election to the Lower Chamber of the Federal Legislature should be by territorial constituencies consisting of qualified voters who would cast their vote directly for the candidates of their

choice. Under a scheme of this nature there would be more than a million inhabitants on an average in each constituency. The constituency would in some cases be of enormous size especially if communal electorates were introduced. In view of obvious difficulties which must confront a candidate in canvassing and maintaining contact with such large constituency the Committee recommended that alternatives of direct and indirect elections should be fully explored and suggested that while it might be possible without difficulty to adopt direct election in certain areas some form of indirect election might prove desirable in rural areas.

The Franchise Committee would be glad to have your views on this difficult question. In the event of your favouring some system of direct election it would be very useful if you would indicate the nature of the constituency that you would form having regard to the number of seats which you consider ought to be allotted to your province.

The Committee is of opinion that the members for the Upper Chamber of the Federal Legislature should be elected by both the Houses of the Provincial Legislature. As regards the Lower House of the Federal Legislature the members are divided in their opinion. Some consider that the members of the Lower House should be elected by the direct method as at present the qualifications for the voters being either on the basis of the existing franchise qualifications for the Legislative Assembly with modifications or payment of chaukidari tax of an amount sufficient to bring in an electorate four or five times the present number. Others are of opinion that members of the Lower House of the Federal Legislature should be elected by the members of the provincial legislature from amongst themselves and from outsiders. A suggestion was also made that the voting for the Lower House might be by indirect method as in the case of the provincial body.

### 7. Size of Provincial Legislature.

The majority of the Committee is of opinion that the number of members of the Legislative Council should be raised from 103 to 200, a few expert members being added when special problems are under consideration. Others think that 150 to 175 should at least be the number of members.

### 8. Qualification of candidates.

The Committee is of opinion that the present qualifications are suitable but some changes might be made in the list of disqualifications.

### 9. Bicameral Legislature.

On this question the members are not unanimous.

Rai Bahadur Sarat Chandra Ray, Pandit Shiva Shankar Jha, Babu Gursahay Lal and Babu Swayambar Das are strongly opposed to the creation of a second Chamber in this province as necessity for it has not yet been established and as the respective functions of the Upper and Lower Houses have not yet been defined. The majority of the members are,

however, of opinion that a second Chamber is an absolute necessity, especially during the transition stage. It exists in almost all the democratic countries of the world and exercises a steadying influence on hasty or ill-conceived decisions of the Lower House. The utility is apparent from the fact that it is being established where it did not exist before. There has been some apprehension in the minds of the people that the creation of 2 Chambers will put one in subordination of the other. I cannot do better in this respect than to quote the views of the Federal Committee :—

> " It would be misconception of the aims which we have in view to regard this Chamber as a drag or impediment on the activities of the other. In our view, the two Chambers will be complementary to each other, each representing somewhat different, but, we hope, not antagonistic, aspects of the Federation as a whole. Absolute equality between the two Chambers of a bicameral Legislature is no doubt unattainable, and, if it were attainable, might well result in perpetual deadlock ; and there is no less doubt that, the provisions of the constitution notwithstanding, the evolution of political development will inevitably result, in the course of time, in placing the centre of gravity in one Chamber."

CHANDRESHWAR PRASAD NARAYAN SINGH,
*Chairman, on behalf of the Committee.*

*The 9th February 1932.*

## ANNEX

### Total number of urban

| Serial No. | Districts. | Total population of municipal towns in Bihar and Orissa | | | | | |
|---|---|---|---|---|---|---|---|
| | | Non-Muhammadans. | | | Muhammadans. | | |
| | | Male. | Female. | Total. | Male. | Female. | Total. |
| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 |
| 1 | Patna* .. | 111,429 | 90,335 | 201,764 | 39,526 | 31,252 | 70,778 |
| 2 | Gaya .. .. | 45,878 | 34,715 | 80,593 | 13,691 | 10,901 | 24,592 |
| 3 | Shahabad .. | 46,486 | 40,067 | 86,553 | 15,665 | 15,412 | 31,077 |
| | Divisional Total | 203,793 | 165,117 | 368,910 | 68,882 | 57,565 | 126,447 |
| 4 | Saran .. .. | 28,672 | 23,340 | 52,012 | 9,530 | 8,933 | 18,463 |
| 5 | Champaran .. | 17,969 | 13,293 | 31,262 | 7,216 | 7,008 | 14,224 |
| 6 | Muzaffarpur .. | 35,886 | 27,454 | 63,340 | 9,822 | 8,842 | 18,664 |
| 7 | Darbhanga .. | 38,960 | 32,792 | 71,752 | 13,894 | 12,579 | 26,473 |
| | Divisional Total | 121,487 | 96,879 | 218,366 | 40,462 | 37,362 | 77,824 |
| 8 | Monghyr .. | 35,513 | 30,996 | 66,509 | 8,708 | 7,992 | 16,700 |
| 9 | Bhagalpur .. | 35,969 | 27,320 | 63,289 | 13,531 | 12,260 | 25,791 |
| 10 | Purnea .. | 19,196 | 12,409 | 31,605 | 8,603 | 6,015 | 14,618 |
| 11 | Santal Parganas | 22,438 | 17,741 | 40,179 | 4,523 | 3,834 | 8,357 |
| | Divisional Total | 113,116 | 88,466 | 201,582 | 35,365 | 30,101 | 65,466 |
| 12 | Cuttack .. | 41,180 | 34,215 | 65,395 | 6,688 | 6,473 | 13,161 |
| 13 | Puri .. .. | 20,359 | 16,734 | 37,093 | 344 | 131 | 475 |
| 14 | Balasore .. | 8,240 | 5,988 | 14,228 | 1,893 | 1,722 | 3,615 |
| 15 | Sambalpur .. | 7,126 | 6,743 | 13,869 | 590 | 558 | 1,148 |
| | Divisional Total† | 76,905 | 63,680 | 140,585 | 9,515 | 8,884 | 18,699 |
| 16 | Hazaribagh .. | 19,693 | 18,126 | 37,819 | 6,644 | 6,394 | 13,038 |
| 17 | Ranchi‡ .. | 25,910 | 22,526 | 48,436 | 8,223 | 8,156 | 16,379 |
| 18 | Singhbhum§ .. | 13,805 | 11,090 | 24,895 | 3,201 | 2,601 | 5,802 |
| 19 | Manbhum .. | 27,322 | 22,084 | 49,406 | 4,072 | 2,915 | 6,987 |
| 20 | Palamau .. | 5,426 | 4,245 | 9,671 | 1,175 | 1,194 | 2,369 |
| | Divisional Total | 92,156 | 78,071 | 170,227 | 23,315 | 21,260 | 44,575 |
| | Grand Total for Bihar and Orissa (excluding Jamshedpur). | 607,457 | 492,213 | 1,099,670 | 177,539 | 155,172 | 332,711 |

*N.B.*—The total number of female voters in Bihar and Orissa

URE B.

**voters in Bihar and Orissa.**

acording to the Census of 1931.

| Total. | | | Non-Muhammadan male voters in municipalities. | Muhammadan male voters in municipalities. | Total number of male voters in municipalities. | Remarks. |
|---|---|---|---|---|---|---|
| Male. | Female. | Total. | | | | |
| 9 | 10 | 11 | 12 | 13 | 14 | 15 |
| 150,955 | 121,587 | 272,542 | 23,633 | 5,596 | 29,229 | *The population of Patna New Capital and persons paying a tax of Rs. 1-8-0 and over to the Patna Administration Committee have been included in the figures shown against Patna district. Similarly those living within the jurisdiction of Dinapore Cantonment have been included.<br>†There is no municipality in Angul district.<br>‡The population of and persons paying a tax of Rs. 1-8-0 and over in Doranda Notified Area have been included in the figures shown against "Ranchi."<br>§The population of Jamshedpore has not been included in this statement. It is an industrial town with a population of 83,738 but has no municipal committee. No tax or rate is imposed upon the people of this town: proposals to enfranchise them are being considered separately. The population of and persons paying a tax of Rs. 1-8-0 and over in Jugsalai Notified Area have been included in the figures shown against "Singhbhum." |
| 59,569 | 45,616 | 105,185 | 9,300 | 1,706 | 11,006 | |
| 62,151 | 55,479 | 117,630 | 12,570 | 2,822 | 15,392 | |
| 272,675 | 222,682 | 495,357 | 45,503 | 10,124 | 55,627 | |
| 38,202 | 32,273 | 72,475 | 5,670 | 1,496 | 7,166 | |
| 25,185 | 20,301 | 45,486 | 3,600 | 903 | 4,503 | |
| 45,708 | 36,296 | 82,004 | 7,878 | 1,660 | 9,538 | |
| 52,854 | 45,371 | 98,225 | 11,080 | 2,688 | 13,768 | |
| 161,949 | 134,241 | 296,190 | 28,228 | 6,747 | 34,975 | |
| 44,221 | 38,988 | 83,209 | 6,443 | 1,238 | 7,681 | |
| 49,500 | 39,580 | 89,080 | 6,219 | 2,136 | 8,355 | |
| 27,799 | 18,424 | 46,223 | 4,309 | 1,474 | 5,783 | |
| 26,961 | 21,575 | 48,536 | 4,378 | 771 | 5,149 | |
| 148,481 | 118,567 | 267,048 | 21,349 | 5,619 | 26,968 | |
| 47,868 | 40,688 | 88,556 | 6,614 | 982 | 7,596 | |
| 20,703 | 16,865 | 37,568 | 2,883 | 32 | 2,915 | |
| 10,133 | 7,710 | 17,843 | 785 | 239 | 1,024 | |
| 7,716 | 7,301 | 15,017 | 1,380 | 135 | 1,515 | |
| 86,420 | 72,564 | 158,984 | 11,662 | 1,388 | 13,050 | |
| 26,337 | 24,520 | 50,857 | 3,178 | 1,074 | 4,252 | |
| 34,133 | 30,682 | 64,815 | 3,222 | 729 | 3,951 | |
| 17,006 | 13,691 | 30,697 | 1,510 | 309 | 1,819 | |
| 31,394 | 24,999 | 56,393 | 5,023 | 769 | 5,792 | |
| 6,601 | 5,439 | 12,040 | 1,258 | 256 | 1,514 | |
| 115,471 | 99,331 | 214,802 | 14,191 | 3,137 | 17,328 | |
| 784,996 | 647,385 | 1,432,381 | 120,933 | 27,015 | 147,948 | |

is only 995 (Non-Muhammadan—643 and Muhammadan 352).

## ANNEX

### Number of Chaukidari Tax-

| Serial No. | District. | Area. | Rural population | | | |
|---|---|---|---|---|---|---|
| | | | Non-Muhammadan. | | | |
| | | | Male. | Female. | Total. | Male. |
| 1 | 2 | 3 | 4 | 5 | 6 | 7 |
| | | Sq. m. | | | | |
| 1 | Patna .. .. | 2,068 | 747,597 | 704,939 | 1,452,536 | 64,203 |
| 2 | Gaya .. .. | 4,714 | 1,030,328 | 1,023,980 | 2,054,308 | 103,746 |
| 3 | Shahabad .. .. | 4,371 | 879,453 | 876,415 | 1,755,868 | 57,595 |
| | Divisional Total .. | 11,153 | 2,657,378 | 2,605,334 | 5,262,712 | 225,544 |
| 4 | Saran .. .. | 2,683 | 1,043,674 | 1,081,777 | 2,125,451 | 138,173 |
| 5 | Champaran .. .. | 3,531 | 886,999 | 873,191 | 1,760,190 | 168,772 |
| 6 | Muzaffarpur .. | 3,036 | 1,223,109 | 1,263,365 | 2,486,474 | 175,030 |
| 7 | Darbhanga .. .. | 3,348 | 1,316,336 | 1,337,969 | 2,654,305 | 201,769 |
| | Divisional Total .. | 12,598 | 4,470,118 | 4,556,302 | 9,026,420 | 683,744 |
| 8 | Bhagalpur .. .. | 4,226 | 1,068,358 | 1,031,709 | 2,100,067 | 111,726 |
| 9 | Monghyr .. .. | 3,927 | 1,000,876 | 991,272 | 1,992,148 | 100,700 |
| 10 | Purnea .. .. | 4,971 | 654,138 | 614,432 | 1,268,570 | 447,744 |
| | Divisional Total .. | 13,124 | 2,723,372 | 2,637,413 | 5,360,785 | 660,170 |
| 11 | Cuttack .. .. | 3,654 | 956,989 | 1,078,219 | 2,035,208 | 23,277 |
| 12 | Balasore .. .. | 1,085 | 447,674 | 478,680 | 926,354 | 13,768 |
| 13 | Puri .. .. | 2,492 | 468,980 | 506,563 | 975,543 | 10,531 |
| | Divisional Total .. | 7,231 | 1,873,643 | 2,063,462 | 3,937,105 | 45,576 |
| 14 | Hazaribagh .. .. | 7,021 | 647,464 | 660,380 | 1,307,844 | 78,155 |
| 15 | Ranchi .. .. | 7,105 | 717,375 | 735,291 | 1,452,666 | 25,555 |
| 16 | Palamau .. .. | 4,916 | 366,983 | 367,581 | 734,564 | 36,194 |
| 17 | Manbhum .. .. | 4,147 | 850,975 | 799,132 | 1,650,107 | 57,640 |
| 18 | Singhbhum .. .. | 3,879 | 397,062 | 411,150 | 808,212 | 4,216 |
| | Divisional Total .. | 27,068 | 2,979,859 | 2,973,534 | 5,953,293 | 201,760 |
| | Grand Total for the province of Bihar and Orissa (excluding the districts of the Santal Parganas, Sambalpur and Angul). | 71,174 | 14,704,370 | 14,836,045 | 29,540,415 | 1,818,794 |

*N. B.*—The Village Chaukidari Act, 1870, is in force in the Patna, Tirhut, Bhagalpur (except in and the Chota Nagpur Rural Police Act, 1914, in the Chota Nagpur Division.

URE C.

**payers in Bihar and Orissa.**

| according to the Census of 1931. | | | | | Number of persons paying 6 annas and above as chaukidari tax. | | |
|---|---|---|---|---|---|---|---|
| Muhammadans. | | Total. | | | Non-Muhammadan. | | |
| Female. | Total. | Male. | Female. | Total. | Male. | Female. | Total. |
| 8 | 9 | 10 | 11 | 12 | 13 | 14 | 15 |
| 71,451 | 135,654 | 811,800 | 776,390 | 1,588,190 | 98,682 | 2,778 | 101,460 |
| 125,223 | 228,969 | 1,134,074 | 1,149,203 | 2,283,277 | 203,183 | 2,516 | 205,699 |
| 62,696 | 120,291 | 937,048 | 939,111 | 1,876,159 | 202,430 | 3,321 | 205,751 |
| 259,370 | 484,914 | 2,882,922 | 2,864,704 | 5,747,626 | 504,295 | 8,615 | 512,910 |
| 152,369 | 290,542 | 1,181,847 | 1,234,146 | 2,415,993 | 150,338 | 1,800 | 152,138 |
| 171,239 | 340,011 | 1,055,771 | 1,044,430 | 2,100,201 | 124,607 | 1,192 | 125,799 |
| 197,517 | 372,547 | 1,398,139 | 1,460,882 | 2,859,021 | 164,309 | 2,165 | 166,474 |
| 211,795 | 413,564 | 1,518,105 | 1,549,764 | 3,067,869 | 183,515 | 3,250 | 186,765 |
| 732,920 | 1,416,664 | 5,153,862 | 5,289,222 | 10,443,084 | 622,769 | 8,407 | 631,176 |
| 111,919 | 223,645 | 1,180,084 | 1,143,628 | 2,323,712 | 148,805 | 2,511 | 151,316 |
| 111,097 | 211,797 | 1,101,576 | 1,102,369 | 2,203,945 | 200,334 | 2,770 | 203,104 |
| 424,006 | 871,750 | 1,101,882 | 1,038,438 | 2,140,320 | 146,244 | 1,195 | 147,439 |
| 647,022 | 1,307,192 | 3,383,542 | 3,284,435 | 6,667,977 | 495,383 | 6,476 | 501,859 |
| 29,666 | 52,943 | 980,266 | 1,107,885 | 2,088,151 | 241,537 | 2,570 | 244,107 |
| 14,352 | 28,120 | 461,442 | 493,032 | 954,474 | 128,825 | 2,308 | 131,133 |
| 11,512 | 22,043 | 479,511 | 518,075 | 997,586 | 73,618 | 951 | 74,569 |
| 55,530 | 103,106 | 1,921,219 | 2,118,992 | 4,040,211 | 443,980 | 5,829 | 449,809 |
| 80,501 | 158,656 | 725,619 | 740,881 | 1,466,500 | 92,365 | 1,396 | 93,761 |
| 24,113 | 49,668 | 742,930 | 759,404 | 1,502,334 | 157,283 | 4,616 | 161,899 |
| 35,938 | 72,132 | 403,177 | 403,519 | 806,696 | 67,838 | 1,071 | 68,909 |
| 46,750 | 104,390 | 908,615 | 845,882 | 1,754,497 | 140,975 | 3,104 | 144,079 |
| 2,939 | 7,155 | 401,278 | 414,089 | 815,367 | 37,057 | 754 | 37,811 |
| 190,241 | 392,001 | 3,181,619 | 3,163,775 | 6,345,394 | 495,518 | 10,941 | 506,459 |
| 1,885,083 | 3,703,877 | 16,523,164 | 16,721,128 | 33,244,292 | 2,561,945 | 40,268 | 2,602,213 |

the districts of Santal Parganas) and Orissa (except in the district of Sambalpur and Angul) Divisions

## ANNEX

### Number of Chaukidari Tax-

| Serial No. | District. | Number of persons paying 6 annas and above as Chaukidari tax—*contd.* | | | | | |
|---|---|---|---|---|---|---|---|
| | | Muhammadan. | | | Total. | | |
| | | Male. | Female. | Total. | Male. | Female. | Total. |
| 1 | 2 | 16 | 17 | 18 | 19 | 20 | 21 |
| 1 | Patna .. .. | 10,671 | 1,123 | 11,794 | 109,353 | 3,901 | 113,254 |
| 2 | Gaya .. .. | 24,260 | 1,046 | 25,306 | 227,443 | 3,562 | 231,005 |
| 3 | Shahabad .. | 12,559 | 378 | 12,937 | 214,989 | 3,699 | 218,688 |
| | Divisional Total .. | 47,490 | 2,547 | 50,037 | 551,785 | 11,162 | 562,947 |
| 4 | Saran .. .. | 16,564 | 351 | 16,915 | 166,902 | 2,151 | 169,053 |
| 5 | Champaran .. | 17,342 | 252 | 17,594 | 141,949 | 1,444 | 143,393 |
| 6 | Muzaffarpur .. | 24,920 | 419 | 25,339 | 189,229 | 2,584 | 191,813 |
| 7 | Darbhanga .. | 25,300 | 474 | 25,774 | 208,815 | 3,724 | 212,539 |
| | Divisional Total .. | 84,126 | 1,496 | 85,622 | 706,895 | 9,903 | 716,798 |
| 8 | Bhagalpur .. | 14,934 | 424 | 15,358 | 163,739 | 2,935 | 166,674 |
| 9 | Monghyr .. | 15,984 | 1,158 | 17,142 | 216,318 | 3,928 | 220,246 |
| 10 | Purnea .. .. | 119,574 | 786 | 120,360 | 265,818 | 1,981 | 267,799 |
| | Divisional Total .. | 150,492 | 2,368 | 152,860 | 645,875 | 8,844 | 654,719 |
| 11 | Cuttack .. .. | 5,576 | 97 | 5,673 | 247,113 | 2,667 | 249,780 |
| 12 | Balasore .. .. | 2,729 | 41 | 2,770 | 131,554 | 2,349 | 133,903 |
| 13 | Puri .. .. | 1,457 | 23 | 1,480 | 75,075 | 974 | 76,049 |
| | Divisional Total .. | 9,762 | 161 | 9,923 | 453,742 | 5,990 | 459,732 |
| 14 | Hazaribagh .. | 10,961 | 257 | 11,218 | 103,326 | 1,653 | 104,979 |
| 15 | Ranchi .. .. | 4,649 | 111 | 4,760 | 161,932 | 4,727 | 166,659 |
| 16 | Palamau .. .. | 7,798 | 307 | 8,105 | 75,636 | 1,378 | 77,014 |
| 17 | Manbhum .. | 7,338 | 167 | 7,505 | 148,313 | 3,271 | 151,584 |
| 18 | Singhbhum .. | 372 | 3 | 375 | 37,429 | 757 | 38,186 |
| | Divisional Total .. | 31,118 | 845 | 31,963 | 526,636 | 11,786 | 538,422 |
| | Grand total for the province of Bihar and Orissa (excluding the districts of the Santal Parganas, Sambalpur and Angul). | 322,988 | 7,417 | 330,405 | 2,884,933 | 47,685 | 2,932,618 |

URE C—*contd.*

payers in Bihar and Orissa.

| Number of persons paying Re. 1 and above as Chaukidari tax. | | | | | | | | |
|---|---|---|---|---|---|---|---|---|
| Non-Muhammadan. | | | Muhammadan. | | | Total. | | |
| Male. | Female. | Total. | Male. | Female. | Total. | Male. | Female. | Total. |
| 22 | 23 | 24 | 25 | 26 | 27 | 28 | 29 | 30 |
| 77,726 | 1,929 | 79,655 | 6,761 | 904 | 7,665 | 84,487 | 2,833 | 87,320 |
| 96,754 | 1,056 | 97,810 | 11,887 | 657 | 12,544 | 108,641 | 1,713 | 110,354 |
| 117,328 | 1,778 | 119,106 | 7,422 | 175 | 7,597 | 124,750 | 1,953 | 126,703 |
| 291,808 | 4,763 | 296,571 | 26,070 | 1,736 | 27,806 | 317,878 | 6,499 | 324,377 |
| 100,414 | 905 | 101,319 | 10,443 | 168 | 10,611 | 110,857 | 1,073 | 111,930 |
| 63,812 | 616 | 64,428 | 8,849 | 82 | 8,931 | 72,661 | 698 | 73,359 |
| 87,660 | 669 | 88,329 | 11,963 | 154 | 12,117 | 99,623 | 823 | 100,446 |
| 100,990 | 1,662 | 102,652 | 12,702 | 246 | 12,948 | 113,692 | 1,908 | 115,600 |
| 352,876 | 3,852 | 356,728 | 43,957 | 650 | 44,607 | 696,833 | 4,502 | 401,335 |
| 88,916 | 1,362 | 90,278 | 8,143 | 199 | 8,342 | 97,059 | 1,761 | 98,820 |
| 88,658 | 1,025 | 89,683 | 6,225 | 467 | 6,692 | 94,883 | 1,492 | 96,375 |
| 100,710 | 768 | 101,478 | 88,491 | 533 | 89,024 | 189,201 | 1,301 | 190,502 |
| 278,284 | 3,155 | 281,439 | 102,859 | 1,199 | 104,058 | 381,143 | 4,354 | 385,497 |
| 46,836 | 250 | 47,086 | 960 | 32 | 992 | 47,796 | 282 | 48,078 |
| 30,113 | 355 | 30,468 | 546 | 6 | 552 | 30,659 | 361 | 31,020 |
| 24,464 | 211 | 24,675 | 553 | 18 | 571 | 25,017 | 229 | 25,246 |
| 101,413 | 816 | 102,229 | 2,059 | 56 | 2,115 | 103,472 | 872 | 104,344 |
| 49,555 | 589 | 50,144 | 5,983 | 107 | 6,090 | 55,538 | 696 | 56,234 |
| 48,672 | 944 | 49,616 | 1,123 | 48 | 1,171 | 49,795 | 992 | 50,787 |
| 17,680 | 192 | 17,872 | 1,980 | 86 | 2,066 | 19,660 | 278 | 19,938 |
| 48,434 | 979 | 49,413 | 2,492 | 64 | 2,556 | 50,926 | 1,043 | 51,969 |
| 16,434 | 310 | 16,744 | 224 | 3 | 227 | 16,658 | 313 | 16,971 |
| 180,775 | 3,014 | 183,789 | 11,802 | 308 | 12,110 | 192,577 | 3,322 | 195,899 |
| 1,205,156 | 15,600 | 1,220,756 | 186,747 | 3,949 | 190,696 | 1,391,903 | 19,549 | 1,411,452 |

**(a) Supplementary note to the provisional memorandum of the Provincial Franchise Committee by Rai Bahadur Sarat Chandra Ray, M.L.C.**

I do not think that the combination of the two systems of direct and indirect election will lead to any undesirable results. In the absence of adult suffrage, such a combination is, I think, the next best method of making the Government of the country really representative. I am therefore in favour of extending the direct (primary) franchise to 10 per cent. of the adult population or beyond (up to 25 per cent.), if it can be made administratively practicable, and for the rest of the adult population group representation by the Zetland scheme. Both the primary and the secondary elections must be held by secret ballot. A certain proportion of the adult population have been accustomed to direct voting for over a decade now, and I think it would be a retrograde step to deprive them of the political education that the exercise of such direct franchise is calculated to impart. From the point of view of the raiyats indirect election will facilitate and increase the chances of corrupt practices and will thus minimise the chances of securing real representation.

The combination of direct election for a certain proportion of the adult population and indirect election for the rest will have the further advantage of enabling us to discover the comparative merits of the two systems. It is not certain that the indirect system of election has been attended with satisfactory results in either Egypt or Turkey or Palestine. From the latest edition of the Encyclopædia Britannica we learn that in Egypt, after many ephemeral cabinets King Faud had to dissolve Parliament in July 1928 for three years and carry on the Government by Royal Decrees, that in Turkey the second cabinet of Ismet Pasha ushered in a reign of terror and a law of maintenance of order had to be passed, and that in Palestine the system of Government at present is (or until recently was) Government by Ordinances. In Syria the experiment has not yet had a sufficient trial as it was only as late as 1928 that the National Constituent Assembly of Syria was constituted.

I do not think that the enlarged electorate will be incapable of casting votes as intelligently as the present electors. Provincial Councils should be empowered to expand automatically the direct franchise for the province after one or two terms.

I think that the aborigines of the province do not possess adequate representation in the Council. To give them better representation, the number of seats allotted to the Ranchi, Singhbhum and Santal Parganas districts require to be increased. According to population they should be given 20 per cent. representation in he Provincial Council. And if no provision is made for protection of their special interests, weightage should be given to them in addition to a 20 per cent. representation in the Council.

II. I am in favour of enfranchising the wives and widows of the men entitled to vote under the property qualification.

I am certain that the *Musahars, Chamars, Doms* and *Mehtars* are not the only " depressed classes " in this province. Some other communities (*e.g.*, the Pans, the Ghasis, etc.), would certainly come under that category.

III. I am opposed to separate electorates for any community except perhaps the European. As regards commerce, I do not think that in this province there are any particular reasons for their special representation. If reservation of seats is made for any community the domiciled Bengali community should have a few seats reserved for them.

I do not think that there is any risk of the landlords going without adequate representation through the general electorates.

I am further of opinion that such cleavage as exists between landlords and tenants will gradually disappear if the landlords contest seats only in the general electorates and, necessarily, seek to secure the goodwill of their tenants for that purpose. As a matter of fact by the extension of franchise, the landlords are likely to gain still larger proportion of votes in the Council, because in widening of the franchise a large number of poorer people and landless labourers will be enfranchised and as most of them are indebted to landlords and mahajans, these landlords and mahajans are almost sure to be returned in larger numbers.

I can see little advantage in having a Bicameral Legislature in the Province. Such advantages as it may have are more than out-balanced by its disadvantages. Not to speak of the large additional expenditure, the institution of a Provincial Second Chamber will result in the deprivation of the Lower House of many of its capable members who may feel attracted to the Upper House. Past experience shows that a fairly large number of landlords will enter the Lower Chamber by election through the general electorates, so that neither special representation for them in the Lower Chamber, nor any further safeguarding of their interests by the creation of an Upper Chamber is called for. Even if an Upper House be created in the Province, there need be no special representation of the landlord class or any other particular interests in that House as that may mean undue protection of vested interests from legislative interference. A provincial Upper Chamber, like the federal Upper Chamber, should, if constituted at all, be composed of an aristocracy of intellect and character, and not an aristocracy of wealth and rank. It should moreover be based on an extensive franchise although the qualifications for membership should be fairly high. If a provincial Second Chamber may have to be instituted, the electorates for the Lower House should also form the electorates for the Upper House. But as for qualifications for a candidate to the Second Chamber, he must be of an age not lower than 45 years and must possess the minimum educational qualification of being a graduate of some recognised University or some equivalent educational attainment, or must be either a retired member of the provincial or higher services under Government or members of other non-Government services of equal status, or payers of income-tax on an income of not less than Rs. 6,000 a year, present and past chairmen and vice-chairmen of local bodies, Directors of District and Sub-divisional Co-operative Societies, and the like.

For the Federal Upper Chamber, elections may be made by the provincial legislatures from amongst their own members of the age of 45 years or upwards.

**Supplementary note to the provisional memorandum of the Provincial Franchise Committee by Babu Swayamber Das, M.L.C., Pandit Shiva Shanker Jha, and Babu Gursahay Lal.**

The draft memorandum on behalf of the Provincial Franchise Committee was handed over to us at about 5 P.M. on 9th February 1932 along with a demi-official No. 1-F—18 from the Secretary in which we were desired to return the memorandum to the Secretary by 6 P.M. on the same day with such remarks as we might make. The time was so short that it was impossible to comply with this request.

We feel, however, that we would be failing in our duty if we did not place certain points in connection with the said memorandum before the All-India Franchise Committee. We, therefore, submit this note as an addendum to the said memorandum.

An indirect election will mean that people in general will have to delegate their right of election to a few prominent men in villages who will owe no allegiance to the body that selected them and may or may not at the poll support the person or policy preferred by their principals. Some similar experiments were tried in the pre-reform days when District Boards and Municipalities sent a member from among themselves to vote for them at the election. But the way in which they voted did not in the generality of the cases commend itself to the bodies concerned. Indirect election by grouping the electors is never desirable in this province where there are diverse castes, creeds, etc. It will tend to create mutual ill-feeling and hostility among neighbours to the detriment of public peace and tranquillity. The indirect election by grouping presupposes a double election which will be fraught with considerable danger, such as, the disappearance of independence and domination of each group by bullying and powerful individuals. This obviously is a very apparent disqualification for such a system which the domestic life in rural areas clearly evidences. In the present system of independent direct voting it is impossible to locate an inimical voter and he, therefore, does not reap the fruits of ill-will consequent on his not selecting a powerful candidate. The result of indirect election by grouping will be that one who has the means of indulging in abuses will be the representative of groups. The groups will naturally select the leading village touts, mahajans and other influential people having the backing of the landed magnates. We can emphatically assert that it will put malpractice at a premium. The indirect election will also create a tremendous administrative problem, namely, that of supervising group elections and ensuring fairness to rival candidates. Besides, if the persons chosen by those groups be the only electors a second voting will be reduced to a farce. But even if they vote with others in the general electorate no candidate can afford to neglect these primary elections and therefore real electioneering will begin here. Such a system will increase rather than decrease the difficulties of electioneering and polling. Direct election is the *sine qua non* of responsible government. It makes the representative feel that he stands in a genuine relation to a voter. From the point of view of political education it is of the highest importance

that the electors should have direct voice in the selection of their representatives. If the object of the proposed Reforms be to democratise the legislatures and to conciliate public opinion by the nearest approach to its demands, direct election alone will serve the purpose. If the object be, however, to antagonise public opinion and make the legislatures still more undemocratic, nothing is calculated to serve the object better than the introduction of indirect election. It will have the effect of disenfranchising many of even those who enjoy the franchise at present—people have become accustomed to direct voting for the last 10 or 11 years—and it will be most impolitic to change it at the present juncture. We assert that the direct election is practicable both economically and administratively and will not certainly be more costly than the indirect system. These are also some of the arguments advanced against indirect election by some of the prominent persons (some of them Government officials of high experience and some very big zamindars and public men) who have sent answers to the questionnaire.

We find that the memorandum gives elaborately the view points held by some including the officials whereas the other view points which were placed before the Committee by other members and which go against the views of the former have not been incorporated in the memorandum. As an instance in point the memorandum gives elaborate grounds in favour of indirect election but does not mention its evil effects and the difficulties involved in it. We have, therefore, given the arguments against indirect election in a summary way.

We also mention below the passages in the memorandum to which we do not subscribe.

*Q. 1 (c).*—" But if the direct method ..... enormous ". This point was never discussed in the committee and it does not find place in the Secretary's note either. The committee would have compared the cost which was incurred in preparing the electoral roll of the past elections with the costs which is likely to be incurred and then it could be said that the cost would be enormous. In our opinion the cost would not be enormous.

In the same question the passage towards the end of the first paragraph " But this would ..... if there be joint electorate ".

It may be the opinion of one or two members of the committee but this cannot be mentioned in the memorandum on behalf of the committee.

" Moreover a protracted election ..... reached ". This passage in the memorandum should have no place. It may be the view of the officials but I am sure that majority of the non-officials are against such a view. The memorandum should contain that the majority of the members is of opinion that direct method of election is practicable though expenses will increase to some extent and it is administratively feasible. It is painful to find that the memorandum does not contain this important observation made by the majority of the members.

Again in the second paragraph the passage " But this risk..... electors is increased ". This has been inserted in support of the indirect method of election. If this was the opinion it should have been discussed in the committee. We strongly protest against an observation made in the memorandum on behalf of the committee of which the members had absolutely no information, and which was never placed before the committee.

Then again the passage " This may be done.....its own choice ". This passage shows that the committee intends in a way to introduce caste election in the primary election. This view point is also a novel one which should not find place in the memorandum on behalf of the committee.

*Question 3. Women's suffrage.*

" For them the indirect method of election.....rural areas."

The view of the members on the point should have been mentioned here.

*Question 3 (c).*

The answer is entirely against the view of the committee. The committee definitely came to the conclusion that women should not have separate representation and no seat should be reserved for them in the legislature.

Lady Imam, the only woman representative on the committee, definitely observed that she was for extending the franchise to women but not for reserving seats in the parliament. She further stated that if the voting strength of the women will increase, they will be able to send some women to the Council from the general constituencies.

*Question 4.*

Unnecessarily the question of indirect election has been introduced while dealing with depressed classes. The passage " They, however.... succeeding at the polls " should be deleted.

*Question 5 (a).*

The passage " but the majority considers.....of the upper chamber " should be deleted. These passages have been mentioned as some of the members feel strongly on the subject but this is no ground that it should find place in the memorandum on behalf of the committee.

*Question 5 (b). Towards the end.*

" A sufficient number of members will be returned ". " Returned " should be substituted by " enfranchised ". No member of the committee said that sufficient number of members of agricultural labour will be returned to the Council.

*(6) Towards the end.*

" And from outsiders ". This should be deleted. No member of the committee ever suggested that the members of the Lower House of the

Federal Legislature should be elected partly from among the members of the Provincial Legislatures and partly from among the outsiders.

SHIVA SHANKER JHA,
GURSAHAY LAL,
SWAYAMBER DAS,
*Members,*
*Bihar and Orissa Provincial*
*Franchise Committee.*

*The 10th February 1932.*

**Supplementary note to the provisional memorandum of the Provincial Franchise Committee by Mr. S. M. Athar Hussain, M.L.C.**

(1) Page 6 of the memorandum. Lines 22—23. Change " two " into " three ".

*Add* after Babu Gursahay Lal, "and Mr. Athar Hussain."

The amended sentence would run like this :—

" Three of the members of the committee namely Pandit Shiv Sanker Jha, Babu Gur Sahay Lal and Mr. Athar Hussain are definitely opposed to any form of indirect election....."

(2) *Add* at page 6 at the end of Q. 1 (*c*), before Q. 1 (*d*).

" Mr. Athar Hussain desires that it should be placed on record that under no circumstance any form of indirect election would be acceptable as a substitute for separate electorate. If it is ultimately decided to have indirect election, separate registers for the Muslims and non-Muslims should be maintained from the primary stage onwards."

(3) *Add* at page 9, at the end of Q. 3 (*b*), before Q. 3 (*c*).

" Mr. Athar Hussain is of opinion that women should only come in under the general franchise qualifications."

(4) *Add* at page 10, after the 1st paragraph before 4—depressed class.

" Mr. Athar Hussain is opposed to the reservation of seats for women in the Council. He is of opinion that as there is no prejudice against the women, a duly qualified woman has as much a chance, if not better, of success at the poll as a male candidate."

(5) *Add* at page 10, lines 26-27

" and Mr. Athar Hussain."

The amended sentence will read like this :

" Chairman, Mr. Middleton, Mr. Danby and Mr. Athar Hussain do not think that a sufficient....."

(6) At page 10, last sentence of Q. 4.—

*Substitute* " The majority of the committee " *for* " the committee is unanimous."

(7) *Add* at page 10, at the and of Q. No. 4, before 5. Representation of special interest.

" Mr. Athar Hussain is of opinion that should the representatives of the depressed classes desire a separate electorate, it should be conceded and that such electorate would be neither unwise nor unworkable." " Separate electorate only would afford to them the representation which their proportion to the population warrants."

(8) *Add* at page 10, after line 6 of the answer to Q. No. 5 (*a*).

" Mr. Athar Hussain desires it to be noted that he is opposed to any special representation to commerce in this province."

(9) *Add* at page 11, after line 6.

" Mr. Athar Hussain desiress to place on record that if special representation is prescribed for the landlords, 25 per cent. of such representation should be earmarked for the Muslims to be secured by separate electorate."

(10) *Add* at page 12, at the end.

" Mr. Athar Hussain desires to place on record that he can agree to the establishment of a second chamber only if 25 per cent. seats are reserved for the Muslims to be secured by separate electorate."

## III

### Supplementary Questionnaire addressed by the Indian Franchise Committee to the Government of Bihar and Orissa.

LETTER No. S.633/32-F. C., DATED 16TH FEBRUARY 1932, FROM JOINT SECRETARY, INDIAN FRANCHISE COMMITTEE, TO CHIEF SECRETARY TO THE GOVERNMENT OF BIHAR AND ORISSA.

I am desired to note for your information the points in regard to which the local Government offered, during the joint discussion on the 12th February, to supply further information to the Indian Franchise Committee.

(1) (*a*) *Group System.*—Detailed scheme which the Government considers to be practicable in regard to the formation and composition of primary groups, nomination (if any) of secondary electors, method of election of secondary electors, technical difficulties that may arise in arranging such elections.

(*b*) The question of direct election in urban areas and indirect in rural areas with proper weightage.

(2) *Extension of the Franchise.*—An estimate of the number of electors who would be placed on the electoral roll if such a roll were based on—

(*a*) all paying (*i*) As. 6 (*ii*) Re. 1 Chaukidari tax.

(*b*) One elector for every 20 of balance of adult population grouped geographically in both village and town.

(3) *Depressed classes.*—

(*i*) How many depressed classes representatives are there in the existing council ?

(*ii*) What are the number of depressed classes in Bihar and Orissa on the basis of untouchability and unapproachability, *i.e.*, denial of access to wells and to temples or other social disability under which they suffer. Exhaustive list of castes or sects so classified.

(*iii*) What number of electors estimated under (2) above would belong to depressed classes as defined above.

(4) What educational qualification for the franchise does Government recommend.

(5) What qualifying service or other qualification, if any, in the Indian Auxiliary Force and the Indian Territorial Force does Government recommend as a condition of eligibility under 2 (*a*) of the questionnaire ?

(6) The opinion of Government as to the number of members of the new Council on the basis of—

(*a*) bicameral
(*b*) unicameral } legislature.

(7) Are *trade unions* suitable basis of labour representation.

I enclose copy of a letter* which has been sent to the Chairman of the Provincial Committee in regard to similar questions on which their final views have been asked for. The Chairman hopes that it will be possible for the local Government to send their reply by the 15th of March at the latest

* Not printed.

## IV

### Second memorandum by the Government of Bihar and Orissa on certain matters relating to Franchise.

1. (*a*) Group system.

Detailed scheme which the Government consider to be practicable in regard to the formation and composition of primary groups, nomination (if any) of secondary electors, method of election of secondary electors, technical difficulties that may arise in arranging such elections.

(*a*) It is assumed that if the system of indirect election in rural areas is adopted there will be adult suffrage ; if a property qualification is adopted the actual polling arrangement in the village would be rather more difficult and there might be more disputes as to the qualification of an elector. If it was further considered necessary to have an electoral roll of persons qualified as voters, the cost of preparing and printing such a roll would be high. It would however be possible to conduct an election using the chaukidari assessment register as an electoral roll, but difficulty might arise if any additional qualification was prescribed.

(*b*) Assuming adult suffrage, the following is a rough outline of the scheme which the local Government consider may be practicable.

1. *Primary group.*—The primary group shall be the chaukidari village or some corresponding unit in areas where the chaukidari tax is not in force.

2. *Number of secondary electors.*—The chaukidari village shall not be subdivided into groups, but each chaukidari village shall elect such number of secondary electors as may be prescribed for the secondary election.

3. *Primary voters.*—All adults over the age of 21 in the chaukidari village shall be entitled to vote, the only qualification being residence in the village. There shall be no disqualification.

4. *Notice of election.*—The Election Officer shall cause to be proclaimed in each primary unit the day on which and the hours between which votes will be recorded.

5. *Selection of panches.*—On arrival at the village the Election Officer will select two persons to act as *panches* or umpires who will decide all disputes that may arise either in regard to nomination, identity of voters, polling, etc., The Election Officer and the *panches* shall each have one vote in deciding disputes and the decision of the majority shall be final.

6. *No right of appeal.*—There shall be no right of appeal either to a special election court or to the civil court or to any authority whatever in regard to the decision of the *panches*, nor shall any primary election be set aside by any court on any ground whatsoever ; nor shall it be possible to obtain any injunction in regard to a secondary election on the ground of any infringement in a primary election.

7. *Nomination of candidates.*—After selection of *panches* the Election Officer shall call for nominations which shall be made either orally or in writing and shall record the nominations in a register with the names of the proposer and seconder who must be in all cases adult residents of the group who are not themselves candidates for election.

8. *Voting by ballot.*—Voting will be by ballot. The Election Officer shall announce to the assembled voters the names of the candidates whose nomination has been accepted and shall allot to each candidate a coloured box and shall explain to the villagers that they must place their voting disc in the box bearing the colour allotted to the candidates whom they support. Each voter will have one vote only even though more than one candidate is to be elected by the group. The voting discs will be given at a fixed time and no voting disc will be given to any voter who turns up after the hour prescribed.

9. The voter will then proceed to the room or enclosure in which the boxes are placed and will place his vote in the box. The Election Officer will then open the boxes in the presence of the voters and count the votes and declare the result of the poll. In the event of an equality of votes, the election will be decided by lot.

10. The election in the secondary group will take place as soon as practicable after the completion of the primary election, and the procedure for secondary election shall be similar to that at present in force for direct election.

(*c*) The following further notes are given to give further explanation and to show possible difficulties in regard to the proposed scheme :—

(1) *Primary groups.*—It is essential that a well organised unit shall form the primary group. The chaukidari village from 60—100 houses is a well organised unit of suitable size. The population being about 400 to 600, there would be approximately 200 to 300 adults.

(2) *Number of secondary electors.*—(*i*) To subdivide this unit either by caste or geographically into smaller groups would be an almost impossible task and would make the holding of the first election very difficult ; it might also give rise to political disputes in a village and have other undesirable results. A special staff would be needed for a considerable period to go round all the chaukidari villages and make a local investigation to decide how each village should be subdivided. It would not be possible to carry this out with the ordinary district staff. For these reasons the local Government have recommended that the unit should not be reduced but the number of secondary electors returned by each group should be increased.

(*ii*) In fixing the number of secondary electors various considerations arise which will have a material effect upon the polling and other arrangements in the primary and secondary election. It is recognized that if the number of secondary electors is small, there is a grave risk of corruption and intimidation by such well known weapons as the boycott. If for instance there was only one secondary elector in each chaukidari village, there would only be 4,000 or less secondary electors in a district

consisting perhaps of 5 or 6 constituencies. One advantage that would result from so small a secondary electorate would be that it would make the holding of a secondary election easy. On the other hand if there was one secondary elector for every 20 adults, the total number of secondary electors in the province would be 831,000 or about double the present electorate ; in a village with a population of 500 of which 250 would be adults, there would then be twelve secondary electors. It might be possible to find 12 persons in each village for a secondary electorate and with this large number it might also be possible to secure representatives of various interests. But if there was any system of reservation of seats except possibly in the case of Muhammadans who would, it is assumed, have a separate secondary electorate, it would make the actual holding of the poll more complicated. With the secondary electorate of 831,000 a secondary election would not present any serious difficulties as it has been calculated that it would be possible to poll 2 per cent. of the population or roughly 3 times the existing electorate and the number of secondary electors should not be more than this or roughly 1,100,000 or 1,200,000.

(4) *Primary voters.*—No qualifications other than residence in the village and age are suggested. If further qualifications or disqualifications are prescribed, the number of disputes will be increased and the task of the Election Officer who will be employed temporarily for the election on a low salary will become more difficult.

(5) *Selection of Panches.*—It is possible that the selection of *panches* or umpires might delay the conduct of the poll which it is necessary should be completed in a very short time so as to enable the Election Officer to deal with 3 or 4 villages in one day. It might however be possible to elect the *panches* beforehand and to have the same *panches* for a circle of villages ; members of the chaukidari panchayat or union board might be suitably employed in all villages of a circle.

(6) *No right of appeal.*—Though the election will be conducted by a lowly paid officer employed temporarily for the purpose, it will be necessary to give him full powers to decide all disputes with the aid of the *panches* and not to allow any technical irregularity to be used as a ground for staying a secondary election.

(7) *Nomination of candidates.*—It is recognized that in some countries where the system of primary election is in force, candidates are to have some educational or property qualification, but this might make the acceptance of nomination by the Election Officer more difficult and it is desirable to keep the procedure as simple as possible. The only qualification that might be suitable would be an age qualification.

If an unduly large number of nominations are presented, it may make it more difficult to conduct the polling, but it is doubtful whether this would occur frequently ; it is more probable that the number of nominations will be less than the number of vacancies. It is difficult to suggest any suitable means of restricting the number of nominations. A further question that has been considered is whether nominations should be put in at the time of the actual polling or shortly before it. If they are

put in before, say on the previous day, it would facilitate the conduct of the actual poll as the Election Officer would know for how many candidates provision had to be made. On the other hand, there is considerable advantage in that the poll and all the preliminary operations shall be conducted in the presence of the assembled villagers ; if nominations were accepted previously, allegations might be made that they had been wrongly accepted and rejected.

(8) *Voting by ballot.*—The question has been considered whether any special arrangement can be made for recording women's votes, but this is regarded as impracticable while in particular any arrangement for purdah women would complicate the election. It is thought however that possibly the women may come to vote if within the period allotted for holding the poll they are allowed to come after the men.

(*b*) The question of direct election in urban areas and indirect in rural areas with proper weightage.

The local Government see no objection to having direct election in towns and indirect in rural areas ; one advantage of this will be that many of the present electors will still retain a direct vote. Both indirect and direct election present no serious administrative difficulties, but in municipalities the tax-payers have become accustomed to exercising a direct vote. Under indirect election the division into primary groups would not be as easy as in villages and the groups might not be so homogeneous.

2. Extension of the Franchise.

An estimate of the number of electors that would be placed on the roll if such a roll were based on—

(*a*) all paying
  (*i*) annas six ;
  (*ii*) rupee one chaukidari tax ;

(*b*) an elector for every 20 of balance of adult population grouped geographically in both village and town.

(*a*) The statement annexed to the note* on the arrangements for direct and indirect elections shows approximately the number of voters that would be enfranchised if (*i*) payment of chaukidari tax in any form (*i.e.*, annas six) was the qualification (column 10), and (*ii*) if payment of rupee one chaukidari tax was the qualification (column 13). In some districts chaukidari tax is not paid so there would have to be some other similar qualification such as rent or cess and some allowance must be made for this. Thus under (*i*) the number of voters would be about 3,000,000 or possibly slightly less ; under (*ii*) the number would be 1,400,000 approximately.

(*b*) The adult population being about 50 per cent. of the total population would amount to 16,625,000 in rural areas. Hence if 3,000,000 were directly enfranchised, and the balance divided up into groups of 20, there would be $\frac{13,625,000}{20}$ = 681,250 groups.

* Not printed.

Similarly if 1,400,000 were directly enfranchised there would be $\frac{15,222,500}{20}$=761,125.

(*iii*) In regard to urban areas where no chaukidari tax is in force, it is not very easy to calculate and the figures are not available to show what would be the voters under a franchise qualification corresponding to six annas and rupee one chaukidari tax. The existing number of voters on the present municipal franchise which is payment of municipal tax or fee of Rs. 1-8-0 or the possession of certain other qualifications is 140,000 while the total population is 1,432,381, and the adult population about 700,000. Thus with a direct electorate of 140,000, the indirect electorate would be $\frac{7,000,000-140,000}{20}$=28,000.

3. Depressed Classes.

(*i*) How many depressed classes representatives are there in the existing Council ?

There are two nominated members, one of whom is a Pasi. There are some elected members who belong to the caste of Kalwar but for the reasons given in the note* annexed, the local Government do not consider that this caste should be included in the " Depressed Classes".

(*ii*) What are the numbers of the depressed classes in Bihar and Orissa on the basis of untouchability and unapproachability, *i.e.*, denial of access to wells and temples or other social disability under which they suffer ? Exhaustive list of castes and sects as classified.

An attempt has been made in the note* annexed to explain the position in regard to depressed classes in this province which gives as much information as is available for a reply to this question.

(*iii*) What number of electors estimated under (2) above would belong to depressed classes as defined above ?

Without careful enquiries it is not possible to give an estimate Figures are being collected for certain typical villages to ascertain as far as possible what number of the " depressed classes " pay chaukidari tax and the information so collected will be supplied later.

4. What educational qualifications for the franchise does the local Government recommend ?

The local Government invite attention to the opinions expressed in paragraphs 17 and 18† of their previous memorandum. On the whole, they are not in favour of an educational qualification if the property qualification is lowered to a large extent and consider that it should only be used to enfranchise members of a joint family.

5. What qualifying service or other qualifications, if any, in the Indian Auxiliary Force and the Indian Territorial Force does Government recommend as a condition of eligibility under 2 (a) of the questionnaire ?

The problem is not of importance in this province as there are very few members of the Indian Territorial Force, there being only one-half

* Pp. 158—160.
† Pp. 114—115.

battalion. The Indian Auxiliary Force consists of only Europeans and Anglo-Indians. With a low property franchise, most soldiers of the Indian Territorial Force would get a vote. As far as this province is concerned, there is no reason to enfranchise members of this force and not to enfranchise persons serving in the police, but the local Government have no objection to the decision arrived at in other provinces, where the problem is more important, applying also to Bihar and Orissa.

6. The opinion of the local Government as to the number of members of the new Council on the basis of- -

(*a*) unicameral
(*b*) bicameral
} legislatures.

The local Government invite attention to the opinion which they gave on the report of the Statutory Commission and to which they adhere. This was as follows :-

The Commission recommend a large increase in the size of provincial councils and consider that an immediate increase to 200 or 250 in the case of the more important provinces is desirable. In view of the large area of the existing provinces they suggest that an even larger increase will ultimately be required. An immediate increase to 200 or 250 will more than double the present number of elected members in the Council of Bihar and Orissa (76), and the local Government are of opinion that so large an increase is neither necessary nor desirable. Though the constituencies are large, the interests of the electors are similar and can be sufficiently represented if the Council consists of 150, or about double the existing number of elected members. If the Council is enlarged to 200, the local Government anticipate a serious difficulty in securing a sufficient number of suitable members, especially if there is, as recommended later, a second Chamber, and if also an increase is made in the number of provincial representatives in the Assembly. Candidates at present standing for election are in many cases men of little ability and education, and an increase in numbers would mean an even lower standard. Further, a large increase will not only lead to a large increase of expenditure, which the province can ill-afford, but will also cause serious difficulties in the transaction of public business. In the present Council private members have shown a marked tendency to ask questions and move resolutions on petty matters of purely local interest ; till members of the enlarged Councils are better educated in parliamentary procedure, this tendency will undoubtedly continue, and effective work may become impossible owing to prolonged debates. The local Government accordingly consider that, for the province of Bihar and Orissa as at present constituted, the Council should not exceed 150 members.

The local Government further emphasize the point that with a unicameral legislature it will be difficult to secure adequate representation of special interests, such as the landholders, and refer to their opinion* previously expressed on the need for a second Chamber. Subject to these remarks they consider that if there is a single Chamber it should

* P. 107.

consist of about 150—160. If there are two Chambers the Lower Chamber should not be more than 150 while the second Chamber should consist of 30 members. This will mean that the present number of general constituencies (urban 9, rural 57) will be doubled, some being, if necessary, reserved for the depressed classes and labour. There should be in a single Chamber the following special constituencies :—

| | |
|---|---|
| Landholders .. .. .. .. | 10 |
| Europeans (including Planters) .. .. | 2 |
| Mining interest .. .. .. .. | 4 |
| Anglo-Indians .. .. .. .. | 2 |
| Women .. .. .. .. | 5 |
| University .. .. .. .. | 2 |
| Total .. | 25 |

This would give a Council of 157 members.

With two Chambers the representation of special interests in the Lower Chamber may be reduced as they will secure representation in the Upper Chamber. The landholders might have only five seats in the Lower Chamber and the other special constituencies named above might also be reduced by half, except those reserved for women. There would thus be 10 special constituencies instead of 25.

Thus the unicameral legislature would have 157 members and bicameral would have 147 in the Lower Chamber and 30 in the Upper Chamber.

7. Are trade unions a suitable basis of labour representation ?

That trade unions are not yet sufficiently advanced or developed in Bihar and Orissa to form a basis of labour representation is shown by the following extracts from the memorandum submitted by the Labour Federation of Jamshedpur, one of the three registered trade unions in the province, to the Royal Commission on Labour in India :—

" Trade unions in the modern sense have been only of recent origin in India ; they have generally come into existence at a time when relations have been strained almost to a breaking point, if not actually broken, with the employer. They attain some sort of cohesion and efficiency during the period of struggle, after which they generally go to sleep. There is not that sustained interest nor that development that comes to it when carried on during peaceful times. One reason assigned for this state of affairs is in the attitude of employers, who look upon every combination of workers with the most suspicious blasting eye. He deliberately imposes an acute and prolonged struggle on such combination, which generally perishes through weariness and lack of sustenance. Very often it has been suggested that the employer is helped in his persecution of trade unions by the heavy hand of administration, and that

accusation has a ground, if nothing else at least, by Government's aloofness in a struggle that can at best be described as one-sided.

In their despair these trade unions that have generally sprung up through the initiative of some enterprising workmen or work women, who have as a rule more native ability than cultivated talent, finding themselves unequal to the various machinations and tactics of employers have recourse to politicians in the neighbourhood, who put a totally different complexion on the struggle. More often false issues are raised and we have known cases where industrial disputes have degenerated into political tussles. Effects on industry and on the workmen of such non-industrial struggles are disastrous, they not only cripple industries but detrimentally postpone the growth of trade union or solidarity amongst the workmen who recall the adage ' once bitten twice shy '.

A healthy trade union is the best guarantee for an industry's stability and prosperity, and as employers may be prone to form their own combinations, it would pay them to encourage a like movement against their workers and a history of workmen's struggles has strengthened this trend of thought. Workmen's combinations when well led, well organised and confined to labour alone, have exerted a very healthy influence both on the well-being of workers and that of industry.

Trade unions generally in this country have had such short existence that the only benefit they have been able to distribute amongst its members is in the nature of strike pay, when they have had funds enough for the purpose, and that not too often either. Mutual benefit, unemployment, sickness and old age schemes have had no time to develop and if we are not wrong a state of affairs will continue in a like manner for some time still to come.

The Golmuri Tin Plate Workmen's Union was registered in March 1929 and was also under the presidentship of Mr. Manek Homi ; it was said that it had 2,857 members. This also owed its origin to a strike which is described in the written evidence of the Royal Commission on Labour already cited. It may be noted that there is another union in Jamshedpur, known as the Tata Association which is not registered. There are frequent disputes between this Association and the Federation which represents different classes of employees. The President of the Association, Mr. Homi, has recently been convicted in several cases, the most recent one being for embezzlement of the funds of the Federation. Both these unions are thus *ad hoc* organisations created at the time of the strike. They could not be used for franchise purposes, and do not represent the mass of the labour under ordinary conditions."

A similar view is expressed by one senior officer of the Indian Civil Service who is well acquainted with labour conditions in Jamshedpur :—

" Even in so advanced an area as Jamshedpur we have not as yet an independent trade union. The Labour Association is a Bengali body, controlled partly by the politicians and partly by the Company. The one body that might have developed into trade union, the Labour

Federation, has apparently come to grief. The workers have shown themselves able to be united for a definite and limited purpose and for a limited time, but they have not shown themselves able to run an organisation with a far-sighted policy consistently preserved. Their special interests must continue to be represented by nomination. If left to elect a representative in any kind of constituency they will elect a politician not an expert as Labour needs."

This view that such trade unions as exist at present are merely *ad hoc* organisations is borne out by the history of the three registered trade unions in the province. Thus the Labour Federation of Jamshedpur referred to above owed its origin primarily to the strike at the Tata Iron and Steel Company of 1928. The Golmuri Tin Plate Workmen's Union was formed at the time of the strike in those works in 1929-30. Both were organised by the same individuals and both are now moribund, the organiser and president having been convicted on various criminal charges including that of embezzling the funds of the Federation. Even the East Indian Railway Union of Khagaul has not a more satisfactory history; after the conclusion of the strike at Lilooah on that railway the membership fell from 26,092 in 1928-29 to 36 in 1930-31. There are no trade unions in the colliery areas of the province. Such being the fact there is no room for doubt that trade unions are *not* a suitable basis of labour representation.

## Note on Depressed Classes by Mr. M. G. Hallett, C.I.E., I.C.S.

1. The problem of the depressed classes does not exist in an acute form in Bihar and Orissa where the conditions are very different from those which, it is believed, obtain in Southern India where there is a more marked line of cleavage between the high castes and the untouchables. Attempts have been made at various times during the Census enquiries to ascertain what are the "untouchable" or "depressed" classes. Thus in 1911 various criteria were laid down to ascertain what castes do not conform to certain religious standards, *e.g.*, deny the supremacy of Brahmans or do not worship the great Hindu gods, and what castes are subject to certain religious disabilities. An extract from paragraphs 519-521 of the Census Report of 1911* is annexed for reference. The criterion then adopted led to the inclusion of a large number of aboriginal tribes, *e.g.*, Ho, Munda, Oraon, Santal, etc., who are really outside the Hindu religion. The problem of their protection is a real one, and this was fully recognised by the Statutory Commission in those parts of their report which deal with the backward tracts, but their problem is entirely distinct from the problem of the low caste Hindus mainly by reason of the fact that unlike the low caste Hindus, who are scattered over the whole of the province, they are congregated in certain districts in which they outnumber the Aryan residents. Of the castes enumerated in the Census of 1921, the following castes, or, to use the more accurate term, tribes

* Pp. 163—166.

should be classified as aboriginal, that is to say, persons whose tribal religion is animistic and has in its purest form no connection with Hinduism.

**1931 Census.**

| | |
|---|---|
| Ho .. .. .. .. .. | 523,158 |
| Khond .. .. .. .. .. | 315,709 |
| Munda .. .. .. .. .. | 549,764 |
| Oraon .. .. .. .. .. | 637,111 |
| Santal .. .. .. .. .. | 1,712,133 |
| Kora .. .. .. .. .. | 49,036 |
| Ganda .. .. .. .. .. | 245,799 |

All these castes in 1911 were held to satisfy the criterion that they denied the supremacy of Brahmans. There are certain other small aboriginal tribes which have been separately enumerated in the last Census, but their number is small and they are usually found in areas inhabited by the major aboriginal tribes, *e.g.*, Asur, Bihar, Birjia, Juangs, etc. To these should also be added castes which are probably aboriginal and animistic in origin but who have become more split up and having penetrated into areas with a large Aryan population had become to some extent more Hinduized.

2. In 1911 certain castes were included in the category of castes which suffer from religious disabilities, but which in spite of this are high in the social scale and are often men of education, wealth and property, *e.g.*, Kalwars and Suris who satisfied the following criteria :—(5) are not served by good Brahmans as family priest, (7) are denied access to temples, and (8) cause pollution by touch or within a certain distance—Telis who satisfied criteria (5) and (7). It is somewhat doubtful whether Kalwars and Suris, whose hereditary profession is shop-keeping and the sale of liquor, fall within criterion (8). This disability is rapidly disappearing and many of them have risen very high in the social scale. These three castes numbered in 1931 as follows :—

| | |
|---|---|
| Kalwar .. .. .. | (not available ; in 1921—169,227). |
| Suri .. .. .. | (not available ; in 1921—251,195). |
| Teli .. .. .. .. .. | 1,210,496. |

These castes must certainly be excluded from the category of depressed classes.

3. These exceptions being made, we come to the depressed classes proper and it is desirable to analyse to some extent the list prepared at the recent Census which is more restricted than the list given in the Census of 1921. A copy is annexed.*

4. In the first place this list contains some tribes which are probably in origin aboriginal and whose main habitat is in the aboriginal tracts of Chota Nagpur. Thus the Bhuiyas numbered 625,824 in 1931, of which 220,000 were in Chota Nagpur, 80,000 in the adjacent Santal Parganas and over 100,000 in the States. There were also over 100,000 in Gaya. Palamau is their chief habitat. They are usually Kamias or Serfs and they present a problem of their own but this problem is not very different from

* P. 167.

that of the other aboriginal tribes. If the franchise in Chota Nagpur is so devised as to secure representation of the aboriginal, it might be possible to secure representation of this caste in Palamau, the chief habitat, in this way.

5. A somewhat similar caste are the Rajwars though possibly more Hinduized. They number in all 133,952, of which about 50,000 are in Gaya, 10,000 in the Santal Parganas and 39,000 in Manbhum. These are thus intermingled with the aboriginal tribes and live on the outskirts of the backward tracts.

6. The Bhumij (274,058 in 1931) are also chiefly in Chota Nagpur and in Manbhum 45,000 (in 1921), Singhbum 24,000 and Orissa States 38,000. Their problem is thus similar to that of the aboriginals of this area.

7. Two other castes closely inter-connected with the aboriginals but included in the Census list of Depressed Classes are Ghasi and Turi. The Ghasis number 76,320 and their habitat is the Chota Nagpur Division, Sambalpur and the States. They correspond to Chamars in Bihar as they deal in hides and are often for this reason cattle poisoners; they are frequently criminal. They are a depressed class of an aboriginal area, not of a Hindu area. Turis are probably aboriginal and animistic in origin; like the Doms of Bihar they do basket work, but I do not think they do scavenging work. Their total number is 54,573, all of whom except 5,000 in Gaya and Purnea are in the Chota Nagpur Division and the Santal Parganas. Neither of these tribes would suffer under the proposed constitution if some special arrangements are made for backward tracts. The Bauris (of whom I know little) may also be included in the Chota Nagpur category for out of 315,000, about 150,000 are in Manbhum and the Santal Parganas and the rest in Orissa.

8. There are next two wandering tribes, some members of which are criminals, Kanjaria, a very small caste recorded only in Purnea as numbering only 2,566 and Nats, chiefly in the Patna Division and Purnea and numbering only 9,628.

9. I pass on to the castes which are more widely scattered over the districts of Bihar and of Orissa proper.

(1) *Chamars.*—1,296,001—The bulk of these are in Bihar proper, a smaller number in Chota Nagpur and still fewer in Orissa. They deal in hides and dead cattle; and for this reason suffer religious disabilities. They are poor and uneducated and usually are without land, though employed out as labourers.

Mochi should also be included with Chamars; they number 22,863 and are only in Manbhum and the Santal Parganas.

(2) *Chaupal.*—This small tribe exists only is Purnea. I know nothing of it but it has a total membership of only 2,737.

(3) *Dhobi.*—The need for washerman being universal, this caste which numbers 414,221 is distributed over the whole province. They are thus primarily a labouring class.

(4) *Dusadh.*—The Dusadh are primarily a North Bihar caste and possibly the aboriginal inhabitants of this area, as they have, I believe, traditions of a Dusadh Raj. From the census table of 1931, I find that the alternative title of Gahlot Rajput is given to them, which goes to show that they are striving to rise in the social scale. They number 1,290,936. Educationally they are backward and as a result have few Government posts. They would hardly admit that they are a depressed class except when it is a quesion of Government appointment. The problem of the representation of a caste such as this is really the problem of the representation of the agricultural labourers.

(5) *Dom, Halalkhor, Hari.*—These three castes really fall together for their usual profession in that of scavenger and hence they are subject to more real religious disabilities. They are probably the only castes which are regarded as causing pollution. They number 269,346 ; 22,289 and 115,613.

(6) *Kurariar.*—A very small caste from Purnea including only 631 persons which need not be taken into account.

(7) *Lalbegi.*—An even smaller caste from Patna, of which there are only 157 members and really a sub-caste of Mehter.

(8) *Mushahar.*—These are found chiefly in Bihar and in particular in the Bhagalpur Division. They number 720,051 and are chiefly agricultural labourers who are without land.

(9) *Pasi.*—This caste, whose profession is toddy-tapping, is scattered over the province, but the greater number is in the Patna Division, where toddy trees flourish. They number 172,061. They often have small holdings and work as labourers. Educationally they are backward.

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(10) *Pan.*—These are an untouchable caste in Orissa, the untouchability being due to the fact that they eat beef. They number 418,169. There are also other castes in Orissa which suffer from religious disabilities and a long list* has been given by Mr. Sridhar Samal, of which a copy is annexed. Census figures are not available, but I doubt if the total number is large.

CONCLUSION.

10. It will be seen that the above analysis of the castes which have from time to time been classified as depressed bear out the statement made at the beginning of the note that the problem of depressed classes is not real in Bihar. Provided special arrangements are made for the backward tracts and some degree of protection is afforded to the aboriginal tribes, this will embrace a large section of the so-called depressed classes and we are only faced with the problem of these castes of Bihar. It is doubtful how far religious disabilities really affect their position ; the religious disabilities, *e.g.*, access to a well or temple, vary from district to district or even from village to village. If the other inhabitants of a village are high caste Brahmans or conservative Rajputs, a small colony of Chamars or Doms or

* Page 168.

possibly of Dusadhs might not be allowed access to a well, but in other villages they would not be interfered with. Their inferiority rests not so much on the existence of some religious disabilities as on the fact that they are usually landless labourers who are consequently poverty-stricken and ill-educated.

11. If we include the major castes of Chamars and Mochis (about 1,300,000), Dhobi (414,000), Dusadh (1,300,000), Doms, Halalkhors and Haris about 400,000, Pasis 172,000 and from Orissa Pans 418,000, we have between 5 and 6 millions which is a fairly large percentage of the total population, but as against this it must be remembered that many of them are also labourers and if the franchise secures representation for them, no further representation is needed. In any case representation by means of separate electorate or even joint electorate with reserved seats seems out of the question for these castes which are so widely distributed. The only representation that can be granted is by means of nomination or co-option, as was suggested by the local Government when dealing with the Simon report.

## APPENDIX I.

### Extract from Report on Census of India, 1911, Volume V, Bengal, Bihar and Orissa and Sikkim, Part I.

519. *Religious disabilities.*—The result of the inquiry referred to above was to show that anything in the nature of an uniform standard is impossible. It was recognised that Hinduism being a term connoting not only religion but also race, birth-place and social organization it is difficult to say whether a man is within the pale or not on the basis of the proposed tests, some of which refer to his beliefs, others to his social standing, and others to his relations to Brahmans. The Census Commissioner decided therefore that instead of raising the question whether the members of particular castes should be "regarded as Hindus" or not, a list should be prepared of the castes and tribes contributing more than 1 per mille to the total population, and returned and classed as Hindus which *qua* castes do not conform to certain standards or are subject to certain disabilities, *viz.*, (1) deny the supremacy of the Brahmans*; (2) do not receive the *mantra* from a Brahman or other recognized Hindu Guru; (3) deny the authority of the Vedas; (4) do not worship the great Hindu gods; (5) are not served by good Brahmans as family priests; (6) have no Brahman priests at all; (7) are denied access to the interior of ordinary Hindu temples; (8) cause pollution by touch or within a certain distance; (9) bury their dead; (10) eat beef and do not reverence the cow. In accordance with the Census Commissioner's instructions, inquiries were made in each district regarding the castes which would come within any one or more of these categories, and the result is shown below.

| Caste or tribe. | Bengal. | | Bihar and Orissa. | |
|---|---|---|---|---|
| | Total No. | Categories. | Total No. | Categories. |
| Bagdi .. .. | 1,015,738 | 5, 7, 8 | .. | .. |
| Baishnab (Bairagi) | 423,985 | 1, 5, 6, 9 | 78,739 | 9 |
| Bauri .. .. | 313,654 | 2, 5, 6, 7, 8, 10 | 292,503 | 2, 5, 6, 7, 8 |
| Beldar .. .. | .. | .. | 88,921 | 2, 5 |
| Bhuinmali .. | 91,973 | 5, 7, 8 | .. | .. |
| Bhuiya .. .. | 69,044 | 2, 5, 6, 7, 8 | 663,757 | 2, 5, 6, 7, 8 |
| Bhumij .. | 90,282 | 1, 5, 6, 7, 8 | 272,672 | 5 |
| Bind .. .. | .. | .. | 134,818 | 5 |
| Chakma .. | 58,672 | 1, 5, 6 | .. | .. |
| Chamar .. | 136,553 | 2, 5, 6, 7, 8, 10 | 1,114,467 | 2, 5, 6, 7, 8, 10 |
| Chasadhoba .. | 57,550 | 5 | .. | .. |

* This category includes two distinct groups, *viz.*, (*a*) certain sectarian groups which owe their origin to a revolt against the Brahmanical supremacy; and (*b*) the aboriginal tribes and also certain low castes who, being denied the ministrations of Brahmans, retaliate by professing to reject the Brahmans.

| Caste or tribe. | Bengal. | | Bihar and Orissa. | |
|---|---|---|---|---|
| | Total No. | Categories. | Total No. | Categories. |
| Dhoba or Dhobi .. | 228,052 | 5, 7, 8 | 376,623 | 2, 5, 6, 7, 8 |
| Dom .. .. | 173,991 | 5, 6, 7, 8, 10 | 241,903 | 2, 5, 6, 7, 8, 10 |
| Dosadh .. | .. | .. | 1,189,274 | 2, 5, 6, 7, 8 |
| Ganda .. .. | .. | .. | 211,775 | 2, 5, 6, 7, 8, 9, 10 |
| Gareri .. .. | .. | .. | 92,435 | 5 |
| Hari .. .. | 173,706 | 5, 6, 7, 8, 10 | 119,468 | 2, 5, 6, 7, 8, 9, 10 |
| Ho .. .. | .. | .. | 419,221 | 1, 2, 5, 6, 7, 8, 10 |
| Jogi or Jugi .. | 361,141 | 1, 5, 6, 7, 9 | .. | .. |
| Kaibartta (Jaliya) | 326,988 | 5 | .. | .. |
| Kalu .. .. | 111,562 | 5, 7 | .. | .. |
| Kalwar .. .. | .. | .. | 180,825 | 5, 7, 8 |
| Kamar .. .. | 263,392 | 7 | .. | .. |
| Kandh (Khond) .. | .. | .. | 302,883 | 1, 2, 5, 6, 7 |
| Kandra .. | .. | .. | 155,806 | 2, 5, 6, 7, 8, 9 |
| Kaora .. .. | 112,281 | 5, 6, 7, 8, 10 | .. | .. |
| Kapali .. .. | 154,418 | 5, 7 | .. | .. |
| Kewat .. .. | .. | .. | 420,506 | 5 |
| Kharia .. .. | .. | .. | 105,472 | 5, 6, 7 |
| Kharwar .. | .. | .. | 85,876 | 5 |
| Koch .. .. | 125,046 | 5 | .. | .. |
| Kora .. .. | 46,497 | 1, 2, 5, 6, 7, 8, 10 | 48,983 | 1, 2, 5, 6, 7, 8, 9 |
| Kumhar .. | .. | .. | 513,327 | 5 |
| Mal .. .. | 108,163 | 5, 6, 7, 8, 10 | .. | .. |
| Mallah .. .. | .. | .. | 362,927 | 5, 7 |
| Malo .. .. | 247,200 | 5 | .. | .. |

| Caste or tribe. | Bengal. | | Bihar and Orissa. | |
|---|---|---|---|---|
| | Total No. | Categories. | Total No. | Categories. |
| Muchi .. .. | 455,236 | 2, 5, 7, 8, 10 | 31,339 | 2, 5, 6, 7, 8, 10 |
| Munda .. .. | 67,252 | 1, 2, 5, 6, 8 | 410,440 | 1, 2, 5, 6, 7, 8, 10 |
| Musahar .. | .. | .. | 626,795 | 2, 5, 6, 7, 8 |
| Namasudra .. | 1,908,728 | 5, 7, 8 | .. | .. |
| Nuniya .. .. | .. | .. | 319,102 | 5 |
| Oraon .. .. | 165,337 | 1, 5, 6, 8 | 474,673 | 1, 2, 5, 6, 7, 8, 10 |
| Pan .. .. | .. | .. | 434,046 | 2, 5, 6, 7, 8, 9, 10 |
| Pasi .. .. | .. | .. | 150,142 | 2, 5, 6, 7, 8 |
| Patni .. .. | 63,447 | 5 | .. | .. |
| Pod .. .. | 536,568 | 5, 7, 8 | .. | .. |
| Rajbansi .. | 1,805,833 | 5, 7 | .. | .. |
| Rajwar .. .. | .. | .. | 131,971 | 5 |
| Santal .. .. | 669,420 | 1, 2, 5, 6, 7, 8, 10 | 1,399,450 | 1, 2, 5, 6, 7, 8, 9, 10 |
| Savar .. .. | .. | .. | 191,798 | 2, 5, 6, 7, 8, 9 |
| Shaha .. .. | 324,927 | 5, 7 | .. | .. |
| Sonar .. .. | 55,295 | 5, 7 | .. | .. |
| Subarnabanik .. | 109,429 | 5 | .. | .. |
| Sunri .. .. | 119,325 | 5, 7, 8 | 257,114 | 5, 7, 8 |
| Sutradhar .. | 177,433 | 5, 7 | .. | .. |
| Tanti .. .. | .. | .. | 613,277 | 5, 7 |
| Teli .. .. | .. | .. | 1,071,906 | 5, 7 |
| Tipara .. .. | 130,025 | 1, 5 | .. | .. |
| Tiyar .. .. | 215,270 | 5, 7, 8 | 60,897 | 5, 7, 8 |

520. This list merely summarizes the reports received and must be accepted with reserve. The utmost care has been taken to place the castes under the different categories only when there was a general consensus of opinion about them, and to reject views that were manifestly based on misconception; but in other cases I was

not in a position to judge of the correctness or incorrectness of the reports received, and errors may have been made. The variations of opinion were remarkable. In one district a caste would be included under one or other of the heads, in another it would be excluded. Such divergencies were most pronounced in Bihar and Orissa, especially as regards castes that in Chota Nagpur or Orissa are only semi-Hinduized, but elsewhere have a respectable status.

In neither Province has any caste been placed under the third or fourth category. Several castes were returned under the third category, but they are all at such a low level of education that they are not in a postion to pronounce any opinion about the Vedas. In fact, they scarcely know what the Vedas are and cannot be said either to accept or reject them. A number of castes were also returned under the fourth category, but though the great Hindu gods are not regularly worshipped by them, they recognize their divinity and render them occasional homage; Devi under one form or another is almost universally worshipped either regularly or occasionally. It is, therefore, difficult, if not impossible, to affirm positively that any castes do not worship the great Hindu gods. Several castes have, moreover, been excluded from the second class, though it was reported that they came under it. This is due to the fact that among the Baishnabs the Nityananda Gosains " open the door of fellowship to all sorts and conditions of men, be they Brahmans or Chandals, high caste widows or common prostitutes ". These Gosains are unquestionably recognised as Hindu Gurus, and the Baishnabs certainly receive *mantras* from them. As regards the eighth class, it must be remembered that, largely as a result of the growing popularity of travelling by train and the necessities imposed on travellers, the idea of pollution by touch is ceasing to have its old hold over the mind of the Hindus though it is still as potent as ever among orthodox Hindus of the old school and high caste widows. The burial of the dead, is moreover, often due merely to poverty. Members of the depressed classes who cannot afford fuel for cremation will light a small fire near the corpse as a humble substitute, which will, they believe, have the same purifying effect as actual cremation. Even the degraded classes, who eat beef, will not kill a cow for food or purchase beef, but merely eat the flesh of cows that have died a natural death. It is doubtful whether they can be said not to revere the cow. Personally, I should be inclined to say that they revere it when alive, but not when dead.

521. Many of the castes or tribes entered in the list are either frankly animistic or contribute largely to the ranks of Animists. Their Hinduism is often doubtful or more than doubtful. At home where their manner of worship and general method of life are known, they are not regarded as Hindus; but when they go far afield they arrogate the title. In Bengal, for instance, more Mundas and Oraons were returned as Hindus than as Animists, but in Bihar and Orissa, there are four Munda Animists to every Munda Hindu, while among the Oraons the Animists outnumber the Hindus by eight to one. Altogether there are 28 castes or tribes in Bengal, and 30 in Bihar and Orissa, of whom some were returned as Hindus and others as Animists, the figures being as shown below :—

| | Hindus. | Animists. |
|---|---|---|
| Bengal .. .. .. .. | 937,551 | 823,280 |
| Bihar and Orissa .. .. .. | 3,988,111 | 2,696,118 |

## APPENDIX II.

**Statement showing the number of depressed classes in Bihar and Orissa during the Census of 1981.**

1. Bauri.
2. Bhogta.
3. Bhuiya.
4. Bhumij.
5. Chamar.
6. Chaupal.
7. Dhobi.
8. Dosadh.
9. Dom.
10. Ghasi.
11. Ghusuria.
12. Godra.
13. Gokha.
14. Halalkhor.
15. Hari.
16. Irika.
17. Kandra.
18. Kanjar.
19. Kela.
20. Kurariar.
21. Lalbegi.
22. Mahuria.
23. Mangan.
24. Mochi.
25. Mushahar.
26. Nat.
27. Pan.
28. Pasi.
29. Rajwar.
30. Siyal.
31. Turi.

## APPENDIX III.

### List of depressed communities in Bihar and Orissa, prepared by Mr. Sridhar Samal.

| Names of depressed communities. | Area in which they are regarded as depressed. |
|---|---|
| 1. Chamar .. .. .. | Throughout the province. |
| 2. Dhobi .. .. .. | |
| 3. Dom .. .. .. | |
| 4. Hadi .. .. .. | |
| 5. Muchi .. .. .. | |
| 6. Savar .. .. .. | |
| 7. Tiyar .. .. .. | |
| 8. Mehtar .. .. .. | |
| 9. Bhangi .. .. .. | |
| 10. Halalkhor .. .. .. | |
| 11. Turi .. .. .. | |
| 12. Ahirgaura .. .. .. | |
| 13. Dusadh .. .. .. | In Bihar. |
| 14. Musahar .. .. .. | |
| 15. Pashi .. .. .. | |
| 16. Bator .. .. .. | |
| 17. Byadha .. .. .. | |
| 18. Jolaha (Hindu) .. .. | |
| 19. Bauri .. .. .. | In Orissa. |
| 20. Ghusuria .. .. .. | |
| 21. Gokha .. .. .. | |
| 22. Kela .. .. .. | |
| 23. Mahuria .. .. .. | |
| 24. Siyal .. .. .. | |
| 25. Chamar .. .. .. | |
| 26. Ghasi .. .. .. | |
| 27. Kandra .. .. .. | |
| 28. Pan .. .. .. | |
| 29. Ganda .. .. .. | |
| 30. Nolia .. .. .. | |
| 31. Dhed (domiciled) .. .. | |
| 32. Mahar (domiciled) .. .. | |
| 33. Golah .. .. .. | |
| 34. Kudma (Balasore) .. .. | |
| 35. Baghuti .. .. .. | |
| 36. Ujia (Balasore) .. .. | |
| 37. Keshuria (Balasore) .. .. | |
| 38. Khadala (Balasore) .. .. | |
| 39. Sayar .. .. .. | |
| 40. Bettra .. .. .. | |

## V

## Supplement to the second memorandum by the Government of Bihar and Orissa.

LETTER FROM THE GOVERNMENT OF BIHAR AND ORISSA, TO THE JOINT SECRETARY, INDIAN FRANCHISE COMMITTEE, No. 3061-A., DATED THE 22ND/23RD MARCH 1932.

I am desired to say that the local Government agree with their Provincial Committee's remarks regarding the estimate of the number of depressed classes electors who would be placed on the roll on the basis of—

(*a*) six annas

(*b*) one rupee chaukidari tax payment. The Provincial Committee's remarks are as follows:—

"Enquiries have been made by the local Government at the request of the Committee in eight selected small rural areas and in two wards in two municipalities of the province regarding the number of depressed classes, the number of depressed classes voters if payments of (*a*) six annas and (*b*) rupee one or more as chaukidari tax were adopted as the basis of franchise qualifications and regarding the degree of their untouchability and unapproachability. The results of these enquiries have been tabulated in two statements which form Annexure D* to this report. These statements show that in the eight selected rural areas averaging a population of 7,000—5 per cent. of the depressed classes would be enfranchised on a basis of payment of six annas chaukidari tax but that if the qualification were raised to Re. 1 only 1 per cent. would be on the electoral roll. But the percentages are not uniform in the different selected areas, and the Committee do not feel justified in drawing any definite inference from these figures as to the effect of either basis of tax in enfranchising the depressed classes in the province as a whole."

A copy of the printed statements referred to is enclosed together with a copy of the printed papers† which contain the replies received from District Officers about these enquiries. "Depressed Classes" for the purposes of these enquiries were taken to include those‡ enumerated at 1931 census.

2. Your Committee has asked in its§ telegram of the 11th March for a statement showing by categories and classes what elements of the population would (*a*) be enfranchised and (*b*) remain unenfranchised under the local Government's proposals. The local Government's general

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* Printed as Appendices II and III (Pp. 228-231). † Not printed.

‡ *Vide* p. 167.

§*Copy of Telegram from the Joint Secretary, Indian Franchise Committee, to the Government of Bihar and Orissa, No. E.-B. & O.-302, dated the 11th March 1932.*

Chairman would be grateful if local Government's final recommendations could be accompanied by statement showing by categories and classes as accurately as possible what elements of the population would (*a*) be enfranchised (*b*) remain unenfranchised under them.

views regarding representation of interests have been given in paragraphs 4 and 5* of their first memorandum. They have suggested three alternative proposals as practicable for giving effect to the large extension of the franchise proposed by the Indian Franchise Committee.

The *first* is the system of indirect primary village elections in which the whole adult population, male and female, will participate. This system would enfranchise all elements of the population and weightage could be given if necessary at the secondary elections by reserving a certain number of the places of secondary electors for special interests *e.g.*, women, depressed classes, aborigines (in some districts), Indian Christians (in some districts), industrial labour (in colliery areas) and so on.

A *second* alternative suggested which would enfranchise about 9 per cent. of the population was the enfranchisement in rural areas of all persons paying the minimum chaukidari tax (six annas) and in urban areas of all persons paying Re. 1-8-0 municipal tax. The main elements of the population which would on those basis be at an appreciable disadvantage with the other elements of the population in the matter of enfranchisement would be women and landless labourers. Industrial labour could be enfranchised, as proposed by the Provincial Committee, by creating a special constituency at Jamshedpur and special voting qualifications based on wages in the colliery areas in Chota Nagpur. The depressed classes would also be at a disadvantage as compared with the cultivator class in rural areas.

A *third* practicable alternative basis of the franchise suggested was the payment in rural areas of one rupee chaukidari tax and in urban areas of Rs. 3-8-0 municipal tax. This would enfranchise between 4 and 5 per cent. of the population. On this basis only a negligible proportion of the depressed class would probably be enfranchised in the rural areas. It is not possible at such short notice to give any more accurate information than the above.

3. In the Committee's telegram of the 18th March statistics regarding the future Federal Assembly voters have been asked for. The proposal of the majority of the Provincial Committee would give an electorate of 404,172 for the Federal Lower House. This would therefore roughly be the number of women who would be enfranchised by enfranchising the wives of that electorate. The local Government's views on this question have already been given in paragraphs 19 and 20† of their first memorandum. They are unable to make any final recommendations themselves as to the electorate for the federal lower chamber until they know what is to be the electorate for the provincial lower chamber and whether there is to be a second Provincial Chamber.

4. The local Government have read the summary of the proposals of the Government of Madras relating to the depressed classes and women sent with Laithwaite's demi-official letter‡ No. 175-B. & O., dated the 11th March; but conditions in this province are entirely different from those in Madras, and the Madras proposals could not in the local Government's opinion be applied to this province.

* Pages 108 and 109. † Page 115. ‡ Not printed.

## VI

## Final memorandum by the Bihar and Orissa Provincial Franchise Committee.

### INTRODUCTION.

The Bihar and Orissa Franchise Committee was appointed by the local Government on the 19th January 1932 in a Press Communiqué which ran as follows :—

"The Governor in Council has appointed a Provincial Franchise Committee to advise on the questions which will be examined by the Central Franchise Committee which has been appointed by His Majesty's Government. The following have agreed to serve as members of the Committee :—

1. Lady Imam.
2. Babu Chandreshwar Prasad Narayan Singh, M.L.C.
3. Rai Bahadur Lakshmidhar Mahanti, M.L.C.
4. Rai Bahadur Sarat Chandra Ray, M.L.C.
5. Mr. Saiyid Muhammad Athar Husain, M.L.C.
6. Reverend Brajananda Das, M.L.C.
7. Babu Swayambar Das, M.L.C.
8. Babu Shiva Shankar Jha.
9. Babu Gursahay Lal.
10. Maulvi Saiyid Mubarak Ali Sahib.
11. Mr. A. P. Middleton, I.C.S.
12. Mr. G. E. Owen, M.L.C., I.C.S.
13. Rai Bahadur Satish Chandra Mukharji, Member and Secretary.

The Committee will elect their own Chairman. The questionnaire prepared by the Central Committee has been widely circulated in the province and any person wishing to give an opinion on the questions included therein is requested to send in his opinion to the Secretary with as little delay as possible and not later than February 7th, 1932. The Secretary can supply spare copies of the questionnaire if needed."

Mr. E. Danby was subsequently appointed as a member of the Committee.

At the first meeting of the Committee on the 20th January 1932 the Hon'ble Mr. J. T. Whitty, C.S.I., C.I.E., I.C.S., Member of the Bihar and Orissa Executive Council, welcomed the members of the Committee on behalf of Government. He explained to them the great importance of the work which lay before them and the responsibilities involved, franchise being the real foundation of the whole edifice of any democratic constitution. Babu Chandreshwar Prasad Narayan Singh was unanimously elected as Chairman.

The Committee subsequently met on the 23rd January and on the 2nd, 3rd, 4th and 8th February. It was placed at some disadvantage

owing to the short notice given of the arrival of the Indian Franchise Committee in Patna on the 10th February 1932. At the request of the Indian Committee, the Provincial Committee formulated its provisional views which were embodied in a memorandum and placed before the Indian Committee on its arrival. Both the Committees had joint sittings on the 10th, 11th, 12th and 13th February and paid a visit to Khusrupur and Bakhtiarpur on the 14th February to witness a demonstration of the group system of election in two typical villages. They also examined about twenty witnesses on behalf of Government, representative associations and various communities in the province. The Provincial Committee has greatly profited by the valuable discussions it had with the Central Committee at the joint sittings, and the elucidation of important points in course of examination of the witnesses has also materially helped it in clarifying the issues placed before it. In its subsequent deliberations the Committee has kept in view all these discussions and has modified its opinion in certain particulars in the light of them. The Committee met again on the 23rd, 25th and 26th February and from the 6th to the 11th March day to day and examined the following witnesses :—

1. Babu Brajamohan Panda, M.L.C., for Sambalpur Non-Muhammadan rural constituency.
2. Mr. N. K. Ghosh, M.L.C., for the Chota Nagpur Division Non-Muhammadan urban constituency.
3. Babu Devendra Nath Samanta, M.L.C., for Singhbhum Non-Muhammadan rural constituency.
4. Mr. E. S. Hoernle, I.C.S., Deputy Commissioner of the Santal Parganas.
5. Babu Bhawani Sahay, President of the District Bar Association, Patna.
6. Maulvi Saiyid Muhammad Hafeez, M.L.C., for Patna University constituency.
7. Rai Bahadur Ram Ran Vijay Sinha, M.L.C., (nominated), representing Industrial Interests other than Planting and Mining.
8. Mr. P. C. Tallents, C.I.E., I.C.S., Officiating Chief Secretary to the Government of Bihar and Orissa (with regard to Angul).
9. Baby Arikshan Sinha, *Ex*-M.L.C., Muzaffarpur, representing tenants.
10. Mr. L. B. Seal, Personal Assistant to the Commissioner of the Patna Division, representing Indian Christians.
11. Mr. Girija Bhushan Dutt, Secretary, Tenants' Association, Angul.

The present memorandum of which the draft was considered at the meetings of the Committee held on the 15th and 16th March, embodies the final views of a majority of the Committee. Mr. Danby could not take any part in the deliberations of the Committee after the 13th February

as he had to leave this country for England. It has not been possible to secure unanimity of opinion on a number of material points. The replies to the questionnaire of the Indian Franchise Committee are noted below :—

## I.—PROVINCIAL LEGISLATURE.

### 1.—Extension of Franchise.

*Question 1 (a).—What means can you suggest by which the existing franchise for the provincial Legislature could be extended so as to include 10 per cent. of the population in the electoral roll ?*

*Total population of the province.*—According to the Census of 1931, the total population of Bihar and Orissa, excluding the Feudatory States is 37,677,576. The statement below shows the number of non-Muhammadan and Muhammadan persons, both male and female, in British Bihar and Orissa :—

| Description of persons. | Non-Muhammadan. | Muhammadan. | Total. |
|---|---|---|---|
| Male .. .. | 16,679,026 | 2,115,112 | 18,794,138 |
| Female .. .. | 16,730,244 | 2,153,194 | 18,883,438 |
| Total .. | 33,409,270 | 4,268,306 | 37,677,576 |

If 10 per cent. of the total population be enfranchised, the total number of voters would be 3,767,757. Women constitute approximately half the total population. The approximate number of persons of and above 21 years of age in 1931 is given below :—

| Description of persons. | Non-Muhammadan. | Muhammadan. | Total. |
|---|---|---|---|
| Male .. .. | 8,236,409 | 995,036 | 9,231,445 |
| Female .. .. | 8,518,355 | 1,052,343 | 9,570,698 |
| Total .. | 16,754,764 | 2,047,379 | 18,802,143 |

*Urban areas.*—The total urban population of Bihar and Orissa is 1,516,119. No municipal or any other tax or rate is levied in the Jamshedpur " notified area " which is the headquarters of the Tata Iron and Steel Company and as such has a large industrial population. It is proposed to frame a separate labour constituency for Jamshedpur " notified area " and the adjoining " notified area " of Jugsalai, of which the total population is 92,459. This will be discussed under the heading " 5—Representation of Labour ". The table below gives the urban population of Bihar and Orissa excluding the Jamshedpur and Jugsalai " notified areas " :—

| Description of persons. | Non-Muhammadan. | Muhammadan. | Total. |
|---|---|---|---|
| Male .. .. | 603,449 | 176,472 | 779,921 |
| Female .. .. | 489,365 | 154,374 | 643,739 |
| Total .. | 1,092,814 | 330,846 | 1,423,660 |

At present the main franchise qualification in the urban constituencies is the payment of Rs. 3 annually as municipal or cantonment rates. In the general elections of 1930, the total number of urban voters was as follows :—

| Description of persons. | Non-Muhammadan. | Muhammadan. | Total. |
|---|---|---|---|
| Male .. .. | 53,623 | 12,786 | 66,409 |
| Female .. .. | 3,058 | 1,315 | 4,373 |
| Total .. | 56,681 | 14,101 | 70,782 |

The existing number of urban voters for the Legislative Council, *viz.*, 70,782, represents 5 per cent. of the total urban population which is 1,423,660. If 10 per cent. of the urban population be enfranchised, the number will be 142,366 (excluding Jamshedpur and Jugsalai "notified areas"). At present, one of the main qualifications for the municipal franchise is the payment of at least Re. 1-8-0 as municipal tax. Enquiries were made regarding the total number of persons on the municipal electoral roll. Figures were also obtained for the number of persons who pay Re. 1-8-0 as tax in the Doranda "Notified Area" and in the Patna New Capital under the Patna Administration Committee. The figures reported have been tabulated in the statement which is appended to this report as Annexure A.* The total number o voters on the municipal electoral roll and of persons who pay at least Re. 1-8-0 as tax in the Doranda "Notified Area" and in the Patna New Capital is 140,225, of whom 114,723 are non-Muhammadans and 25,502 are Muhammadans. Of these, only 960 are women. Although women have a limited franchise in municipalities very few of them, owing to their apathy, are actually enrolled as voters. The question of increasing the number of women voters is dealt with in the portion of the report relating to "Women's suffrage". The figures given above show that approximately 10 per cent. of the total population in the urban areas will be enfranchised if all the voters on the municipal roll and those who pay Re. 1-8-0 as tax in the other urban areas are brought under the franchise for the local Council. Bearing in view these figures, the Committee is of opinion that the extension of the franchise in the manner suggested in the question, *i.e.*, up to 10 per cent. can be effected if the main municipal franchise, *viz.*, payment of at least Re. 1-8-0 as tax or fee is adopted as the basis of the franchise qualification for the Council in urban areas.

*Rural areas.*—In round figures, the rural population of the province is 36,000,000. For purposes of calculation, the districts of Sambalpur, Angul and the Santal Parganas have been left out. These areas have been dealt with separately. The table below gives the figures of population in rural areas :—

| Description of persons. | Non-Muhammadan. | Muhammadan. | Total. |
|---|---|---|---|
| Male .. .. | 14,704,370 | 1,818,794 | 16,523,164 |
| Female .. .. | 14,836,045 | 1,885,083 | 16,721,128 |
| Total .. | 29,540,415 | 3,703,877 | 33,244,292 |

* Not printed.

The existing franchise qualifications for the rural constituencies of the Legislative Council vary in the different parts of the province. They are mainly property qualifications, *viz.*, payment of revenue, cess and rent by proprietors, tenure-holders and tenants at certain rates per annum. The statement below gives the total number of voters in rural constituencies (including those in Sambalpur and the Santal Parganas) during the general elections of 1930, Angul being excluded from the scope of reforms :—

| Description of persons. | Non-Muhammadan. | Muhammadan. | Total. |
|---|---|---|---|
| Male .. .. | 319,498 | 35,562 | 355,060 |
| Female .. .. | 1,695 | 787 | 2,482 |
| Total .. | 321,193 | 36,349 | 357,542 |

The existing number of rural voters is 357,542. They form approximately 1 per cent. of the total population (36,000,000). If 10 per cent. of the total population be enfranchised, the total number of voters should be 3,324,429 excluding the voters in the districts of Sambalpur, Angul and the Santal Parganas or 3,600,000 including the voters in these districts.

Before the general elections of 1920 a suggestion was made that it would be simpler and more economical if the payment of chaukidari tax was made the basis of franchise for the local Council in rural areas and in favour of this it was urged that all classes would be represented including wage-earners. Figures of voters could be easily compiled from the chaukidari assessment lists maintained in each sub-divisional office and no special staff would be required for the preparation of the electoral roll. It was also urged that the electoral roll could be prepared far more expeditiously than at present and it would not necessitate laying down different franchise qualifications for different areas. After the general elections of 1926 the Elections Officer, Mr. Berthoud, observed as follows :—

"The franchise in rural areas is based on property qualification, but the vast bulk of the residents in these areas is as indifferent as ever in election matters and this causes considerable difficulty in hunting up property qualifications with a view to compiling a complete and correct roll. It would simplify work if the payment of chaukidari tax were made the basis of the franchise in rural areas, inasmuch as an up-to-date register of assessees under the Chaukidari Act is maintained almost everywhere, from which a list of voters could be compiled with less difficulty. This is a question of some importance."

For meeting the cost of upkeep of the rural police, *viz.*, village chaukidars (watchmen) and dafadars (head watchmen), a certain rate is levied in each village under section 15 of the Village Chaukidari Act VI of 1870. This rate is assessed according to the circumstances and the property to be protected of the persons liable to the same, provided that the amount assessed on any one person is not more than Re. 1 a month and that all persons who in the opinion of the *panches* (village officials) are too poor to pay half an anna a month are altogether exempted from assessment. The

minimum chaukidari tax is half an anna a month or six annas a year. The payment of the minimum chaukidari tax has been adopted as a franchise qualification for the election of members of the union board or *panchayat* under the Bihar and Orissa Village Administration Act III of 1922. In view of the advantages of adopting the payment of chaukidari tax as the basis of franchise qualification the Committee had enquiries made in order to ascertain the number of persons who pay chaukidari tax of at least Re. 1 and of six annas a year. The Act is in force in the Patna, Tirhut, Bhagalpur (except in the Santal Parganas) and Orissa (except in the districts of Sambalpur and Angul) Divisions and a similar Act, *viz.*, the Chota Nagpur Rural Police Act I of 1914, is in force in the Chota Nagpur Division except in certain parts of Singhbhum district. The results of the enquiries are tabulated in a statement which forms Annexure B* to this report. If those who pay six annas or more as chaukidari tax be given the right to vote, the position will be as follows :—

| Class. | Population. | Number of voters. | Percentage. |
|---|---|---|---|
| Non-Muhammadan .. | 29,540,415 | 2,602,213 | 8·8 |
| Muhammadan .. .. | 3,703,877 | 330,405 | 8·9 |
| Total .. | 33,244,292 | 2,932,618 | 8·8 |

Of the total number of voters, only 40,268 would be non-Muhammadan women and 7,417 Muhammadan women, the total number of women taxpayers being 47,685 or 1·6 per cent. of the total number of tax-payers. So far as men in rural areas are concerned, about 17·5 per cent. of the total male population or 35 per cent. of the adult male population would be enfranchised. The relative voting strength of the two main communities will be more or less the same.

If those who pay Re. 1 or more as chaukidari tax are enfranchised, the position will be as follows :—

| Class. | Population. | Number of voters. | Percentage. |
|---|---|---|---|
| Non-Muhammadan .. | 29,540,415 | 1,220,756 | 4·1 |
| Muhammadan .. .. | 3,703,877 | 190,696 | 5·1 |
| Total .. | 33,244,292 | 1,411,452 | 4·3 |

Of the total number of voters, only 15,600 would be non-Muhammadan women and 3,949 Muhammadan the total number of women voters being 19,549 or about 1·4 per cent. of the total number of taxpayers.

The figures show slight disparity in the voting strength of the non-Muhammadan and Muhammadan communities. Of the total number of chaukidari tax-payers about 2 per cent. are minors and another 2 per cent. are expected to be landlords who have been recorded several times as voters on the chaukidari assessment lists because they pay chaukidari tax in each village within their estates or tenures in which they have their *tahsil* (collection) offices. If these factors are taken into account, the chances are that the disparity will be removed.

* Not printed.

The question of increasing the number of women electors is dealt with in the portion of the report regarding " Women's suffrage."

It may be mentioned here that the Chaukidari Act provides for assessment of *separate interests*. If the chaukidari tax is adopted as the basis of franchise, the adult members of a joint family other than the head of the family will have no right to vote. The same principle has been followed in the existing electoral rules. Where property is held or payments are made on the principle of a joint family, the family is adopted as the unit for deciding whether the requisite qualification exists, and if it does exist, the person qualified is, in the case of a Hindu joint family, the manager or head thereof and, in other cases, the member authorized in that behalf by the family concerned. The Committee has considered the question whether the present disqualification of the other members of a family entitled to vote should be removed and all adult members of such a family given the franchise. But it would obviously be anomalous to lower the franchise qualification only for members of Hindu joint families. As the Chaukidari Act provides for the assessment of *separate interests*, some at least of the adult members of a joint family, who live joint in mess but have separately recorded shares for which they pay revenue, rent or cess separately of an amount sufficient to make them liable to chaukidari assessment, will be included in the electoral roll. Some again will be so included if there is an educational qualification as an alternative to the property qualifications; and we have suggested such a qualification in our answer to question 2(*d*). Having regard to the figures shown in Annexure B*, the Committee considers that approximately 9 per cent. of the population will be included on the electoral roll if the payment of the minimum chaukidari tax is adopted as the basis of the franchise qualifications and about 4·5 per cent. if chaukidari tax-payers of Re. 1 or more are enfranchised in rural areas.

It remains to consider the case of Sambalpur, Angul and the Santal Parganas where it is not at present possible to adopt the payment of chaukidari tax as the basis of franchise qualification. The district of Angul has so far been treated as a " backward tract ", outside the scope of the Reforms. It has an area of 1,681 square miles and a population of 222,736. It consists of two subdivisions, the Sadr and the Khondmals. The Sadr subdivision, which is more advanced, has a total population of 140,458 and the chaukidari tax is paid in kind which is now being commuted to cash. When this commutation has been finished, it may be possible to make the payment of chaukidari tax the basis of franchise qualification. For the present it will be necessary to make payment of rent of Rs. 6 or more the basis of franchise qualification as this is likely to yield an electorate of approximately 6 per cent. of the total population. The Khondmals subdivision is more backward and is 90 miles away from the Sadr subdivision and separated from it by the Baud Feudatory State. The Committee is not aware whether this tract will be brought under the scheme of Reforms. The majority of the members, however, consider that if it is so included, some sort of franchise qualification, such as the

* Not printed.

payment of plough tax or of rent sufficient to bring in an electorate of about 5 per cent. of the population, could probably be adopted for the area. The district has no urban area at present.

The Santal Parganas has an area of 5,161 square miles and a rural population of over two millions. In the major portion of the district the chaukidars receive no pay but enjoy profits from lands in lieu thereof, which are set apart for the purpose at the time of the settlement. At present a proprietor who pays Rs. 12 per annum as local cess, a tenure-holder whose tenure is assessed for the purpose of local cess at not less than Rs. 100 per annum and a raiyat who is liable to pay rent or cess amounting to Rs. 24 or annas twelve respectively are entitled to vote. On these qualifications there are only 2,000 and 14,000 Muhammadan and non-Muhammadan voters in the district who return one and two members respectively. These property qualifications would have to be lowered so as to yield an electorate of approximately 5 per cent. of the population.

The district of Sambalpur has an area of 3,824 square miles and a rural population of 865,000. Here too the chaukidars do not receive their pay in cash but enjoy the profits from lands set apart for them at the time of the settlement. At present a proprietor who pays not less than Rs. 12 per annum as cess, a tenure-holder whose tenure is assessed for the purpose of local cess at not less than Rs. 100 per annum and a raiyat who is liable to pay annual rent or local cess amounting to Rs. 16 or annas eight respectively are entitled to vote. On these qualifications the total existing number of non-Muhammadan voters for the Legislative Council is about 8,000; the number of Muhammadan voters is very small and they are included in the Orissa Muhammadan rural constituency. In order to enfranchise 5 per cent. of the total population, it will be necessary to lower the franchise for raiyats to payment of rent or cess amounting approximately to Rs. 6 or annas three respectively.

It has not been possible for the Committee within the short time at its disposal to make detailed enquiries regarding the exact amount of revenue, rent or cess which will enfranchise the requisite percentage of population in the districts of the Santal Parganas, Sambalpur and Angul. To arrive at correct figures, it will be necessary to consult the settlement record-of-rights and make elaborate calculations which will take time.

The Committee is of opinion that in addition to the property qualifications noted above, including the payment of chaukidari tax, all assessees to income-tax should, as at present, be given the right to vote, both in the urban and rural areas of the province. This, in the case of Hindu joint families, is likely to enfranchise some adult members other than the head of the family.

*Question 1 (b).—Do you consider that such an electorate will be capable of casting an intelligent vote?*

The majority of the members of the Committee are of opinion that the percentage of voters who cast their votes intelligently under the existing franchise is low and that it is likely to be lower if the franchise is

further extended. Babu Gursahay Lal and some other members hold the view that the proportion of intelligent voters is increasing at every general election and there is no reason why the number of such voters will not increase further if the franchise is lowered, the political education of the masses being only a question of time. Pandit Shiva Shankar Jha, Babu Gursahay Lal, Babu Swayambar Das and Rai Bahadur S. C. Ray are of opinion that it would make no difference in the proportion of intelligent voters if 10 per cent. of the total population were enfranchised.

*Question 1 (c).—Do you consider that such an electorate would be administratively manageable, having regard to the arrangements likely to be feasible for the preparation, maintenance and revision of the electoral rolls, and for the recording and counting of votes ?*

The answer to the question depends on whether the election should be according to--

(A) wholly indirect system, or

(B) combination of the direct and indirect systems, or what is called the "hybrid" system, or

(C) wholly direct system.

**(A) Wholly indirect system.**

The majority of the members agree that the indirect system of election, according to the system of primary chaukidari village election, as described in the local Government's memorandum forwarded with their letter of the 14th March 1932, is the only system of election which would enable the goal of universal adult suffrage to be reached within the lifetime of this or the succeeding generation. But the same majority are not in favour of this system, and they consider that the following objections to it require emphasis. The question of separate electorates for Muhammadans makes the system of indirect election very complicated in a province such as Bihar and Orissa in which the Muhammadans form only 11 per cent. of the total population and are scattered over the area of a district. The difficulties will be accentuated if the franchise is extended to only a certain percentage of the total population and qualifications are laid down for restricting the franchise to that percentage. As the non-Muhammadan and Muhammadan population in this province is in the proportion of 8 : 1, the total number of adult Muhammadan male primary voters will be approximately 1,000,000. There are more than 83,000 villages in British Bihar and Orissa. Therefore it follows that the average number of Muhammadan male adults inhabiting a village is 12 and it will be necessary to form groups of primary Muhammadan male electors from at least two villages. As the Muhammadans form a small percentage of the total population in Chota Nagpur and particularly in Orissa, the formation of primary groups of 20 Muhammadan electors will be extremely difficult in these two divisions, and also in other areas

where the Muhammadans are thinly and widely scattered. This is illustrated in the table given below :-

| Serial No. | Subdivision. | Number of villages. | Total population. | Total Muhammadan population. | Total Muhammadan adult male population (approximately). | Average number of Muhammadan adult male voters in a village. | Total number of Muhammadan male secondary voters. |
|---|---|---|---|---|---|---|---|
| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 |
| 1 | Buxar (Shahabad) | 772 | 336,768 | 18,512 | 4,628 | 6 | 231 |
| 2 | Dumka (Santal Parganas). | 2,681 | 456,686 | 16,346 | 4,086 | 1·5 | 204 |
| 3 | Khurda (Puri) .. | 1,073 | 367,244 | 10,285 | 2,571 | 2·5 | 128 |
| 4 | Bargarh (Sambalpur) | 1,191 | 537,406 | 900 | 225 | Less than one. No percentage can be usefully worked out. | 11 |
| 5 | Angul (Sadr) .. | 467 | 140,458 | 205 | 51 | | 3 |
| 6 | Khunti (Ranchi) .. | 1,157 | 373,800 | 3,007 | 750 | | 38 |
| 7 | Singhbhum (Sadr) | 1,582 | 513,231 | 3,016 | 754 | | 38 |

From the above table it will be seen that Buxar subdivision has 6 Muhammadan adult males in each village, Dumka (Santal Parganas) has 1·5, Khurda has 2·5, Bargarh in Sambalpur has ·2, Angul practically *nil*, and Khunti and Singhbhum Sadr will each have to elect 38 secondary voters for the entire subdivision. If this is the position with regard to the Muhammadan male voters on the assumption that there is an universal adult suffrage, it will be an obviously impossible situation for the Muhammadan female voters who mostly observe *pardah* and will not stir out of their villages. Besides, the adoption of any voting qualification restricting the franchise will create further difficulties in the grouping of Muhammadan electors in rural areas.

The system, the same majority of members hold, has its draw-back specially in India where there are several religious communities and sects or sub-sects under each community. Such a system will tend to create ill-feeling and hostility among the members of the different castes in villages and there will be endless frictions in the formation of groups. It will be necessary to employ temporary officers on low pay who will be subject to temptations and undesirable influences specially if there be no appeals against their decisions. It will be difficult to make suitable arrangements for preventing breaches of the peace and rioting, should these occur as a result of party-feeling or for wrong decisions on the part of the election officer. The primary groups will be subject to undesirable influences and are likely to select the leading village touts, money-lenders and other influential people who, even if they are not themselves elected, would induce them to elect secondaries at their dictation, and thus corruption will be rife. The candidates for seats in the Legislative Council will not be in direct touch with the primary voters and there is no guarantee that the secondaries would cast their votes in favour of the

man whom the primaries wanted. In other words the primary electors would not have direct voice in the selection of their representatives. As there will be an interval between the primary and secondary elections, pressure or undue influence may be brought to bear on the secondaries by interested persons. It will be looked upon as a retrograde step by the existing voters who have been accustomed to the direct poll for over a decade. From the administrative point of view there is the risk of the system being a complete failure if a large section of the people non-co-operate and combine to withhold their votes. If there is a by-election, the holding of primary and secondary elections will take some time and the constituency will remain unrepresented in the Council for months unless the primary elections are dispensed with and the old electoral roll of secondary voters are utilized for the purpose of the by-election. The Chairman and Mr. Owen disagree with the majority on this subject and advocate indirect election in all rural constituencies. A note of dissent recorded by them is appended. Lady Imam also is in favour of the indirect system of election and the group system of election advocated by her has been explained in a note appended to this report.

**(B) Combination of the Direct and Indirect Elections**

A combination of the two systems in the same constituencies would, in the opinion of all members of the Committee (including the minority who are in favour of substituting indirect for direct election in rural constituencies), be unworkable and undesirable. The secondary voters would be swamped by the propertied direct voters: class-feeling would be intensified, the conduct of the primary elections would be unmanageable. *Ad hoc* and often illiterate village *punches* and temporary and not highly paid election officers of the status of ministerial officer could not effectively conduct elections at which members of the villages would have to be disqualified from voting on the ground of payment or non-payment of tax or other disqualifications veritable only from a written electoral roll. The system would be most complicated and very expensive. The Committee is not therefore prepared to suggest any scheme as workable.

**(C) Wholly Direct System.**

The following observations of the Chairman of the Indian Franchise Committee have an important bearing on this question:—

"The Franchise Sub Committee of the Round Table Conference considered that adult suffrage was the goal which should ultimately be attained but the majority thought that it was not practicable to reach that goal immediately and recommended the immediate increase of the electorate so as to enfranchise not less than 10 per cent. of the population, and indeed a larger number but not more than 25 per cent. of the total population if that should, on full investigation, be found practicable and desirable."

In view of these observations a majority of the Provincial Committee was at first under the impression that it was mandatory to enfranchise 10 per cent. of the total population in this province. They were therefore inclined at the outset to recommend the indirect system of

election as, on the materials before them, they had considerable misgivings whether it would be administratively practicable to poll 10 per cent. of the total population by the direct method. In the course of the discussions at the joint meetings, it however transpired that in making the observations cited above the Central Committee had in view the percentage of existing electors in the major provinces of India and did not take into account the fact that only 1 per cent. of the total population had the franchise in this province. While in Bombay and Madras the enfranchisement of 10 per cent. of the total population would mean trebling the size of the existing electorate, in Bihar and Orissa it would mean a ten-fold increase in the number of the existing voters. The majority of members have, therefore, after mature consideration confined their attention to exploring the possibilities of increasing the size of the electorate in this province to an extent which would be administratively manageable according to the direct method, having regard to the arrangements likely to be feasible for the recording and counting of votes. They have come to the conclusion that if the franchise s extended to 5 per cent. of the total population, it would be possible to make the necessary polling arrangements with the existing staff of Government officers and to finish the poll, as at present, in two days, one day being set apart for Muhammadan and the other for non-Muhammadan voters. This will mean the enlargement of the electoral roll in the rural areas to five times its present size, *i.e.*, from 357,000 to roughly 1,750,000 and would be mainly effected by adopting the payment of chaukidari tax of Re. 1 and upwards as the basis of the franchise qualifications in 18 districts and by lowering the existing qualifications in the three remaining districts. As has been noted above, the franchise in urban areas has already been extended to 5 per cent. of the total urban population. Some of the members are not in favour of extending the franchise any further but the majority consider that the ratio of voters to population should be the same in urban as in rural areas. The majority are aware that it might be possible to bring under the franchise 10 per cent. of the total population and to provide for their poll by the direct method, if the poll were spread over three or four days instead of two as has been suggested above. But this, in their opinion, would throw a greater strain on the administrative machinery than it would bear, would be more expensive, would dislocate public work in courts and offices and other public institutions and would be exposed to the risk of a break-down which is inherent in all protracted elections. They are definitely of opinion that for the present the franchise should not be extended to more than 5 per cent. of the population and it ought to be left to the future autonomous Council to enlarge the electorate still further should they consider it desirable and find it administratively possible. A note has been prepared on the feasibility of polling arrangements if approximately 5 per cent. of the total population is enfranchised and forms Annexure C* to this report. Some members think that any deficiency in the number of Government officers may be made good by enlisting the services of honorary magistrates, members of local bodies and senior members of the Bar who do not themselves

* Not printed.

take an active part in the elections—a view not subscribed to by the majority.

Rai Bahadur Sarat Chandra Ray, Pandit Shivashankar Jha, Babu Gursahay Lal, Babu Swayambar Das, Rev. Brajananda Das, Rai Bahadur Lakshmidhar Mahanti, Rai Bahadur S. C. Mukharji, Mr. Middleton, Maulvi Saiyid Mubarak Ali Sahib and Mr. S. M. Athar Husain are in favour of the system of direct election. In their opinion direct election is the *sine qua non* of responsible Government. It makes the representative feel that he stands in a genuine relation to the original voter. It is the system to which a certain proportion of the adult population has been accustomed for over a decade. It makes the people appreciate the value of the vote to a greater extent than by any other system of election, and minimises the chances of corruption to the greatest extent possible. While Rai Bahadur Lakshmidhar Mahanti, Mr. Middleton, Maulvi Mubarak Ali Sahib Mr. Athar Husain and Rai Bahadur S. C. Mukharji would extend the direct electorate to only 5 per cent. of the total population, Rai Bahadur Sarat Chandra Ray, Rev. Brajananda Das, Pandit Shivashankar Jha, Babu Gursahay Lal and Swayambar Das are in favour of giving the franchise to 10 per cent. and hold the view that it would be administratively possible to poll this percentage of population by spreading the elections over three or even four days. Rai Bahadur Lakshmidhar Mahanti and Maulvi Mubarak Ali Sahib, however, suggest that the franchise may be extended to 10 per cent. of the population in towns only. Maulvi Mubarak Ali's reason is that the urban population is familiar with ballot boxes since the year 1865, while the rural population is used to it since 1920. As it has been proposed to increase the franchise in rural areas by five times, he is in favour of doubling the franchise in towns. He sees no justification why there should be no increase at all in municipal areas simply on the ground that there would be disparity between the enfranchised population of the rural and urban areas. The other members noted above are of opinion that the same percentage should be adopted for both the urban and rural areas. The Chairman and Mr. Owen, if the alternative of indirect election in rural constituencies and adult suffrage is rejected, would recommend an extension of the direct franchise to 5 per cent. of the rural and at least 10 per cent. of the urban population.

*Question 1 (d).—If the answer to (b) and (c) is in the negative, what alternative qualification for the electorate would you propose?*

The answer to this question has been given in dealing with the answers to clauses (b) and (c). In order to increase the number of voters who will be able to cast their votes intelligently, the Committee suggests an alternative educational qualification. This will be dealt with under 2 (*d*).

*Question 1 (e).—If the answer to (b) and (c) is in the affirmative, do you consider that it would be practicable and desirable, having regard to the same consideration, to enlarge the electoral roll still further and, if so, what means would you suggest for the purpose?*

The majority of the Committee does not consider it desirable to extend the franchise for the present to more than 5 per cent. of the total population.

*Question 1 (f).—It has been suggested that, assuming adult suffrage to be impracticable at present, all adults not entitled to a direct vote should be grouped together in primary groups of about 20 or in some other suitable manner for the election of one or more representative members from each group, who would be entitled to vote in the provincial elections either in the same constituencies as the directly qualified voters or in separate constituencies to be framed for them. The suggestion has been discussed mainly with reference to rural villages, but might be made applicable to towns also.*

*Do you consider that any such system would be feasible and advantageous in the areas with which you are acquainted, and if so, would you advise that the group electors should vote in the same constituencies as the directly qualified electors, or in separate constituencies composed of group electors only?*

This contemplates election either by the indirect system or by what is known as the 'hybrid' system. For the reasons given in dealing with answers to question (c), the majority of the members are not in favour of either of these systems.

*Question 1 (g).—It has been proposed that in the event of separate constituencies being framed for group electors, only group electors should be qualified to stand as candidates for such constituencies.*

*Are you in favour of this course?*

In view of the answer to question (f), this question does not arise.

*Question 1 (h).—Do you consider that it would be feasible and advantageous to abolish all the existing qualifications for voters and to extend a system of the nature described in* (f) *and to confine electorate for all constituencies to secondaries chosen by groups of primary voters?*

*Question 1* (i)*—In the event of your answer to* (f) *or* (h) *being in the affirmative, what do you consider would be a suitable size for the groups referred to above? On what basis would you constitute them and whom would you charge with the duty of framing them?*

*Question 1* (j)*—Would you require any special qualification, whether property, educational or other, in the person chosen by such groups to vote on their behalf for the election of members? If so, what?*

These questions have been answered under question (c). The majority of the members think that the franchise should be extended to only 5 per cent. of the population and the polling should be conducted according to the direct method. Lady Imam has answered these questions in her note* which is appended to this report.

### 2. Franchise qualifications.

*Question 2 (a).—Do you consider that in the areas with which you are acquainted there is any marked disparity in the operation of the franchise qualifications in urban as compared with rural areas? If so, what measures would you suggest in order to rectify such disparities?*

* Pages 196—199.

The Committee recognizes that at present there is disparity in the operation of the franchise qualifications in urban as compared with rural areas. The existing urban electorate forms about 5 per cent. of the total urban population while the electors in rural areas are only 1 per cent. of the total rural population. To remove this disparity, it has been suggested under question 1 (*c*) by the majority that the same percentage of population should be brought under the franchise both in the urban and rural areas.

*Question 2 (b).—It has been suggested that each community should be given a voting strength proportionate to its numbers, and that the franchise system should be so contrived as to secure this result, in so far as it may be practicable.*

*Are you in agreement with this suggestion, and, if so, what measures would you suggest for giving effect to it in your province on the assumption (i) that separate electorates are retained, (ii) of joint electorates with reservation of seats and (iii) of joint electorates without reservation of seats?*

If the franchise is extended to only 5 per cent. of the total population in the urban and rural areas and the qualifications suggested above are adopted, the relative voting strength of each community will be as follows :—

| *Description.* | *Urban.* | *Rural.* |
|---|---|---|
| Non-Muhammadan .. .. | 5·1 | 4·1 |
| Muhammadan .. .. | 4·2 | 5·1 |
| Total .. | 4·8 | 4·3 |

If the franchise be extended to 10 per cent. of the total population, the relative voting strength of each community will be as follows :—

| *Description.* | *Urban.* | *Rural.* |
|---|---|---|
| Non-Muhammadan .. .. | 11 | 8·8 |
| Muhammadan .. .. | 8·1 | 8·9 |
| Total .. | 10·3 | 8·8 |

The slight disparity noticeable in the above table is likely to be removed if there is an additional educational qualification and all income-tax assessees are brought under the franchise. Another factor has been stated in reply to question 1 (*c*).

*Question 2 (c).—Is the possession of property of some kind in your opinion a suitable test of fitness for the franchise? (The term "property" should be understood in its widest sense as including not only the ownership of landed property, but also the occupation of land or house property or the receipt of income or wages either in cash or kind). If so, do you consider the existing property qualifications suitable? If you do not, what modification do you suggest?*

The majority of the Committee consider that a franchise qualification based on property is necessary. As stated above chaukidari tax is

assessed according to the circumstances and the property to be protected of the person liable to the same. It is levied in rural areas on small traders according to their income and on agricultural labourers according to their wages. A voter should have some stake in the country and in suggesting the payment of chaukidari tax and municipal tax as the basis, the Committee has kept this point in view.

*Question 2 (d).—Are you in favour of introducing a qualification based on education, independently of property? If so, what educational qualification would you suggest?*

The Committee is in favour of introducing a qualification based on education, independently of property. The general opinion is that all men who have passed the middle standard (middle English or middle vernacular and the corresponding oriental examinations in *tols* and *madrasas*) and women who are literate, that is, able to read and write a letter, should have the right to vote. Some of the members, *viz.*, Babu Gursahay Lal, Babu Swayambar Das, Rev. Brajananda Das and Pandit Shivashankar Jha are in favour of lowering the educational qualification for men to the passing of the upper primary examination only. Rai Bahadur Sarat Chandra Ray recommends that a lower educational standard should be fixed for the aboriginals and depressed classes. Lady Imam, Maulavi Mubarak Ali Sahib and Mr. Athar Husain are of opinion that mere literacy should be an additional qualification for Muhammadan voters of both sexes.

The table below gives the number of persons of 20 years of age and over in Bihar and Orissa who, according to the Census of 1931, (*i*) have passed the Middle or some higher standard of education and (*ii*) who are literate :—

| Class. | Non-Muhammadan Male. | Non-Muhammadan Female. | Total Non-Muhammadan. | Muhammadan Male. | Muhammadan Female. | Total Muhammadan. | Total of columns 4 & 7. |
|---|---|---|---|---|---|---|---|
| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 |
| Number of persons who have passed the Middle or some higher standard of education. | 1,007,016 | 65,581 | 1,072,597 | 128,278 | 11,717 | 139,995 | 1,212,592 |
| Number of persons who are literate. | 87,467 | 5,002 | 92,469 | 12,323 | 300 | 12,623 | 105,092 |

*Question 2 (e).—Are you in favour of retaining the existing military service qualification and extending it so as to include service in the Auxiliary and Territorial Forces?*

The Committee holds no strong views on the question which is of no practical importance in this province. But they see no reason for abolishing the qualification, and they agree that if it is retained it should be extended as proposed.

### 3. Women's Suffrage.

*Question 3 (a).—At present women are admitted to the suffrage on the same terms as men; but as the existing qualifications are mainly based on property and payment of taxes, the number of women on the provincial electoral rolls is only a little over a quarter of a million as compared with 6½ million men. The Statutory Commission proposed that the wives and widows (if over 25 years of age) of men, entitled to vote under the property qualification, should be enfranchised, and that in addition an educational qualification should apply to women over 21 as well as to men. In the Franchise Sub-Committee of the Round Table Conference it was suggested that the age-limit should be 21 for women as well as for men.*

*Are you in favour of increasing the women's electorate in the ways suggested or would you prefer any other method? If so, what method? To what extent would you favour increase in women's electorate?*

*(b) In the event of a system of group representation being established as proposed in paragraph 1 (f), do you consider that women should be formed into groups, and, if so, should separate groups be formed for women or should groups contain both men and women?*

Of the members only Rai Bahadur Sarat Chandra Roy is in favour of the proposal to enfranchise wives and widows of the men entitled to vote under the property qualifications. Mr. Athar Husain is of opinion that women should only come in under the general franchise qualifications mentioned above. The other members including Lady Imam are, however, of opinion that literacy and the property qualifications suggested for men should also be the franchise qualifications for women. The number of adult literate women in the province is 72,000. The property and educational qualifications will, to a great extent, overlap each other and the total number of women who would be entitled to vote under these qualifications is not likely to exceed 100,000. The majority of the Committee are of opinion that both men and women should be brought under the same system of election and should the direct system be adopted, the women must vote in rural as well as in urban areas in the same polling booth as men, as it would be impossible to find sufficient women to staff separate polling booths in all the constituencies, and impracticable to duplicate the male staff. Lady Imam would like to have separate polling booths for women, whatever system of election was adopted. Babu Gursahay Lal suggests that separate entrances in the same polling booth may be provided for women. Maulvi Mubarak Ali Sahib and Mr. Athar Husain recommend postal voting for women. If, however, this recommendation is not accepted, Mr. Athar Hussain would agree with Lady Imam that separate polling booths should be provided for women.

*Question 3 (c).—The suggestion has been made that at any rate as a temporary measure legislature should co-opt women members to an extent not exceeding 5 per cent. by a system of proportional representation so as to ensure some representation of women in the legislature.*

***What are your views on this suggestion?***

Lady Imam is of opinion that women candidates for seats in the Legislative Council should endeavour to seek the votes of both sexes in the general electorates in the same manner as men and no seats should be reserved for women in the Provincial Legislature. Her opinion is shared by a majority of the members of the Committee.

### 4. Representation of the Depressed Classes.

*It is evident from the discussions which have occurred in various connections in the Round Table Conference, that it is generally felt that provision should be made in the new constitution for better representation of the depressed classes, and that the method of representation by nomination is no longer required as appropriate.*

*What communities would you include as belonging to depressed classes? Would you include classes other than untouchables, and if so, which?*

*Do you consider that the depressed classes are likely, through such general extension of the franchise as you favour, to secure representatives of their own choice in the general electorates, and if so, to what extent? If your answer is in the negative, what specific proposals would you make to secure their representation in legislatures? The possible application of the group system of representation to the depressed classes should be specially considered.*

It is difficult to give an exhaustive list of the castes or sects who could, in this province, be properly defined as "depressed classes". Appendix II of Annexure C* to this report gives the number of "depressed classes" in this province who have been enumerated as such during the Census of 1931. Some of the classes, in this list, *e.g.*, Bauri, Bhogta, Bhuiya, Bhumij, Ghasi, Pan, Rajwar and Turi have also been classed as aborigines during the Census. There may be also other classes who are regarded as depressed in different local areas of the province. The degree of untouchability of the depressed classes also varies in different parts of the province. In some districts, members of certain sects and sub-castes of depressed classes are denied access to wells and temples. In others, the same sects and sub-castes are denied access to temples but not to wells. There are places where the children of the depressed classes are allowed to attend ordinary schools. The classes which are commonly regarded as untouchable are *Chamar, Dusadh, Dom, Halalkhor, Hari, Mochi, Mushahar, Pan* and *Pasi*. Enquiries have been made by the local Government at the request of the Committee in eight selected small rural areas and in two wards in two municipalities of the province regarding the number of depressed classes, the number of depressed class voters if payment of (*a*) six annas and (*b*) rupee one or more as chaukidari tax were adopted as the basis of franchise qualifications and regarding the degree of their untouchability and unapproachability. The results of these enquiries have been tabulated in two statements which form Annexure D* to this report. These statements show that in the eight selected rural areas—averaging a population of 7,000—5 per cent. of the depressed

* Printed as Appendix I (page 226).
† Printed as Appendices II and III (pages 228—231.)

classes would be enfranchised on a basis of payment of six annas chaukidari tax but that if the qualification were raised to Re. 1 only 1 per cent. would be on the electoral roll. But the percentages are not uniform in the different selected areas, and the Committee do not feel justified in drawing any definite inference from these figures as to the effect of either basis of tax in enfranchising the depressed classes in the province as a whole. The majority of the Committee, however, consider that there is no need for special representation of the depressed classes as their grievances are not so acute here as in Bombay or South India. The Committee is unanimous that, as the depressed classes are scattered all over the province, no separate electorates could be framed for them under the present system of direct election. There are at present two members who are nominated by the Government to represent the depressed classes in the Council.

### 5. Representation of Labour.

*Assuming that such widening of the basis of suffrage in general constituencies as is found practicable does not provide adequate representation of labour, what special measure would you recommend for representation of labour (a) where it is or can be organized as in industrial areas, (b) where it is unorganized as in the case of agricultural and plantation labour? On what basis would you allot representation to labour in each case?*

The general opinion is that a sufficient number of agricultural labourers will be enfranchised on the basis of payment of one rupee chaukidari tax. Babu Gursahay Lal however thinks that a sufficient number of agricultural labourers will be enfranchised only on the basis of six annas chaukidari tax. There is practically no plantation labour in the province. Organized industrial labour is confined to (*a*) the Jamshedpur and adjoining Jugsalai "notified areas" in the Singhbhum district and (*b*) the colliery areas in the Dhanbad subdivision of Manbhum district. The population of Jamshedpur and its suburb, Jugsalai, is 83,738 and 8,721 respectively. In order to give the large labour force at the Jamshedpur Iron and Steel Works an effective voice in the choice of a representative of labour, the Committee recommends the formation of a separate urban constituency for these two "notified areas" where industrial labourers form the majority of the population. There is some difficulty in fixing the franchise qualifications for Jamshedpur as neither the labour force nor the residents have to pay any municipal or chaukidari tax. The entire cost of the sanitary arrangements in the towns is borne by the Tata Iron and Steel Company. But the Committee has obtained information from Mr. F. C. Temple, C.I.E., who is the Chairman of the two notified area committees, which indicates that it would be possible to frame an electoral roll of the company's wage-earners (1) who have been in service for two years or more, (2) who earn Re. 1 a day as wages, and (3) who have a holding or shop for which some rent is paid and that these qualifications are likely to yield an electorate of about 15,000 in Jamshedpur, and this would include a certain number of women labourers. As municipal tax is paid by the residents of Jugsalai "notified

area ", which is contiguous to Jamshedpur, there would be no difficulty in fixing a suitable franchise qualification for this area.

As regards the colliery areas, the Committee recommends that the colliery labourers should vote in a general constituency and that a certain standard of wages, say, Rs. 150 a year, and residence for a year or so, should be fixed as an alternative qualification so as to enfranchise the labourers in these areas. One or more rural constituencies could easily be so formed as to give a preponderance of votes to the colliery labourers in order to enable them to elect men of their own choice, and the Committee recommends that this should be done. The Committee does not consider that special facilities should be given to the casual labourers employed in the East Indian Railway workshops in Jamalpur, where most of them, they understand, are day labourers from surrounding villages.

### 5-A. Representation of Special Interests.

*What are your views as to the retention of representation of special interests (University, Commerce, European and Indian Mining, Planting, Labour, Landholders, etc.), in the legislatures? If you favour its retention, do you consider that the existing methods of election thereto are satisfactory?*

*If not, what suggestions would you make?*

The majority of the Committee favour the retention of representation for the following special interests and the reservation of the number of seats noted against each :—

| | |
|---|---|
| (1) European (including Planting) .. .. .. | 2 seats. |
| (2) Mining .. .. .. | 1 seat (the Committee is against the allocation of separate seats to the Indian and European Mining interests). |
| (3) University (senate) .. | 1 seat. |
| (4) Indian Christians .. | 1 seat. |
| (5) Commerce .. .. | 1 seat. |
| (6) Anglo-Indian .. .. | 1 seat. |
| (7) Domiciled Bengalis .. | 2 seats. |

Lady Imam, Maulavi Mubarak Ali Sahib, Mr. Athar Hussain and Babu Gursahay Lal are in favour of the inclusion of registered graduates as voters in the University constituency as at present. The majority of members would, however, confine the electorate to Senate only.

As regards domiciled Bengalis, Rai Bahadur Sarat Chandra Ray and Maulavi Mubarak Ali Sahib are in favour of giving them five seats. The rest of the members, however, think that it would be sufficient if they were given only two special seats in addition to the number of seats which might be secured by members of the community from general constituencies. The Committee has taken into consideration the fact that in the Manbhum district Bengalis form the majority of the population.

Five members are at present elected to the Legislative Council, one from each division, from the landholders' special constituencies. A majority of members, *viz.*, Mr. Owen, Mr. Athar Husain, Rev. Brajananda Das, Rai Bahadur Lakshmidhar Mahanti and Rai Bahadur S. C. Mukharji consider that their number in the special constituencies should be increased proportionately with the proposed increase in the number of elected seats of the Council. This would give them 11·75 or 12 members in a house of 200 seats. Pandit Shivashankar Jha, Babu Gursahay Lal, Babu Swayambar Das and Rai Bahadur Sarat Chandra Ray are opposed to any special representation for the landlords, but are for maintaining the present proportion if any special representation is at all given to the landlords. Rai Bahadur Sarat Chandra Ray is further of opinion that if landlords are given any special electorate such electors should have no votes in the general electorate. Mr. Middleton is also opposed to any separate representation for landlords. His reasons are as follows :—"I believe that according to normal constitutional development two parties in the main will emerge in an autonomous province. They may be called the Conservative and Radical parties or the Right and Left parties or Constitutional and Subversive parties, but their main features will be the same by whatever name they are called. I hope and believe that the landlords will be the leaders of the constitutional party and I believe that their influence will be far greater if they do not press for a separate allotment of seats in the Legislative Council. If they have special representation they will find it less easy to come in in the general seats and I think their influence will therefore be less." The Chairman and Maulavi Mubarak Ali Sahib are, however, in favour of allotting one seat for landlords to each of the twenty-one districts. In proposing the allocation of seats to landlords in the special constituencies, all the members except Babu Gursahay Lal and Mr. Owen have assumed that there will be a bicameral legislature. Mr. Owen thinks that their existing seats are sufficient for them if there is to be a Second Chamber. Mr. Athar Husain and Maulavi Mubarak Ali Sahib desire to emphasize that should any special representation be given to landlords, 25 per cent. of such representation should be earmarked for Muhammadan landlords.

At present every landholder is qualified as an elector for a landholders' constituency who has a place of residence in the constituency and is liable to pay not less than Rs. 4,000 land revenue or Rs. 1,000 local cess in the case of the Patna Division landholders, the Tirhut Division landholders' and the Bhagalpur Division landholders' constituencies or Rs. 6,000 land revenue or Rs. 500 local cess in the case of the Orissa Division landholders' and Chota Nagpur Division landholders' constituencies. On the basis of these qualifications, the total number of electors in the special constituencies is 441, of whom 422 are men and 19 women. The members are agreed that the qualifications should be lowered so as to enfranchise a larger number of landholders, the minimum qualification being payment of Rs. 500 as land revenue or Rs. 100 as local cess. They have not succeeded in obtaining any exact statistics to show what sized electorate these qualifications would produce.

But they have assumed that it would comprise at least three thousand voters.

The representatives of all these special interests except the University and the Landlords would, in the Committee's opinion, be most suitably chosen by recognized associations.

## II.—THE FEDERAL LEGISLATURE.

### 6. Allocation of seats to British Indian Provinces.

*In the third report of the Federal Structure Committee the following allocation of seats to provinces of British India in the two chambers of the federal legislature was tentatively suggested :—*

| Names of provinces. | Upper Chamber. | Lower Chamber. |
|---|---|---|
| *Madras* .. .. | *17* | *32* |
| *Bombay* .. .. | *17* | *26* |
| *Bengal* .. .. | *17* | *32* |
| *United Provinces* .. | *17* | *32* |
| *Punjab* .. .. | *17* | *26* |
| *Bihar and Orissa* .. | *17* | *26* |
| *Central Provinces (if Berar is included)* .. | *7* | *12* |
| *Assam* .. .. | *5* | *7* |
| *North-West Frontier Province* | *2* | *3* |
| *Delhi* .. .. | *1* | *1* |
| *Ajmer-Merwara* .. | *1* | *1* |
| *Coorg* .. .. .. | *1* | *1* |
| *British Baluchistan* .. | *1* | *1* |
| | *120* | *200* |

*As a working hypothesis for the purpose of arithmetical calculation at the present stage it may be assumed that the Federal Legislature will be approximately of the size indicated in the report of the Federal Structure Committee.*

(a) *The Federal Structure Committee proposed that the representatives of British Indian Provinces in the Upper Chamber should be elected by the Provincial Legislature by a single transferable vote. Do you agree with this proposal or have you any alternative to suggest?*

(b) *Do you consider that the franchise qualifications ought to be different for the Federal and Provincial Legislatures? If so, what do you consider it ought to be in the case of the Federal Legislature?*

(c) *The majority of members of the Federal Structure Committee consider that the election to the Lower Chamber of the Federal*

*Legislature should be by territorial constituencies consisting of qualified voters who would cast their vote directly for the candidates of their choice. Under a scheme of this nature there would be more than a million inhabitants on an average in each constituency. The constituency would in some cases be of enormous size, especially if communal electorates were introduced. In view of the obvious difficulties which must confront a candidate in canvassing and maintaining contact with such large constituencies the Committee recommended that alternatives of direct and indirect elections should be fully explored and suggested that while it might be possible without difficulty to adopt direct election in certain areas some form of indirect election might prove desirable in rural areas.*

*The Franchise Committee would be glad to have your views on this difficult question. In the event of your favouring some system of direct election, it would be very useful if you would indicate the nature of the constituency that you would form having regard to the number of seats which you consider ought to be allotted to your province.*

The majority of the members are of opinion that the members for the Upper Chamber of the Federal Legislature should be elected by the Provincial Legislature, whether unicameral or bicameral, by a single transferable vote. Rai Bahadur Sarat Chandra Ray differs and thinks that election to the Federal Upper Chamber should be made from those members of the Provincial Legislature who are of the age of 40 years or upwards. The Chairman, Mr. Middleton, Mr. Owen and Maulavi Mubarak Ali Sahib would recommend that apart from the Princes the members representing the rest of India should be elected, according to the direct method, by an electorate similar to the existing electorate for the Council of State.

The majority of the members consider that the members of the Lower House of the Federal Legislature should be elected by the direct method as at present.

About the qualification of voters the members are of opinion that payment of chaukidari tax of an amount sufficient to bring in an electorate of four or five times the number of the present voters for the Legislative Assembly should be adopted as the franchise for the Federal Lower House, so far as the rural areas are concerned. From the statement of the number of persons who pay chaukidari tax of Rs. 2-8-0 or more, which forms Annexure E* to this report, it will be seen that 320,000 persons or about 1 per cent. of the total rural population in areas in which the Chaukidari Act is in force would be enfranchised if payment of Rs. 2-8-0 or more as chaukidari tax qualifies a voter. This will yield an electorate nearly four times the present number of voters for the Legislative Assembly (85,000). In areas in which the Chaukidari Act is not in force the existing property qualifications of voters for

* Not printed.

the Legislative Council may be adopted. This is likely to bring under the franchise a similar percentage of electors. In urban areas the qualifications for such voters will be the same as for the Legislative Council.

### 7. Size of the provincial legislature.

The majority of the Committee is of opinion that the number of members of the Legislative Council should be raised from 103 to not more than 200, a few expert members being added when special problems are under consideration.

As regards the allocation of seats the Committee considers that of the 200 seats, 172 should be allotted to general constituencies. It has been assumed that the Muhammadans will enjoy their present proportion of representation in the Legislature, both in the Lower and the Upper House, according to the Lucknow Pact. The distribution of the non-Muhammadan seats should, in their opinion, be made as far as possible in such a way that the existing number of urban seats are doubled and the rural ones trebled. It has not been possible to come to any decision regarding allocation of seats in the general constituencies of the Provincial Legislature, but a note has been prepared by the Secretary on the subject showing the number of seats according to voters, population and the mean between the two. This statement forms Annexure F* to this report. Mr. Athar Husain considers that the distribution of the Muhammadan seats should be made in such a manner that the urban seats are trebled and the rural seats doubled. Both he and Maulavi Mubarak Ali Sahib are of opinion that the Statement (Annexure F)* should not form a part of this report as detailed proposals for the allocation of seats were not discussed by the Committee.

### 8. Qualifications of candidates.

The Committee is of opinion that the present qualifications are suitable if there is no universal adult suffrage, but some changes might be made in the list of disqualifications.

### 9. Bicameral Legislature.

On the question whether there should be a Second Chamber in this province the members are not unanimous. Rai Bahadur Sarat Chandra Ray, Pandit Shivashankar Jha, Babu Gursahay Lal and Babu Swayambar Das are strongly opposed to the creation of Second Chamber as necessity for it has not yet been established and as the respective functions of the Upper and Lower Houses have not yet been defined. Mr. Athar Husain has reserved his opinion. The majority of the members, *viz.*, the Chairman, Reverend Brajananda Das, Rai Bahadur Lakshmidhar Mahanti, Mr. Owen, Mr. Middleton, Lady Imam, Maulavi Mubarak Ali Sahib and Rai Bahadur Satish Chandra Mukharji are in favour of a Second Chamber, especially during the transition stage. It exists in almost all the democratic countries of the world and exercises a steadying influence on hasty and ill-considered decisions of

*Not printed.

the Lower House. The utility is apparent from the fact that it is being established where it did not exist before.

In case a Second Chamber is constituted in this province, the Committee is unanimous that it should consist of 75 members, of whom 25 would be elected by the Lower House. All the members with the exception of Rai Bahadur Sarat Chandra Ray recommend that the remaining 50 seats should be filled up by the direct method of election, the electorate being composed of men of learning, men of administrative experience and men with high property qualifications.

The Chairman and Mr. Owen have recorded their views as follows :—

In agreement with the majority view and the local Government we consider that a second chamber is necessary in this province, and we suggest that it should have 75 members. Of these 25 should be elected by the provincial council. The qualifications of candidates for these seats should be similar to those of the present electorate for the Council of State. Another 38 members should be elected from among themselves by the special electorate with high property qualifications also similar to those of the present electorate for the Council of State. The remaining 12 members should be elected from among themselves by an electoral college of persons of administrative experience, consisting amongst others of *ex*-Government servants who held gazetted rank as members of Indian or Provincial services, *ex*-High Court Judges, *ex*-Ministers (who have served for not less than one term of the Council's life), *ex*-Presidents of the Council and *ex*-Vice-Chancellors of the University.

The Committee is of opinion that the Muhammadans should be allotted their proportion of seats in the Second Chamber as under the Lucknow Pact.

## 10. Possibilities of Broadcasting.

The Committee has consulted Mr. S. E. Platt, Superintending Engineer, Public Health Department, who has considerable experience of broadcasting. His note is appended as Annexure G* to this report. The Committee agree with his views that the proposal to provide portable transmitters for occasional use in connection with elections is not feasible. The cost would be excessive compared with the benefit to be derived.

## Concluding Remarks.

The Committee is obliged to the Chairman for his uniform courtesy forbearance and patience which he displayed throughout the protracted discussions and records its grateful thanks to him. It also desires to put on record its thanks to its Secretary, Rai Bahadur S. C. Mukharji, who rendered valuable and ungrudging services throughout and to express its appreciation of the services of the staff placed at its

* Printed as Appendix IV (pages 232-233.)

disposal. Babu Biman Bihari Basu worked up all the statistics and materials for this report and has been of the greatest assistance to the Committee.

CHANDRESHWAR PRASHAD NARAIN SINGH.*
ANIS IMAM.*
LAKSHMIDHAR MAHANTI.*
SAIYID MUHAMMAD ATHAR HUSAIN *
SARAT CHANDRA RAY.*
SWAYAMBAR DAS.
BRAJANANDA DAS.*
A. P. MIDDLETON.
G. E. OWEN.*
SAIYID MUBARAK ALI.*
GURSAHAY LAL.
SHIVASHANKAR JHA.*
S. C. MUKHARJI.

PATNA ;
*The 19th March 1932.*

**Note by Lady Imam on the Group System and Provincial Second Chamber.**

*Group System.*

If the entire basis of the franchise is rested on primary groups of adults, men and women, the nearest approach to universal suffrage will be made. This scheme has the additional merit of reducing administrative difficulties. As for instance, a primary group of one hundred adults will be represented by one of its own secondary group to be its representative, and this representative will be a direct voter to election to the Legislature. With local non-official aid the administrative arrangements of the primary and the secondary groups can be easily carried out at a nominal cost. Considering the size of the province, I would fix the strength of the primary group at one hundred of whom not less than five per cent. should have the property or literacy qualification. I would further restrict the election of the representatives of the primary group to only such as may have either of these two qualifications. Thus the primary representatives will represent the majority in the primary groups. As regards the secondary group, I would fix its number at twenty-five. In this way the elected representatives of the secondary group will represent groups of the aggregate strength of two thousand five hundred adults. In this way, the number of direct voters to election to the Legislatures in a single constituency will be reduced to a manageable size, thereby largely obviating administrative difficulties. I have put forward the above suggestion as a general exposition of the scheme. It

* Subject to notes of dissent.

may be that in some separate communal elections the strength of the primary and secondary group may have to be lowered but that will make no difference in principle. As in some parts of the province there may be congested areas and in some sparse population a fractional primary group may be joined to a neighbouring group of the same class.

On balancing a system of purely direct voting and the method of representatives of groups voting for election to the Legislature the advantage of the latter system far outweighs those of the former. To start with even if the franchise for direct voting is carried to 10 per cent. of the population the constituencies will have a huge number of voters and will be unmanageable from the administrative point of view. Even if this difficulty is somehow overcome there is the further consideration that it will not prove to be so educative as the system of representation through primary and secondary groups. The proposal to enfranchise a certain percentage of the population and introduce the group system for the rest is open to the obvious objection of establishing two different classes of voters with disparities in their origin and outlook. It is a legitimate apprehension that such a system may create a political split among the voters direct and indirect based upon class difference. A question has been raised as to whether a system of representation resting upon groups will not disenfranchise those who under the existing system are exercising the power of independent direct voting. There will be nothing to prevent these very voters to work among their own groups and be elected to exercise the power of direct voting. It will depend entirely upon themselves to see to it that their position as direct voter is not lost.

On the subject of representation by the scheme of primary groups leading up to secondary groups, and these later in their turn to elect from among themselves direct voters to council I venture to put forward a few suggestions that may be helpful from the administrative point of view. The foundation of this scheme rests upon a careful formation of the primary groups. Even if the number composing such a group is small, care should be taken to so constitute it as to secure the presence of as many persons of local respectability and influence as possible. Non-officials of this type are easily available. In urban areas the selection is easier to make but even in rural areas the principle is not difficult to apply. In the more important villages persons of good standing are freely available, but even in small and out-of-the-way villages the necessary material is present. In the ranks of headmen of villages, members of *chaukidari panchayat*, *pathsala gurus*, maulavis of *Madrassa*, members of union board, members of registered co-operative societies, *baids* and *hakeems*, village officers or landlords, traders, retired petty officers of Government, priests and others, there should be no difficulty to find those who can take an intelligent part in the proceedings of the primary groups, once they have been formed. Now as to the method of forming such groups. Here again I would press for the employment of as much non-official agency as possible. True it is that issue of general instruction, control and supervision at the time of the constitution of such groups

should be in the hands of public servants. Departments of Government like education, medical aid, sanitation, canals, excise, postal, telegraphs, revenue, judicial, industrial, co-operative, railways, and others can all be pressed into service to carry out this work in combination with non-officials. I do not agree with the view that at every step a gazetted officer should be employed for the working of the new franchise. If non-officials are fit to be jurors and assessors in sessions trial, sit as first class honorary magistrates, be visitors of jails, be members of selection boards for public services, be examiners of papers of University examinations and perform many other honorary onerous duties, it is unreasonable to suppose that they will not honestly and intelligently carry out franchise work entrusted to them. I may add to the above class pensioned public servants as useful material for this work. There is one more aspect of this question which is of high value. Throw responsibility on the non-official for the performance of civic duties and it will serve as a great educative force. I will take the case of a small obscure and far-flung village. It may be that the material in such a place is not so good as in other places but in such a village there will be found men and, in time to come, I also hope women, who under the supervision and control of a petty officer of Government will be able to give a good account of themselves. Enfranchisement is a liberalizing factor and should not be dwarfed by the process of over-government. Rivalries and personal ambitions will be here as they are in other countries but it is the creation of local public opinion by non-official agencies that can keep such tendency within proper limits. The play of non-official social forces should be fostered if there be a genuine desire to plant democracy in the heart of the people.

Once the primary group has been constituted and has functioned it follows that the secondary group will be composed of representatives who would represent in their persons the very best element of the group that has chosen them. In this way the functioning of the second group will comparatively be even more reliable than of the primary group. Misgivings seem to have their birth in the fear of the unknown rather than on any logical basis. I think the period of time between the elections by the secondary group and the election to the Provincial Council should not be less than one month. This will give sufficient time to the representatives of secondary group to exercise their power of voting with discrimination. It will also give candidates standing for election to the Council opportunity of personal touch with the voters.

**Provincial Upper Chamber.**

The introduction of the democratic element as the principal factor in the constitution calls for a very careful consideratuion of the question as to whether there should or should not be an Upper Chamber. If the franchise is extended to a fairly large proportion of the population, be it by the direct or indirect method of voting, it follows that the elections will return those that will enjoy the confidence of the majority of electors. It is not unreasonable to suppose that the worldwide democratic spirit will be the governing factor. How that spirit will shape

itself, it is difficult to prognosticate. Experience of other democratic countries can be a useful guide. To a country quite new to democratic rule dangers may have to be faced, legislation in the way of wild-cat bills, exceedingly unsettling in character may reasonably be apprehended. Some kind of a brake on reckless legislation in the Lower Chamber seems to be dictated by prudence. It is not suggested that the Upper Chamber should be hereditary but elected. This will secure the democratic principle but at the same time the qualification of a voter to the Upper Chamber should be set high. I do not agree with the view that there should be the creation of any electoral colleges for returning candidates to the Upper Chamber. Open constituencies with direct voting should be the basis of representation.

As to its constitution I suggest the following :—

(*a*) It should be composed of 75 members.

(*b*) If the principle of separate communal electorate is accepted by the Prime Minister the communal interest will be represented accordingly.

(*c*) In view of separate electorate having been accepted the proportion of the allotment of seats on the class or the communal basis should be the same as in the constitution of the Lower Chamber.

(*d*) The franchise relating to the Upper Chamber should be so framed as to secure the representation of such interests as have substantial stakes in the country in the material and moral sense. I suggested the qualifications of the voters as well as the candidates, *i.e.*, qualifications to be the same for both :–

(1) Those who pay road cess directly or indirectly or municipal tax of the minimum amount of Rs. 300 per year.

(2) Those that pay income-tax to the amount of Rs. 1,000.

(3) *Motawallis* and *Shibayats* of estates with an income of not less than Rs. 6,000 a year.

(4) *Sajjadanashins*, *mahants* and spiritual leaders who have been registered as voters on the recommendation of a committee appointed by Government.

(5) *Ex*-Governors of a Province, *ex*-Members of the Executive Council, *ex*-Ministers, *ex*-Presidents of Legislatures, *ex*-Vice-Chancellors of a University, *ex*-Members of the University Syndicate and *ex*-High Court Judges.

(6) Title-holders not below the rank of Nawab, Rajas, Companion or Commanders of any of the Orders created by Statute and Knights Bachelors.

ANIS IMAM.

*The 18th March 1932.*

**Note by Rev. B. Das, M.L.C.**

I sign this report subject to the following :—

I suggest reservation of some seats in the Provincial Council for the depressed classes, in joint electorate, if a separate electorate as desired by the representatives of the community is not considered feasible or advantageous. I do not believe that in the joint electorate any member of the depressed classes or even anyone else devoted to the cause of this depressed or rather suppressed community will have a chance of election. Hence the case of this class or community deserves special consideration.

As regards Indian Christians, assuming that the aborigines of Chota Nagpur as a whole including of course the Christian aboriginals will be given some seats, I would have not less than four seats reserved for Indian Christians for the rest of the Province. The importance of this community and their special interests should be taken into account along with their population, which is about 300,000 in the Province.

It may be pointed out that in the present Council there are four Indian Christians, all being nominated to represent special interests, such as Indian Christians, depressed classes and the aborigines. This is in a Council of 85 non-official members. If the Council be increased to 200 as suggested the number of Indian Christians should be proportionately increased.

In order to give weightage to the Indian Christian community in the representation in the Council the number of representatives should not be fixed merely with reference to the number of their voters. It is of great importance that the question of weightage should receive due consideration; otherwise this small, but advanced and enlightened community will simply be swamped and its existence practically ignored. This community, it must be noted, is increasing in number from year to year.

In the working of the new constitution this small community can only help in joining hands with some other communities in getting the right administrative policy followed. But this cannot be achieved, unless the community is granted weightage in representation, for instance, on the basis of the number of voters, if the number of representatives be one, to give weightage we have to make it four. Then again for the Indian Christians—a scattered community as it is—it will be quite absurd to select only one representative for such scattered community. Such representation will be unreal and wholly abnormal. If it is really intended, and undoubtedly it is, to have the voice of the community which is scattered over the whole Province, we should distribute the four seats asked for according to population for the several divisions.

Mr. L. B. Seal, an Indian Christian and an experienced member of the Provincial Civil Service and Personal Assistant to the Commissioner of Patna Division, in the course of his evidence before the Provincial Franchise Committee on 7th March 1932, said that "he was for a common electorate though he agreed that in the present state of the community it was impracticable. It was necessary that every class

and community should be represented. If separate electorate was created for the Muslims, then the 'Christian Indians' should also be conceded separate representation. In his opinion the minority communities should have weightage in proportion to the apathy or dislike of the other (majority) communities."

Personally I should like all communities to return members to the Legislative Council through joint electorates, with reservation of seats or such minority communities as cannot possibly be represented in the general electorate. But I do not desire to stand in the way of Indian Christians having separate representation if this is deemed more practicable and desirable. It seems to me that a large number of my fellow Christians would favour a separate electorate, and I support their claim.

In my opinion, the case of Indian Christians deserves special consideration. They may have separate electorate if this is administratively more convenient than reservation of seats through joint electorate.

I am doubtful if in the future government of the country the interests of India Christians will be as safe as they have been in the past. They will, I am afraid, be in the position of a more suppressed community than at present in the matter of appointments to Government posts, scholarships, admission into colleges, and other privileges.

As regards women, I would have them grouped with men, so far at least as the Indian Christians are concerned. Indian Christian women are almost all literate and several of them have received fairly good education and they can cast an intelligent vote and will be in a position to choose the best candidates (male or female) as their representatives. They do not observe *pardah*, and so they will be in a better position to take active part in the political life of the country.

**Note of Dissent by Rai Bahadur Sarat Chandra Ray, M.L.C.**

I sign the general report subject to the following note of dissent :—

*Representation of the depressed classes and the aborigines in the Legislature.*

*The Aborigines—not mentioned in the questionnaire.*—It is rather disconcerting and disheartening to find that the question of the Aborigines and their representation in the Legislatures was not at all considered or referred to—perhaps not even thought of—during the discussions of the Round Table Conference, whereas a good deal has been said and written about the "Depressed Classes"; and indeed one section of the questionnaire referred to us for opinion is especially concerned with their representation.

*Depressed classes—degenerate sections of the Aborigines.*—Perhaps it was supposed by the framers of the questionnaire that the "Aborigines" were included within the category of the "Depressed Classes". But the real fact of the matter is that the so-called "Depressed Classes" really form scattered and disorganized offshoots of the Aborigines. There is evidence to indicate that they, too, are really "aboriginal"

in origin as both come from the same stocks. The ancestors of both the "Aborigines" and the "Depressed Classes" were one and the same people who constituted the original inhabitants of India. When the Aryans invaded the Indian plains, the tribes now described as the "Aborigines" retreated to the hilly tracts of Chota Nagpur and elsewhere where they established villages and settlements of their own, and in some parts, as particularly in Chota Nagpur, worked out a distinctive social and political organization of their own, which has still remained more or less intact. They have conserved their old beliefs and customs to a considerable extent.

*Present centres of the Aborigines—Population.*—These Aborigines still form a compact population in the Ranchi and Singhbhum districts of Chota Nagpur and in the Santal Parganas, and have substantial interests in land. Constant encroachments on their landed rights by the Hindus and other aliens have from time to time led to serious trouble which embarrassed the Government. And thus, politically as well as socially,—and politically more than socially,—the Aborigines constitute a community of special importance. Their numerical importance in the province of Bihar and Orissa, as a whole, is also not negligible, for they form over 20 per cent. of the total population of the province. They number 7,110,729 out of a total population of 37,677,576. If they are not a "depressed and suppressed" class, they are certainly an "oppressed" class, and, as such, deserve special care and consideration.

*The Depressed Classes—Their Population.*—As for the so-called "Depressed Classes", who constitute only about 9 per cent. of the population, they are the descendants of the scattered remnants of the Aborigines who were left behind on the plains and who succumbed to Aryan domination, lost their native speech and distinctive "aboriginal" culture, and found themselves gradually degraded into landless serfs and the dregs of "Hindu" or "Hinduized" society. Whereas the Aborigines proudly look down upon the Hindus and others as "untouchables" (*vide* the evidence of the Rev. Joel Lakra before the Franchise Committee), the Depressed Classes are looked down upon, or rather used to be looked down upon until recently as "Untouchables" by the Hindus. They are scattered in small groups all over the province without any social or other cohesion.

*Overlapping.—Tests to distinguish them from the Aborigines—Confusions.*—Thus, it will be seen that the test suggested by the term "aboriginal" is ethnological, whereas the test suggested by the use of the term "Depressed Classes" is social and economic and religious but not racial or ethnological; and the tests variously applied to distinguish "Depressed Classes" represent a conglomeration of overlapping tests not based on any single and simple principle. And this is why in the Census "Tables" we find that some tribes are classed both as "aborigines" and as "Depressed Classes". (In the present census the nomenclature is, I understand, being changed into "primitives" and "semi-primitives.")

*Difficulty of forming Electorates for them.*—I agree with the majority of the Committee in thinking that as the so-called "Depressed Classes" are scattered in different parts of the province in small groups,—in some places consisting of only a very few families—a separate electorate for them will be unworkable. Nor would it be proper to brand any section of the population with a permanent stigma as "depressed" or "untouchable". There is at present an active movement among these classes to free themselves from this stigma by adopting the caste names of "Kshatriyas" and "(degraded) Brahmans" and so forth. And we should help and not hinder the growth of racial self-respect amongst them and their efforts to rise in the social and economical scale.

*Suggested solution—Lowering of Franchise Qualification.*—Even if it be not found feasible to lower the franchise qualification for the rest of the population to the assessment of the minimum *chaukidari tax of six annas a year in rural areas and municipal tax of Rs. 1-8-0 in urban areas* I would most strongly recommend that *these should be fixed as the minimum franchise qualifications for the aboriginals and depressed classes at any rate*, so that their voting strength may to some extent be proportionate to their numerical strength. This is expected to bring a fair proportion of the so-called Depressed Classes into the electoral roll. The Depressed Classes are scattered in such small numbers in different parts of the province that it will be difficult to arrange for separate constituencies for them. Moreover, some castes hitherto regarded as "Depressed" now resent the stigma of being labelled as such, and the same communities who are regarded in one district as "untouchable" or "unclean" castes are regarded as "pure" castes in other districts. The lowering of the franchise to the minimum possible limit for both the Aborigines and the Depressed Classes will avoid the necessity of solving the insoluble question of the delimitation between the classification of aboriginal tribes and Depressed Classes. In their case and in the case of the Aborigines I would also make bare literacy an alternative qualification for the franchise, for literacy is very limited amongst them. I would also support the representation of the Depressed Classes by the reservation of a few seats in the general constituencies in areas, if any, where they may be found in sufficiently large numbers, to make it administratively feasible.

More important and more practicable is the question of the *Representation of the Aborigines in the Legislatures.*

It is unfortunate that the question of the representation of the Aborigines in the Legislature has not been sufficiently considered in the recommendations of the majority of the members. I beg therefore to make the following submission for the consideration of the Franchise Committee and, through them, of the British Parliament.

*Need for Special Representation of the Aborigines*—The need for special representation of the Aborigines in the Legislatures has been so far admitted by the local Government. In addition to such representation, if any, as the aborigines might secure through the general constituencies, special seats, though only two in number, have been so long

reserved for them (by nomination) in the Provincial Council. But this has been found quite inadequate and has been admitted to be so both by the people and by Government.

*Views of Representative Aboriginals.*—The deputation of the principal aboriginal Association in the province (known as the Chota Nagpur Improvement Society) in their representation to the Chairman and members of the Indian Statutory Commission submitted several considerations in support of their claim to " a substantial percentage of elected members through joint electorates with reservation of seats " in future Legislatures. Among the various reasons urged by them, the following may be quoted :—

(1) " In the Bihar Council, as it is at present constituted, the aborigines have very little chance of a favourable hearing. Whereas other important communities are fairly well represented in the Council, the representation of the Aborigines is a farce; the Biharis and other members who have little knowledge of the customs and habits, needs and aspirations of the Aborigines can hardly be expected to sympathize with and appreciate them."

(2) " Such European officials as in pre-Reform days evinced genuine sympathy with our needs and aspirations " are now " naturally more concerned with the wishes and opinions of the senior partner (Bihar proper) in the province", and " such sympathy as some European officials still have for us is now more passive than active".

(3) " In the Council where the interests of the Aborigines are often in conflict with those of the land-owners and certain large mining and financial interests, the former are naturally likely to be sacrificed in favour of the latter."

(4) " We have been denied our fair share in the financial arrangements for the educational and other advancement of the different parts of the province. Although lakhs and lakhs of rupees have been lavishly expended on palatial buildings and magnificent educational and other institutions at Patna (of which distant Chota Nagpur can hardly take any advantage), Chota Nagpur has been denied the necessary funds even for a Medical school, an Engineering school, an Agricultural school and a modest Degree College in Arts and Science which they have been demanding for some time past."

*Bihar and Orissa Government's views.*—In paragraph 24 of the *Memorandum for the Indian Statutory Commission on the Backward Tracts of Bihar and Orissa* under the heading " Adequacy of Council Representation", the Government of Bihar and Orissa wrote :—

" As a matter of fact, the aboriginals have not many chances of putting forward their own champ on under the present constitution, and they have not as a rule been sufficiently

well-organized to do so, where they have the power. The proportion of aboriginal electors to the Legislative Council is much below the proportion that the aboriginals bear to the who'e population."

In paragraph 23 of the same Memorandum, the Bihar Government, referring to the progress in the education of aboriginals since the "Reformed" Council was inaugurated wrote :—

"The aboriginals as a whole are, relatively to the general population, in a somewhat worse position than they were in 1921. They have got a little less than their general share of the big advance made in primary education, and decidedly less of the advance in high and middle education."

*Reasons for giving them greater representation.*—One of the many serious disadvantages and handicaps from which the Aborigines suffer is that they cannot secure adequate educational facilities, not to speak of anything like their share of appointments under Government or local bodies. The customary law (by which they are governed in matters of inheritance and succession) still remains uncodified, thus leading to divergencies and conflict in judicial decisions which sometimes lead to serious complications and trouble. The agrarian problems of Chota Nagpur are peculiar to itself and require careful handling.

*Suitable Franchise qualification.*—Even by fixing the minimum chaukidari tax of six annas as the franchise qualification and the minimum educational test of bare literacy for them, the Aborigines will not receive representation on the electoral roll proportionate to their population. In fact, as the Chota Nagpur Improvement Society in their representation, dated the 5th March 1932, to this Committee urge and as available statistics show, the chaukidari tax qualification will operate even more to their disadvantages than a low rent qualification for the franchise. And the proposed educational qualification for the franchise will still further increase the disparity between their population strength and voting strength.

*Proper number of Aboriginal seats in the Legislature.*—The latest census figures show that the Aborigines in this province number 7,110,729 out of the total population of 37,677,576, or over 20 per cent. The representatives of the Aborigines in their evidence before the Franchise Committee claimed for their people seats in the Legislative Council to the extent of 20 per cent. which their population would justify. This would give them 40 seats in a House of 200. Having regard to the various other interests that require representation, I am afraid it would be difficult to allot more than 20 special seats to the Aborigines. Even if this be not found practicable, bare justice demands the reservation for them of a sufficient number of seats through which they may make their influence appreciably felt in the Council. At a most moderate estimate, I would recommend a minimum of 10 special seats in addition to what representation, if any, they may secure (of which unfortunately there is very slender chance for some years to come) through the general

constituencies. I am emphatically of opinion that under present conditions, this should in all fairness be granted to them as an irreducible minimum.

In the Montagu-Chelmsford scheme only two special additional seats were allotted to them by nomination in a House of 85 non-official members. This is admitted on all hands to be inadequate. And, moreover, the representatives of the Aborigines in their evidence before the Statutory Commission, as also before the present Franchise Committee, strongly disapproved of representation by nomination which they resent and regard as no proper representation at all. In a proposed Council of 200 elected members, five special aboriginal seats would be the equivalent of their present two seats out of 85. And this is admittedly too inadequate.

*Allocation of Aboriginal seats.*—In these circumstances, the only suitable and practicable method by which, in my humble opinion, the Aborigines can be given a very moderate representation would be to allocate to them at least 10 additional seats by reservation in the general constituencies of those districts in which the aboriginal population is mostly concentrated. These are the Ranchi district, the Singhbhum district and the Santal Parganas. On the basis of the respective aboriginal population of these three districts I would recommend the allocation of five additional seats for the Aborigines in the Ranchi district, three in the Singhbhum district, and two in the Santal Parganas.

In these three districts they have substantial interests at stake and form the most important element in the population, politically as well as economically. Descendants of the earliest known owners of the country (Chota Nagpur) and with hoary traditions of former rule in the land, the majority of them have been gradually reduced within the last hundred years or so from the position of peasant proprietors holding villages in joint ownership (as they still do in 156 villages in the Ranchi district) to that of cultivating tenants of various grades of rights—tenure-holders of *Bhuinhars*, occupancy raiyats with fixed rents, ordinary occupancy raiyats, non-occupancy raiyats and even tenants-at-will—on lands originally reclaimed and owned by their ancestors. It is now officially recognized that for the disintegration of the old aboriginal village communes (which disintegration has been attended at every steps with risings and revolts among the Aborigines), the ignorance, on the part of the earlier British administrators and law-makers, of the origin and history of the land tenures in Chota Nagpur is, to a large extent, responsible. It is only within the last thirty years that British officials have come to realize the exact situation and the circumstances that led to such disintegration. In order to check further aggressions on such survivals and remnants of their ancient rights in land (in some cases considerably extensive and substantial rights) as the Aborigines have still succeeded in retaining (partly through the sympathetic help of latter-day officials), it is essential that the Aborigines of the districts of Ranchi, Singhbhum and the Santal Parganas should have an appreciable voice in the new constitution. And this can only be effected by reserving

for them a fair number of seats in the Legislature as I have suggested. The only other and better alternative would be to create a separate administration or, at any rate, a separate legislature for the aboriginal tracts.

*Federal Lower Chamber.*—It is further essential that the Aborigines should have an appreciable voice in the election of representatives to the Federal Legislature (Lower Chamber). In order to ensure this, I would recommend that in the principal aboriginal tracts, namely, the districts of Ranchi, Singhbhum and the aboriginal areas of the Santal Parganas, the assessment to a minimum chaukidari tax of twelve annas or at most one rupee may be fixed as the qualification for the franchise to the Federal Lower Chamber. This is no new principle ; for it may be pointed out that even at present the franchise qualifications in Chota Nagpur and the Santal Parganas are very much lower than those in most other districts of the Province.

I would also recommend that two seats may be reserved for the Aborigines in the Federal Lower Chamber.

**Representation of Domiciled Bengalis.**

The representation of the domiciled Bengali community by only two representatives in a House of 200, as recommended by the majority of the members, appears to be quite inadequate. The population of this community is about 5 per cent. of the total population of the province. By reason not only of their education and culture, but more so, by reason of the important part that they have taken in the educational, social and moral progress of the province, they admittedly form a very important section of the population. Their contribution to the welfare and advancement of the province is, at any rate, not less than that of the Biharis and Oriyas themselves.

Unfortunately the special interests of the domiciled Bengali community now stand to suffer in every way, particularly in matters of education and employment. Even in the Manbhum district which is a purely Bengali-speaking district, the use of Bengali in the preparation of the "Settlement records" was prohibited (in parts of the Dhanbad subdivision of it) a few years ago. In those parts of the Ranchi and Hazaribagh districts where Bengali is the language of the people, the teaching of Bengali in several schools has been superseded by Hindi. The "Kurmali" dialect which is spoken by the Kurmis of the Manbhum district was always regarded authoritatively as a dialect of Bengali until 1911. But in the Census Reports for 1911 and 1921, it came to be recorded as a dialect of Hindi, although "Kurmali" is known in the country to be really Bengali and not Hindi. In the Census Report of 1901 it was classified as Bengali. The 1911 Census Report, after noting that Kurmali-speakers were being classed as Hindi-speakers (page 65 of Tables, Volume V, Part II, and page 388 of Report, Volume V, Part I), went on to say that "this patois is also known as Khotta or *Khotta-Bengali*, and is *written in the Bengali character. Locally it is regarded as a corrupt form of Bengali.*" (The italics are mine.)

This Report of 1911 further states that "a corrupt form of Magahi is spoken in thanas Gola and Kashmar and in part of thana Ramgarh in the south-east of Hazaribagh. This patois, which is called Het Gola, contains Bengali words and phrases and *locally is considered to be Bengali*". This also was shown in the Census Tables, along with Kurmali, as Hindi.

In 1921, while classifying Kurmali and Khotta Bangala as dialects of Hindi, the Census authorities recognized the difficulties of such a classification and observed that "it is impossible to say that Khotta is either Hindi or Bengali". And they had no better justification for their final decision than that,—"As it was treated as Hindi in 1911, it was thought better *on the whole* to treat it as such again on the present occasion". (Page 209 of the Census Report for 1921, Volume VII).

As a result of such mistaken classification the strength of the Bengali population has come to be under-estimated.

Again, owing to the substitution of Hindi for Bengali in the Bengali-speaking areas of the Ranchi and Hazaribagh districts, considerable inconvenience and hardship is being caused, not to speak of the prejudice to the native culture of the people concerned. The stringency of the rules relating to "Domicile", the restriction of the number of seats for Domiciled Bengali youths in schools and colleges, and various other undeserved disabilities under which the domiciled Bengal is now labour, are among the grievances which are being felt more and more keenly as they are growing more and more pronounced as time passes. And this community feel that unless they are given adequate representation in the Legislatures, they will have no chance of pressing effectively for their proper share of educational facilities, due representation in the services and the safeguarding of their rights, and that consequently their special interests will suffer through oppressive legislation or executive action by an unsympathetic majority. Their personal law, again, is the Daybhaga school of Hindu Law which is different from the Mitakshara Law—the personal law of Bihari Hindus. Their representation in Council through the General electorates dropped from 10 in 1920 to 5 in 1930, and they reasonably apprehend that this process of decrease will continue till it reaches the vanishing point. Representation from Manbhum where the Bengali-speaking people are really natives of the land should not in fairness be taken into account in this connection.

The Hon'ble Sir.Ganesh Datta Singh (Minister), who is not a Bengali and who cannot be charged by his worst enemies with partiality for the Bengali community, in his Memorandum to the Simon Commission recommended, for a smaller House, five special seats for them, one in each Division of the province. It is therefore submitted that the same representation in a larger House of 200 members, cannot certainly be regarded as extravagant or unreasonable. This would be only half of their proportion to the population. The Domiciled Bengali community do not desire to have any separate electorate for them but press for reservation of one seat in the general constituencies of each of the five Divisions of the province.

If we refer to the various treaties, conventions or declarations concerning minorities in Europe we find that they are guaranteed political and civil rights equal to those enjoyed by "nationals" and special right to the use of their mother-tongue and, in districts in which they form a considerable proportion of the population, instruction in schools in that tongue and equitable share in the sums provided by the State and municipal budget for educational, religious and charitable purposes. The Bengalis in this province may well come under the definition of "Minorities" adopted by the League of Nations; but in most matters in which the right of similar minorities have been recognized in Europe, the Domiciled Bengali community in this province have suffered considerable handicaps and are in danger of suffering more and more as time passes. The Minorities Conventions of the League of Nations provide for the investigation of complaints of the Minorities in these matters. In the absence of an impartial tribunal for the investigation of complaints of oppression of Minorities by the Majority, a sufficient number of seats in the legislative bodies should, in all fairness, be reserved for such minorities as the Domiciled Bengali Community in this province so as to ensure a proper voicing of their legitimate grievances.

**Bicameral Legislature for the Province.**

I do not appreciate the grounds put forward by those who recommend an Upper Chamber for the province. The usual argument that it will serve as a brake on hasty and ill-conceived legislation of the popular chamber, can be met by vesting the Governor with proper vetoing powers. Moreover, it may be reasonably expected that when the popular Chamber is vested with more real powers the members will be imbued with a sufficient sense of responsibility. I question the statement made in the main Report that "in almost all democratic countries of the world there is an Upper Chamber". This is at any rate not correct in so far as it refers to Provincial Legislatures (where they exist) as distinguished from Central Legislatures. In any case, for the poor province of Bihar and Orissa, such a Chamber will be a White Elephant not worth maintaining and too costly to maintain.

So, in my opinion, the creation of a bicameral legislature for the province is neither desirable on policy nor expedient or justifiable on financial and other grounds. Such advantages as an Upper Chamber may conceivably have are more than counterbalanced by its obvious disadvantages. Not to speak of the large additional expenditure and the further overburdening of an already top-heavy administration, the institution of a provincial Second Chamber will result in the deprivation of the Lower House of any of its more capable members who are likely to be attracted to the upper house. A bicameral legislature is calculated to lead to friction between the two houses, particularly if the Upper Chamber is vested with any powers of vetoing or overriding decisions of the popular chamber. Past experience shows that a fairly large number of landholders can enter the popular Chamber through election by general electorates, so that neither special representation for them

in that Chamber nor any further safeguarding of their interests by the creation of a Second Chamber is called for.

The Hon'ble Sir Muhammad Fakhr-ud-din, Minister of Education in this province ever since the commencement of the Reformed Councils, has expressed himself emphatically against the establishment of a Second Chamber in the province. Mr. S. Sinha, an *ex*-member of the Executive Council of Bihar and Orissa, a leading moderate politician of All-India reputation, a distinguished member of the Bihar Landholders' Association and the foremost public man of this province, in his Note, dated 12th February 1932, presented to the Franchise Committee, writes :

> " I am utterly opposed to a Second Chamber in the province. Bihar is a very poor province where a bicameral legislature will be a needless luxury. Besides, it is very likely to hamper attempts at progressive legislation designed for the benefit of the people as a whole, to strengthen vested interests and thereby to increase discontent. Indeed I may go so far as to say that the value of provincial autonomy will be appreciably discounted if it is to be accompanied by the establishment of a Second Chamber representative of the privileged classes."

Should however the Parliament decide to create a Second Chamber for this poor province for the transitional period, there should not be any special representation of the landlord class or any other class or interest in that House as that would be likely to result in the undue protection of vested interests from legislative interference. A Provincial Upper Chamber, if constituted at all, should be composed of an aristocracy of intellect and character and ripe experience, and not an aristocracy of wealth and rank. It should moreover be based on an extensive franchise. Besides the qualifications prescribed for the present Legislative Assembly, the following may be adopted as additional qualifications for the franchise, *viz.*, the possession of the minimum educational qualification of being a graduate of any recognized University, or some equivalent educational attainment, the degree of Doctorate of a recognized University, or the title of Mahamahopadhyaya or Shams-ul-ulema, past or present membership of the Central Legislature of India or of a Provincial Legislature, past (retired) membership of the Provincial or higher services of Government or of some non-Government service of equal status. A candidate for membership of the Upper Chamber must, in addition to being a voter, have completed his fortieth year.

One-third of the members of the Upper Chamber should be elected by the Lower Chamber by means of the single transferable vote, and the remainder from among the general body of direct voters. Further, a Provincial Upper Chamber, it created, should in no case be vested with any powers higher than those at present possessed by the British House of Lords.

For the Federal Lower Chamber, the franchise qualification should be the payment of double the tax fixed for qualifying for franchise in the Provincial Popular House.

[On some other points, my differences from the majority opinion have been noted in that report.]

SARAT CHANDRA RAY.

*The 16th March 1932.*

## Note by Pandit Shiva Shankar Jha.

### I.—PROVINCIAL LEGISLATURE.

#### 1. Extension of Franchise.

(*a*) Payment of six annas chaukidari tax in the rural areas and Re. 1-8-0 municipal tax in the urban areas ;

or

Educational qualification—Passed upper primary or any other equivalent examination.

(*b*) Majority will be able to cast intelligent vote and in the near future as the people advance in political education all will cast intelligent votes.

(*c*) In this connection the two notes* of the Secretary to the Provincial Franchise Committee may be referred to. From the second note of the said Secretary, it is clear that polling of 5 per cent. of the population is manageable administratively if the election in the non-Muhammadan constituencies is held on one day only but that if that election be spread over two days polling of 10 per cent. of the population can be easily managed. On reference to the booklet* " Extracts from relevant papers " at page 3, last paragraph, which is an extract from the report of the Indian Statutory Commission, Volume I, it will appear that except in Madras and Bombay, the present elections are spread over several days in other provinces and in Assam even over a fortnight. Objections to the election being spread over more than one day are, therefore, absolutely groundless.

(*d*) In view of the above, this does not arise.

(*e*) It would be desirable to extend the franchise beyond 10 per cent. of the population, but as the official members consider it impracticable on the ground of insufficiency of men (Presiding Officers and Police) and money, I have to content myself, for the present, with the extension of franchise so as to include 10 per cent. of the population. Provincial Council should, however, be empowered to expand automatically direct franchise for the province after one or more terms as it may consider suitable.

(*f*) I am against it. I am definitely opposed to indirect system of election in any form whether it be purely indirect or partly direct and partly indirect. In this connection my supplementary note† submitted with the provisional memorandum of the Provincial Franchise Committee may be referred to.

* Not printed. † Page 144.

(*g*) Does not arise.

(*h*) Does not arise.

(*i*) Does not arise.

(*j*) Does not arise.

**2. Franchise Qualifications.**

(*a*) The qualifications that I have suggested will make the disparity, if any, disappear.

(*b*) Yes, the qualifications which I have suggested will give each community voting strength almost proportionate to its number.

(*c*) *Vide* my answer to question No. 1 (*a*).

(*d*) *Vide* my answer to question No. 1 (*a*).

(*e*) Yes.

**3. Women Suffrage.**

(*a*) I am not in favour of enfranchising the wives and widows of qualified voters, but the qualifications mentioned in answer to question 1 (*a*) above should also apply to women except that an alternative qualification of mere literacy (*i.e.*, ability to read and write) may also be fixed for women which may entitle them to vote.

(*b*) In view of my above opinion this question does not arise.

(*c*) I am not in favour of co-option of women.

**4. Representation of Depressed Classes.**

I am of opinion that the depressed classes in this province do not have any special problem necessitating their separate representation. The so-called depressed classes are being assimilated into the Hindu fold and to grant them special representation would be to perpetuate the differences which are dying out.

**5. Representation of Labour.**

(*a*) There is a localised industrial labour only at Jamshedpur in the district of Singhbhum. I am of opinion that a constituency may be created with Jamshedpur town, Jugsalai and some other neighbouring villages which will elect a member to the Council. It would ensure the return of an industrial labour member to the Council.

(*b*) In the case of agricultural labour it is not necessary to give them a separate representation in view of the fact that under my scheme a substantial number of them will be enfranchised and will have adequate representation in the Council.

**5-A. Representation of Special Interests.**

I am against the special representation of any interest except—European—2 seats.

As regards the special representation of landlords, I submit that it is unnecessary as well as impolitic. It is unnecessary because a

considerable number of landlords have been coming to the Council, through the general constituencies so much so that Government had to nominate certain tenants' men to the present Council (*vide* Bihar and Orissa Government's first Memorandum * to the Indian Franchise Committee) and impolitic because it is bound to perpetuate and accentuate the differences between the landlords and the tenants. It should be borne in mind that the landlords can and do contest seats in the general constituencies. The Indian Statutory Commission also recommended that the landlords should have no special representation.

If, however, it be decided to give the landlords special representation, the landlords' special franchise should be so extended as to enfranchise not less than 10 per cent. of the landlords whose number as stated by the Chairman of our Committee is roughly about 95,000. It is ludicrous that about 400 only of these 95,000 should enjoy the franchise as at present, and elect five members.

**Creation of a Second Chamber.**

The creation of a bicameral legislature in this province is neither desirable on policy nor expedient or justifiable on financial and other grounds. " Such advantages as an Upper Chamber may conceivably have are more than counterbalanced by its obvious disadvantages, not to speak of the large additional expenditure and the further over-burdening of an already top-heavy administration, the institution of a Provincial Second Chamber will result in the deprivation of the lower house of many a capable member who will be attracted to the upper house." A bicameral legislature is calculated to lead to friction between the two houses particularly if the Upper Chamber is vested with any power of voting or overriding the decision of the Lower Chamber. " Past experience shows that a fairly large number of landholders enter the popular chamber through the general constituencies so that no further safeguards for their interests by the creation of a second chamber are called for." The object of the proposed reforms being to democratise the administration and conciliate public opinion by the nearest approach to its demands, the creation of the second chamber would frustrate the very purpose in view. It would be tantamount to giving with the one hand and taking with the other. Even, at present, there is a single vetoing authority, *i.e.*, the Governor; the creation of the second chamber would mean the establishment of a second vetoing authority and thus the Legislative Council would be in a worse position than what it is in at present. The Reforms will be a sham and instead of satisfying the popular aspirations, the creation of the second chamber will alienate the feelings of the people still further and will strengthen the hands of those who are out to destroy the administration.

The stock argument advanced in support of the second chamber is that it will serve as a brake on the " hasty and ill-conceived " activities and legislations of the popular chamber. The reply to it is that there will be the Governor who will have the right to exercise the veto and objection to this that there should not be frequent conflicts between the

* Page 107.

Governor and his Council equally applies to those between the upper and the lower houses and is only sentimental. It must not be presumed that the members of the popular chamber would be a set of unreasonable and irresponsible people who would require constant pulling up.

Should, however, a second chamber be thrust upon the province the number of its members should be 75, one-third of which should be elected by the lower house by means of single transferable votes. The remaining two-thirds should be elected by an electorate, the voters possessing the same qualifications as those by the voters of the present Assembly. Besides, *ex*-M.L.Cs., *ex*-members of the Assembly and the Council of State from this province, *ex*-chairmen and vice-chairmen of the district boards and municipalities should also be voters.

The qualification of a candidate for the Upper Chamber should be—

(1) He should be an elector possessing the requisite qualifications as indicated above.

(2) His age should not be less than 35 years.

(3) He should be a graduate of any recognized University, or a barrister-at-law or a pleader.

## II.—THE FEDERAL LEGISLATURE.

### 6. Allocation of Seats.

(*a*) I agree with the proposal that the representatives of British Indian provinces in the Upper Chamber should be elected by the Provincial Legislatures by a single transferable vote.

(*b*) I consider that the franchise qualification for the Federal Legislature should be different from that of the Provincial Legislature.

The franchise qualification of a voter for the Federal Lower Chamber should be—

(1) The payment of Re. 1 as chaukidari tax in the rural areas and Rs. 3 as municipal tax in the urban areas.

(2) Educational qualification—passed matric. or entrance or equivalent oriental examinations.

I want 32 seats in the Federal Lower Chamber to be allotted to our province. Qualifications of a candidate for election to the Federal Upper Chamber :—

(1) Age—Not below 40 years.

(2) Educational—Graduate of any recognized University or barrister-at-law or Mahamahopadhyaya or Shams-ul-ulema.

Qualification of a candidate for election to the Federal Lower Chamber :—

(1) Age—Not below 30 years.

(2) He should himself be a voter.

*The 12th March 1932.* SHIVA SHANKAR JHA.

**Note of dissent by Rai Bahadur Lakshmidhar Mahanti, M.L.C.**

I am of opinion that in framing constituencies the district of Singhbhum should be so divided that there should always be an Oriya constituency. The Hos form the majority of the population of the district, but the Oriyas form the next largest group of population. They form the largest population having a written language. The Hos have no written language of their own. The Oriyas have special educational and other problems of their own in the district. At present they are compelled to learn Hindi, although they want to learn their mother-tongue in schools both primary and secondary. Under the new reformed constitution the problem is likely to grow more and more acute. If Orissa be separated from Bihar without the district of Singhbhum there will be none in the Bihar Council to voice the problems of the Oriyas in the Singhbhum district. Even if Orissa continues to be part of the Province of Bihar and Orissa, it will not be easy for a member coming from the Orissa Division to voice the Oriya question of the Singhbhum district.

It is therefore necessary under all circumstances that there should be a Oriya constituency in the district. If a separate Oriya constituency be not possible by reason of the Oriyas being scattered all over the district, a seat should be reserved for an Oriya by reservation of seats or a separate Oriya electorate should be formed. The population of the Oriyas in the district is about $1\frac{3}{4}$ lakhs.

LAKSHMIDHAR MAHANTI.

**Note of dissent by Babu Chandreshwar Prashad Narayan Singh, M.L.C., (Chairman), and Mr. G. E. Owen, I.C.S., M.L.C.**

*Adult suffrage not attainable by mere extensions of the direct electorate.*

We disagree altogether with the view expressed by the majority of the Committee on the fundamental question of the means by which the existing franchise for the Provincial Legislature could and should be enlarged. The majority report seems to us to shirk not only the main issue, namely the attainment of the goal of adult franchise, but also all the most important of the subsidiary problems which it is the Franchise Committee's endeavour to solve, namely the effective representation of women, the depressed classes, the aborigines and agricultural labour. The majority report has in effect contented itself with the recommendation that there are no serious administrative difficulties in the immediate enfranchisement of about 5 per cent. of the population or roughly four times the present electorate ; but it has made no attempt to show how this small percentage of direct electors could subsequently be increased up to the goal of adult suffrage. The proportion of women proposed to be enfranchised would be negligible and no means are suggested by which this proportion could be sensibly increased. The number of depressed classes on the electoral roll would also be inadequate, and the mass of the rural population would go unrepresented. The aborigines are likely to be inadequately represented in certain districts where they preponderate.

2. We have thought it necessary to look further ahead. We have taken as our starting point the statement of policy made by the Prime Minister which was reproduced in the original questionnaire (?) of the Franchise Committee, namely that "it is obviously necessary so to widen the electorates that the Legislatures to which responsibility is to be entrusted should be representative of the general mass of the population, and that no important section of the community may lack the means of expressing its need and its opinion"; and we have assumed that the goal of adult suffrage is one which should be capable of realization within a period that can be foreseen to-day by practical statesmen.

3. We have carefully examined the possibility of extending the present direct electorate. Our examination of official witnesses and documents indicates that the labour involved in holding direct elections for more than five times the size of the present electorate would impose a heavy strain on the administration, and that a further extension so as to enfranchise 10 per cent. of the population would stretch the administrative machine to its limits. We can discover no effective reply to the official opinion that it would not be practicable to do more than double the existing number of polling-stations, not only because of the difficulty of obtaining suitable presiding officers but also because of the difficulty of policing the polls in rural areas. We consider that there must be either a sub-inspector or a head-constable and half a dozen constables at each polling-station and that the present police force would on this basis only suffice for double the existing number of polling-stations. In short, we are satisfied that the system of direct election must on administrative grounds break down long before the goal of adult franchise can be reached. This conclusion must, we emphasize, render nugatory the view that an increase in the direct electorate is a step towards the goal of adult franchise in this province.

4. We also think it necessary to attach much greater weight than is attached by the majority report to the consideration of the effect which a large increase in the direct electorate is likely to have on the political machine. We are of opinion that within no period which we can foresee will it be practicable for a candidate in this province to get into touch with his rural electorate or to keep in touch with them after his election in the way in which this is done in England or America. We consider that the direct enfranchisement of any large numbers of the illiterate masses in the rural electorate will inevitably endanger the stability of the Government by putting at a grave disadvantage every candidate who is unwilling to employ the methods of the demagogue. We hold that significant indications of this danger have already shown themselves since the introduction of the present Reforms.

5. We agree with the great mass of the evidence which we have taken, official and non-official, that no way can be found in this province of giving the direct vote to any appreciable number of women. It would not be practicable to make separate polling arrangements for them, except perhaps in the towns; nor in this province could women be found to staff such separate polling-stations. The movement against

*pardah* has here hardly made any headway and the only women who could be induced to come to a polling-station outside their own village would be uneducated women of the lowest classes.

6. As regards the depressed classes, the adoption of the lowest possible tax payment as a basis of franchise, namely six annas a year chaukidari tax, is most unlikely, so far as we can judge from the enquiries made in eight selected rural areas (referred to in the local Government's letter to the Indian Franchise Committee dated the 14th March 1932) to enfranchise even as much as 5 per cent. of those who would ordinarily be termed depressed classes. No separate direct electorate could possibly be constituted for them, and we can think of no way in which any larger percentage could be given the direct vote within any period which we can foresee.

7. We are therefore satisfied that it is not practicable to advance by stages towards the goal of adult franchise by any mere extensions of the existing electorate in accordance with the existing system of direct election. Inevitably the system would break down on administrative grounds long before the goal was reached; and an immediate large increase in the direct electorate is in our opinion certain to endanger the stability of the Provincial Government during the period during which a strong and stable government is essential. Until the masses in this province are educated (and we cannot visualise the possibility of giving education to the masses in a province with such limited financial resources as this for several generations) it is a false assumption that democratic institutions can be developed on identical lines with those in vogue in the wealthier industrialized countries of Europe and America. Illiterate masses with whom candidates cannot get into touch by means of a public press, and living in scattered villages in a province where communications are poor and where during several months in the year touring in the villages is impracticable, are not suitable material for any wide extensions of the direct franchise.

**Our proposals for primary village elections with immediate adult suffrage.**

8. The above serious objections to the means suggested by the majority of our Committee for extending the franchise can, we hold, most of them be overcome by substituting in all rural constituencies an indirect for a direct electioneering system. The chaukidari village consists of from 60 to 100 houses and an adult population of from 200 to 300, and is an eminently suitable unit for primary village elections. Our proposal is that every adult resident (including women) should have the right to vote at these elections. The elections will be held and the results immediately declared in the villages by the villagers, the candidates nominating *panches* to assist the election officer. Voting will be by secret ballot. The secondary electors so elected will exercise the direct vote and will be polled in exactly the same way as the direct electorate are now polled. The existing direct electorate in rural constituencies will cease to exist; but in the urban constituencies it will be retained and the direct system will be retained. In order to produce a secondary rural electorate of about 450,000, *i.e.*, about 100,000 more

than the existing rural electorate (355,000 male and 2,500 female) the ratio of secondary electors to primary voters (male and female) would have to be about 1 in 40 (rural population 36,000,000, adult population, 1,800,000, half male, half female). A village of 200 adults (male and female) would elect 5 secondaries ; and in our opinion this number of secondaries would be sufficient to start with, though there would be no difficulty in doubling the number. A village of 200 adults could easily elect 10 secondaries who would be suitable, *i.e.*, men (or women) trusted by the villagers and fit to exercise the direct vote, and this would give a secondary electorate of about 900,000. Every resident adult would be qualified for election as a secondary. These elections would take not more than a month. They would cost not more than do the direct elections at present ; for no electoral roll would be required except for the secondaries, and the election officers would not require to be highly paid. No disputes could arise, with adult suffrage, except as to age ; and the decision of the *panches* would be final. The candidates for the Council would be nominated previous to these village primary elections, and the Council elections (secondary elections) would take place a few weeks after the conclusion of the primary elections. The arrangements for polling the secondaries would be on the same lines as the existing arrangements for the direct elections. As regards detailed rules for the conduct of such primary elections we accept generally those suggested in the local Government's memorandum* which was forwarded to the Franchise Committee with their letter of 14th March 1932 of which a copy was sent to this Committee. We see no reason to disagree with the local Government's views that this system would be administratively practicable and comparatively cheap. It is the system which the Hon'ble Sir Ganesh Dutta Singh, Minister for Local Self-Government in this province, first put forward in the memorandum which he prepared for the Simon Commission nearly four years ago.

9. We have examined official and unofficial witnesses regarding the suitability of this system to conditions in the Santal Parganas (the Deputy Commissioner, Mr. Hoernle), Sambalpur (Babu Braj Mohan Panda, M.L.C., for Sambalpur rural constituency) and Angul (Mr. Tallents, Agent, Feudatory States). Their evidence indicated that a system of village primary elections would be more suitable than the system of direct election. In all these districts there are village officials who would be able to assist in conducting the primary elections.

**The political advantages of village primary elections with Adult Suffrage.**

10. The political advantages of this system of indirect primary village elections in all rural constituencies may be summarised as follows :—

(*i*) By adopting this system the goal of adult franchise can and in our opinion should be reached at once. It is from an administrative point of view much simpler to hold a village election at which every adult in the village, male and female, is entitled to vote than to exclude part of the villagers from

* Page 150.

voting ; and from the political standpoint we see no disadvantage and in fact every advantage in conferring manhood suffrage nor any danger in conferring adult suffrage (*i.e.*, male and female) at once. We have great faith in the common sense of the majority of the villagers, voting together for persons whom they know, and we are confident that on the whole they will elect the persons most fitted to exercise the direct vote. We believe that the judgment of the villagers is a much sounder and more suitable as well as a more democratic basis of the direct franchise than any arbitrary property or educational qualifications.

(*ii*) Only by holding elections in every village is there any chance of women in the rural areas in this province exercising effectively a right to vote. We consider that the recommendation of the majority of our committee for giving women an effective means of voicing their needs do not constitute a serious attempt to tackle this important problem.

(*iii*) Under the system which we contemplate every adult villager, male and female, in the chaukidari village will be entitled to vote. By this means, and by this means alone, can the policy enunciated by the Prime Minister be carried into effect, namely that every important section of the community may obtain a means of expressing its opinion.

(*iv*) In particular by this means alone can the depressed classes be given an effective voice in the elections to the Provincial Legislature.

(*v*) A system which adopts the village as the basis of the political structure in all the rural constituencies is suitable to rural conditions in this province and to the genius of the people. A system suited to industrialised countries such as those of Europe and America though fit for adoption in our urban constituencies is not for that reason suited to the peasantry and village life of this part of India.

(*vi*) We are confident that the representatives chosen by the villagers will be the persons most likely to exercise a direct vote wisely.

(*vii*) There would not in our opinion be any necessity, if this system were adopted, of giving any special representation to women or to the depressed classes. Women would form half the voters in the villages, and the depressed classes would also exercise political power in proportion to their numbers. The aborigines in districts where they are of political importance would form the vast majority of the electorate. But if special representation is considered necessary the system of primary village elections makes it easy to give such representation. Assuming that one secondary voter is to be elected for every 40 adults in the village (which as we have explained above,

would produce a secondary electorate rather larger than the present rural electorate) there will be on an average 5 secondaries to be elected in every chaukidari village and there will often be double that number. There will therefore be no difficulty in providing that not less than one of the five secondaries shall be a member of the depressed classes or shall be a woman, or, in certain aboriginal districts, in reserving secondary seats for them on a population basis nor is there any difficulty in increasing the number of secondaries for this purpose. The same applies to other minorities.

(*viii*) The scheme which we advocate would, we are confident, minimize and help to destroy those cleavages of caste and community and race which are, it is admitted by all, the chief stumbling block across the path of true democracy in this country. If it is considered necessary (and we do not admit the necessity if effect is given to the scheme which we advocate) of perpetuating any of these cleavages for the present by giving special representation, say to the depressed classes or to aborigines or to women then under our scheme it will be the whole village community which will elect those special representatives, for whom one or more of the allotted seats of secondaries will be reserved. In our scheme there is no place for " grouping " other than the natural groups of village neighbours comprised in the chaukidari village ; and this is one of the vital aspects of our scheme which differentiates it completely from any such scheme of " grouping " as seems to us and, so we understand, to the public at large, to have been contemplated in the questionnaire of the Indian Franchise Committee. We wish to lay great emphasis on this point because it is in our opinion the use of the word " grouping " which has played an important part in antagonising public opinion in many quarters against the suggestion for indirect elections.

(*ix*) This point leads us to mention another important aspect of our scheme. Although the question of joint or separate electorates for Muhammadans and non-Muhammadans is, we realize, not an issue to be decided by the Franchise Committee we consider that a very important argument in favour of a system of primary village elections is that it does furnish a joint village electorate which we do not doubt will, in the course of time, operate inevitably as a solution of this difficult problem.

(*x*) This system is, in our opinion, the only one by which every villager can be educated within a reasonable time to understand the meaning of democracy without at the same time endangering the stability of the Government, and substituting demagogy for democracy.

(*xi*) If it should be found in course of time that a system of direct election should be substituted for the system of primary village elections there should be no difficulty in effecting the change. But the converse is not true. It is therefore essential that the system of indirect primary village elections should be instituted at once, before the direct system has taken root. There will, we are confident, be no serious opposition to the change from the direct to the indirect system in the rural constituencies. In urban constituencies we recommend (*vide* paragraph 13 *infra*) the retention of the direct system.

**Replies to the criticisms of our proposals made in the Majority Report.**

11. The majority report emphasizes certain alleged objections to the system which we advocate. These objections and our replies to them may be summarised as follows :—

(*i*) It is argued that primary elections for Muslims will be difficult, particularly in certain areas where the number of Muslims is small. We consider that this difficulty and its bearing on our scheme have been exaggerated. We admit that if separate electorates are retained the Muslim residents of more than one chaukidari village will in those areas have to be grouped together for the election of secondaries. But the scattered distribution of the present Muslim electorate in such areas under the present system is open to similar criticisms. A separate Muslim electorate is frankly united only by racial sympathies, and we see no reason to anticipate greater difficulty in inducing groups of Muslims from adjoining villages meeting together for the election of secondaries than is now experienced in inducing them to vote at distant polling-stations. We expect many of these Muslim elections of secondaries to be uncontested.

(*ii*) It is argued that our system will encourage class feeling. We have replied in sub-paragraph (*viii*) of the preceding paragraph to this charge. We draw attention to the wording of part of this charge, namely, that primary village election will cause " endless friction in the formation of groups " as an indication of just that misunderstanding of the basis of the system on which we have commented in our reply above.

(*iii*) It is argued that the election officer may be corrupt. Our reply is that the election will be conducted in front of the whole village, and attested by the *panches* nominated by the rival candidates. There will be no opportunity for corruption.

(*iv*) It is argued that there will be riots and obstruction. Our reply is that when the whole village knows that the result of such action will be that they will have no representatives it is unlikely that they will allow this to happen, nor are

riots likely in a small homogeneous electoral unit such as the chaukidari village.

(*v*) It is argued in the majority report that the villagers will be under the thumb either of touts or of money-lenders or of landlords. We notice that some persons who have recorded written opinions have added to this list by anticipating that the villagers will be under the thumb of Congress and of paid agitators. We admit that differences of opinion on this point are inevitable, but we ourselves credit the villagers with much more commonsense and with much more independence than do these critics. We also emphasize the necessity for taking a longer view than they do. We are trying to frame an electoral system which will stand the test of time. We do not believe that village communities will continuously be led by the nose by any of the above classes at successive elections. An illiterate direct electorate is, we hold, much more likely to be misled by catch words than are our villagers voting together in their villages.

(*vi*) It is suggested that the secondaries are likely to be particularly liable to pressure. Our reply is that we have recommended that they should certainly be more numerous than the present direct electorate. We can attach no meaning to this suggestion.

(*vii*) To the general objection raised that candidates will not be in direct touch with the primary electorate, our reply is that candidates even now are not in touch with their rural constituents, and that they will be still less in touch with them when their constituents are increased five or ten times and when most of the new voters are illiterate. We expect that candidates will soon learn that it is worth their while to get into touch with the villagers at the primary elections, and these elections will give them convenient opportunities of doing so which are not provided by the present system.

**Our modifications of the scheme suggested as administratively practicable by the local Government.**

12. We have stated that we accept generally the detailed scheme of rules for the conduct of primary village elections worked out in the memorandum of the local Government referred to in paragraph 8. The only modifications which we would make in that scheme relate (*i*) to the selection of village *panches*. Instead of the election officer selecting the *panches* himself we would recommend that each candidate should nominate a *panch* from among the residents. If the nominees exceed, say five in number, five names should be selected from these nominees by lot. (*ii*) We are doubtful about the local Government's proposal that each voter should have one vote only, even though more than one candidate is to be elected by the village. This proposal seems to us to have been based merely on consideration of the fact that this

would simplify the ballot. If there were to be any reservation of places, *e.g.*, for the women or the depressed classes, it will, we wish to emphasize, certainly be necessary (in order to ensure a joint electorate of all the villagers for these special representatives) to give each voter separate votes; and even if there were no such reservation we consider that separate votes for each candidate would for the same reason obviously be preferable. We think that this could be arranged by having different shaped voting discs or different coloured discs for the different candidates. A minor detail in which we differ from the local Government is that we consider that a canvas bag with a metal slot would probably be preferable to a polling box, as being more portable.

**Our proposal to retain direct election in the urban constituencies.**

13. Although the system of primary elections could, we agree with the local Government, be applied without any insuperable administrative objections to urban constituencies with the municipal mohalla as the unit our opinion is that the balance of advantage certainly lies in retaining the present system of direct election for all the urban constituencies. We recognise that there are serious political objections to disenfranchising the intelligentsia in the towns: that the urban mohalla is not a natural social group as is the village, and in general that the system of primary elections while eminently suited to the villages in this province is not so suitable for the towns. We see no inconsistency in retaining for the towns the present system of direct election, and no serious administrative or political objection to the attainment of adult suffrage in the urban constituencies immediately if necessary or at least within a generation. If the system of adult franchise is granted in the form recommended by us in all the rural constituencies we would recommend an extension of the direct franchise in the urban constituencies at least to 10 per cent. of the adult population. This can easily be effected by basing the franchise on payment of Rs. 1-8-0 municipal tax. The objections which we urge against a sudden and large increase in the direct electorate in rural areas do not apply with equal force to the towns where a candidate can get into touch with his illiterate constituents personally and with his educated constituents through the press and pamphlets. The percentage of literacy is moreover far greater in the towns. It may also be possible to provide separate polling arrangements for women in the towns though it will not be possible to obtain a polling staff consisting wholly of women. Separate electorates for the depressed classes or for industrial labour would also be practicable, if considered necessary, in the towns, though we would prefer to give adult franchise at once in the towns to constituting separate electorates for separate classes.

**Our objection to the Hybrid System.**

14. We are strongly opposed to any combination of the direct and indirect systems of election in the same constituencies. It would be impracticable to give the secondary voters sufficient weightage to enable

them to exercise an effective voice in the election of candidates for the Provincial Legislature. It would create a most undesirable distinction between the comparatively few propertied men in the village and the rest of the village community, and it would add enormously to the administrative difficulty of holding the election. These objections apply with added force to any attempt to combine the two systems in the urban constituencies. These objections are in our opinion insuperable, and it is in our opinion most unfortunate that the proposal for introducing indirect election has been linked in the Franchise Committee questionnaire with the idea that it must be combined with direct election. This connection of ideas has been, we think, hardly less damaging to the popularisation of the idea of primary village elections than the suggestion already combated by us [*vide* paragraph 10 (*viii*)] that these elections should be based on some process of more or less arbitrary grouping.

15. If effect is not given to our recommendations for the adoption in the rural constituencies of a system of primary village elections followed by direct elections of the members of the Provincial Legislature conducted on the same lines as at present by village representatives then we agree with the views of the majority of our committee that the basis of the franchise in the rural constituencies should be extended by substituting the payment of one rupee chaukidari tax for the present rent and cess basis, thus enfranchising roughly 5 per cent. of the rural population.

**Federal Lower Chamber.**

16. We have expressed our agreement in the majority report with the view that the lower federal chamber should not be elected by the Provincial Legislatures, but should continue to be elected by a direct electorate. This electorate according to our scheme would consist in rural constituencies of the secondary electors, *i.e.*, the electorate for the Provincial Council, and in the urban constituencies of an electorate with higher qualifications than those of the Council electorate.

17. We are in favour of a second provincial chamber. Our recommendations on this subject and on the composition of the second federal chamber are incorporated in the majority report.

18. We wish to make clear that the views to which we have subscribed in the majority report are, except those relating to a second federal chamber and a second provincial chamber, based on the hypothesis that effect is not given to our recommendations for adult suffrage through primary village elections of village secondaries.

CHANDRESHWAR PRASAD NARAYAN SINGH.

G. E. OWEN.

*The 18th March 1932.*

**Note of dissent by Mr. S. M. Athar Hussain and Maulvi S. Mubarak Ali Sahib.**

While signing the report we subscribe to the demands of the Muslim delegation to the Round Table Conference which we consider as absolutely essential before any further change in the administration of the country is brought about.

S. M. ATHAR HUSSAIN;

S. MUBARAK ALI.

*Patna, March 19th, 1932.*

# APPENDIX I.

## Statement showing the number of Depressed Classes in Bihar and Orissa during the Census of 1931.

The following classes have been enumerated as "depressed" in this province during the Census of 1931. Figures of population are noted against each class.

| Class. | Hindu. | Christian. | Muhammadan. | Tribal. | Total. |
|---|---|---|---|---|---|
| 1. Bauri .. .. | 314,979 | 59 | .. | .. | 315,038 |
| 2. Bhogta .. .. | 66,054 | 12 | .. | 143 | 66,209 |
| 3. Bhuiya .. .. | 621,062 | 36 | .. | 4,726 | 625,824 |
| 4. Bhumij .. .. | 266,464 | 151 | .. | 7,443 | 274,058 |
| 5. Chamar .. .. | 1,288,298 | .. | .. | .. | 1,288,298 |
| 6. Chaupal .. .. | 2,737 | .. | .. | .. | 2,737 |
| 7. Dhobi .. .. | 365,841 | .. | .. | .. | 365,841 |
| 8. Dosadh .. .. | 1,290,936 | .. | .. | .. | 1,290,936 |
| 9. Dom .. .. | 160,227 | .. | 6 | .. | 160,233 |
| 10. Ghasi .. .. | 50,695 | 53 | .. | 708 | 51,456 |
| 11. Ghusuria .. .. | 1,846 | .. | .. | .. | 1,846 |
| 12. Godra .. .. | 712 | .. | .. | .. | 712 |
| 13. Gokha .. .. | 48,622 | .. | .. | .. | 48,622 |
| 14. Halalkhor .. | 20,742 | .. | 1,547 | .. | 22,289 |
| 15. Hari .. .. | 93,441 | .. | .. | .. | 93,441 |
| 16. Irika .. .. | 332 | .. | .. | .. | 332 |
| 17. Kandra .. .. | 146,458 | .. | .. | .. | 146,458 |
| 18. Kanjar .. .. | 2,566 | .. | .. | .. | 2,566 |
| 19. Kela .. .. | 7,737 | .. | .. | .. | 7,737 |
| 20. Kurariar .. .. | 631 | .. | .. | .. | 631 |
| 21. Lalbegi .. .. | 105 | .. | 52 | .. | 157 |
| 22. Mahuria .. .. | 2,389 | .. | .. | .. | 2,389 |
| 23. Mangan .. .. | 184 | .. | .. | .. | 184 |
| 24. Mochi .. .. | 22,863 | .. | .. | .. | 22,863 |
| 25. Mushahar .. | 720,051 | .. | .. | .. | 720,051 |
| 26. Nat .. .. | 9,628 | .. | .. | .. | 9,628 |
| 27. Pan .. .. | 226,076 | 105 | .. | 6,294 | 232,475 |
| 28. Pasi .. .. | 172,061 | .. | .. | .. | 172,061 |
| 29. Rajwar .. .. | 133,935 | 17 | .. | .. | 133,952 |
| 30. Siyal .. .. | 6,463 | .. | .. | .. | 6,463 |
| 31. Turi .. .. | 54,041 | 9 | .. | 523 | 54,573 |
| Total .. | 6,091,810 | 442 | 1,605 | 19,837 | 6,112,894 |

Of the above classes Nos. 1, 2, 3, 4, 10, 19, 21 and 22 (Bauri, Bhogta, Bhuiya, Bhumij, Ghasi, Pan, Rajwar and Turi) have been classed also as aborigines. Their total number is 1,746,425. If this number is excluded from the total for depressed classes noted above the total population for depressed classes will come up to 4,366,469 (6,112,894—1,746,425). If again Christians, Muhammadans and Animists, who number 21,884 are excluded, the total population will be 4,344,585. As the total population of Bihar and Orissa is 37,677,576, the depressed classes form 11·5 per cent. of the total population.

**APENDIX**

**Statement showing the enfranchisement of Persons under "depressed classes" Hazaribagh**

*Statement showing number of persons*

| Name of ward. | Total population. | Total adult population. (Non-Muhammadan.) | | Number of depressed classes included in column 3. (Non-Muhammadan.) | | Number of persons paying municipal tax of any amount. (Non-Muhammadan.) | |
|---|---|---|---|---|---|---|---|
| 1 | 2 | 3 | | 4 | | 5 | |
| | | Male. | Female. | Male. | Female. | Male. | Female. |
| Bakerganj (Patna City Municipality). | 10,505 | 3,154 | 1,781 | 329 | 296 | 894 | 189 |
| North Khajekalan (Patna City Municipality). | 8,407 | 1,828 | 1,489 | 55 | 43 | 740 | 193 |
| Wards Nos. 1 and 2 (Muzaffarpur). | 5,599 | 1,222 | 1,030 | 37 | 9 | 944 | 54 |

NOTE :—Percentage of column 4 to column 3 = 7
" " column 6 to column 4 = 20·8
" " column 8 to column 4 = 20·8

II.

**in certain urban and rural areas in the districts of Patna, Muzaffarpur, and Cuttack.**

*under depressed classes paying Municipal Tax.*

| Number of depressed classes included in column 5. (Non-Muhammadan.) | | Number of persons paying municipal tax of one rupee and over. (Non-Muhammadan.) | | Number of depressed classes included in column 7. (Non-Muhammadan.) | | Percentage of persons belonging to the depressed classes paying— | | Remarks. |
|---|---|---|---|---|---|---|---|---|
| | | | | | | Municipal tax of any amount. | Municipal tax of Re. 1 and above. | |
| 6 | | 7 | | 8 | | 9 | 10 | 11 |
| Male. | Female. | Male. | Female. | Male. | Female. | | | |
| 76 | 21 | 894 | 189 | 76 | 21 | 15·6 | 15·6 | Depressed classes are allowed to use public wells and are admitted to primary and higher schools. |
| 45 | 8 | 730 | 192 | 45 | 8 | 53 | 53 | |
| 9 | 5 | 585 | 44 | 7 | 7 | 30·4 | 30·4 | Ditto. |

## APPENDIX

**Statement showing the enfranchisement of Persons under "depressed classes" Hazaribagh**

*Statement showing number of persons*

| Name or number of chaukidari circle or Union Boards or similar areas. | Total population. | | Total adult population. (Non-Muhammadan.) | | Total number of members of depressed classes included in column 3. (Non-Muhammadan.) | | Number of persons paying chaukidari tax of any amount. (Non-Muhammadan.) | |
|---|---|---|---|---|---|---|---|---|
| 1 | 2 | | 3 | | 4 | | 5 | |
| | Males. | Females | Males. | Females | Males. | Females. | Males. | Females. |
| POLICE CIRCLE VI. | | | | | | | | |
| Bagdar police-station, district Hazaribagh. | 5,611 | 5,820 | 2,060 | 2,270 | 313 | 397 | 1,016 | 10 |
| Ichak Union Board, district Hazaribagh. | 2,429 | 2,830 | 1,038 | 1,288 | 168 | 249 | 540 | 9 |
| Repara Union Board, No. 12, Muzaffarpur. | 9,764 | | 2,212 | 2,468 | 266 | 302 | 970 | 8 |
| Kolhua Dadar Union Board, No. 5, Muzaffarpur. | 6,887 | | 1,582 | 1,858 | 672 | 772 | 1,019 | 26 |
| Union No. 5, Sadr police-station, Cuttack. | 8,214 | | 1,734 | 955 | 585 | 564 | 1,002 | 8 |
| Union No. 7, Tangi police-station, Cuttack. | 6,873 | | 2,027 | 2,198 | 356 | 375 | 955 | 2 |
| Satparwe and 13 other mauzas in Patna. | 5,213 | | 1,540 | 1,320 | 354 | 339 | 583 | 16 |
| Bhergawan and 8 other mauzas in Patna. | 5,690 | | 1,420 | 1,276 | 306 | 343 | 563 | 9 |

NOTE :—Percentage of column 4 to column 3 = 23·3
" " column 6 to column 4 = 9·7
" " column 8 to column 4 = 1·5

III.

**in certain urban and rural areas in the districts of Patna, Muzaffarpur and Cuttack.**

*under depressed classes paying Chaukidari tax.*

| Total number of members of depressed classes included in column 5. (Non-Muhammadan.) | | Number of persons paying chaukidari tax of one rupee and over. (Non-Muhammadan.) | | Members of depressed classes included in column 7. (Non-Muhammadan.) | | Percentage of persons belonging to the depressed classes paying— | | Remarks |
|---|---|---|---|---|---|---|---|---|
| | | | | | | Chaukidari tax of any amount. | Chaukidari tax of Re. 1 and above. | |
| 6 | | 7 | | 8 | | 9 | 10 | 11 |
| Males. | F. | Males. | Females. | Males. | F. | | | |
| 70 | .. | 326 | 6 | 8 | .. | 10 | 1 | Depressed classes are allowed to use village wells and are admitted to village schools. |
| 66 | .. | 231 | 1 | 16 | .. | 15·7 | 3·8 | |
| 36 | .. | 427 | 4 | 15 | .. | 6·3 | 2·6 | Depressed classes are not allowed to use village wells and Dusadhs, Domes, Halalkhores, Chamars, and Nats are not allowed to attend village schools. |
| 62 | .. | 432 | 6 | 12 | .. | 4·3 | ·8 | |
| 252 | .. | 140 | 2 | 10 | .. | 22 | ·9 | Depressed classes are not allowed to use village wells but their children are admitted into village schools. |
| 10 | .. | 164 | 1 | 1 | .. | 1·3 | ·1 | |
| 66 | .. | 326 | 8 | 19 | .. | 9·5 | 2·7 | Depressed classes are allowed to use village wells and their children are admitted to village schools without restrictions. |
| 53 | .. | 287 | 2 | 16 | .. | 8 | 2·4 | |

## APPENDIX IV.

### Note on the possibilities of broadcasting in India.

1. The principal reasons for the partial failure of the existing broadcasting service are:—

(*a*) the small service area due to inadequate power of the transmitters:

The area of satisfactory service lies within a radius of about 50 miles of the transmitters and even within that area reception is marred by atmospheric disturbances for about 7 months of the year.

(*b*) the transmissions from the Calcutta and Bombay stations are on wave lengths of 370 metres and 357 metres respectively. On both the long wave broadcasting band (1,000—2,000 metres) and medium wave broadcasting band (200—550 metres) atmospheric conditions in India will prevent satisfactory long distance reception of broadcasting (over a distance of more than about 50 miles) for seven months of the year.

2. I do not consider the proposal to provide portable transmitters for occasional use in connection with elections to be feasible. The cost would be excessive compared with the benefit to be derived and as there would be no regular income the whole cost would have to be borne by Government or personally by the candidates.

3. I consider that a satisfactory regular broadcasting service for India is possible provided the transmissions are of short wave lengths on which there has recently been considerable development. These transmissions are comparatively free from interruptions due to atmospheric disturbances. With a power of about 10 K. W. and utilizing wave lengths between 30 and 50 metres it is probable that about 5 transmitters would give a satisfactory service for the whole of India. The service area of each station would consist of two parts:—

(*a*) the area within about 30—50 miles of the transmitter, and

(*b*) the area between 500—1,000 miles of the transmitter.

The attached sketches* indicate approximately the probable service area of each station from where it will be seen that except for a small area of about 50 miles radius adjacent to the transmitting station a province would be served by a transmitter at a considerable distance from it and that for Bihar and Orissa the best service would probably be obtained from transmitters situated near Delhi and Madras.

4. These stations would cost about Rs. 50,000 each and as a satisfactory service could be given I think there is no doubt that the receipts from license fees would cover the working expenses. Candidates for election to the All-India and local legislative bodies could be permitted to utilize those stations for electioneering purposes and in addition Government would possess a very useful and powerful agency for propaganda purposes.

5. In addition to the advantage of comparative freedom from atmospheric disturbance, transmissions on the short wave lengths possess the additional advantage that the necessary receiving apparatus is both simple and inexpensive. A satisfactory receiver complete with aerial, batteries and loud-speaker would, at present prices, cost about Rs. 150 and the cost of maintenance per year, if used several days every week, would be about Rs. 60.

6. If a broadcasting service, as briefly outlined in paragraph 3 were available, candidates who wish to get into touch with the constituency might send out agents with suitable receiving apparatus (including loud-speakers) to the villages. In the course of a few days it would be possible to get into touch with representatives of the inhabitants of all the large villages in a constituency.

The erection of the necessary aerial would be a simple matter requiring about 2 hours' work.

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* Not printed.

7. The actual choice of wave lengths is a matter for engineers with experience of short wave telephony but I may observe that the shorter the wave length (my experience is limited to a lower limit of 15 metres) the greater is the freedom from atmospheric disturbances but below about 25 metres the manipulation of the receiver requires a certain amount of dexterity. For that reason I suggest that the most suitable wave lengths will be found between 30 and 50 metres. In Patna reception of broadcasting from Saigon (French Indo-China) on 49 metres, and from Moscow on 50 metres is a simple matter. Saigon is about 1,500 miles and Moscow about 2,500 miles from Patna.

8. The above notes are given with considerable hesitation as my knowledge of radio telephony is limited to a few years' experience of the reception of broadcasting in Patna on wave lengths between 15 and 2,000 metres.

S. E. PLATT,
*Superintending Engineer,*
*Public Health Department,*
*Bihar and Orissa.*

## Miscellaneous correspondence with the Bihar and Orissa Government on matters arising out of replies to questionnaire.

### APPENDIX I.

### Number of depressed classes.

TELEGRAM FROM THE INDIAN FRANCHISE COMMITTEE, SIMLA, TO THE GOVERNMENT OF BIHAR AND ORISSA, No. E.-713-B. & O., DATED THE 20TH APRIL 1932.

Please refer estimates depressed class population page fifteen Committee's second Memorandum. Been suggested that Committee's figures for following castes namely Pan, Dom and Kela are inaccurate. Should be grateful if this could be verified and correct total for depressed classes telegraphed very urgently. Or in the alternative did Committee accept Government's estimate of depressed classes in the Province.

TELEGRAM FROM THE GOVERNMENT OF BIHAR AND ORISSA TO THE INDIAN FRANCHISE COMMITTEE, DATED THE 23RD APRIL 1932.

Your telegram of 20th April. Population of Pan, Dom and Kela shown correctly in Provincial Committees Memorandum. Figures based on Census Table 17 excluding Feudatory States.

## APPENDIX II.

### Questions relating to the Federal Legislature and special Interests.

TELEGRAM FROM THE INDIAN FRANCHISE COMMITTEE, SIMLA, TO THE GOVERNMENT OF BIHAR AND ORISSA, PATNA, No. E.-B. & O.-232, DATED THE 5TH APRIL 1932.

Could you let us have by telegram summary of views of local Government on following points raised in original questionnaire on which no recommendations have so far been received (*a*) method of election to upper chamber of federal legislature (*b*) franchise qualifications for federal legislature, (*c*) method of election to lower chamber of federal legislature, (*d*) nature and extent of representation to be accorded to special interests (women, labour, commerce, depressed classes, etc.) in federal legislature.

TELEGRAM FROM THE GOVERNMENT OF BIHAR AND ORISSA, PATNA. TO THE INDIAN FRANCHISE COMMITTEE, DATED THE 11TH APRIL 1932.

Reference your telegram 232, dated 5th April 1932 (*a*) Method of election to upper chamber of federal legislature local Government favour direct election on a high franchise similar to present election to Council of State, (*b*) Franchise qualifications for federal legislature answer to (*a*) applies as regards upper chamber as regards lower chamber local Government on the whole prefer indirect election by Provincial Council in which case question of franchise qualifications does not arise (*c*) method of election to lower chamber of federal legislature local Government favour indirect election by Provincial Council, (*d*) Nature and extent of representation to be accorded to special interests women, labour, commerce, depressed classes, etc., in federal legislature representation of women and depressed classes in lower chamber if not secured by election from Provincial Council should be provided for by nomination no special representation of commerce and labour in lower chamber required for this province representation of special interests in upper chamber not required.

# Replies
# of the
# Government of the Central Provinces
# and the
# C. P. Provincial Franchise Committee
# to the
# Indian Franchise Committee's Questionnaires.

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**Miscellaneous correspondence with the Government of the Central Provinces on matters arising out of replies to questionnaire.**

APPENDIX.


| | |
|---|---|
| I. Correspondence regarding the land revenue and rent qualifications for the franchise.—Telegram No. E.-684-C.P., dated the 15th April 1932, from the Indian Franchise Committee, to the Reforms Officer, Nagpur, and telegram No. C.-2, dated the 18th April 1932, from the Reforms Officer, Nagpur, to the Joint Secretary, Indian Franchise Committee .. .. .. .. .. .. | 313 |

# CENTRAL PROVINCES.

## I

## Memorandum by the Government of the Central Provinces.

LETTER FROM THE OFFICER ON SPECIAL DUTY (REFORMS), CENTRAL PROVINCES, TO THE JOINT SECRETARY, INDIAN FRANCHISE COMMITTEE, CAMP INDIA, NO. R-54-IV, DATED NAGPUR, THE 26TH FEBRUARY 1932.

Before replying in detail to the questions put by the Indian Franchise Committee, I am directed to express the regret of this Government that the Committee should not have visited the province. The Central Provinces and Berar constitute an area in which local knowledge is of importance. Historically the province has been the meeting ground of three distinct Aryan races, and three distinct agricultural systems. Wheat has come with the Hindustanis from the north, and rice with the immigrants from the north-east, while the cultivation of cotton and juar has been imported by Marathas from the west. These three systems have driven back gradually the aboriginal tribes, with their non-Aryan customs and crude methods of cultivation, into the wider and more remote parts of the province, where they form a fourth and wholly distinct element in the local population. These four elements have not advanced equally and every shade of variation will be found between the Marathi-speaking population of the south-west, one of the most advanced in India, and the aboriginal tribes who are among the most backward. A visit to the province would also have enabled the Committee to realize more easily the astonishing development which has taken place in both its areas since 1905, when Berar was added to the Central Provinces proper. This development has been especially noticeable in the last decade, subsequent to the enquiry of the Southborough Committee, owing to the opening up of the railway line from Delhi to Madras through Nagpur and the construction of many miles of metalled roads suitable for motor transport. At the present moment the province has 5,674 miles of metalled road, connecting every district headquarters, and commanding from its geographical position most of the main arterial communications of India. The development is reflected in the growth of Nagpur City itself, which has now a population of 215,165, involving an increase of no less than 48 per cent. since the census of 1921. Further similar development is expected shortly when the more backward eastern districts have been opened up by the completion of the new railway line from Raipur to the port of Vizagapatam in the Madras Presidency. Local investigation would also have enabled the Committee to get a first hand impression of the points raised by the peculiar relation of Berar to the Central Provinces and British India generally. There is no use, however, in repining over what might have been, and this Government will now deal with the questions raised on their merits. The views expressed are those of the whole Government, on its transferred as well as on its reserved sides.

2. *Scope of the enquiry.*—In addition to the points raised in its actual questionnaire the Franchise Committee has asked—

(1) what should be the size of the new legislative council ;

(2) to what extent and how special interests should be represented ;

(3) what should be the qualification of candidates ; and

(4) whether the legislature should be bicameral.

3. *Size of the legislative council.*—In the opinion of this Government the legislative council should consist as nearly as possible of 100 members, a number which admits of the allotment of one member to each ordinary tahsil or taluq, which is about the area for which suitable candidates might be expected to be forthcoming. Further, this number, which roughly is double that of the present number of elected members, can be accommodated in the present legislative council building with suitable alterations. For any much larger number a new building would have to be erected, which is out of the question during the present financial crisis.

4. *Special interests and second chamber.*—The representation of special interests may be considered suitably with the question about the need for a second chamber, because if there is to be no second chamber, the interests, which normally would be represented in it, will have to be considered in framing the constitution of a single chamber. In paragraph 7 of Mr. Gordon's letter No. R-15-IV, dated the 12th August 1930, regarding the proposals of the Statutory Commission, it has been explained that there is no material in this province from which a second chamber could be manned, whilst, even if there was, the resulting expense could not be met. At present such larger landholders as there are have three special representatives in the legislative council. This Government considers that this weightage should be maintained, and would allot four seats for the purpose, one for each Commissioner's division, and would fill them as at present by election. Apart from these the special interests which require or might require representation are the following :—

(1) the depressed classes ;

(2) Europeans and Anglo-Indians ;

(3) Muhammadans ;

(4) women ;

(5) commerce and industry ;

(6) aboriginal tribes ;

(7) Indian Christians ;

(8) the University ;

(9) Zamindari and Jagirdari estates ;

(10) labour.

The depressed classes require representation. Their case is dealt with later under the appropriate head of the questionnaire, where it is proposed to reserve 10 seats for them.

At present there is one nominated member of the European and Anglo-Indian communities. With the enlarged chamber proposed

Government considers that these communities might return two members. These members should be elected and not nominated as at present, and a separate electorate should be formed for them.

For Muhammadans, who number 682,000 or 4 per cent. of the population, this Government proposes 10 seats, a number which reduces slightly their existing weightage of 7 out of 55 elected seats. In the absence of any settlement of the communal question provision should be made for separate electorates.

At present women are not represented specially, and depend for their representation on the goodwill of the Governor. They should be represented, and proposals are made below under head 3 (*c*) of the questionnaire for 3 seats for them by co-option by the legislature. The alternative is nomination by the Governor to such extent as may be necessary to compensate for their failure, if they do fail, to obtain a sufficient number of seats through direct election.

It is difficult to foresee exactly the extent to which the wealthier interests, such as commerce and industry, will obtain representation through the general constituencies. Experience of the elections under the present system has shown that they secure adequate representations. Accordingly this Government proposes no special representation for them beyond what they may secure from the Governor's nomination, though it is not averse from making special provision, if this course is followed in other provinces.

The aboriginal tribes inhabiting the extensive forest areas of this province number 1,351,615 or 9 per cent. of the total population. They are an extremely backward community, and cannot expect to obtain any representation at all through the general constituencies. They should have a spokesman, and, as no method of electing him is possible, provision should be made by which the Governor can nominate a suitable person.

The Indian Christian community numbers in round figures 40,000, but is so scattered that no district contains more than 5,635. No clash of interests between it and the Hindu community has arisen, nor has it suffered any disadvantage from being included with the general constituencies. Accordingly no special representation is proposed. Should any special representation be found desirable at any particular crisis the Governor may be trusted to exercise the power of nomination, which it is proposed should be vested in him, to secure it.

At present the Nagpur University elects one member, but this representation should be discontinued as the constituency fails normally to return a representative of learning.

At present the inhabitants of certain zamindari and jagirdari estates are represented in the Council by a nominated member, as these estates and the other areas specified in paragraph 13 of this Government's memorandum prepared for the Statutory Commission are excluded from the existing constituencies. No justification exists for their continued

exclusion, and they are in fact as advanced as some other parts of the province which are enfranchised. It is proposed, therefore, to include them in the general rural constituencies, and to discontinue their special representation.

There remains labour. At present it has a special representative, who is nominated by the Governor. For want of any single person, who would be suitable, from amongst the labouring classes themselves, it has been found necessary in practice to nominate a member of the educated classes having an interest in labour problems. The arrangement is not satisfactory and should be discontinued. Instead, labour should get its representation by election to the extent of 10 seats from amongst the depressed classes, as explained at the commencement of this paragraph and under head 5 of the questionnaire.

5. *Summary of proposals for special representation.*—To sum up, the proposals of this Government with regard to special representation extend to the larger landlords (4 seats), the depressed classes, covering also labour (10 seats), Europeans and Anglo-Indians (2 seats) and Muhammadans (10 seats), and all by some form of election. It is also suggested that women should have 3 seats under a system of co-option by the legislature. Other special interests should be covered by a power of nomination vested in the Governor extending to 3 seats, one of which by convention should be filled by a spokesman for the aboriginal tribes. Further, should it be found impossible to arrange for filling 3 seats with women under a system of co-option by the legislature, the Governor should nominate up to 6 instead of 3 seats, it being understood that he would fill up to 3 with women to the extent necessary to compensate for their failure, if they did fail to obtain a sufficient number of seats through direct election.

6. *Extension of the franchise.*—I am now to take the Franchise Committee's questionnaire in detail.

*Head I (a) of the questionnaire.*—A general increase in the electorate must be based on the principles now in force, with such lowering of property qualifications as will produce an electorate of the size required. In the existing state of education in this province an educational qualification, which may well be added on its own merits, will not enfranchise a sufficient number of persons to produce the volume of voters needed. Moreover, this Government is opposed fundamentally to the introduction of any separate qualification for women, a point which is made to greater detail below. Therefore no very large volume of women voters would be added to the roll. Statistics collected for the Southborough Committee have been examined. These are not very accurate owing to the lapse of time since they were collected, and to the fact that there have been several resettlements of land revenue, by which the land revenue generally, and therefore the number of payers of any selected sums as land revenue or rent, have been increased. Taking the statistics, however, as they stand, certain tentative conclusions may be formed. The statistics show that in 1918-19 there were 1,265,000 persons paying land revenue or rent in excess of Rs. 10 per annum. The population of the province (excluding the feudatory states) was at the census of 1931, 15,507,723, of which the

population within municipal limits was 1,388,637, leaving a rural population of 14,119,086. If allowance is made for the undoubted rise in the number of persons paying land revenue or rent, it would appear that the adoption as a franchise qualification of the payment of Rs. 10 or more as land revenue or rent would produce a rural electorate, approximating very closely to 10 per cent. It is also proposed to add two additional qualifications :—

(*i*) *An Educational Qualification.*—All persons who hold the primary certificate of the educational department should be enfranchised. This certificate is obtained by all persons who have passed out of the fourth class in the primary vernacular school. The total number of persons in the province holding this certificate is 323,000, of whom it is estimated that over half obtained it within the last 10 years, and since the certificate is usually obtained at the age of 11-12 years, are not yet of age. A steady increase in the number may, however, be expected. For adults who are literate, and who wish to qualify for the franchise, Government would propose an examination of an equivalent standard, which would be held by the education department. This might be called the franchise test.

(*ii*) *A Village Office Qualification.*—At present the lambardar (or the representative of the landlords) in the Central Provinces, and in Berar a watandar patel (hereditary village revenue officer) and a watandar patwari (hereditary village accountant) and the hereditary deshmukh and deshpande (old pergana official) are enfranchised. In future all village officials should be given a vote. This amendment would affect mainly the village watchman, who is almost invariably of the depressed classes. The number of voters added would be small ; not much more than 50,000.

*Head I (b) of the questionnaire.*—The education of the present electorate is far from complete, and though the rural population is shrewd enough when its own interests are closely concerned, it has little comprehension as yet of matters outside the district in which it resides, and is not able accurately to appreciate the effect of votes on the general administration of the province. This will be still more the case in the future. This Government, however, is unable to state that the decline in the general intelligence of the electorate would be pronounced.

*Head I (c) of the questionnaire.*—In the opinion of this Government, an electorate of 10 per cent. of the population would be manageable administratively, but not an electorate appreciably larger. Whatever exact figure is taken the strain put upon the district staff would be severe. With an electorate as large as 10 per cent. of the population, the average constituency would consist of about 25,000 voters, or even more, and a large district would contain 4 or 5 rural constituencies, and an urban constituency as well. It would be as well to be prepared for 15,000 voters in each constituency or 60 per cent. of the total. To poll 15,000 votes per constituency about 15 separate stations would be required presided over by a gazetted officer, if possible, and assisted by 4 or 5 clerks. Such a polling station would poll 1,000 votes in a day without

difficulty. Non-official agency could not be relied upon, as it is doubtful if popular opinion would accept it, and in any case the majority of suitable non-official gentlemen would themselves be busy in canvassing votes and other political activities. It would be necessary, therefore, to provide some 15 officials and 60 clerks or members of the subordinate land revenue staff. In a large district this would be possible, but an appreciably larger staff could not be provided. It follows that only one constituency could be polled at a time, and that after the polling was completed the staff would be required to move on to the next constituency where the process would be repeated. Also the votes cast would have to be counted very largely by the same staff. The elections in the district would have to be spread over a period of a fortnight or three weeks with great dislocation of normal work.

*Head I (1) (e) of the questionnaire.*—This Government does not consider that it would be possible administratively to enlarge the electoral roll much further than 10 per cent. Nor does it consider that it is at present desirable on other grounds to go beyond this figure. The present electorate has yet to complete its political education, and the vote is not yet valued by the large mass of the unenfranchised, who have not made any demand for their enfranchisement.

*Head I (1) (f) of the questionnaire.*—There is a difference of opinion in the Government about the group system or system of indirect election.

The Hon'ble Dr. Deshmukh is opposed to it strongly owing to the doubts he feels as to whether it would give any real political training to those who could be reached in no other way. For a long time to come the election of the secondary voters would be based on personal grounds and the voter would be elected because he had a position in the village as a man to be respected, and not because he understood politics or belonged to the party which the group wished to see in power. Again the primary voter would have no means of knowing how the secondary voter of his choice voted, and so judging whether his choice was right or wrong. Indeed, for a long time the group would not want to express any wish regarding the policies to be supported by the secondary voters. Further, until the vote became a valued possession, the secondary electors would be unlikely to take much interest in the election, and thus the primary voters would learn nothing from the elections. Finally, the primary selection of voters would become either an uninteresting formality, in which the candidates for the legislature would take no interest at all, and the issues of the election would never come before the primary voter, or such candidates would find themselves compelled to canvass the electorate twice, once at the primary election and the second time to keep the allegiance of the secondary voters selected to support him. The Hon'ble Dr. Deshmukh also points out that the conditions prevailing at present in district council elections support his view that issues at the primary and secondary elections would not be the same. At present the district council is elected by the members who succeed in securing election to the local boards. Each tahsil elects 10 to 15 members to the local board, and these with 3 or 4 nominated members elect the district council. Though the number of candidates is small, and it is quite

possible for each candidate to know the politics of the possible chairman of the district council, these policies are scarcely discussed in a local board election. Also certain practical difficulties would arise. In the first place the formation of the group would be a troublesome task, which would take up a disproportionate amount of the time of the district officials. Difficulties which would lead to numerous objections and appeals would arise through the grouping of castes together. In practice it would be impossible to form homogeneous groups by which a fair representation of interests could be secured. Again until parties have evolved, and only in Berar in this province is a beginning of party politics discernible, the interests to be represented would be far too numerous to admit of satisfactory representation. Scope would be given for undue influence in the formation of groups and discontent would result.

The Hon'ble Sir Arthur Nelson is inclined to support a combination of direct and indirect election, both for towns and rural areas, mainly on the ground that this will be the most convenient method of creating an electorate of manageable proportions. He considers that a scheme might be prepared which would increase the direct voters up to 5 per cent. of the total population, and would allow the remaining 90 per cent. of the adult population to elect roughly one other voter per hundred. He is not in favour of the group system, but would take the village or division of villages or towns as the unit. To each unit would be allotted a certain number of voters in proportion to its population, and the secondary voters would be added to the electoral roll of the constituency to which the village or town belongs. The Hon'ble Sir Arthur Nelson recognizes that the problem of devising an electoral procedure, which will not be open to grave abuses, is not easy of solution, but provided that finality at the election is insisted upon, and the hearing of objections is prohibited, he considers that it will not be beyond human ingenuity to devise a workable system.

The Hon'ble Mr. Raghavendra Rao and the Hon'ble Rai Bahadur Jaiswal share the view of the Hon'ble Dr. Deshmukh that no system of indirect election will be workable at present, though they realize that there is much to be said in favour of it, and think that it may become possible in the future. His Excellency the Governor is impressed by the need for securing enough good-will to work it before any system of indirect election is attempted. At present the idea is novel, and therefore disliked, and any system which is disliked is not likely to work well in practice. But signs are not wanting that public opinion is alive to the possibilities involved in the indirect method, and if the ventilation given to it by the Franchise Committee results in the creation of the proper atmosphere, His Excellency would welcome a mixture of direct and indirect election on the lines of the scheme of the Hon'ble Sir Arthur Nelson. In the meantime, as there is no unanimity, no reply can be made to the points of detail raised under heads I (*h*), (*i*) and (*j*) of the questionnaire.

*Head 2 (a) of the questionnaire.*—The question of the operation of the franchise qualifications in rural and urban areas has been dealt with in paragraphs 25 and 26 of this Government's memorandum prepared for

the Statutory Commission. In brief there is some disparity at present between the working of qualifications in urban and rural areas. But with the separation of the smaller towns from the rural constituencies, and the general lowering of the property qualification, the ill effects of the existing disparity will tend to disappear. The lowest urban and rural qualifications which it is proposed tentatively to adopt, are the payment of Rs. 12 house rent, or the assessment to an equivalent *haisiyat* tax in urban areas, and in rural areas the payment of Rs. 10 as land revenue or rent. The annual income of the townsman and the cultivator enfranchised will not differ very markedly, and may be estimated roughly as Rs. 120 to Rs. 130 and Rs. 140 to Rs. 170 per annum, respectively.

*Head 2 (b) of the questionnaire.*—This Government considers it quite impracticable to devise qualifications which will give a voting strength proportionate to its numbers to each community. Some idea of the difference in existing voting strength between the monied and labouring classes may be formed from the statistics given in paragraph 23 of this Government's memorandum for the Statutory Commission, and nothing short of adult suffrage could mitigate the disparity. The depressed classes, from which the labouring classes are drawn largely, must have inevitably a smaller proportionate voting strength, unless property qualifications, the recognized basis for the electoral system, are abolished, a step which is quite out of the question at the moment. So long, however, as each community has a reasonable representation in the chamber and an advance is made by which all classes have an increased opportunity of benefiting from the educative value of the vote, importance need not be attached to calculations of exact proportions of voting strength.

*Head 2 (c) of the questionnaire.*—This Government accepts the property qualification in the widest sense of the term as the most suitable, and indeed as necessarily the main qualification for the vote. It has been suggested above that the primary certificate should be added as an educational qualification, and that village officials should be enfranchised. These two qualifications between them would not enfranchise a number in excess of 1½ per cent. of the total population of the province. To obtain the remainder of the required electorate a much wider basis is needed and the property qualification is the only possible basis.

*Head 2 (d) of the questionnaire.*—The introduction of an educational qualification, and the suggestion that the primary school certificate of the educational department should be the qualification, have been made above. The primary certificate is the lowest standard for which a certificate is granted, and it is impossible to do without a definite clear cut standard, which could be proved or disproved in the event of dispute.

*Head 2 (e) of the questionnaire.*—So far as this province is concerned, there is no objection in principle to the retention of the military service qualification, or to its extension to include service in the Auxiliary or Territorial forces. The number at present so enfranchised is minute, and will never, so far as can be foreseen, be anything but small. On matters of detail no opinion need be offered.

*Head 3 (a) of the questionnaire.*—As a matter of principle, this Government is opposed to the formation either of separate electorates for women, or to the adoption of any differential qualifications, and considers that the same qualifications and constituencies should be prescribed for both sexes. If women desire to vote, as to which there is no real volume of evidence, it should be left to them, as in other countries, to obtain by constitutional agitation the right to own property separately from their husbands. The adoption of a separate qualification for women introduces an unsound principle which this Government is unable to approve. The same principles would apply to the indirect system of election.

*Head 3 (c) of the questionnaire.*—This Government envisages an ultimate position in which women will have obtained for themselves the position of equality with the other sex that they now enjoy in advanced countries, where their voting strength is equal approximataly to that of men. During the transitional period special methods of securing their representation in the legislative council would be appropriate, either by a system of co-option by the legislative council by the single transferable vote, or by nomination by the Governor. Reservation of seats is an unsuitable method of representation, as it is impossible to form appropriate constituencies when women form such a large minority. Whether co-option or nomination should be adopted, is a decision which this Government would be prepared to see, made in accordance with the weight of the evidence submitted by women to the Franchise Committee. Its own preference is for the system of co-option. The number of seats it proposes to allot in this province is 3.

*Head 4 of the questionnaire.*—Even with the increased electorates proposed, it is unlikely that the depressed classes will obtain any real representation. The number of voters which the qualifications proposed would enfranchise among the depressed classes would be a far smaller proportion than among the more advanced castes. Moreover, the effect of social feeling against them must be given full weight. On the whole, therefore, it would be hazardous to expect that the depressed classes would secure any real representation at the polls at all. In the present legislature, the depressed classes have 4 representatives by nomination and the member nominated to represent labour is also, in effect, their representative. If this number came roughly to be doubled, enough to secure these classes proper representation would have been done. No logical method to secure this result can be devised, and the only course is to choose some arbitrary method. This Government would propose, therefore, that 10 seats should be reserved for the depressed classes in plural constituencies. In order to secure that their representation shall be spread as widely as possible, and to avoid the formation of large unwieldy constituencies, it is proposed to allot these seats to ordinary rural constituencies, where the number of the depressed classes is large, by a simple system of rotation. As depressed classes, this Government would classify only those castes that are untouchable, and whose disabilities are a social and political handicap. To go outside this definition

means that there would be no other clear cut distinction, and almost every class, except the few really advanced, could claim that they were backward and needed special representation. At the past census great care has been taken to draw up as accurate a list as possible of the untouchable castes, and a note* showing the classification adopted by the census department is annexed to this letter.

*Head 5 of the questionnaire.*—In practice in this province the representation of labour is nearly the same as the representation of the depressed classes, from whose ranks in the main the labourers are drawn. For organized labour it would be impossible to form suitable constituencies, while the interests of unorganized labour will be adequately safeguarded by the liberal provision which has been proposed for the representation of the depressed classes.

*Head 5 (a) of the questionnaire.*—This has been covered by paragraph 4 of this letter.

7. *The federal legislature.—Head 6 (a) of the questionnaire.*—The proposal that the representatives of the provinces in the upper chamber of the federal legislature should be elected by the provincial legislative council is at first sight attractive, but is open to the objection that such a course might not produce in sufficient numbers the elder statesmen of which a second chamber should consist, and might reproduce too closely the lower legislative bodies. On the other hand the dominant party in the provincial council would need its authoritative spokesman in the revising chamber. In the circumstances this Government proposes a middle course, by which 3 out of the 7 seats allotted tentatively to the province would be filled by election by the provincial council. Of these, one should be filled from the Central Provinces and one from Berar, and one should be a Muhammadan. The remaining 4 seats should be filled by direct election on a restricted franchise. No detailed proposals have been prepared, but if the present electorate of 1,064 raised roughly to 2,500 by a lowering of the property qualification, 4 suitable constituencies could be formed; one for each Commissioner's division. For candidates for election to the upper chamber this Government would add a minimum age limit of 35 years, in order to exclude the less experienced. Otherwise it would retain the present rules.

*Head 6 (b) of the questionnaire.*—This Government is unable to lend support to any proposal by which the federal and provincial franchises would be fixed at the same level. Under such a system apart from other considerations, the constituencies would consist of over 100,000 voters, and be quite impracticable. Some widening of the basis of the franchise is, however, desirable and the basis to be adopted might be the existing franchise for the Legislative Council, the electorate of which is in round figures 200,000.

*Head 6 (c) of the questionnaire.*—Great as the administrative difficulties would be in a system of indirect election for the Legislative Councils, they are small compared with those that would arise in applying such a method to the far larger constituencies of the federal assembly. Nor is there any

* Page 259.

practical advantage in abandoning a system of direct election, which the public understands, in favour of one whose principal merit is that it would reach indirectly a far larger number, the large majority of whom would have no desire to vote on all-India questions. Assuming that the 12 seats tentatively allotted to the province are maintained, the constituencies that would be formed would cover half a Commissioner's division in area, and would contain an average of 17,000 voters each. The present constituencies are far larger actually in area, while the number of voters in the new constituencies would not be excessive. This Government would allot tentatively 10 seats to general constituencies and 2 to Muhammadans.

*Head 7 of the questionnaire.*—At present special representation in the Legislative Assembly is given to landlords and Muhammadans who have each one constituency. The landholders, whose interests are represented generally in the upper chamber, will not require a special constituency, which should now be discontinued. For the Muhammadans, this Government has proposed two seats, which maintains the existing proportion. There is no other local interest at present unrepresented which requires representation in the federal legislature.

8. *Qualifications of candidates.*—The only question remaining unanswered is that of the qualifications of candidates for the provincial legislature and for the federal assembly. The rules regarding qualifications of candidates for the legislative council are suitable generally and require no change. In particular the rules restricting candidates for general constituencies to residents within the districts, in which the constituency or a part of it lies, is salutary and should be kept. The present rules which admit as a candidate for the Legislative Assembly any person who is registered as a voter in any constituency for the provincial council is anomalous and this Government would substitute a provision requiring a candidate to be registered as a voter in any constituency for the federal assembly lying within this province. For the upper chamber, the retention of the existing rules, with an increased age limit, has been proposed above.

9. *Tentative scheme proposed.*—In conclusion I am to say that before formulating its views this Government put them to the test of practical application, and worked out complete schemes for its legislative council, and for its representation in the federal assembly, as shown in statements A and B* attached to this letter. Obviously these schemes are tentative in character, being based on the statistical data collected for the Southborough Committee in 1918-19. They will, however, serve to focus discussion, and are forwarded for the consideration of the Franchise Committee. A note† on the depressed classes is added to statement A. Copies of this letter, and of its enclosures, have been given to the members of the Provincial Franchise Committee and will be given to the witnesses, whose evidence may be called for by the Franchise Committee after they have perused the answers to their questionnaire.

* Pages 251 and 261, respectively. † Page 259.

## EXPLANATORY NOTE.

The Secretary of State has sanctioned the abolition of the Nerbudda Division and the three revenue districts of Seoni, Damoh and Narsinghpur, with effect from the 1st October 1931. These districts have been merged in the Chhindwara, Saugor and Hoshangabad districts, respectively, and a redistribution of divisions has been made as follows :—

| Nagpur Division. | Jubbulpore Division. | Chhattisgarh Division. |
|---|---|---|
| Nagpur, Wardha, Chanda, Chhindwara and Betul districts. | Jubbulpore, Saugor, Mandla, Hoshangabad and Nimar districts. | Raipur, Bilaspur, Drug, Bhandara and Balaghat districts. |

The area comprised in each of the abolished districts has been constituted an independent sub-division. In the scheme attached the constituencies are shown according to the new districts and divisions. The members for the old Nerbudda Division Urban and Muhammadan constituencies are shown half and half against the Jubbulpore and Nagpur Divisions.

The Berar Division, with its four districts of Amraoti, Akola, Buldana and Yeotmal has remained unchanged.

## STATEMENT A.

*Proposed constitution of the Central Provinces Legislative Council.*

I.—GENERAL DISTRIBUTION.

| | Existing. | Proposed. |
|---|---|---|
| *Non-Muhammadan Urban Constituencies—* | | |
| Nagpur Division .. .. .. .. | 1½ | 2 |
| (*a*) Nagpur district-*cum*-Chhindwara and Betul .. | .. | .. |
| (*b*) Wardha and Chanda districts .. .. | .. | .. |
| Nagpur-*cum*-Kamptee (plural constituency) .. | 2 | 2 |
| Jubbulpore Division .. .. .. .. | 1½ | 2 |
| (*a*) Saugor, Jubbulpore-Mandla districts.. .. | .. | .. |
| (*b*) Hoshangabad and Nimar districts .. .. | .. | .. |
| Jubbulpore City and Cantonment .. .. | 1 | 1 |
| Chhattisgarh Division .. .. .. .. | 1 | 1 |
| Berar .. .. .. .. .. | 2 | 2 |
| Total .. | 9 | 10 |
| *Non-Muhammadan Rural Constituencies—* | | |
| Nagpur Division .. .. .. .. | 8 | 13 |
| Jubbulpore Division .. .. .. .. | 8 | 16 |
| Chhattisgarh Division .. .. .. .. | 6 | 11 |
| Berar .. .. .. .. .. | 10 | 18 |
| Total .. | 32 | 58 |
| *Muhammadan Constituencies—* | | |
| Nagpur Division, urban and rural .. .. | 1½ | 3 |
| Jubbulpore Division, urban and rural .. .. | 1½ | 2 |
| Chhattisgarh Division, urban and rural .. .. | 1 | 1 |
| Berar, urban .. .. .. .. .. | 1 | 2 |
| Berar, rural .. .. .. .. .. | 2 | 2 |
| Total .. | 7 | 10 |

## STATEMENT A—*contd.*

### I.—GENERAL DISTRIBUTION—*contd.*

| | Existing. | Pro posed. |
|---|---|---|
| *Special Interests*— | | |
| Central Provinces and Berar Landholders .. .. | 3 | 4 |
| Anglo-Indians and Europeans .. .. .. | 1* | 2 |
| Depressed classes (reserved seats) .. .. | 5† | 10 |
| Commerce and Industry.. .. .. .. | 3 | 0 |
| Inhabitants of Zamindari and Jagirdari Estates .. | 1 | 0 |
| University .. .. .. .. .. | 1 | 0 |
| Nomination, allocation unspecified ‡ .. .. | 1 | 6 |
| Two members of the Executive Council .. .. | 2 | 0 |
| Officials .. .. .. .. .. | 8 | 0 |
| Total .. | 73 | 100 |

* Nominated.

† Nominated including 1 labour representative.

‡ If co-option for women is adopted this figure will be reduced to 3 and three seats will be allotted to women.

### II.—DETAILED DISTRIBUTION.

*Non-Muhammadan Urban Constituencies (10).*

| | Population. | Voters in thousands assuming Rs. 12 annual rental payment to be the qualification. |
|---|---|---|
| *Nagpur Division (4)*— | | |
| Nagpur-*cum*-Kamptee (2 members) .. .. | 241 | 40 |
| Wardha, Chanda (1) .. .. .. | 82 | 16 |
| Nagpur-*cum*-Chhindwara and Betul .. | 126 | 11·5 |
| *Jubbulpore Division (3)*— | | |
| Jubbulpore Town and Cantonment (1) .. | 85 | 15·1 |
| Saugor, Jubbulpore, Mandla districts (1) .. | 87 | 14 |
| Hoshangabad and Nimar districts (1) .. | 98 | 20 |
| *Chhattisgarh Division (1)*— | | |
| Chhattisgarh Division urban .. .. | 165 | 17·1 |
| *Berar (2)*— | | |
| East Berar (Akola and Buldana) .. .. | 116 | 25·2 |
| West Berar (Amraoti and Yeotmal) .. | 151 | 28·8 |
| Total .. | 1,151 | 187·7 |

## STATEMENT A—*contd.*

### II.—DETAILED DISTRIBUTION—*contd.*

*Non-Muhammadan Rural Constituencies (58).*

| Division. | District and Constituency. | Population in thousands. | Voters in thousands Rs. 10 qualification. |
|---|---|---|---|
| | *Nagpur District (5)* | | |
| Nagpur (13) .. | Nagpur .. .. .. | 131 | 19 |
| | Katol .. .. .. | 142 | 17 |
| | Saoner .. .. .. | 102 | 17 |
| | Ramtek .. .. .. | 135 | 21 |
| | Umrer .. .. .. | 136 | 21 |
| | | 700 | 95 |
| | *Wardha District (2).* | | |
| | Wardha tahsil .. .. | 205 | 25 |
| | Hinganghat and Arvi tahsils .. | 286 | 32 |
| | | 491 | 57 |
| | *Chanda District (2).* | | |
| | Chanda and Warora tahsils .. | 363 | 16 |
| | Rest of district .. .. | 368 | 12½ |
| | | 731 | 28½ |
| | *Chhindwara District (3).* | | |
| | Chhindwara and Amarwara .. | 354 | 25·4 |
| | Sausar .. .. .. | 171 | 13·3 |
| | Seoni sub-division .. .. | 379 | 42 |
| | | 963 | 80 |
| | *Betul District (1).* | | |
| | Betul .. .. .. | 406 | 25 |

## STATEMENT A—*contd.*

### II.—DETAILED DISTRIBUTION—*contd.*

*Non-Muhammadan Rural Constituencies*—contd.

| Division. | District and Constituency. | Population in thousands. | Voters in thousands Rs. 10 qualification. |
|---|---|---|---|
| | *Jubbulpore District (4).* | | |
| Jubbulpore (16) | Sihora .. .. .. | 196 | 24·8 |
| | Murwara* .. .. .. | 175 | 10·8 |
| | Jubbulpore .. .. | 144 | 17·3 |
| | Patan .. .. .. | 110 | 20 |
| | | 625 | 72·9 |
| | *Saugor District (4).* | | |
| | Saugor tahsil-*cum*-Khurai .. | 266 | ‡44·5 |
| | Hatta-*cum*-Banda .. .. | 193 | 24·1 |
| | Rehli .. .. .. | 148 | 21·5 |
| | Damoh .. .. .. | 170 | 23·2 |
| | | 780 | 115·8 |
| | *Mandla District (1).* | | |
| | Mandla .. .. .. | 445 | 25 |
| | *Hoshangabad District (5).* | | |
| | Narsinghpur .. .. | 164 | 27 |
| | Gardarwara .. .. | 157 | 26 |
| | Sohagpur .. .. | 138 | 18·7 |
| | Hoshangabad .. .. | 141 | 17·0 |
| | Seoni-Malwa-*cum*-Harda† .. | 207 | 32·1 |
| | | 807 | 121 |
| | *Khandwa District (2).* | | |
| | East and West of headquarters | 387 | 43·3 |

* Alternatively Sihora-Murwara (2 members).
† Alternatively Seoni-Malwa-*cum*-Hoshangabad.
‡ Urban representation big.

## STATEMENT A—*contd.*

### II.—DETAILED DISTRIBUTION—*contd.*

*Non-Muhammadan Rural Constituencies*—contd.

| Division. | District and Constituency. | Population in thousands. | Voters in thousands Rs. 10 qualification. |
|---|---|---|---|
| | *Raipur District* (3). | | |
| Chhattisgarh (11) | Raipur and Dhamtari .. | 496 | 27·7 |
| | Bolada Bazar and Mahasamund | 368 | 16·4 |
| | Mahasamund .. .. | 615 | 17·1 |
| | | 1,479 | 61·2 |
| | *Bilaspur District* (2). | | |
| | Bilaspur and Mungeli .. | 636 | 27·4 |
| | Katghora and Janjgir .. | 714 | 16·0 |
| | | 1,350 | 43·4 |
| | *Drug District* (2). | | |
| | Drug, North and South .. | 817 | 59 |
| | *Bhandara District* (2). | | |
| | Bhandara tahsil .. .. | 252 | 23 |
| | Gondia-Sakoli tahsils .. | 558 | 26·3 |
| | | 810 | 49·3 |
| | *Balaghat District* (2). | | |
| | Waraseoni .. .. | 265 | 23 |
| | Baihar and Balaghat .. | 295 | 17 |
| | | 460 | 40 |

STATEMENT A—*contd.*

II.—DETAILED DISTRIBUTION—*contd.*

*Non-Muhammadan Rural Constituencies*—concld.

| Divisions. | District and Constituency. | Population in thousands. | Voters in thousands Rs. 10 qualification. |
|---|---|---|---|
| | *Amraoti District (5).* | | |
| Berar (18) .. | Amraoti taluq .. .. | 170 | 20·7 |
| | Chandur taluq .. .. | 209 | 19·8 |
| | Ellichpur taluq-*cum*-Melghat .. | 179 | 18·0 |
| | Daryapur taluq .. .. | 138 | 21·1 |
| | Morsi taluq .. .. | 167 | 19·3 |
| | *Yeotmal District (4).* | | |
| | Yeotmal taluq .. .. | 143 | 8·6 |
| | Kelapur taluq-*cum*-Wun taluq | 302 | 10·4 |
| | Darwha taluq .. .. | 201 | 12·5 |
| | Pusad taluq .. .. | 188 | 10·9 |
| | *Akola District (5).* | | |
| | Akola .. .. .. | 136 | 22·5 |
| | Akot taluq .. .. .. | 153 | 21·5 |
| | Balapur taluq .. .. | 112 | 16·1 |
| | Basim taluq-*cum*-Mangrulpir taluq. | 292 | 28·1 |
| | Murtizapur taluq .. .. | 116 | 15·5 |
| | *Buldana District (4).* | | |
| | Chikhli taluq .. .. | 168 | 17·3 |
| | Mehkar taluq .. .. | 167 | 17·2 |
| | Jalgaon taluq-*cum*-Khamgaon taluq. | 214 | *31·0 |
| | Malkapur taluq .. .. | 159 | 19·2 |
| | Total .. | 3,135 | 329·7 |

* Big urban representation.

## STATEMENT A—*contd.*

### SEPARATE CONSTITUENCIES.

*Muslims (10).*

| | Population in thousands. | Total number of voters in thousands. |
|---|---|---|
| Nagpur district (1) .. .. .. | 53 | 8·2 |
| Chhindwara and Betul districts (1) .. .. | 45 | 3·1 |
| Chanda and Wardha districts (1) .. .. | 34 | 4·7 |
| Jubbulpore, Saugor and Mandla districts (1) .. | 89 | 9·7 |
| Hoshangabad and Nimar districts (1) .. .. | 85 | 11·4 |
| Chhattisgarh (1) .. .. .. | 72 | 8·8 |
| Berar 1 per district (4)— | | |
| Amraoti .. .. .. .. | 86 | 8·5 |
| Akola .. .. .. .. | 89 | 8·7 |
| Buldana .. .. .. .. | 79 | 5·8 |
| Yeotmal .. .. .. .. | 52 | 2·5 |

## SPECIAL INTERESTS.

### CENTRAL PROVINCES AND BERAR.

*Landholders (4).*

| 1 per division. | No. of Voters. |
|---|---|
| Nagpur Division .. .. .. .. | 107 |
| Jubbulpore Division .. .. .. .. | 181 |
| Chhattisgarh Division .. .. .. .. | 98 |
| Berar Division .. .. .. .. | 580 |
| Total .. | 966 |

| | Population in thousands. |
|---|---|
| *Anglo-Indians and Europeans (2).* | 10 |

## STATEMENT A—*contd.*

### Reserved Seats for Depressed Classes.

Ten seats are provided for depressed classes by the reserved seat in plural constituency method. The reserved seats will be allotted in rotation to the constituencies shown together below.

| Division and constituencies. | Population in thousands depressed classes. | Total population. |
|---|---|---|
| *Nagpur Division.* | | |
| Umrer tahsils in rotation with .. .. | 42 | 136 |
| Nagpur tahsil; and .. .. .. | 33 | 135 |
| Katol tahsil .. .. .. .. | 27 | 148 |
| Wardha tahsil in rotation with .. .. | 79 | 205 |
| Chanda and Warora tahsils constituency .. | 71 | 363 |
| *Jubbulpore Division.* | | |
| Khurai-Saugor tahsil constituency alternating with | 76 | 266 |
| Damoh tahsil constituency .. .. .. | 42 | 170 |
| Seoni-Malwa-*cum*-Harda constituency alternating with | 38 | 207 |
| Hoshangabad tahsil .. .. .. | 22 | 141 |
| *Chhattisgarh Division.* | | |
| Mahasamund tahsil constituency alternating with | 113 | 615 |
| Janjgir-Katghora tahsils constituency .. | 175 | 515 |
| Raipur-Dhamtari constituency alternating with | 111 | 496 |
| Bilaspur-Mungeli constituency .. .. | 187·2 | 636 |
| Drug (North) alternating with .. .. | 96 | 400 |
| Gondia-Sakoli constituency .. .. .. | 150 | 558 |

## STATEMENT A—*concld.*

### RESERVED SEATS FOR DEPRESSED CLASSES—*contd.*

| Division and constituencies. | Population in thousands depressed classes. | Total Population. |
|---|---|---|
| *Berar Division.* | | |
| Amraoti taluq in rotation with .. .. | 43 | 170 |
| Chandur taluq ; and .. .. .. | 44 | 209 |
| Daryapur taluq .. .. .. .. | 31 | 138 |
| Akola taluq in rotation with .. .. .. | 35 | 136 |
| Darwha taluq ; and .. .. .. | 38 | 201 |
| Pusad taluq .. .. .. .. | 35 | 188 |
| Chikhli taluq in rotation with .. | 38 | 168 |
| Mehkar taluq ; and .. .. .. | 38 | 167 |
| Malkapur taluq .. .. .. .. | 39 | 159 |

### Note on the Definition of Depressed Classes.

At this Census only those castes regarded as untouchable were included in the definition " Depressed Classes ". The total number thus enumerated in the Central Provinces and Berar (excluding Central Provinces States), was 2,965,490, which represents the sum of the figures for the various castes regarded as untouchable in each district. It may be noted that there are only 9 castes held to be untouchable throughout the province. The attitude to backward castes varies from district to district and various other castes are regarded as untouchable in certain groups of districts or sometimes only in isolated districts.

2. The census classification of the depressed classes was the result of correspondence with district authorities and investigations extending over a period of 18 months. It is recognized that in some cases the classification may be criticised even now, but it may probably be regarded as more accurate than any others made up to date. A few minor castes have been omitted. The figures for these are negligible and generally were made up by members of depressed classes from other provinces who have migrated in small numbers into the Central Provinces.

3. For ready reference a complete list of the depressed classes is given below :—

(1) Castes regarded as untouchable throughout the Central Provinces and Berar :—

Mehra or Mahar, Basor or Burud, Mehtar or Bhangi, Dom, Chamar, Satnami, Mochi, Ganda and Mang.

(2) Castes regarded as untouchable throughout the Jubbulpore and Nerbudda Divisions :—

Kori, Mala, Balahi, Madgi.

(3) Castes regarded as untouchable throughout the Nagpur and Berar Divisions :—

Balahi, Madgi, Pradhan, Ghasia, Katia, Panka, Khatik, Kaikari, Dohor.

(4) Castes regarded as untouchable throughout the Chhattisgarh Division :—

Ghasia, Katia, Panka, Dewar.

(5) Additional castes regarded as untouchable in certain districts not included above :—

Panka (Saugor, Damoh, Chhindwara).

Katia (Saugor, Hoshangabad, Nimar, Betul, Chhindwara).

Khatik (Saugor, Hoshangabad, Chhindwara).

Dhobi (Saugor, Damoh, Hoshangabad, Chhindwara, Bhandara, Raipur, Bilaspur, Buldana).

Khangar (Saugor, Damoh, Bhandara).

Chadar (Saugor, Damoh, Bhandara).

Dhanuk (Saugor).

Kumhar (Saugor, Damoh, Hoshangabad, Bhandara and Buldana).

Dahayat (Damoh).

Nagarchi (Mandla, Seoni, Chhindwara, Nagpur, Bhandara, Balaghat, Raipur, Bilaspur, Amraoti).

Ojha (Saugor, Hoshangabad, Bhandara, Balaghat).

Pardhi (Narsinghpur).

Rajjhar (Hoshangabad).

Pardhan (Nimar, Chhindwara, Raipur).

Holiya (Bhandara, Balaghat).

Kori (Bhandara, Raipur, Amraoti, Buldana).

Audhelia (Bilaspur).

Chauhan (Drug).

Khanjar (Hoshangabad, Narsinghpur).

Koli (Chanda, Bhandara, Buldana).

Jangam (Bhandara).

Bedar (Amraoti, Akola, Yeotmal).

Bahana (Amraoti).

## STATEMENT B.

**Proposed Central Provinces constituencies in the Federal Assembly based on present Franchise for Legislative Council.**

| | Population in thousands. | Voters in thousands. |
|---|---|---|
| 1. Nagpur Division—Urban .. .. | 528 | 16 |
| 2. Nagpur-Chhindwara-Betul .. .. | 1,924 | 18 |
| 3. Chanda-Wardha .. .. .. | 1,131 | 10 |
| 4. Jubbulpore, Saugor and Mandla districts .. | 1,808 | 18 |
| 5. Hoshangabad and Nimar .. .. | 1,263 | 17 |
| 6. Drug, Bhandara and Balaghat .. .. | 2,126 | 15 |
| 7. Bilaspur and Raipur .. .. .. | 2,810 | 10 |
| 8. Berar—Urban .. .. .. .. | 522 | 12 |
| 9. Berar East—Rural .. .. .. | 1,790 | 16 |
| 10. Berar West—Rural .. .. .. | 1,483 | 22 |
| *Muhammadans.* | | |
| 11. Central Provinces .. .. .. | 382 | 10 |
| 12. Berar .. .. .. .. | 299 | 7 |

## II

### Memorandum by the Central Provinces Provincial Franchise Committee.

The Franchise Committee of the Central Provinces desire to submit their answers to the points raised in the questionnaire of the Indian Franchise Committee.

Before setting out their reply in detail the members of the committee desire to express their appreciation of the opportunity that has been offered to them of making their contribution towards the solution of one of the important problems that must be solved before an advance can be made with constitutional reform.

2. This province is one in which there is the greatest variety of local conditions. Historically it has been the meeting ground of three different Aryan races, coming from the north, north-east and the west, who have brought with them their distinctive system of agriculture, and have gradually driven the aboriginal population back into the wilder and more remote parts of the province, where they form a separate and distinct section of the population.

Great difference also exists in the political progress of the various parts of the province, and every intermediate stage will be found between the backwardness of the aboriginal tribes, who have hardly yet been reached by education at all, and the progressiveness of the Marathi-speaking population of the south-west part of the province who are one of the most advanced communities in India. Opinions naturally differ as to the pace at which this heterogeneous population should advance to the accepted goal of adult franchise. It must not be supposed therefore that all members of the committee who have signed the majority report necessarily approve the details of every point on which a reply must be made to the questionnaire. Some have accepted the report, because they believe that the proposals represent accurately the exact degree of advance which should now be made; while others, who are inclined to think that a further advance than that proposed is justified, hesitate to press their opinion in face of the great difficulties which will confront not only the administrative authorities but also future candidates in dealing with so large an electorate.

3. *Scope of the enquiry.*—In addition to the points raised in the questionnaire the committee have been asked to prepare their preliminary views upon four questions:—

(*a*) the size of the legislative council;

(*b*) the representation of special interests;

(*c*) the qualification of candidates; and

(*d*) the need for a second chamber in the provincial legislature.

It will be convenient to deal with the first two of these points before proceeding to the main questionnaire.

4. The committee would fix the size of the chamber as nearly as possible at 110 members, a number which is double the present number of elected members. This is the smallest advance upon the present constitution of the council that the majority of members of the committee are prepared to accept. After the various minorities and special interests for which the committee think that representation is necessary have been provided for, room is left for about 85 general constituencies. This number has the merit of providing a rural constituency generally for nearly every advanced or moderately advanced tahsil or taluq of the 82 into which the province is sub-divided, in addition to the 12 urban constituencies which the committee consider should be formed.

5. *Representation of Special Interests.*—The committee have considered in detail the various special interests which might require representation. These are—

(*a*) Muhammadans ;
(*b*) the depressed classes and labour ;
(*c*) women ;
(*d*) Anglo-Indians ;
(*e*) Indian Christians ;
(*f*) aboriginals ;
(*g*) commerce and industry and mining ;
(*h*) landholders ; and
(*i*) the University.

For women, the depressed classes and labour, the recommendations of the committee will be found in detail under the appropriate heads of the questionnaire. It will suffice to state here that five seats have been proposed for women and eleven for the depressed classes.

The representation of Muhammadans raises the vexed question of communal electorates, into a lengthy discussion of which the committee do not desire to enter. For the purpose of calculating the size of the Chamber the Committee has assumed five seats for Muhammadans pending the settlement of the communal question.

For Anglo-Indians, the committee would allot one seat, but for the present practice of nomination they would substitute election by any convenient system that the community favoured. A special constituency would be necessary as the community is concentrated in a few small centres, which could not suitably be included in other constituencies.

The Indian Christian community numbers in round figures 40,000 but is very scattered, and no district contains more than 5,635. The committee consider that this community should have one member, but in view of the difficulty in devising a suitable constituency, the committee think that their representative should be nominated.

The aboriginal tribes, who inhabit the extensive forest areas of the province, number 1,352,000 or 9 per cent. of the population, and are one

of the most backward communities in the country. They could not be expected to return any representative through the general constituencies, nor could any one be found in their own ranks to represent them. In these circumstances two members should be nominated as their representatives. No objection need be raised to the nomination of an official if difficulty should arise in finding a suitable non-official.

For the remaining interests, commerce and industry, the landholders and the University, the committee does not consider that special representation is necessary at all. Experience of the elections under the present constitution shows that the wealthier and the better educated classes obtain proportionately higher representat on than other classes. Thus the committee consider that these interests will secure adequate representation in the general constituencies.—

To sum up, the committee propose—

5 seats for Muhammadans;

11 seats for the depressed classes;

5 seats for women;

1 seat for Anglo-Indians;

1 seat for Indian Christians; and

2 seats for the aboriginal tribes.

In all 25 seats.

6. *Extension of the franchise.*—The committee now turn to the points raised in the main questionnaire.

*Head I (a) of the questionnaire.*—The most practical method of obtaining a largely increased electorate is by the lowering of the existing property qualifications. This method alone would provide the majority of voters which are required, for an educational test (if such be added on its merits) will not in the present state of education produce a number in excess of 1 per cent. of the total population. Nor in the view which the committee take of the problem of women's franchise, will the addition be made of a large number of women to the electoral roll. The committee have had the advantage of seeing an analysis of the figures prepared at the time of Lord Southborough's Committee, and on this data propose tentatively that the property qualification be lowered to the following extent:—

(*a*) all persons paying land revenue or rent (other than sub-rent) not less than Rs. 10 per annum should be enfranchised;

(*b*) persons owning or occupying house property in urban areas, the rental value of which is taken for purposes of municipal taxation at Rs. 12 per annum in the poorer and Rs. 18 per annum in the richer municipal areas, should be enfranchised.

In the few municipalities where the house rental valuation is not the basis of taxation an equivalent haisiyat tax assessment would have to be worked out. This might be taken as some figure round about

Rs. 160 per annum until the details have been examined. The number of voters thus brought on the roll would be in round figures—

1,350,000 in rural areas,

200,000 in urban areas, or in all,

1,550,000, which is 10 per cent. of the total population of the province.

In addition the committee consider that an educational qualification should be introduced and would propose to adopt the primary certificate granted by the educational department to all who pass out of the 4th vernacular class. This is the lowest practical standard, and some definite standard capable of proof or disproof must be fixed. The actual number that would be enfranchised by such a test will not be very large, for though the total number of persons ascertained at the last census as holding the primary certificate was 323,000, many of these are still under age and a large number which cannot be exactly ascertained also have the property qualification sufficient to entitle them to a vote. For adult literates who do not hold this certificate, the committee would favour an equivalent standard, the details of which they have not examined.

*Head I (b) of the questionnaire.*—The committee do not consider that an electorate enlarged to include 10 per cent. of the total population would be incapable of casting an intelligent vote. The difference in intelligence between a tenant of land paying Rs. 50 as rent and a tenant paying Rs. 10 is likely to be small. Though the present electorate has yet to complete its political education and does not realize the power the vote has put in its hands, the course of the last ten years has seen an advance. The village population is shrewd enough where its own immediate interests are concerned, and time and the educative power of the vote will produce a less parochial outlook.

*Head I (c) of the questionnaire.*—The committee consider that an electorate of 10 per cent. to 15 per cent. will be administratively manageable, but have grave doubts whether this would still hold good, if an electorate larger than this was formed. With an electorate amounting to from 10 per cent. to 15 per cent. of the total population the average constituency would contain 25,000 voters, of whom generally not more than 15,000 may be expected to vote. In individual constituencies a larger percentage of the electorate might come to the poll, but 60 per cent. may be taken for general purposes as the largest number for which provision would generally be required. Arrangements would be necessary in the ordinary constituency for about 15 polling stations, able to poll about 1,000 votes in a day. If some delegations were made of the duties of presiding officers to polling officers, the committee consider that about 1,000 votes could be polled at one station in a day. In all about 15 presiding officers should be available from among the officers of all departments in the district, while it should not be impossible to get together 60 clerks or members of the subordinate land revenue staff

to act as polling officers. Even with this staff no more could be attempted than one rural constituency at a time, and when that was finished, the staff would move on to the next constituency. Largely the same staff would have to be employed in counting the votes cast, and an election in a large district would take about 3 weeks or more to complete, with considerable dislocation of all other work. Quite apart from the administrative difficulties that would arise, candidates would find themselves hard put to it to get into touch with even the leading persons in each local area. Circularizing the electorate would be prohibitively expensive, even if circulars were understood, and the usual arrangements by which the incapacitated and the elderly are brought to the poll in motor cars would scarcely be possible. The difficulties to be expected arise mainly out of the actual election, and no insuperable obstacles are anticipated in the preparation and maintenance of the electoral rolls. Extra staff may be required for short periods for this purpose, but this will be forthcoming, and the committee are confident that the legislative council will vote the necessary funds.

*Head I (d) of the questionnaire.*—Does not arise.

*Head I (e) of the questionnaire.*—The committee regard an increase of the direct franchise to between 10 and 15 per cent. of the total population as the furthest limit which can be regarded as practicable. No larger electorate could be managed by the administrative staff, or be sufficiently accessible to candidates. Those who wish a further extension of the franchise recognize that a combination of direct and indirect methods is inevitable.

*Head I (f) of the questionnaire.*—The committee are nearly equally divided on the question of whether an indirect system of franchise should be introduced or not. The committee are agreed that the direct franchise is preferable to the indirect, and that the direct franchise should be enlarged as far as that course is administratively possible. Views diverge, however, as to the extent to which the direct franchise should go, and whether it should be supplemented by a system of indirect franchise or not.

An experienced and weighty body of opinion inclines to the view that the objections to the system of indirect franchise are insuperable, and would oppose the introduction of the system. The objections foreseen are, firstly, that the formation of groups in the manner outlined in the Franchise Committee's questionnaire is almost impossible. But briefly, their view is that supervision of the formation of groups is impossible with the existing staff and that the expense of the employment of a special staff for so lengthy an operation is prohibitive. Without supervision serious abuses are likely to arise and there are good grounds to fear that grouping will not be carried out in the manner best calculated to give representation to the various interests, or to do justice to the comparative strength of parties when these are evolved. On the contrary, this section of the committee apprehends that the grouping will be carried out at the dictation of some influential person, to produce exactly

the reverse results. Further, even if these fears should prove to be groundless, the objection remains that the primary elector will have little or no hold over his secondary elector, with the result that he is likely to remain totally indifferent ; in this case there will be little or no advance in the political education of the mass of the population, which it is the main purpose of the system to promote.

Another body of opinion, commanding no less respect, recognizes the objections to the system but would accept a system of direct franchise a little less generous, and would supplement it by an indirect enfranchisement of the rest of the adult population. This section of the committee is impressed by the necessity of approaching as near as possible to the goal of adult franchise at the present revision and would be prepared to attempt to work such a system in a spirit of good will as the best course immediately practicable. They consider that the objections raised, of which they recognize the force, are outweighed by the fact that such a system would be transitory. In the absence of any general agreement the committee have been unable to proceed with the task of putting a mixed system into practical shape and it has only been found possible to outline two main principles. The first is that the group must necessarily be much larger than that tentatively suggested by the Indian Franchise Committee and the second that all adults of both sexes should be included. No answer can be made to the points of detail raised in heads 1 (*h*), 1 (*i*) and 1 (*j*) of the questionnaire

*Head 2 (a) of the questionnaire.* The committee consider that there is a distinct disparity between urban and rural qualifications. They would quote as an example the comparative status of a tenant paying rent on his agricultural land of Rs. 50 whose annual income would be approximately Rs. 700 per annum This may be compared with the income of the occupant of a house in a municipal area of a rental valuation of Rs. 36 ; this income would be about Rs. 100 per annum or slightly less. The alternative urban qualification (applied in those municipal committees which do not base their taxation on the house rental valuation) is a "haisiyat" or "status" of Rs 200 per annum which is even lower. The urban population is only 9 per cent. but it returns at present 9 out of 55 elected members. Urban voters number 54,000 out of 200,000.

The general widening of the franchise and the lowering of the property qualifications to the levels which the committee have suggested above, will reduce the disparity, and with the very great enlargement of the rural franchise urban electorates will cease to exercise the decisive effect that they do so often at present If the committee's tentative proposals stand, then about 10 per cent of the rural population will be enfranchised, and about 15 per cent. of the urban population. Since the inhabitants of the towns have generally a higher average status than the rural population, this result is fair.

In the actual framing of constituencies, the committee consider that all small municipal committees and notified areas should be included in urban constituencies. If this is done, then any disparity between urban

and rural qualifications that may be left will cease to be of practical importance. At present a small town included in a rural constituency has often been able to decide the issue by its solid vote.

*Head 2 (b) of the questionnaire.*—The majority of the committee would prefer that generally uniform qualifications should be fixed for all communities, and do not consider that it is practicable to devise qualifications that would give the same representation, for example, to the depressed classes and the more advanced communities. They recognize that some system of protection of minorities is inevitable, and would like to see this done by the system of reserved seats. Provided that adequate reservation of seats is made they do not consider a lower proportion of voters in any one community a matter of great practical importance.

*Head 2 (c) of the questionnaire.*—The committee consider that the possession of property, in the wide sense of the term imparted by the revised questionnaire, is a suitable qualification. Further, they consider that it must be the basic qualification. The present rules are generally satisfactory and beyond the lowering of the qualifications to the extent that they have indicated above, the committee have no changes of substance to propose.

*Head 2 (d) of the questionnaire.*—The committee are in favour of the introduction of a low educational qualification, independently of the property qualification. The primary certificate, and for adults, an equivalent test have been suggested in the reply to head I (*a*) of the questionnaire as appropriate standards.

*Head 2 (e) of the questionnaire.*—The committee accept in principle the retention of the existing military service and its extension to include service in the Auxiliary and Territorial Forces. The numbers likely to be enfranchised in this province are insignificant.

*Head 3 (a) of the questionnaire.*—The majority of the committee would not be prepared to accept any arbitrary methods of enfranchising women, such as that suggested by the Statutory Commission. They would fix common qualifications and common electorates for both sexes, and fix their qualifications as wide as possible in order to enfranchise as many as possible. But to give a woman a vote merely because she is the wife of a voter appears to the committee to be introducing an unsound principle, which will have the practical effect of preventing the property qualification from being lowered as much as otherwise would be possible, and of giving 2 votes to those with the higher property qualifications. In practice under this scheme, 40 per cent. of the voters would be women and 60 per cent. men. The committee have had the advantage of discussing an able note* by Mrs. Ramabai Tambe, suggesting that, in order to avoid inclusion of this very large number of women, the franchise should be granted only to the wives of those with a higher property qualification than the normal. Mrs. Tambe suggests that this should be so fixed as to enfranchise about 300,000 women, and would tentatively fix the qualification as 3 times that of the general electorate. Further, she

* Page 288.

would exclude widows, unless they are qualified in other ways. The majority, however, would prefer to fix the same qualification for both sexes, and trust that women would come in gradually under the educational and property qualifications.

*Head 3 (b) of the questionnaire.*—Those who favour a combination of direct and indirect methods have attached a separate minute.

*Head 3 (c) of the questionnaire.*—The committee are opposed to the principle of co-option, which they fear would produce women chosen on party grounds rather than as champions of their own sex. They would prefer to provide five reserved seats, which they would allot in urban constituencies by a simple system of rotation.

*Head 4 of the questionnaire.*—The committee do not consider that even with the greatly enlarged franchise which is now proposed, the depressed classes are likely to obtain adequate representation in the legislative council. The existing franchise in municipal committees is wide and averages 16 per cent. of the total municipal population, which is nearly the same as now proposed by the committee for the urban constituencies of the provincial legislature. Nevertheless experience shows that the depressed clases fail to obtain adequate representation in municipal committees. The committee have considered two possible formulae for fixing the number of seats to be allotted to the depressed classes. These are three-fourths and half respectively of that justified by the proportion of their population to the total population of the province. The majority consider that one-half will be the more appropriate basis and propose 11 seats in a house of 110. These would be allotted by reserved seats, attached in rotation to the seats of the ordinary rural constituencies which have a large depressed class population, a method which has the advantage of distributing the representation over as wide an area as possible without involving the formation of large plural constituencies. Mr. Gavai has written a minute of dissent* pressing for separate electorates and 22 seats.

*Head 5 of the questionnaire.*—The labouring classes of this province are drawn very largely from the ranks of the depressed classes. The committee have had the advantage of seeing an able minute† by Mr. Fulay asking for special representation of labour as apart from the depressed classes, but feel that the proposals they have made for the depressed classes are sufficiently liberal and will provide the labouring classes with the representation they need.

*Head 5-A of the questionnaire.*—The committee have dealt with the representation of special interests in paragraph 5 of this letter.

*Head 6 (a) of the questionnaire.*—The committee are on the whole impressed with the advantages of a system by which the representatives of the province in the upper chamber of the federal legislature would be elected by the provincial council by the system of the single transferable

* Page 283. † Page 285.

vote. In order to ensure that the members so elected have a real stake in the country and the sense of responsibility that goes with it, the committee would propose to lay down the following property qualifications for candidates for election to the upper chamber :

(*a*) the owning of landed property assessed to a land revenue of not less than Rs. 1,000 per annum ; or

(*b*) payment of income-tax on an income of Rs. 10,000 per annum.

Opinion is equally divided whether membership of the legislative council for a fixed period should or should not be made an alternative qualification for election. One influential body of opinion holds that sufficient experience in the legislative council is in itself a guarantee of sober judgment, while another weighty volume of opinion would prefer to rely upon the more practical sagacity that the possession of property confers. The committee trust that it will not be out of place to urge that the number of seats tentatively allotted to the province in the upper chamber should be increased to 8. The representation proposed compares unfavourably with that given to Bihar and Orissa even allowing for the difference in the density of the population. Whatever the number of seats that may be finally allotted no reservation for any particular interest need be made, since the system of the single transferable vote gives representation roughly proportionate to the strength of the various parties in the legislative council.

*Head 6 (b) of the questionnaire.*—Local opinion does not support the adoption of the same qualifications for the provincial and federal legislatures. With the same franchise for both legislatures, the constituencies that would have to be formed for the federal assembly would consist of over 100,000 voters, a size which is unmanageable Further, the committee are unaware of any large demand for so wide a franchise and consider that the number of voters wishing to exercise the federal franchise will be found to be far too small to require so wide an extension.

*Head 6 (c) of the questionnaire.*—The committee are unable to suggest any practical solution of the difficulty of forming suitable constituencies for the federal assembly through a system of indirect election. The number of secondary voters elected in the larger constituencies would be large and candidates would be faced with the embarrassment of having to interest themselves in primary elections over a very large area and on an extensive scale. Nor is there any merit in such a scheme when applied to a more remote body such as the federal assembly, the issues before which only a comparatively small number would appreciate. If the franchise is widened, so as to include all who have the vote at present for the provincial legislative council, an adequate advance will have been made and due weight given to the need for as compact constituencies as possible. Taking the tentative allotment of seats as it stands (and assuming that separate electorate will be retained) the committee would form 2 to 3 constituencies for each of the four Commissioners' divisions. The area of these constituencies would be about half of those at present

existing and would contain an average of 17,000 voters, a number which is not considered excessive.

*Head 7 of the questionnaire.*—On principle, some representation should be provided for women, but the committee would prefer the questions of detail to be decided upon a consideration of conditions prevailing in India as a whole, upon which they feel that they are hardly competent to advise. No special representation is required in the federal legislature for any other local interest, and no suggestions are offered. If conditions in other parts of the country are held to justify any special representation of labour or the depressed classes, then the committee consider that this province should receive the same proportionate representation as others, but they themselves are unable to make any practical suggestions.

7. *Qualification of candidates.*—Two questions remain to be answered apart from those arising out of the main questionnaire. These are the qualifications of candidates and the need for a bicameral legislature in the province.

Generally the committee would make no changes of substance in the existing rules for the qualifications of candidates. In particular they consider that the residential qualification is justified and necessary. On two minor points of detail suggestions are offered. The first relates to the qualifications of candidates for the upper chamber of the federal legislature, and has been made under head 6 (*a*) of the questionnaire. The other is in respect of the qualification of candidates for the federal assembly. At present a candidate is qualified for election who is registered as a voter in any constituency for the legislative council. This position is anomalous, and the general principle, that a candidate must be registered as a voter in the class of constituency for which he stands, should be followed. The revised rule might require that a candidate for the federal assembly should be eligible for election, if he is registered as a voter in any of the constituencies of that body, for the same general class, situated within the province.

8. *Second chamber.*—No second chamber is possible in this province, for the material from which such a body could be formed is lacking. Nor could the province meet the expense of a second chamber.

9. *Tentative scheme.*—Before coming to their conclusions, the committee have first attempted to cast their proposals into practical shape by the preparation of detailed schemes*, both for the provincial constituencies and for those of the lower chamber of the federal assembly. These are attached as appendices to the report.

It must be explained however that these are submitted only as illustrations, and that no finality is claimed for any of the actual details, which may require revision in the light of the recommendations of the

* *Vide* Statements at pages 273-278.

Indian Franchise Committee and the settlement of the question of minorities.

E. GORDON.*

R. A. KANITKAR.*

U. S. PATIL.*

J. N. RODRIGUES.

K. S. NAYUDU.*

G. R. JOSHI.

G. A. GAVAI.*

DWARKANATH SINGH.

R. E. POLLOCK.*

M. YUSUF SHAREEF.*

RAMABAI TAMBE.*

S. S. BHARGAVA.*

R. W. FULAY.*

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* Subject to the minute of dissent.

## STATEMENT A.

### I.—General distribution.

The following is the summary of constituencies :—

| | |
|---|---|
| (1) Non-Muhammadan Urban constituencies | 12 |
| (2) Non-Muhammadan Rural constituencies (73)— | |
| (1) Nagpur division | 18 |
| (2) Jubbulpore | 19 |
| (3) Chhattisgarh | 15 |
| (4) Berar | 21 |
| (3) Muhammadan constituencies | 5 |
| (4) Anglo-Indians | 1 |
| (5) Reserved seats for women | 5 |
| (6) Reserved seats for depressed classes | 11 |
| (7) Indian Christians (nominated) | 1 |
| (8) Aboriginals (nominated) | 2 |
| Total | 110 |

### II.—Detailed distribution.

(1) *Non-Muhammadan Urban constituencies.*

| | Population in thousands. | Voters in thousands Rs. 12 qualification. |
|---|---|---|
| Nagpur division (4)— | | |
| Nagpur City-*cum*-Kamptee (two members). | 241 | 40 |
| Wardha-Chanda | 82 | 16 |
| Nagpur-Chhindwara-Betul | 126 | 11·5 |
| Jubbulpore division (3)— | | |
| Jubbulpore City-*cum*-Cantonment (1). | 85 | 15·1 |
| Saugor Jubbulpore-Mandla districts (1). | 87 | 14 |
| Hoshangabad-Nimar districts (1). | 98·5 | 20 |
| Chhattisgarh division (1) | 165 | 17·1 |
| Berar division (4)— | | |
| Amraoti (1) | 101 | 16·7 |
| Buldana (1) | 58 | 14·7 |
| Akola (1) | 58 | 10·5 |
| Yeotmal (1) | 50 | 12·1 |

## STATEMENT A—*contd.*

### II.—DETAILED DISTRIBUTION—*contd.*

(2) *Non-Muhammadan Rural constituencies.*

| District and total number of members, and name and extent of constituencies. | Population in thousands. | Voters in thousands. | Rs. 10 qualification. |
|---|---|---|---|
| NAGPUR DIVISION (18). | | | |
| *Nagpur district* (5). | | | |
| Nagpur .. .. .. .. | 131 | 18·9 | |
| Katol .. .. .. .. | 142 | 17 | |
| Saoner .. .. .. .. | 102 | 17 | |
| Ramtek .. .. .. .. | 135 | 21 | |
| Umrer .. .. .. .. | 136 | 21 | |
| *Wardha district* (3). | | | |
| Wardha tahsil .. .. .. | 205 | 25 | |
| Hinganghat tahsil .. .. .. | 112 | 17 | |
| Arvi tahsil .. .. .. .. | 174 | 15 | |
| *Chanda district* (4). | | | |
| Chanda tahsil .. .. .. | 159 | 5·3 | |
| Warora tahsil .. .. .. | 165 | 10·6 | |
| Brahmapuri .. .. .. | 150 | 7·4 | |
| Sironcha and Garchiroli .. .. | 400 | 5 | |
| *Chindwara district* (4). | | | |
| Chhindwara and Amarwara tahsils .. | 354 | 25 | |
| Sausar .. .. .. .. | 171 | 13·3 | |
| Seoni sub-division (2) .. .. | 379 | 42 | |
| *Betul district* (2). | | | |
| Betul, Multai and Bhainsdehi tahsils .. | 406 | 25 | |
| JUBBULPORE DIVISION (19). | | | |
| *Jubbulpore district* (4). | | | |
| Murwara .. .. .. .. | 175 | 10·9 | |
| Sehora .. .. .. .. | 196 | 24·8 | |
| Jubbulpore .. .. .. .. | 144 | 17·3 | |
| Patan .. .. .. .. | 110 | 19·3 | |

## STATEMENT A—*contd.*

### II.—DETAILED DISTRIBUTION—*contd.*

### (2) *Non-Muhammadan Rural constituencies*—contd.

| District and total number of members, and name and extent of constituencies. | Population in thousands. | Voters in thousands. | Rs. 10 qualification. |
|---|---|---|---|
| JUBBULPORE DIVISION (19)—*contd.* | | | |
| *Saugor district* (5). | | | |
| Saugor tahsil-*cum*-Khurai .. .. | 266 | 44·5 | |
| Rehli .. .. .. .. | 148 | 21·5 | |
| Damoh .. .. .. .. | 170 | 23·2 | |
| Hatta-Banda .. .. .. | 193 | 24·1 | |
| *Mandla district* (2). | | | |
| Mandla tahsil .. .. .. | 190 | 11 | |
| Rest of district .. .. .. | 255 | 14 | |
| *Hoshangabad district* (5). | | | |
| Narsinghpur .. .. .. | 164 | 26 | |
| Gardarwara .. .. .. .. | 157 | 26 | |
| Sohagpur .. .. .. .. | 138 | 18·7 | |
| Hoshangabad .. .. .. | 141 | 17 | |
| Seoni-Malwa and Harda .. .. | 207 | 32·1 | |
| *Khandwa district* (3). | | | |
| Khandwa .. .. .. .. | 199 | 22 | |
| Burhanpur .. .. .. .. | 101 | 12 | |
| Harsud .. .. .. .. | 87 | 10 | |
| CHHATTISGARH DIVISION (15). | | | |
| *Raipur district* (4). | | | |
| Raipur .. .. .. .. | 252 | 16 | |
| Dhamtari .. .. .. .. | 244 | 11·7 | |
| Baloda Bazar .. .. .. | 368 | 24 | |
| Mahasamund .. .. .. | 615 | 9·8 | |
| *Bilaspur district* (3). | | | |
| Bilaspur .. .. .. .. | 413 | 14 | |
| Mungeli .. .. .. .. | 223 | 13·4 | |
| Katghora and Janjgir .. .. | 714 | 16 | |
| *Drug district* (3). | | | |
| Drug .. .. .. .. | 283 | 21 | |
| Bemetara .. .. .. .. | 261 | 15 | |
| Sanjari .. .. .. .. | 272 | 23 | |

## STATEMENT A—*concld.*

### II.—DETAILED DISTRIBUTION—*concld.*

(2) *Non-Muhammadan Rural constituencies*—concld.

| District and total number of members, and name and extent of constituencies. | Population in thousands. | Voters in thousands. | Rs. 10 qualification. |
|---|---|---|---|
| CHHATTISGARH DIVISION (15)—*contd.* | | | |
| *Balaghat district* (2). | | | |
| Waraseoni tahsil .. .. .. | 265 | 23 | |
| Balaghat and Baihar tahsils .. .. | 295 | 17 | |
| *Bhandara district* (3). | | | |
| Bhandara .. .. .. .. | 252 | 23 | |
| Gondia .. .. .. .. | 338 | 16·3 | |
| Sakoli .. .. .. .. | 233 | 10 | |
| BERAR DIVISION (21). | | | |
| *Amraoti district* (5). | | | |
| Amraoti taluq .. .. .. | 170 | 20·7 | |
| Chandur taluq .. .. .. | 209 | 19·8 | |
| Morsi taluq .. .. .. .. | 167 | 9·8 | |
| Daryapur taluq .. .. .. | 138 | 21·1 | |
| Ellichpur taluq-*cum*-Melghat .. .. | 179 | 18·0 | |
| *Yeotmal district* (5). | | | |
| Yeotmal taluq .. .. .. | 143 | 8·0 | |
| Darwha taluq .. .. .. | 201 | 12·5 | |
| Pusad taluq .. .. .. .. | 188 | 10·9 | |
| Kelapur-*cum*-Wun taluq .. .. | 302 | 10·4 | |
| *Akola district* (6). | | | |
| Akola taluq .. .. .. | 136 | 22·5 | |
| Akot taluq .. .. .. .. | 153 | 21·5 | |
| Balapur taluq .. .. .. | 112 | 16·1 | |
| Basim taluq-*cum*-Mangrulpir taluq .. | 292 | 28·1 | |
| Murtizapur .. .. .. .. | 116 | 15·5 | |
| *Buldana district* (9). | | | |
| Chikhli .. .. .. .. | 168 | 17·3 | |
| Mehkar .. .. .. .. | 167 | 17·2 | |
| Malkapur .. .. .. .. | 159 | 19·2 | |
| Jalgaon taluq-*cum*-Khamgaon .. .. | 214 | 31·0 | |

## SEPARATE CONSTITUENCIES.

### (3) Muslims.

*Muhammadan constituencies.—Same property qualifications as for general constituencies.*

| | Population in thousands. | Voters in thousands. |
|---|---|---|
| *Muslims.* | | |
| (1) Nagpur division .. .. | 132 | 16·0 |
| (2) Jubbulpore division .. | 174 | 21·1 |
| (3) Chhattisgarh division .. | 72 | 8·8 |
| (4) East Berar .. .. | 138 | 11·0 |
| (5) West Berar .. .. | 168 | 14·5 |

### (4) Special constituencies.

| | Population in thousands. | Voters in thousands. |
|---|---|---|
| (1) Anglo-Indians and Europeans (1). | 10 | — |

## STATEMENT B.

*Proposed Central Provinces constituencies in the Federal Assembly based on present Franchise for Legislative Council.*

| —— | Population in thousands. | Voters in thousands. |
|---|---|---|
| 1. Nagpur Division—Urban .. .. .. | 528 | 16 |
| 2. Nagpur-Chhindwara-Betul .. .. | 1,924 | 18 |
| 3. Chanda-Wardha .. .. .. .. | 1,131 | 10 |
| 4. Jubbulpore, Saugor and Mandla districts .. | 1,808 | 18 |
| 5. Hoshangabad and Nimar .. .. .. | 1,263 | 17 |
| 6. Drug, Bhandara and Balaghat .. .. | 2,126 | 15 |
| 7. Bilaspur and Raipur .. .. .. | 2,810 | 10 |
| 8. Berar—Urban .. .. .. .. | 522 | 12 |
| 9. Berar East—Rural .. .. .. | 1,790 | 16 |
| 10. Berar West—Rural .. .. .. | 1,483 | 22 |
| *Muhammadans.* | | |
| 11. Central Provinces .. .. .. | 382 | 10 |
| 12. Berar .. .. .. .. | 299 | 7 |

### (1) Minute of dissent by Messrs. Gordon and Pollock.

*Head III (a) of the questionnaire.*—In view of acceptance of adult suffrage as the ultimate goal and in order to avoid the sudden dislocation of the proportion of male and female voters which will be bound to occur at the next extension of the franchise, should the majority proposal be accepted now, I would accept Mrs. Tambe's suggestion that roughly 300,000 women should be enfranchised now on the property qualifications of their husbands. I admit that the principle is illogical, but there are many other anomalies in the proposals now put forward. The admission of these women voters will involve a risk to the administrative machinery, but that risk can be accepted. Most of the women so enfranchised will not actually vote at first, and, by the time that they have been educated to do so, the administrative machinery will have been improved. I am also impressed by the desirability of having more women voters in the five constituencies, which it is proposed in the reply to head III (*c*) of the questionnaire to reserve for women, than will be forthcoming by the application of the majority proposals.

E. GORDON.

R. E. POLLOCK.

### (2) Dissenting note by Mr. Ramchandra Anant Kanitkar, M.A., LL.B., M.L.C., First Grade Pleader, Buldana.

1. Under head III (*a*) I support the suggestion of Mrs. Tambe that to enfranchise about 300,000 women the property qualification for them should be tentatively fixed at three times that of the general electorate.

2. Under head VI (*a*) the Committee has accepted indirect representation to the Upper Chamber by the members of the Local Legislature by a single transferable vote. In the case of Berar being kept as a part of this province, I would have this representation to the Upper Chamber confined in the case of Berar to the members elected from Berar and would have three seats for Berar out of the eight claimed for the Province.

R. A. KANITKAR,

*Member, Franchise Committee.*

I sign this minute of dissent except paragraph 1.

U. S. PATIL,

*Member, Franchise Committee.*

### (3) Minute of dissent by Rai Bahadur K. S. Nayudu, B.A., LL.B., M.L.C.

I have signed the report of the Central Provinces Franchise Committee but wish to record a separate minute regarding heads I (*f*), (*g*), (*h*) (*i*) and (*j*) of the questionnaire.

*Head I of the questionnaire.*—(*f*) and (*g*) I am in favour of combining direct and indirect systems of election if the entirely indirect system of

election contemplated by question (*h*) is ruled out. Such a system would be feasible and advantageous in this province.

Group electors should vote in separate constituencies composed of group electors only, and only group electors should be qualified to stand as candidates for such constituencies.

(*h*) Yes.

(*i*) I would make the primary constituencies territorial so as to correspond with a primary voting strength of not less than 1,000 adults. This would mean grouping up the smaller villages and breaking up large towns into so many wards or circles. Each group of primary electors would elect as many secondary electors as would correspond to the number of primary electors divided by 250. This would mean that 250 primary electors would elect one secondary elector to represent them. It would be easy to form such territorial groups by the use of Government agency. The method of election suggested by the proportional representation society, *viz.*, that of a single non-transferable vote in constituencies each returning several members, would, in my opinion, be most suitable.

(*j*) No. I would leave the choice of the primary voter absolutely unfettered. He or she may be depended on to make the best choice having regard to all the circumstances of the locality.

K. S. NAYUDU.

I agree with the above.

J. N. RODRIGUES.

I ask for reservation of seats both in primary as well as secondary election for the depressed classes.

G. A. GAVAI.

I agree to the above, subject to my minute of dissent regarding Labour representation.

R. W. FULAY.

I agree with the above.

DWARKANATH SINGH.

**(4) Minute of dissent by Mr. M. Y. Shareef.**

*Separate Representation of Musalmans and its History.*

(*i*) In 1888 Lord Dufferin held the view that in a country like India no principle of representation other than by interests is practically possible.

(*ii*) In 1892 Lord Lansdowne's Government wrote—

> "The representation of such a community upon such a scale as the Act permits can only be secured by providing that each important class shall have the opportunity of making its views

known in Council by the mouth of some member especially acquainted with them."

(*iii*) In 1908 Lord Minto's Government followed the predominant opinion and they pressed for an important extension of the communal principle.

(*iv*) In the joint report the authors no doubt criticized the system of separate representation as opposed to the teaching of history ; that they perpetuate class divisions ; and that they stereotype existing relations. They, therefore, regarded the system of communal representation as a very serious hindrance to the development of the self-governing principle, paragraphs 228, 229 and 230. But with all this they felt constrained to face the hard facts, and they observed " much as we regret the necessity, we are convinced that so far as the Musalmans at all events are concerned the present system must be maintained until conditions alter, even at the price of slower progress towards the realization of a common citizenship". This was in 1919.

(*v*) A review of the history is given in Appendix V at page 183, in the report of the Statutory Commission. The Nehru Report and that of the minority in the Indian Central Committee, are emphatic in denouncing communal representation and Government nomination as inconsistent with the essential of true democracy, and urge that these should be replaced by general electorates, in which, as a compromise, reservation of seats for minority representatives may be conceded wherever necessary. But this has not commended itself generally to the minorities concerned, who fear that under such a scheme they would actually be worse off than at present, as the only members of their respective communities who would have any chance of being selected in general electorates, will be those who regarded the wishes of the majority of their electors, and not those who will be loyal to the wishes and interests of the respective minorities concerned. In order to prevent such a contingency, various ingenious and complicated devices have been suggested, such as that the contest be limited to a panel of candidates approved by the minority concerned and that no election of minority representative will be valid unless he polls a majority of votes from his own community. The Statutory Commission has not thrown any new light on, or suggested any fresh or fruitful solution to, this thorny problem, but has contented itself with recommending for Muslims communal representation ; and for other minorities reservation of seats in joint electorates and where that is not practicable representation by nomination. It is therefore submitted that no constitution without a provision for separate representation both in the Provincial Legislatures and the Upper and Lower Chambers of the Federal Legislatures would be acceptable to the Musalmans. The communal outbursts in the country and the opposition of the Hindu members to any measure or motion affecting the Muslims in the Provincial Legislatures and the Legislative Assembly and committee meetings are standing proofs of the deep-rooted prejudice against the Muslims, and they shall not be safe without separate representation as safeguard. Time is not yet ripe to do away with the separate representation.

*Remedy.*—In future efforts should be made to make necessary provisions in all the Primary Schools, Secondary Schools and Colleges for the teaching of Urdu, Persian and Arabic so as to avoid the necessity of establishing or opening separate denominational schools and to enable the Hindus and Muslims to receive education in common schools. This would give a very healthy result. Much of the prejudices which at present exist would disappear on account of close contact. I am strongly of opinion that the system of denominational schools is a vicious one, and it has kept the communal rancour and prejudices going strong. The sooner it is done away with the better it would be in the interests of the country. The abolition of this vicious system would go a long way towards paving a way for joint electorates in course of time.

The next question that arises is what proportion of seats should be allotted to the Muslims in the Provincial Legislature and the Upper and Lower Chambers of the Federal Legislature. Under the Congress-League Scheme, which is now commonly known as the Lucknow Pact of 1916, the Muslims in the Central Provinces were allotted 15 per cent. It is asserted by the representatives of the majority community that that pact has no binding force any longer because the Muslims had rejected the Nehru scheme. But they forget that this proportion was not assured to them in the Nehru scheme but under the Congress-League scheme of 1916, when the two premier organizations had held their annual sessions at Lucknow. That pact has formed the basis of the representation assured to the Muslims under the present constitution. The Southborough Franchise Committee also accepted the allocation of seats proposed in the Lucknow Pact, and its recommendations, in which the Government of India had concurred were accepted by the joint Select Committee and Parliament. The result, therefore, is that the proportion of 15 per cent. of the seats for the Muslims of Central Provinces and Berar is, to say the least, their acknowledged and well-recognized right, and the attempt to go behind it only demonstrates the adverse and hostile attitude of the majorities. The Muslims of the Central Provinces and Berar are, therefore, entitled to have the 15 per cent. of the proposed 110 seats of the Provincial Legislature and the 7 and 12 seats of the Upper and Lower Chambers of the Federal Legislature, respectively. They shall thus have—

(*i*) 16·5 seats, which in round figures should be 17 and not 16, in the Provincial Legislature ; and

(*ii*) 1·05, *i.e.*, only one seat in the Upper Chamber. In this connection it is submitted that it would be more consistent with the principle of democracy and representation of different interests if one more additional seat is asked for, as decided by the Committee, and

one seat each is allotted to Central Provinces and Berar.

(*iii*) Two seats in the Lower Chamber, which may be distributed between Central Provinces and Berar.....

(*iv*) The following is a tentative distribution of the 17 seats to be reserved for the Muslims. This, if possible, should be modified

to make different constituencies equal and this could not be done in the absence of detailed statistics :—

| Constituencies. | Population. | Seat. |
|---|---|---|
| 1. Saugor and Damoh .. .. | 36,262 | 1 |
| 2. Jubbulpore .. .. .. | 47,614 | 1 |
| 3. Mandla, Seoni and Chhindwara .. | 45,555 | 1 |
| 4. Narsinghpur, Hoshangabad and Betul. | 41,888 | 1 |
| 5. Nimar .. .. .. .. | 50,925 | 1 |
| 6. Raipur and Bilaspur .. .. | 38,665 | 1 |
| 7. Wardha and Chanda .. .. | 34,484 | 1 |
| 8. Bhandara, Balaghat and Drug .. | 33,944 | 1 |
| 9. Nagpur City .. .. .. | 28,042 | 1 |
| 10. Nagpur district excluding City .. | 25,767 | 1 |
| 11. Amraoti .. .. .. | 86,498 | 2 |
| 12. Akola .. .. .. .. | 89,185 | 2 |
| 13. Buldana .. .. .. | 71,766 | 2 |
| 14. Yeotmal .. .. .. | 52,231 | 1 |
| | Seats | 17 |

## DEPRESSED CLASSES.

I would concede separate representation to the depressed classes for the same consideration.

M. Y. SHAREEF.

*The 27th February 1932.*

### (5) Note of dissent by Mr. G. A. Gavai.

I am sorry I differ from the majority report on some of the important points which concern the depressed classes.

### 4. Representation of the depressed classes.

The seats that are allotted to the depressed classes by the majority members of the committee are quite inadequate. According to their population they should have twenty-two seats in the house of one hundred and ten. The number of seats seems to have been fixed arbitrarily. The possible idea that seems to be lurking in the minds of my colleagues is that the depressed classes in this province cannot produce an adequate number of candidates competent to discharge their duties. The idea seems to have arisen out of the consideration that the number of English knowing persons of the depressed classes is very small. It is true, but if the knowledge of English is taken to mean to constitute competency then

I say that there will be very few representatives of caste Hindus returned even in general elections, who would be considered competent on the ground of their fluency in English language. I can say this from my experience of the legislative council for the past twelve years. Another point that has to be borne in mind is that adequacy should not be regulated by the fluency in a particular language and the difficulty arising out of the poorness of the depressed classes in English language can be overcome by introducing a vernacular as the official language. I am surprised to see the attitude of some of my colleagues who when pressing for sixteen seats for Muhammadans who are entitled only to five seats by their population proportion, are willing to allot eleven seats to depressed classes. In this connection if I am allowed to follow the line of their argument then I would point out that if the harmonious relations have to be established between the depressed and the non-depressed then the depressed classes must have their full share of seats based on population basis. I should like to remind my colleagues, especially the Hindu colleagues, that at its meeting recently held at Delhi, the Hindu Mahasabha declared itself in favour of reservation of seats for minorities not below their population strength. Besides the reservation of seats on population basis the depressed classes should have a right to contest additional seats in the general election.

As regards the allotment of seats by rotation I wish to offer a suggestion that any depressed class person whose name is on the voter's list should be allowed to stand for election in any constituency and the residential qualifications should not be made applicable in case of depressed class candidates. Another alternative can be adopted in this respect. The rotation system would make a number of constituencies unrepresented continuously for years. This is not desirable from the view point of the interests of the constituencies concerned. So I suggest that for the purpose of recording votes, a seat of the depressed classes should be attached to more than one constituency.

**II.—Federal Legislature.**

7. As regards the representation of the depressed classes on federal legislature, I disagree with the decision of the committee and suggest that in both the Chambers seats should be reserved for the depressed classes on population basis.

Lastly, I would say a word of warning to our rulers. I need not mention here that the non-depressed are not prepared as yet to give equal treatment to the depressed classes. It is true that there is change in the social, economic and educational condition of the depressed classes. This change is due partly to the outside influences of the civilization and partly to the impartial policy of the British Government. Fifty years ago the doors of education were closed against our people. They are open to them now. They can now administer justice even to the caste Hindus who out of social prejudice did not allow the depressed classes to enter the courts of law. The British Government could have been praised by the caste Hindus had they kept the depressed classes in the condition to which they were subjected in the Swaraj Government. The idea was

not acceptable to their sense of justice and they allowed the depressed classes to exercise elementary human rights as far as possible and practicable and preferred to be accused of being partial to them.

The power now is passing from the British to the hands of my countrymen, at least it is being restricted to the lowest degree. Under these circumstances it is not surprising if the depressed classes entertain fears for their fate in the future constitution and it is for this reason that they think it essential that some provision should be made in the constitution for safeguarding the interests of the depressed classes. Reservation of seats on population basis is the least that the depressed classes desire so far as the franchise is concerned.

G. A. GAVAI.

**Minute.**

We think the depressed classes should have more adequate representation than at present provided and we whole-heartedly support the proposal that they should be given seats in the Council on their population proportion.

We also desire that for some time to come special representation of labour through constituencies of registered trade unions on the lines of a similar representation for labour in the Bombay corporation should be provided and we would support a proposal for giving special representation to labour in the Council and in the Federal Assembly.

R. W. FULAY.

G. A. GAVAI.

I am in favour of giving the depressed classes seats in proportion to their number reserved in joint electorates.

K. S. NAYUDU.

*The 1st March 1932.*

I agree with Rai Bahadur K. S. Nayudu.

J. N. RODRIGUES.

I agree with the above proposals.

DWARKANATH SINGH.

*The 1st March 1932.*

**(6) Memorandum by Mr. R. W. Fulay, M.L.C., Member, Central Provinces Provincial Franchise Committee, Nagpur.**

I have the honour to submit herewith a scheme for special representation of Labour in the Provincial Council and in the Federal Legislature as I do not agree with the view that a widening of the franchise would by itself provide adequate and effective representation of Labour.

The following figures will show the extent of Labour population in this province :—

| | |
|---|---|
| Total number of factories .. .. | 756 |
| Daily average number of operatives .. | 70,000 |
| Mines operatives, about .. .. .. | 30,000 |
| Unregulated factories such as bidi and shellac operatives, about .. .. .. | 40,000 |

It is true that out of this, 40 to 46 per cent. belong to the depressed classes, but with the proposed widening of the franchise to 10—25 (or more properly 13 per cent.) per cent. of the population it is almost certain that a major portion of this would be without a vote. I therefore would desire special representation until and unless full adult franchise is introduced. I am opposed also to communal electorates of whatever kind as it implies the very negation of democracy. But to secure a better representation of the minority communities I would be willing to concede to joint electorates with reservation of seats. Assuming, therefore, that the next Council is composed of 110 members, the depressed classes should have 14 reserved seats to them.

Since the passing of the Municipal Act of 1922, almost every labourer has a right to vote for the municipal elections. But it is a matter of a little understanding of the records that not a single labourer has been returned as a municipal councillor except this year in the Nagpur Municipality and that too for other reasons. The seats are usualy monopolized by richer classes and it makes little difference to what community they belong. It is significant to note that in the last scavengers' strike of Nagpur all the depressed class members of the Municipality took no pains whatsoever in settling the strike. The Royal Commission on Labour has come to a conclusion that it is necessary to make a valuable contribution to the wise Government of the Commonwealth of India and the exclusion of Labour from a fair share in the councils of the nation will inevitably drive it to rely unduly on other means of making itself felt with injury to itself and the nation (page 462 of the Report). The Indian Statutory Commission says, under the head " Representation of Labour ", " the best suggestion we can make is that in every province the Governor should have the duty of drawing up rules for securing, by the means which in the existing circumstances are the best available, Labour representation. If the Governor finds that for the present he must still resort to nomination he should consider whether there are suitable Labour organizations which he might consult before making his choice ". Such a method, I believe, will have to be followed in the case of the Federal Legislature because of the unwieldy nature of the Labour constituency and lack of organization in industrial or agricultural labour. At present Government is adopting the following procedure which the International Labour Organization has prescribed for the Governments of the countries which are the members of the League of Nations in selecting non-Government representatives to the sessions of the International Labour Conference. Paragraph 3 of Article 389 of Part XIII of the Treaty of Versailles, which

has set up the permanent International Labour Organization, is quoted here in full for easy reference.

"The members of the League of Nations undertake to nominate non-Government delegates and advisers *chosen in agreement with* the industrial organizations, if such organizations exist, which are most representative of work people or employers."

To conclude, I believe that two representatives should be nominated to the Federal Legislature to represent (A) Textile and Factory Labour, and (B) Labour in unregulated factories and agriculture. These representatives should be nominated in agreement with the provincial organizations of workers, if any.

Provincial Councils.—The Trade Union Congress under the presidentship of Mr. Giri in 1926 recommended that 6 seats should be allotted to Labour in the Provincial Council. I am enclosing that scheme in original, subject to the modifications given below :—

Elective scheme.—(*a*) There should be 9 seats allotted to Labour in Provincial Council. The following should be the constituencies :—

| | |
|---|---|
| (1) Nagpur-Wardha Urban Factory Labourers | 3 seats. |
| (2) Akola-Amraoti Urban Factory Labourers | 2 seats. |
| (3) Jubbulpore .. .. .. .. | 1 seat. |

Two to represent unregulated factories in Nagpur, Bhandara and one to represent agricultural labour. These seats are based on the understanding that for every 10,000 workers one seat is provided.

(*b*) Every worker, whether male or female, getting an income of not less than Rs. 10 per mensem at the time the electoral roll is prepared and serving in a regulated or unregulated factory should have the right to vote. Polling in the case of urban factory labourers should take place at Nagpur, Wardha, Pulgaon and Hinganghat. There will involve a special electoral roll for the Labour constituency, and every factory owner should be called upon to submit an electoral roll which will include all workers above the age of 25.

In the case of unregistered factories, polling should take place at Nagpur, Tumsar, Gondia, Bhandara, Yeotmal and Jubbulpore.

(*c*) Every worker in the industry concerned of any caste whatsoever and every office-bearer or member of a registered trade union in that industry who has at least passed the primary certificate examination should have the right to contest the elections and stand as a candidate, but a person who is neither a worker nor an office-bearer or a member of a registered trade union should not be allowed to stand.

Alternative system.—(1) If the above is found to be impracticable or too expensive, I would advocate the system recommended by the Royal Commission on Labour namely election by registered trade unions. I give below the details of the scheme :—

| | |
|---|---|
| Registered trade unions in textile industry .. | 4 seats. |
| Registered trade unions in unregistered industries | 3 seats. |
| All other kinds of labour .. .. .. | 2 seats. |

(2) A special tribunal before each election should be set up to investigate and determine the actual paying membership and allocate votes to each union according to its members. The said unions should have then the right to vote at fixed polling centres or even send their votes by registered post to the returning officer as in the case of the University constituency. In the case of unorganized labour and agriculture, Government will have to resort to nomination.

I hope that the Provincial Franchise Committee will give its anxious consideration to the scheme outlined and support me. I request the President of the Provincial Committee to append this report to the Report of the Franchise Committee if there is no chance of my scheme being supported by the other members.

R. W. FULAY,

*Member, C. P. Franchise Committee.*

**(7) Memorandum by Mrs. Ramabai Tambe, dated the 13th February 1932.**

I much regret that I differ from my colleagues on the question of the enfranchisement of women.

The problem of enfranchising women is an intricate and a peculiar one. Although it is true that men and women belonging to same class have common interests and they have more or less the same problems to solve, still there are certain questions which affect women much more than they affect men, like girls' education, legal and political status of women, medical help to women, etc., and it is for guarding such interests that we want our representatives in the Council, and we want a voting strength that has some weight with the candidates for the Council and with the Councillors themselves.

The Simon Commission has emphasized the need for wider franchise for women. The report of the Round Table Conference Franchise Committee confirms the opinion expressed by the Statutory Commission. It has been realized that the property qualification, which has been approved of and which has proved to be a good test in the case of men, fails miserably to produce the desired effect when applied to women. Property qualification, which brought 200,000 men on the voting list, enfranchised only 9,000 of women The lower property qualification, as proposed by the Committee, gives vote to 13 per cent. of the population but which does not include even 1 per cent. of women. Under the circumstances, it is not fair to insist on the same qualification for both men and women. Without any further argument, I would just ask a simple question, and that is whether the enfranchisement of women is essential or not. Considered opinion definitely favours wider enfranchisement of women. I give the following quotation from the Report of the Round Table Conference Franchise Committee : " No system of franchise can be considered as satisfactory, or as likely to lead to good government when such a great disparity exists between the

voting strength of the two sexes." If we view our decision in this light, we find that we have failed to come up to the mark. It is most unjust to women that while enfranchising nearly 60 per cent. of adult men population, the Committee is not recommending to enfranchise 4 per cent. of adult women.

It is true, education qualification is recommended in addition to the property qualification, and it will allow a few more women to come on the voting list. The poor condition of girls' education is proverbial. It might have been slightly improved during the last ten years but that does not help us in the near future.

Having examined these qualifications and having found out that they cannot enfranchise an appreciable percentage of women immediately, it is necessary for us to propose some other reasonable qualification which will give us the desired result. The only suggestion I can make is the one put forth by the Simon Commission, that is of enfranchising the wives of the voters. The Committee is objecting to this not for any shortcomings of the women voters themselves but on the ground that the votes in the same House will be doubled. I wonder whether they will be so mechanically doubled as thought of. It is thought in many quarters that a wife having a vote is like the man possessing two votes. I very much doubt whether it would be so. It may be that a woman would vote for the same candidate as her husband but there is every chance of men voting for the candidates suggested by their wives. I think men and women working together will have a wider outlook on many a question than either of them working independently of each other.

It is true that enfranchising more women prevents the property qualification being lowered as much as it could be otherwise. Does this really matter as long as we have to work in a limited sphere ? It has been aptly pointed out by our worthy Chairman, the Hon'ble Sir Arthur Nelson, that we have to start in the upper strata of the population and move on downwards. We cannot enfranchise men having lower property qualification while leaving out the women belonging to the higher strata of the population. May I point out that we are exactly going against the principle enunciated by our Chairman and accepted by the Committee in our zeal to lower the property qualification. The main difficulty for men, I believe, is that they cannot allow women to be enfranchised, as long as they have to make room for them by losing their votes. But this is bound to happen as long as we are aiming at enfranchising only a certain percentage of the population and leaving out of consideration the adult franchise.

Enfranchising the wives of all the voters might increase the voting strength of certain classes while leaving out the other classes unenfranchised. I therefore suggest that wives of those men possessing thrice the minimum property qualification be enfranchised. I had great hopes that this would be accepted as it enfranchises more women without

considerably weakening the voting strength of men. Again this arrangement will not benefit only a certain community as every community must have a certain number of men possessing that property qualification.

Coming to the question of representation, I am glad the Committee agrees to have 5 seats reserved for women and allows them the right to contest. I think this number is adequate for representing our cause in the Council. Here, I may point out that, although it is true that we shall have this representation of women in the Council irrespective of the percentage of women enfranchised, we cannot overlook the fact that the enfranchisement and the representation although closely connected with one another each has an intrinsic value of its own. Personally, I attach great value to the enfranchisement of women, not just because that would give us any additional representation in the legislative bodies but for the various advantages that accompany the right to vote.

Candidates for the Council, while canvassing for votes, have got to educate their electorates on various problems confronting the nation. I wonder if the men candidates would take the trouble to put before the women voters their programme, when they know that the number of women voters is so negligible. Again, why would the men councillors support any measure in favour of women and affecting men, when they know that the voting strength of women is such as can be ignored ? This is well proved by the fate of Rai Bahadur Harbilas Sarda's Hindu Widow's Inheritance Bill in the Assembly. I think it is bound to happen this way when the interests of the enfranchised and non-enfranchised population clash. So, I consider that enfranchising ½ per cent. of women is not enfranchising them at all.

In conclusion, I would request that the lever of the property qualification must be worked in such a way as to include at least 5 per cent. of women if 15 per cent. of the population is enfranchised and that the proportion between the men and women enfranchised should be 75 to 25.

RAMABAI TAMBE.

## III

**Supplementary Questionnaire addressed by the Indian Franchise Committee to the Government of the Central Provinces and the Central Provinces Provincial Franchise Committee.**

1. The Franchise Committee will be glad of the final views of the local Government/Provincial Committee as to the qualifications recommended by them for the franchise. They would be glad if in reaching their decision the local Government/Provincial Committee would consider the following points :—

(*a*) Whether the criticism that an important section of the agricultural population and of the poorer classes would be excluded under their original proposals could be met by reduction of the qualifying minimum revenue assessment for the franchise below the figures proposed in their letters to the Franchise Committee, *e.g.*, to Rs. 5 or Rs. 4. The local Government's scheme leaves approximately one million adult males unprovided for, and the Franchise Committee would be glad to know of what categories of the population this number is composed, and what numbers would be brought in if the revenue qualification were lowered. In the same connection attention is invited to the suggestions referred to in questions 10 and 14 below for increasing the numbers of women and members of the depressed classes to be included in the proposed electorate.

(*b*) The suggestion that, if complete adult franchise is regarded as impracticable of universal suffrage for all above a certain age (*e.g.*, 30 or 35) the limit of such enfranchisement being conditioned by the maximum which it is administratively possible to poll.

(*c*) The possibility of dispensing with an educational qualification for men, and substituting a literacy qualification for women with a view to securing a larger female element in the electorate.

2. If owing to the shortage of time and the urgency of the matter a complete analysis for the whole Province cannot be prepared, the Committee would be glad if an estimate based on examination of four typical constituencies be furnished showing the distribution of voting power between the various classes and categories of the population under the proposals finally adopted by the local Government/Provincial Committee.

In this connection the Franchise Committee would be glad to be informed if possible :—

(*i*) How many joint families will secure representation and to what extent under the local Government's/Provincial Committee's proposals

(*ii*) The extent to which

(*a*) sub-tenants, and

(*b*) lodgers in towns

would be enfranchised under the local Government's/Provincial Committee's proposals. If the extent of enfranchisement of this class is very limited to what extent would an increase be practicable ?

3. (*a*) What is the maximum number of voters who could be accurately polled in the Province using the total number of officers and maximum accommodation possible :—

(*i*) if the election is spread over

(*a*) two days ;

(*b*) four days ;

(*ii*) taking 1,000 as the number of male voters with whom a presiding officer could deal in a day ;

(*a*) if 40 per cent. of the voters are women,

(*b*) if 10 per cent. of the voters are women.

(*b*) What percentage would this number represent of

(*a*) the total, and

(*b*) the adult population ?

(*c*) In answering the above please state :—

(*i*) to what extent and in what respects your existing polling machinery can be simplified ;

(*ii*) whether you consider it feasible and advisable for polling clerks in twos or fours to issue ballot papers to voters under the general supervision of the presiding officer ; or whether the ballot papers should be issued by the presiding officer himself ;

(*iii*) what polling hours you propose ?

4. Can you not reduce the polling period of fortnight or more which was originally suggested as being necessary ?

5. What is the maximum personnel which could be used as presiding or polling officers ? The Committee would be glad to have this information under the following heads :—

(*i*) total number of Government officers, gazetted, non-gazetted and ministerial ;

(*ii*) total number of pensioned Government officers ;

(*iii*) total number of Court of Wards Officers (superior and ministerial) ;

(*iv*) total number of members of local bodies (Municipal Commissioners), members of District and Union Bench Courts, Honorary Magistrates, and any other category of honorary workers who could be employed. To what extent could these figures be supplemented by use of non-officials (school-masters, etc.) ? Is any objection likely to be raised to their use for this purpose ?

(*v*) To what extent could provision be made for :—

(*a*) separate polling booths for women, and for women presiding officers and clerks,

(*b*) separate entrances and compartments for women voters ?

6. What franchise qualifications would you propose in order to enfranchise the maximum number of voters you consider administratively possible in reply to question 3 above ? What proportion of women could be enfranchised under those qualifications ?

7. Do you recommend such a maximum extension or such franchise qualifications and if not, why not ?

8. It was stated in evidence that the approximate cost (including preparation of the electoral roll) of a general election on the present basis was about Rs. 42,000. Can any estimate be given of the approximate cost on the basis of the franchise finally recommended by the local Government ?

9. Are the local Government still of opinion that—

(*a*) the universal indirect system or

(*b*) a combination of direct voting and a group system for the unenfranchised residuum of the population, is undesirable in the Central Provinces ?

If they regard '*b*' as desirable would they alter their proposal for the direct franchise ?

10. Have you any views as to the desirability of the single-member constituency as opposed to multi-member constituency electing 2, 3 or 5 members each either by single non-transferable vote or any other recognised device ? If you favour multi-member constituences, what form of voting cumulative or otherwise—would you propose ?

**Women.**

11. The proposals submitted by the local Government/Provincial Committee for the enfranchisement of women provide for the enfranchisement of approximately 73,000 out of a total proposed electorate of 1,550,000. Having regard to the exceedingly small proportion which female electors will bear to male and to the specific reference contained in the Prime Minister's letter of the 29th December 1931 to the desirability of enfranchising a high percentage of women, the Franchise Committee would be glad if the local Government/Provincial Committee would further consider the question with a view to securing a considerably larger

percentage of female voters. They would be glad in this connection if further consideration could be given to—

(*a*) the schème proposed by Mrs. Tambe and attached as an appendix* to the Provincial Franchise Committee's report,

(*b*) the suggestion that mere literacy (*i.e.*, the ability to read and write in any language, a certificate by a responsible individual, *e.g.*, a school-master being accepted as proof) should qualify.

12. What number of women approximately would be enfranchised under the final proposals of the local Government/Provincial Committee ?

**Method of securing the presence of women in the Legislatures.**

13. A memorandum† containing the various alternative suggestions which have been put forward is attached for consideration. The Franchise Committee would be glad to have the final views of the local Government and the Provincial Committee as to the method by which a small number of women should be specially elected to the Council.

**Depressed Classes.**

14. The Prime Minister's letter draws special attention to the problem of securing representatives of their own choice in the legislatures for the depressed classes. The statistics prepared by the local Government show that, applying the criterion of untouchability, the depressed class population of the Central Provinces is 2,960,000 out of a total population of 15,500,000.

The Franchise Committee would be glad of an estimate of the number of the depressed classes who would be enfranchised under the local Government's/Provincial Committee's final proposals.

15. They would be glad also of the views of the local Government/ Provincial Committee on—

(*a*) the suggestion that differential qualifications should be prescribed for the depressed classes, with a view to bringing a larger number of depressed class voters on the electoral roll,

(*b*) the practicability and desirability in the Central Provinces of dealing with the problem of the depressed classes on the lines proposed by the Government of Madras and their Provincial Committee ; the general effect of which was as follows :—

Under the franchise recommended by them the number of depressed class voters in Madras will be increased from approximately 58,000 to approximately 300,000 (out of a total depressed classes population of 7·1 millions). As however the local Government and the Provincial Committee are satisfied that it will not be possible even with this enlarged electorate for the depressed classes to secure a representative of their own choice in the Legislatures it is proposed to give the depressed class voters one vote in separate electorates

* Page 288. † *Vide* page 114, Vol. II.

and a second vote in the general non-Muhammadan constituencies. The object being partly to give further weightage to the depressed classes to compensate for the smallness of their electorate as compared with their population, and partly to keep them as part of the general electorate.

**Rural and Urban Electorates.**

16. Do the local Government/Provincial Committee consider that universal direct adult suffrage would be desirable and administratively feasible in the towns of Nagpur and Jubbulpore ? If so, how many days would it take to poll the adult population and could any approximate estimate be given of the expenditure involved ?

17. Do you consider that town and country should have representation in the Council proportionate to their numbers, or do you consider that the towns should have some weightage; and if so, to what extent ? Would you adhere to the present practice of grouping municipalities and urban areas into constituencies apart from the rural areas ?

**Labour.**

18. The Prime Minister's letter lays special stress on the importance of securing adequate representation for labour in the new Legislatures. The Whitley Commission have recommended that such representation should be secured through registered trade unions.

An alternative method of securing such representation which has been suggested is the creation of a special labour electorate of the factory population receiving wages above a certain minimum.

The Franchise Committee would be glad if the local Government/ Provincial Committee would further consider their proposals for the representation of Labour in the light of the above alternatives and of the discussions which have taken place at Bombay.

**Provincial Council.**

19. What is the considered view of the local Government/Provincial Committee in the light of the discussions which have taken place at Bombay, as to the desirability of retaining a residential qualification for candidates generally or for

(*a*) women

(*b*) depressed classes

(*c*) labour.

20. The Franchise Committee would be glad if the local Government/ Provincial Committee would reconsider the question of special representation for Commerce, Industry and mining in the Provincial Council as providing special economic knowledge in the Council.

21. The local Government recommend the abolition of the present University constituency. The Franchise Committee would be glad if they would reconsider this question in view of the discussions on this point which have taken place and the objections urged to abolition.

Would their objections to the retention of this constituency be modified if election to it were to be by the Senate ?

22. Do the local Government/Provincial Committee remain of the opinion expressed in their letters to the Franchise Committee on the subject of a second Chamber in the Provincial Legislature ?

**Federal Legislature.**

23. Would the local Government/Provincial Committee see advantage in the addition of an educational test for all voters or for women only to the qualifications for the Federal Assembly ?

24. The Franchise Committee would be glad if the local Government would further consider the desirability of securing the representation of women in the Federal Assembly in view of the fact that it will deal with many matters specially affecting women.

25. Would the local Government/Provincial Committee reconsider their opinion about special representation for the depressed classes, and labour ? In the event of their favouring such special representation by what method would they propose to give it in the Federal Legislature ?

26. The Franchise Committee would be glad if the local Government would state any other respects, not covered by the above questions, in which they would modify their original proposals.

## IV

## Memorandum by the Government of the Central Provinces in reply to the Supplementary Questionnaire of the Indian Franchise Committee.

LETTER FROM THE OFFICER ON SPECIAL DUTY (REFORMS), CENTRAL PROVINCES, TO THE JOINT SECRETARY, INDIAN FRANCHISE COMMITTEE, CAMP INDIA, NO. R.-54-IV-A., DATED NAGPUR, THE 29TH MARCH 1932.

I am directed by the Government of the Central Provinces to communicate its reply to the supplementary questionnaire received from you as a result of the discussions in Bombay on the 14th and 16th March.

*Paragraph 1 (a).*—Statistics* are being collected in four typical constituencies to show the probable effect of the adoption as a minimum property qualification of the payment of revenue or rent of Rs. 5 and Rs. 7-8-0, respectively. Until these statistics have been received and analysed, the local Government cannot judge the effect of the proposal. The result of the analysis will be forwarded with as little delay as possible. Generally speaking the categories left unenfranchised are the smaller tenant and the agricultural labourer. Government would point out, however, that there is no difference in class between payers of rents of Rs. 5 and Rs. 10, respectively. In both cases the payer is the smaller type of tenant who occasionally works as a labourer in the off-season, but is more an agriculturist than a labourer. Not until the level of Rs. 2 is touched is the typical agricultural labourer reached; men of this class have as a general rule a small patch of land which they cultivate intensively, and for which they pay usually a rent ranging roughly from Rs. 2 to 8 annas. There is no real difference in interest between the small tenant paying Rs. 5 and the slightly larger man paying Rs. 10, and no practical advantage is gained by going one or two rupees below Rs. 10. The objection is the impossibility of enlarging further an electorate which is already almost unmanageable.

*Paragraph 1 (b).*—Government had already considered a suggestion for the adoption of universal suffrage, subject to an age limit, but had rejected it on the ground that the age limit would be too high. The following figures will show this:—

| | |
|---|---|
| The total population over 50 years of age is | 1,771,196 or (11 per cent. of total population and 22 per cent. of adult population). |
| The total population over 45 years of age is | 2,527,409 or (16 per cent. of total population and 32 per cent. of adult population). |

The latter figure represents an electorate of quite unmanageable proportions.

*Paragraph 1 (c).*—This Government cannot agree with the course proposed, *viz.*, dispensing with an educational qualification for men in the interests of women. It considers that there is a good ground for the proposed educational qualification for men on the merits of the case, and it

* *Vide* Statement as page 304.

does not anticipate that any material increase in the proportion of women would result if such a qualification were dispensed with for men.

With so low a property qualification as Rs. 10 there is a very large overlapping of the educational and property qualifications, and the number of men enfranchised by the educational qualification will not disturb the proportion between men and women materially.

*Head 2.*—An analysis is being made and will be forwarded as soon as it is ready. This Government does not wish to modify its attitude regarding direct electorates contained in my original letter.

It is regretted that this Government has no means of estimating the number of Hindu joint families that will secure representation under its proposals in the time allowed. It may be observed that in the cultivating castes the tendency is for the family to separate. Further, there has been no demand for alteration of the existing rules by which the manager of the joint family only is entitled to a vote.

(*ii*) Sub-tenants as such are not enfranchised by the local Government's proposals. Generally they represent cultivators who desire a little more land than they possess, and must therefore be prepared to obtain it on sub-lease. The sub-lease is usually for one year. Hence sub-tenants will generally be found to be recruited from the general body of tenants, who will be adequately represented. Where the habit of sub-leasing the same area to the same individual exists, the law permits of the conferring of tenancy rights with consequent enfranchisement on the sub-lessee. Lodging houses in towns are rare. The usual practice is for the individual to lease direct from the landlord such portion of the house as he requires. The lessee will be enfranchised under this Government's proposal if the annual rental valuation of the part of the house he occupies exceeds Rs. 12 per annum. A sufficient number of persons will be enfranchised to secure this type of town dweller adequate representation.

*Heads 3, 4 and 5.*—Government finds some difficulty in answering these questions specifically in the form in which they are asked. The difficulty is the territorial difficulty. The unit for administration for election, as well as for other purposes, is the district, and not the province, and the question of how many voters can be polled in one day must be considered in terms of the total number of officers and clerks available in each district for the duties of presiding and polling officers, and not in the province as a whole. Detailed electoral programmes for typical districts have been called for and will be examined on receipt. Pending this detailed examination Government is inclined to think that, even when all possible powers have been delegated, the procedure simplified to the maximum extent compatible with safety, and the employment of non-official agency arranged for to the maximum extent that would be countenanced by public opinion, it will not be possible to poll more than two constituencies in any district on one day. It must be remembered that although it may be anticipated that on an average not more than 15,000 out of 25,000 voters would actually vote in each constituency, at many

polling stations this proportion will be exceeded, and it will be necessary to make provision for all voters on the list.

Subject to these remarks the local Government offers the following replies to the various questions. An estimate has been sent to the Indian Franchise Committee showing that the number of presiding officers at present is 578. An estimate has also been made showing that with every available officer employed the number could not be raised beyond 700, and allowing for sickness, etc., 650 would be a safer estimate.

For polling clerks the sources of supply are :—

(1) clerks who number 4,300 ;

(2) the land record staff consisting of 411 revenue inspectors and 6,889 patwaris ;

(3) 10,000 school teachers, employed in rural areas.

Approximately half of these three classes will be available in all probability, but the majority of class 2 will be required for general assistance outside the polling booths and in practice will not be employed as polling officers. Thus the supply of polling clerks is likely to be far larger than the number of suitable presiding officers.

In addition there are approximately 1,200 members of municipal committees, and about the same number of members of district councils. The court of wards staff is largely subordinate and ministerial, and thus more suitable for employment as polling clerks than as presiding officers. Generally, however, this Government considers that the employment of any large number of non-officials will not be possible. Although in principle there is no objection to their employment, in practice the more acceptable non-official gentlemen would be engaged in political activities, and few would be willing to work as presiding officers. In view of the very much greater supply of suitable polling clerks, and the comparative scarcity of suitable presiding officers, this Government proposes to simplify its polling procedure by delegating to polling clerks the duties of issuing ballot papers and the incidental duties of marking the electoral roll, stamping the ballot papers and entering the number of voter on the counterfoil. To the presiding officer it would reserve only the duty of general supervision and dealing with disputes. It is considered feasible and desirable to employ under each presiding officer not more than five polling clerks, one of whom should be capable in emergency of deputising for the presiding officer. With this staff it is anticipated that a polling unit will deal with up to 1,000 votes in one day. With the delegation of duties and the larger staff proposed, the maximum number of constituencies that could be dealt with in one day would be 38. Assuming 15,000 votes per constituency the total number of voters that could be polled in one day will be 570,000. However, this assumption will not necessarily prove to be the case and, if the staff available in the districts was found to be insufficient for two constituencies per day, half of the above figure (570,000) would be the polling maximum. The number would rise

exactly in proportion, for each further polling day, but owing to the distances in this province it will be essential to allow one or two days (according to the district) for transit of the staff to the next constituency. In the larger districts, therefore, with more than four constituencies, three clear polling days with 2 to 4 transit days will be necessary.

If 10 per cent. of the voters were women, no material difference would result. If 40 per cent. were women, and actually desired to vote, then a reduction would be necessary. The exact figure cannot be estimated. Provision for separate entrances and exits for women could be made in the large majority of polling stations. It is doubtful whether separate booths could be provided in any large number of polling stations. So far Government is unaware of any large demand for separate booths for women, and believes that separate exits and entrances meet the requirements of women voters adequately.

Women presiding officers and a few women polling clerks could be provided at the headquarters of 9—10 districts. Women presiding officers could be found rarely in the interior.

Polling hours should be 8 A.M. to 6 P.M. in urban and 11 A.M. to 6 P.M. in rural areas.

*Head 6.*—This Government adheres to its original proposals for enfranchising about 1,550,000 voters which it considers the maximum that is administratively manageable.

*Head 7.*—This Government adheres to its recommendation that the extension of the franchise should be to this extent.

*Head 8.*—The approximate cost of an election is Rs. 60,000 of which the bill for printing is about Rs. 42,000. The cost of printing would presumably rise in proportion to the increase in the size of the roll and would thus be about Rs. 3,00,000. In addition some allowance must be made for time and travelling allowance of the staff employed. This would probably not rise so much in proportion and may be put down tentatively as Rs. 50,000, or in all 3½ lakhs of rupees.

*Head 9.*—Except in one respect (*vide* the Hon'ble Dr. Deshmukh's separate minute* attached to this letter), the members of this Government have not changed their individual views regarding the respective merits of the universal direct or hybrid systems. These are explained in letter† No. R-54-IV, dated the 26th February 1932.

*Head 10.*—This Government prefers as far as possible to keep single-member constituencies, and is opposed to the general adoption of the system of multiple-member constituencies, which is less simple and gives less chance to minority territorial interests of securing representation. It is recognized, however, that if a system of reserved seats to give representation, for example, to women is adopted, the necessity of two member constituencies arises, but it would keep such constituencies down to a minimum.

This Government has no experience of the working of the cumulative system of voting in multiple constituencies, but would have no objection to introduce this system if other provinces were in favour of it.

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* Page 303. † Page 239.

*Heads 11, 12 and 13.*—The local Government's proposals would enfranchise approximately 70,000 women out of a total electorate of 1,550,000. This Government regrets its inability to devise any logical scheme which would enfranchise a larger number, and objects to the introduction of any arbitrary principle, such as that suggested by Mrs. Tambe, which once introduced it would be difficult to withdraw. The alternative suggestion under 11 (*b*) (a literacy qualification) is one that it is unable to approve, for there is room for difference of opinion as to what constitutes literacy, and the Census department figures are based in the majority of cases on the individual's own assertion that he or she is literate.

This Government also sees considerable difficulty in the way of accepting a certificate of literacy from school masters and fears that the way will be left open for abuses. This Government adheres to its original proposals that 3 women should be co-opted by the Legislative Council. Dr. Deshmukh would, however, be prepared to agree to 5 women being added to the Council, either by reserving seats in urban constituencies or by the system proposed by the Madras Government.

*Head 14.*—In the time allowed it is impossible to prepare an accurate estimate of the number of depressed class voters that would be enfranchised by the local Government's proposals. Arrangements have been made for an analysis* in four typical constituencies, which will be forwarded as soon as possible. When this has been received an estimate may be possible of the total depressed class electorate.

*Head 15.*—This Government is opposed to the introduction of differential qualifications for the depressed classes, on the ground that once the principle had been admitted it would be impossible to resist claims for its extension. If separate electorates for depressed classes are admitted, this Government would raise no objection to allowing the depressed classes a second vote in the general constituencies, though it doubts whether the concession would prove of any value.

*Head 16.*—This Government considers that adult franchise in the towns of Nagpur and Jubbulpore is not administratively impossible, but would raise strong objection to differentiation between these two towns and others which though smaller have very similar interests. Such weightage would be unjustifiable.

*Head 17.*—This Government would adhere to its original proposals to group municipalities and notified areasi nto constituencies apart from rural areas. The proposals already made obliterate the weightage up to now enjoyed by towns, which are left with the number of members justified by their population. A slightly larger percentage of enfranchisement is likely in towns with a generally uniform franchise, as the average status of the town dweller is higher, but this is not of importance once the number of urban seats has been reduced.

*Head 18.*—This Government has reconsidered the question of the representation of labour and agrees that if commerce and industry is to receive a seat, a course which this Government now favours, representation should also be given to labour. Of the two alternatives suggested Government would prefer that the representation should be secured through the

* Page 304.

registered trade unions, subject to the safeguards as to examination of each union by a tribunal, laid down by the Whitley Commission. The factory labour force is largely migratory and factories seasonal, it follows therefore that difficulties might arise in preparing a register of the labour force that would remain accurate for a sufficient period. One seat is accordingly proposed for labour through the registered trade unions.

*Head 19.*—The Governor in Council and the Hon'ble Dr. Deshmukh are prepared not to insist on a residential qualification, if this is being dispensed with in other provinces. The Hon'ble Rai Bahadur Jaiswal, however, would retain it for the next 5 years. Relaxation of the rule will be necessary for women and depressed class candidates even if it is retained for others, as the number available is likely to be small and concentrated in one or two centres. If labour is to receive representation through registered trade unions, as is proposed, the point will be of no importance in connection with the labour candidates.

*Head 20.*—This Government has reconsidered its proposals for representation of commerce and industry and proposes now to retain one seat to represent capital generally. This seat would have an electorate composed of the existing electorates of the two commerce and industry constituencies (approximately 700) and the mining constituency (34).

*Head 21.*—This Government's objection to the retention of the university constituency would be met if election were to be by the senate (or court as that body is termed in the Nagpur University) and not by the graduates.

*Head 22.*—This Government adheres to its original opinion that a second Chamber is an impossibility in the Central Provinces, but the Hon'ble Dr. Deshmukh is inclined to consider that, if the second Chamber system is adopted universally, this province should not be an exception, and an attempt should be made to overcome the practical difficulties.

*Head 23.*—Government objects to the addition of a literacy qualification for an elector in the constituencies of the Federal Assembly in the case of women only, and still considers that the same qualification should be fixed for both sexes. It would prefer that its existing proposals should stand unamended.

*Head 24.*—If an additional seat were allotted to the province, this Government would be prepared to recommend the reservation of one seat in a joint electorate for women. It must point out, however, that the 12 seats tentatively proposed are just sufficient to represent the territorial interests which require it, and that this Government cannot agree to one being reduced in order to make room for women.

*Head 25.*—Similarly, if additional seats were allotted to be filled by a representative of the depressed classes, this Government would raise no objection, though it has doubts whether a suitable candidate would be available. It would be difficult to justify the reservation of a seat for labour through the registered trade unions in the present state of the trade union movement, which has a membership of 5,000 only and 7 unions, and this Government is averse from such a course.

*Head 26.*—On other points covered by the supplementary questionnaire, this Government adheres to its original proposals.

The Hon'ble Dr. Deshmukh is forwarding a supplementary minute on the grouping of women, the educational qualifications, and other points.

**Minute by the Hon'ble Dr. P. S. Deshmukh.**

As a result of the discussion with the members of Franchise Committee at Bombay, I would like to add the following note to the Government's reply :—

*Head 1 (c).*—I was never much in favour of any educational qualification being the basis of franchise, but now I feel it somewhat more strongly especially in the case of men. I recognize its value as an inducement for the spread of education, but I consider this an anti-democratic idea. It is for this reason that I am prepared to forego the advantage that is likely to issue from it. One of the difficult problems connected with the question of franchise has been, how to protect the interests of the backward communities. The introduction of an educational qualification would be a step directly in the opposite direction. In effect it would give almost adult franchise only to the advanced communities.

I am less strongly opposed to women being given votes for educational qualification; but if my suggestion for getting a larger number of women voters finds favour, even this can be dispensed with.

*Head 2 (ii).*—I am in favour of enfranchising the sub-tenants in the way it is done in the local board elections at present. I would tentatively propose annual lease money of Rs. 60 or Rs. 75 as the minimum. This would greatly reduce the need of fixing a different qualification for or giving special representation to agricultural labour.

*Head 9.*—While I am opposed to differentiation in qualifications, I feel that the number of women enfranchised according to our proposals would be very small. I am therefore prepared to accept the group system of election of women voters, more for want of any better substitute for increasing the enfranchisement of women than as a result of any change in my views on the group system. I would therefore like it to be limited to women only and every 40 women above 18 or 21 should elect one secondary woman voter. This would approximately give 100,000 more women voters. Those entitled to a vote on the property basis should remain.

*Head 10.*—I am strongly opposed to cumulative voting.

*Head 11.*—(*Vide* my remarks on head 9.)

*Head 23.*—As said above, I am opposed to any educational qualification being made the basis of franchise.

P. S. DESHMUKH.

## V

## Supplement to the memorandum of the Government of the Central Provinces.

LETTER FROM THE CHIEF SECRETARY TO THE GOVERNMENT OF THE CENTRAL PROVINCES, TO THE SECRETARY, INDIAN FRANCHISE COMMITTEE, No. C. 138/IV, DATED THE 14TH APRIL 1932.

As promised under head 1 (*a*) of this Government's letter* No. R. 54-IV-A., dated the 29th March 1932 regarding the Indian Franchise Committee's Supplementary Questionnaire, an analysis† has been made in four typical constituencies of the effect of lowering property qualification to the following stages of land revenue or rent :

Rs. 5, Rs. 7-8-0 and Rs. 10.

Indications are that number of voters enfranchised by Rs. 10 qualification will be less than at first estimated and that it will probably be necessary to adopt Rs. 7-8 qualification as standard with lower qualification of Rs. 5 for lighter assessed districts and about Rs. 10 for districts assessed above average. Collection of figures for whole province will be necessary before final proposals can be made.

The number of depressed class voters is shown in the statement attached‡. Figures show satisfactory representation in Raipur district and probably in the rest of the Chhattisgarh Division. In Nagpur district where depressed classes population is 24 per cent. of the total, the voting strength will be 10 per cent. In Khamgaon (Berar) depressed classes though fairly important receive under-representation. In Jubbulpore depressed classes are unimportant. Women voters will be between 70,000 and 100,000 or 1 per cent. to 1½ per cent. of the total female population. This is close to the previous estimate of 73,000.

As a result of examination of the programme of election of one advanced and one backward district Government now considers that the total period for polling and counting votes per district can be reduced to 11 days. This implies polling about two constituencies per district per day which will be heavy tax on staff and involves some risk of breakdown. This must however be taken if polling period is to be shortened.

V (a).—*Statement showing qualifications and number of voters.*

| Constituency. | Qualifications. | Total electorate. | Depressed classes. | Women. | Population. |
|---|---|---|---|---|---|
| 1. Nagpur .. .. | 10 | 13,432 | 1,436 | 989 | 135,533 |
| 2. Jubbulpore .. | 5 | 10,168 | 407 | 802 | 144,702 |
| 3. Raipur .. .. | 5 | 23,912 | 7,733 | 1,970 | 252,026 |
| 4. Khamgaon .. | 5 | 9,244 | 776 | 986 | 116,270 |

* Page 297. † *Vide* statement V (*a*) attached.

‡ *Vide* statement V (*b*).

V (b).—*Statement showing the present number of depressed class voters on rolls of certain constituencies of the Central Provinces Legislative Council.*

| Nature and name of constituency. | No. of Depressed Classes voters. | Total No. of voters. |
|---|---|---|
| Nagpur City-*cum*-Kamptee—Non-Muhammadan—Urban | 488 | 11,178 |
| Nagpur District (East)—Non-Muhammadan—Rural .. | 165 | 3,737 |
| Nagpur District (West)—Non-Muhammadan—Rural .. | 175 | 5,244 |
| Bhandara District—Non-Muhammadan—Rural .. | 282 | 5,246 |
| Raipur District (North)—Non-Muhammadan—Rural .. | 729 | 6,649 |
| Raipur District (South)—Non-Muhammadan—Rural .. | | |
| Drug District—Non-Muhammadan—Rural .. .. | 690 | 5,430 |
| Amraoti Non-Muhammadan—Urban .. .. .. | 81 | 3,053 |
| Amraoti East Non-Muhammadan—Rural .. .. | 71 | 3,942 |

## VI

**Memorandum by the Central Provinces Provincial Franchise Committee in reply to the Supplementary Questionnaire of the Indian Franchise Committee.**

The Central Provinces Franchise Committee have considered the supplementary questionnaire issued by the Indian Franchise Committee as a result of discussion with them in Bombay. They desire to submit below their answers to the individual points raised.

*Head 1* (*a*).—The committee do not consider that there is any great difference in interest between a tenant paying Rs. 5 and a tenant paying Rs. 10. On the other hand the general lowering of the property qualification would have the effect of enfranchising the lower classes to some extent by enfranchising the agricultural labourers who also have small holdings. This matter, however, is one of administrative practicability, as the committee's original proposals provided the maximum electorate that could be managed administratively.

*Head 1* (*b*).—The committee have considered the suggestion that adult franchise should be adopted for all persons above a certain age. The figures worked out show that in practice the age limit would be about 45 years, and that if the electorate was to be kept within manageable bounds, a lower age figure for universal suffrage could not be adopted. Forty-five is in the opinion of the committee an unduly high age, and the adoption of the principle would be quite unacceptable.

*Head 1* (*c*).—The committee are unable to agree to dispensing with an educational qualification for men and substituting in its place a literacy qualification for women. The principle would be quite unsound. They consider that there is justification for an educational qualification for both sexes on its merits and would adhere to their original proposals. No practical gain to women or material alteration of the proportion between men and women would result from this proposal.

*Head 2.*—The committee understand that the local Government is undertaking an analysis of selected constituencies.

*Joint families.*—The committee are unable to say how many joint families will secure representation under their proposals. They would, however, leave the rule regarding qualification of joint families as it stands.

*Head* (*2*) (*b*),—The present proposals of the committee do not enfranchise the sub-tenant as such at all. The sub-tenants are generally of the cultivating classes and their interests are not materially different from those of the tenants generally, though they are sometimes of inferior status. The committee would raise no objection to enfranchising a certain number of sub-tenants provided that full allowance is made for the fact that rents paid by sub-tenants are considerably higher in pitch than those paid by tenants. They suggest that sub-tenants whose sub-rents are three times the normal minimum rental

qualification of Rs. 10 should be enfranchised, for, in practice, the pitch of sub-rents is three times, if not more than, that of the rents of tenants fixed by Government for similar land. In towns the lodger system is practically unknown in the province and the custom is for persons to rent two or three rooms direct from the landlord. These persons will be enfranchised if their annual rent exceeds the 12 rupees minimum suggested.

*Heads 3, 4 and 5.*—These raise administrative matters which the committee would prefer to leave to the local Government to answer. They would, however, like to make remarks on two points. The committee agree that while in principle no objection could be made to the use of non-official agency as presiding officers, difficulties will arise in practice as the majority of suitable non-official gentlemen of standing will be employed in canvassing and supporting the prospective candidates. Those who take no part in these activities are generally persons of less influence and position, and the committee doubt whether candidates would accept them as suitable presiding officers. As regards the provision to be made for women, the committee consider that the provision of separate entrances and exits for women voters will meet the requirements of the case and do not consider that it is necessary for provision to be made for separate polling booths for women only.

*Head 6.*—The committee adhere to their original proposals which will enfranchise about 10 or 11 per cent. of the total population. If their tentative scheme in the event enfranchises slightly more than this, the committee do not think this will be a matter of importance.

*Head 7.*—The committee's recommendations in their original proposals enfranchise the maximum which they think can be administratively managed.

*Head 8.*—The committee are unable to make any estimate of the cost of a general election, and would leave the point to be answered by the local Government.

*Head 9.*—The committee's opinion is not asked on this point.

*Head 10.*—The majority of the committee consider that single member constituencies should continue so far as possible, on the ground of simplicity. If, however, a system of reserved seats, as for example for women, is introduced, then multiple constituencies will be necessary. In these constituencies the committee would adopt the present distributive system. Rai Bahadur Naidu favours the system of single non-transferable votes.

*Head 11.*—The committee have reconsidered their decision on the question of the enfranchisement of women, and the majority are prepared to adopt something on the lines of Mrs. Tambe's scheme. They accept her proposal that about 300,000 wives should be enfranchised, and would leave it to be ascertained later what exact property qualification must be fixed in order to attain this result. The alternative proposal that mere literacy in women should qualify is one which the

committee would reject, as they consider that the system would give rise to difficulty over the exact definition of literacy. The grant of certificates of literacy by school-masters also might lead to abuse. Mrs. Tambe wishes to make it clear that if her scheme for enfranchising 300,000 women is not accepted, she would press for the alternative literacy qualification.

*Head 12.*—The approximate number of women, the enfranchisement of which the committee contemplate, is 300,000.

*Head 13.*—The committee adhere to their original proposals for securing the presence of women in the legislatures by reserved seats in five urban constituencies.

*Head 14.*—The committee would leave the estimate of the number of depressed classes likely to be enfranchised to the local Government.

*Head 15.*—The committee adhere to their original proposals regarding uniform qualifications, so far as possible, for all classes. They do not support the proposals of the Government of Madras and the Madras committee for allowing a second vote to depressed class voters in the general constituencies, as well as for separate electorates.

*Head 16.*—The committee do not favour adult suffrage in the towns of Nagpur and Jubbulpore, and would adhere to their original proposals for enfranchisement in the urban areas.

*Head 17.*—The committee have no change to make in their existing proposals under which 12 out of 110 seats are allotted to the urban areas. This, in effect, leaves the urban areas with a negligible weightage. The present practice of grouping municipalities and urban areas into constituencies, separate from the rural areas, is one which has the strong support of public opinion and to which the committee would adhere.

*Head 18.*—The committee consider that the question of allowing labour separate representation as a special interest is bound up with the whole question of special interests. They recognize that, if capital interests, such as commerce and industry, are given separate representation, then labour should also receive counterbalancing representation. In their original proposals, however, no provision was made for commerce and industry or for labour, a position which the committee consider is perfectly logical. They adhere therefore to their original proposal for making no provision for special interests such as capital or labour.

*Head 19.*—The committee recognize the objections to the residential qualification but would prefer that the existing rule, by which constructive residence is insisted on, should stand for the next ten years. They fear that otherwise the large inexperienced new electorates might be stampeded by "carpet baggers" from a central caucus. Once the electorate has been educated, the restriction might be relaxed. The committee agree, however, that some relaxation is necessary in the case of depressed class candidates, who are mainly available in two centres. For women the committee do not anticipate any shortage of local candidates.

*Head 20.* -The committee would not allow special representation for commerce and industry of mining, for reasons given under Head 18 above.

*Head 21.* —The committee adhere to their original opinion that special representation for the University is unnecessary.

*Head 22.*—The committee adhere to their original opinion that a second Chamber is not possible in the Central Provinces.

*Head 23.*—The committee see no advantage in the addition of an educational test for women only in the federal assembly, and would adhere to their original proposals.

*Head 24.*—The present number of seats allotted in the federal assembly to the Central Provinces and Berar is scarcely adequate to give representation to the territorial interests which require it, and the committee would not agree to any reduction of the territorial representation, in order to give room for a seat for women. Without prejudice to their considered view, that the province should receive larger representation, they would be willing, if an additional seat or seats were allotted for this purpose, to give one seat to women.

*Head 25.*—Similarly, if one additional seat was specially allotted for depressed classes, the committee would have no objection, but consider that there is no room in the number at present allotted for any but general constituencies. Mr. Gavai is unable to agree with this view, and considers that there should, in any case, be one seat reserved for depressed classes.

*Head 26.*—There is no other point on which the committee would reconsider their original proposals.

**(1) Note of dissent by Rao Sahib Uttamrao Patil, M.L.C., and Rai Sahib Dadu Dwarkanath Singh, M.L.C.**

We differ from our colleagues in so far as they do not wish to have a second Chamber in the Province.

They have, we are afraid, more implicit faith in the wisdom and the theoretical infallibility of the electorates, and are guided more by the theory of the supremacy and the sovereignty of the people than the accumulated experience of constitution making in the world would seem to justify.

We note that the time-worn dilemma of Sieyès has long been rejected by the constitution makers, although people in India and elsewhere are still apt to ask with that great Frenchman " Of what use will the second Chamber be ? If it agrees with the Representative house, it will be superfluous ; if it disagrees, mischievous." But we cannot be unmindful of the fact that the prophet has not been honoured to any very great extent by any country of considerable importance ; not even France throughout its long period of experimentation has done so.

It is well known that the experiments in unicameral legislatures both in France and England were failures. Certain post-war countries, *e.g.*, Turkey, Bulgaria, Yugo-Slavia, Esthonia, Latvia and Lithuania are still experimenting in unicameral systems and cannot be said to have attained stable constitutions. Of these, only Turkey and Yugo-Slavia are in any way comparable with an Indian province, such as Central Provinces, in size or population; and as yet they are hardly democracies such as we contemplate in our province. Recent experience and the consequent suspension of the constitution in Yugo-Slavia should warn us against the weakness and the dangers of a single chamber; and in Turkey the constitution is probably maintained only by the benovelent military autocracy of Kemal Pasha. In some other countries, *e.g.*, Esthonia, the check of referendum exists, and in Norway they have a Revising Committee.

On the other hand, we have the whole array of the countries in the world with settled constitutions and with years of experience and experimentation behind them, who have definitely preferred a second Chamber—even Soviet Russia not excluded.

Within the British Empire we have Canada with residuary powers vested in the Central Government, and Australia with those powers in the provinces. Similarly we have the powerful Federation of United States of America with residuary powers vested in the Provinces. What we are aiming at is the latter and not the former type of Federation in India. Clearly, therefore, the latter type should afford us the model for our provincial constitutions. It may, however, be mentioned that even in Canada, Quebec and Nova-Scotia have thought fit to retain their second Chambers. The most populous state in United States of America, *viz.*, New York, has a population of 10,000,000 including the great city, and the biggest state in Australia has no more than a population of 3,000,000; as compared to Indian provinces they have a smaller population in their charge, and yet all these states retain bicameral legislatures without even as much as a thought for a change.

Queensland alone amongst these states abolished its second Chamber in a fit of rage in 1922 owing to frictions between the two chambers. If this is claimed to be the latest phase in the development of public opinion in favour of a single Chamber, it is amply compensated by the instance of Greece which even later than 1922, has gone over to the ranks of bicameral countries.

Frictions will arise in unicameral countries no less than in bicameral countries. Which of these is preferable? The observations of A. B. Keith in "The Constitution, Administration and the Laws of the Empire" are instructive in this behalf. He observes:

> "It is noteworthy that the most serious cases of strained relations between the Ministers and the Governors have occurred in the Canadian Provinces with Unicameral Legislatures."

Again :

> "It is possible that Governors' reserve powers of dismissal (of a Ministry) might conceivably be rendered necessary ..... *especially where the electorate is not protected by an effective Upper Chamber.*"

That a second Chamber in certain cases of dead-locks acts as a shock-absorber, and that the alternative for it is the reserve powers vested in the Governor, is also an important point for our consideration. It is, therefore, apparent that even for other reasons than merely a herd instinct of following the majority, it is imperative that the question of the second Chamber should not be lightly brushed aside.

Too much stress need not be laid on the possibility of frictions between the chambers. Australia, before the Commonwealth constitution was framed, was full of such frictions and yet in its Federal constitution, which is characterized by an authority of the eminence of Lord Bryce as the quintessence of the political experience of the world down to the close of the nineteenth century, contains a provision of a second Chamber most deliberately accepted.

We do not accept the contention of the Central Provinces Government that there is no material in the province out of which a second Chamber can be evolved; this is as much as to say that there are no interests which need the protection of the second House. This in our opinion is incorrect. In India we contemplate Lower Houses which for some time would be dominantly communal in colour, if only for this reason the necessity for the expression of the views of interests as against views communally expressed would be justified; so that any legislation should reflect the opinion of the communities as well as those of vested interests and the sum total of their combined wisdom.

Neither do we accept the position of our Government that the expenses involved would be beyond the means of the province. We maintain that the small extra expenditure involved would be amply compensated by the stability and the security afforded to the administration by the second Chamber.

It is unnecessary at this stage, to discuss in detail a scheme for second Chamber, its powers or its relations with the Lower House. Once the principle is admitted all this can be worked in a suitable manner, for which enough material and means could be found.

Lastly, we might observe that there is no Federation, with residuary powers vested in the provinces, or a nation in the world comparable in size and population of the British Indian provinces, where a second Chamber of some kind does not exist. As everywhere else a second Chamber in India would be useful and necessary as Lord Bryce lays down :—

> "To prevent undue haste in passing of important laws by securing a period during which the opinion of the people regarding the law may be duly formed and expressed."

We feel that if the theory and argument be on the side of the unicameralists, the political experience and the judgment of the constitutional world is on the side of the bicameral form. It would, therefore, be safer for India to profit by it rather than act as a pioneer in the field of constitutional experimentation. If after experience we thought this was a mistake it would be easier to remedy it by abolition of the second Chamber; the reverse process, should a necessity arise, would not, in our opinion, to our eternal regret, be quite as easy of remedy.

If in accepting the second Chamber we are undemocratic, we shall be so with the most ardent democrats of the world; if we commit a mistake, we do so in company with the most advanced constitutional thinkers of the world; if we sin, we do so with the most enlightened company of the overwhelming majority of the advanced nations in the world.

We, therefore, strongly advocate a second Chamber for this province, with all due deference to our colleagues.

U. PATIL,
DADU DWARKANATH SINGH,
*Members of the Franchise Committee,*
*Central Provinces.*

*The 27th March 1932.*

## Miscellaneous correspondence with the Government of the Central Provinces on matters arising out of replies to Questionnaires.

### APPENDIX I.

TELEGRAM FROM THE JOINT SECRETARY, INDIAN FRANCHISE COMMITTEE, TO THE REFORMS OFFICER, NAGPUR, No. E.-684-C.P., DATED THE 15TH APRIL 1932.

Objection has been raised to prescription of Rs. ten for both land revenue and rent in Central Provinces Government's recommendations on ground that in other provinces rental figure suggested is normally double that of revenue. Committee would be grateful if local Government could explain or justify this apparent anomaly. Please telegraph reply.

TELEGRAM FROM REFORMS, NAGPUR, TO THE JOINT SECRETARY, INDIAN FRANCHISE COMMITTEE, No. C./2, DATED THE 18TH APRIL 1932.

C./2. Your wire E.-684 the prescription of rupees ten refers to payments of ryots in ryotwari villages which are classed as land revenue and payments of tenants in malguzari villages which are classed as rent; the difference between the payment is technical only; the incidence of payment on the ryot is much the same, the one difference being that in the first case the payment is made direct to Government and in the second case the payment is made to the Malguzar. Berar is almost wholly ryotwari and the C. P. almost wholly Malguzari. The figure of ten rupees is a provincial figure for purposes of illustration and will probably require modification when detailed statistics are collected. This Government has made no recommendation regarding the franchise of landlords proper but under the existing franchise the figures of revenue payment is double that of the rental payment, that is for a landlord proper the franchise is payment of Rs. 100 land revenue, whereas for a C. P. tenant or a Berar ryot the franchise is payment of Rs. 30 to Rs. 50 rent or revenue according to district.

# Replies

# of the

# Government of Assam

# and the

# Assam Provincial Franchise Committee

# to the

# Indian Franchise Committee's Questionnaires.

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# ASSAM.

## I

## Memorandum by the Government of Assam.

LETTER FROM THE CHIEF SECRETARY TO THE GOVERNMENT OF ASSAM, TO THE SECRETARY TO THE INDIAN FRANCHISE COMMITTEE, CALCUTTA, No. A. P., DATED SHILLONG, THE 19TH FEBRAURY 1932.

I am directed with reference to my telegram No. 453-Fr., dated the 15th February 1932, to forward for the information of the Franchise Committee, a copy of the report of the Assam Franchise Committee, and also of the views of the Assam Government on some of the matters referred to therein.

2. I am to express the regret of the Assam Government that they are unable to deal with the points raised in the questionnaire issued by the Franchise Committee at greater length, or to illustrate by practical examples the effect of their proposals on the constitution of the Legislative Council and the division of seats as between the various communities. The time available under the circumstances has been insufficient for the detailed enquiries and examination necessary before arriving at definite conclusions.

3. On the 12th January 1932 in reply to an enquiry this Government received instructions from the Government of India that the questionnaire and the letter of the Prime Minister could not be published or communicated to the Provincial Committee pending definite orders authorising publication. It was therefore not till the 15th January that the questionnaire could be circulated to the Provincial Committee, the public and officers of Government. Subsequently various alterations in the questionnaire were received on the 25th January and on the 5th February, the latter being a most important alteration as regards the desirability of communal electorates. It was, however, too late for this alteration to be communicated to those who were submitting written statements, as they had been asked to send the same by the 7th February.

The Provincial Franchise Committee met on the 11th February and sat daily up to and including the 18th. It will be seen therefore that the Assam Government have had only one day in which to examine the Committee's report: no time to discuss the same with the Members of the Committee, whose industry they gratefully appreciate, and have been compelled to be content with a very hasty review of recommendations on matters of far reaching importance. Even this hurried survey has been handicapped by the absence, owing to illness, of the Hon'ble Revenue Member. Under these conditions I am to express the hope that the Indian Franchise Committee will pardon the failure of the Government to comply with all the requests that they have received, and their inability to deal with all the points raised by the Indian Franchise Committee.

4. Turning to the questionnaire I am directed to submit the following views of the Assam Government:—

## I.—Extension of the Franchise.

(*a*) It is impossible in the absence of further detailed enquiries to give even an approximation of the extent to which the qualifications in respect of the payment of land revenue or local rate or chaukidari tax would have to be lowered so as to enfranchise ten or fifteen per cent. of the population. That an increase could be obtained is certain. In the case of Assam the enfranchisement of ten per cent. of the population would mean in round figures trebling the present electorate.

(*b*) The electorate so enlarged will, it is considered, display as much intelligence as the present electorate.

(*c*) Unless there is a considerable increase in the number of the constituencies coupled with a decrease in their size, it is feared that it would be impossible for Government to provide the machinery for the registration of voters and the holding of elections.

The preparation, maintenance and revision of electoral rolls for an enlarged electorate would be possible if they were maintained regularly and revised annually as a matter of routine. It would be extremely difficult to compile or revise in a short time the electoral registers for an electorate enlarged to the extent considered desirable for the purposes of a general election.

As regards the recording of votes it is possible that by extending polling over a longer period with a considerably larger number of constituencies, adequate administrative arrangements could be made. In the case of any large constituency for which the election had to be completed in one day, it would be necessary to resort to the assistance of non-official agency. This, it is considered, should only be employed with the consent of the candidates, which it is feared might in many cases be withheld.

(*d*) No answer is required.

(*e*) The Government of Assam consider that it would not be practicable or desirable to attempt to enlarge the electoral roll at present beyond 10 per cent. The extension of the franchise will lose much of its advantage unless accompanied by a marked increase in the percentage of voters who desire to record their votes. This involves a closer personal touch between the candidates and the constituents for the political education of the latter than has yet been obtained. It is hoped that if the constituencies are smaller the relation may be closer.

(*f*) to (*j*). The Government of Assam consider that any system of primary or secondary groups is both impracticable and undesirable. They agree with the reasons recorded by the Provincial Franchise Committee. The present informal elections of Panchayats justifies no hope of a satisfactory election of secondary electorates by groups. Similarly in the Assam Valley but little interest is displayed in the election of village authorities.

It will be understood that these recommendations are made on the assumption that an elector can only vote in one constituency.

## II.—Franchise Qualification.

(*a*) The Assam Government recognise that there is a marked disparity in the operation of the franchise qualification in urban as compared with rural areas. They regard it as unavoidable, but of comparatively little importance in Assam where the towns are small and of a semi-rural character containing many electors whose interests are primarily those of the rural areas.

(*b*) It will be seen that the documentary evidence does not deal with the amended form of the questionnaire. The Government of Assam consider that separate electorates should be maintained for Hindus and Muhammadans, as well as for Kacharis, Garos, etc., and other primitive tribes whose election would be justified by the strength of their population. They advocate the constitution of special constituencies of two kinds, firstly, those justified by the importance of the interests concerned ; and secondly, those based on communal or tribal grounds justified by the number of potential electors. In the separate or special electorates they consider that the franchise qualification should be uniform and that so far as possible, regard being paid to the residence of the various members of the community, each community should be given representation on the legislature in proportion to its total population. In this connection I am to draw the attention of the Franchise Committee to the evidence given by some members of the Garo community.

There would therefore appear to be no need, if these conditions are accepted, of any special contrivance designed to give each community voting strength in proportion to its numbers.

(*c*) As regards the test of fitness for the franchise the Assam Government cannot in the time at their disposal go further than to say that a property qualification appears to them to be a suitable test ; but in their opinion it should be restricted to the payment of a definite sum as tax or revenue either to Government or to a local body. It appears to them to be impossible except perhaps in the case of special labour constituencies, to make the receipt of income or of wages a qualification owing to the impossibility of proving such receipts. It might, however, be feasible to recognise the payment of a certain sum by way of rent every year to a landlord as recommended by the Provincial Committee*, provided such payment is supported by adequate proof.

(*d*) The suggestion that a qualification based on educational attainments should be added to the list is accepted. This should be the possession of a certificate that the applicant has completed at least the middle English school stage whether in a high middle English or middle Vernacular or other middle school or Madrasa. Any lower qualification, it is thought, would not have any real virtue.

(*e*) The existing military service qualification should be retained and extended so as to include service in the Auxiliary and Territorial Forces.

* Page 324.

### III.—Women's Suffrage.

The view of the Assam Government is that any woman who pays in her own right any tax which would entitle a man to a vote should be enfranchised. The age qualification in the case of women should, in the opinion of the Assam Government, be raised to 25. They would not object to the enfranchisement of any woman who, if free from any statutory disqualification, applied to be registered and made the payment of a rupee in stamp duty on such an application. Such payment should qualify the elector for one year.

As a practical matter, however, it is thought that there would be no increase in the number of female voters going to the polls, unless separate and special arrangements were made for the purpose. This would not be possible in Assam.

(*b*) The Government of Assam are unable to support any system of group representation.

(*c*) They are not in favour of any reservation of seats for women.

### IV.—Representation of the Depressed Classes.

I am to explain that in Assam the term "depressed" classes has not the same significance as in some other parts of India. In Assam this term would include aboriginal tribes, *ex*-tea garden coolies (amongst whom animists predominate) settled in Assam, and also those Hindu castes classed as "exterior" as described by the Census Superintendent in the note* on the subject already submitted to the Franchise Committee.

As stated above, the creation of special constituencies to provide adequate representation for these various communities would be welcomed. In the absence of any decision on their repeated proposals regarding the so-called "backward" tracts of this province, the Government of Assam are unable to put forward concrete proposals in any detail.

The Hon'ble Minister in charge of Local Self-Government who is, on principle, opposed to a system of separate communal electorates, would naturally support the majority view of the Assam Provincial Franchise Committee that no separate electorate should be constituted for the depressed or backward classes in Assam. But if this view is not accepted by the Indian Franchise Committee, and a separate electorate is considered indispensable for these classes, he would press for the adoption of the scheme set forth in the note† which accompanies this letter. His scheme would at least prevent the compulsory segregation of all qualified electors of these classes in "stigmatised compartments".

The Government of Assam are confident that the general extension of the franchise will not secure for the "depressed" classes representatives of their own choice in the general electorates as now constituted. It appears to them that these classes can secure representation only by—

(*a*) the increase in the number of special constituencies for separate communities referred to above; and

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* Page 337. † Page 322.

(*b*) an increase in the provision of a general electorate—preferably on geographical lines which it is thought might absorb all those electorates which do not wish to register themselves in any special communal electorate, as well as those who, though of distinct tribe or class, are not sufficiently numerous to serve and obtain separate representat on.

The Assam Government attach much importance to the desirability of leaving to the elector as far as possible the choice of the electorate to which he may belong. The group system in their opinion would confer no advantage on these classes.

## V.—Representation of Labour.

As regards unorganised labour it is thought that this could properly be included in the general constituencies referred to above.

After further consideration of the possible methods of securing adequate representation of the actual labour force in organised industries this Government have as yet been unable to discover any system suitable and practicable in Assam. If special representation is considered necessary, it can at present only be given by nomination. The majority of the provincial Committee were of the same opinion.

## V-A.—Special Interests.

Pending the creation of a University for Assam there should be no special representation for graduates. This should be confined to the following :—

(*a*) The tea industry on the present proportion of 1/8th of the elected members, two of the seats being reserved for Indians ;

(*b*) Two seats for Commerce, one being reserved for Indians ;

(*c*) One seat for Europeans ;

(*d*) One seat for Indian Christians by nomination ;

(*e*) Three seats for labour by nomination.

The Government of Assam regret that in the time at their disposal and in the absence of detailed statistics they are unable to forecast or visualize the strength of the legislature or its ultimate composition.

As regards the second Chamber, the Hon'ble Finance Member adheres to his opinion already expressed that it is unnecessary. The other Members of Government consider it most desirable to have a revisory body in view of a possibly enlarged electorate and an enlarged legislature.

In conclusion I am again to express the regret of the Government of Assam that this report is necessarily incomplete. They hope that a further opportunity may be given them for recording their opinion on other points at issue. They would welcome the visit of the Franchise Committee to the province should there be a second tour. For in certain respects Assam differs materially from other provinces in India.

**I (i) Note on the representation of Backward Tribes and "Exterior" Hindu Castes in Assam by the Hon'ble Raj Bahadur Kanak Lal Barua, Minister of Local Self-Government, Assam.**

At the outset I should make it clear that I submit this note in order to explain my personal views clearly on this important question. I agree that responsible government would be meaningless if all the various sections constituting the population of the province are not satisfactorily and adequately represented in the legislature. If for such representation separate electorates are demanded by people of the backward tribes and depressed classes and they feel and reasonably apprehend that without such separate representation their interests are not likely to be safeguarded, I am of opinion that such a demand cannot be resisted, especially if we give such separate representation to the Muhammadans. Personally I am, on principle, against the system of separate electorates for any section of the people as it keeps the nation divided and prevents the growth of a common national spirit. In the case of the backward tribes and depressed classes it means, as correctly stated by the Simon Commission, "stigmatizing each individual voter in the list and militates against the process which is already beginning and which needs to be in every way encouraged—that of helping those who are depressed to rise in the social and economic scales". I can say from my personal knowledge that this process has been much accelerated during recent times. Mr. Mullan in his note* has rightly admitted that this process has been going on and that an "exterior" caste may in course of time become an "interior" caste but if once a wall is erected between them and the high caste Hindus I am afraid this process of advancement will be automatically stopped. We should therefore be very careful in coming to a decision in this matter. I think the Simon Commission were very wise in declaring against separate electorates for these classes. It is therefore necessary to ascertain the opinion of each individual voter of these communities. The statement of one or two witnesses belonging to a particular small section of sub-caste cannot be accepted as the opinion of the majority. We should not force separate electorates on any section of any community.

Being of this opinion I attach great importance to the giving of the option to each individual qualified voter of these classes, to go to the separate roll for his own caste or tribe or to the general electorate meant for all classes and creeds or to the separate Hindu electorate meant for what Mr. Mullan describes as the "interior Hindu castes." Any voter thus desiring to go into a separate roll must do so by application. Those not desiring to transfer themselves will continue to remain on the general electorate. Each individual Hindu or Muhammadan voter will also have the option to go either into the separate Hindu or Muhammadan roll or to the general electorate. The advantages are the following :—

(1) This system will permit those who are not communally inclined to go into the general electorate thus introducing a system of joint electorate for all, side by side with separate electorates for

* Page 337.

those who are communally inclined. There are many people who think that religious division should not come in a matter of political franchise.

(2) Such a system will provide a general electorate for smaller groups like Buddhists, Jains, Parsis, Sikhs, etc., who cannot go into the Hindu or Muhammadan roll or into partnership with exterior Hindu castes or backward tribes and are not in sufficient numbers to form separate electorates of their own.

(3) Such a system will not check the process of gradual uplifting of the exterior Hindu castes or backward tribes. The members of these classes who desire such uplift may prefer to remain in a general electorate or go into the Hindu roll rather than seclude themselves in a stigmatized separate electorate of their own.

(4) This system will avoid the practical difficulties in the way of creating one common electorate for all the exterior Hindu castes and the primitive tribes each of whom has very little in common with the other. One may not speak the dialect of the other and the water touched by one may be polluted for the other. The only logical course is to give each exterior caste or tribe separate representation and this will be possible under this system if the number of qualified voters of each of such groups reaches a certain limit—say 25,000. Groups with lesser numbers must go into the general electorate.

A voter going into a particular group may change and go into another group by application when the rolls are revised.

## II

### Memorandum by the Assam Provincial Franchise Committee.

Before submitting our findings on the various questions referred to us, we wish to record our unanimous opinion that adult suffrage is the goal which should ultimately be attained. We, however, consider that this is at present impracticable.

### I.—PROVINCIAL LEGISLATURE.

#### 1. Extension of the Franchise.

1. (*a*) We are of opinion that ten per cent. of the population may be included in the electoral roll by lowering the existing franchise in rural and urban areas. We are, however, unable to indicate the precise reduction which would effect this result. In the very short time available, district officers and other officers have been unable to do more than suggest the extent of the reduction on the basis of summary enquiries made in a few very restricted areas. For example, it has been estimated that the present qualification of the payment of Rs. 15 land revenue in the Assam Valley should be reduced to a payment of Rs. 8, or Rs. 10, or Rs. 12, and that the payment of chaukidari tax in Goalpara and in the Surma Valley should be lowered from one rupee to eight or ten annas. Though in some urban areas, more than 10 per cent. of the population is already enfranchised, the rate of payment of municipal tax in other urban areas will have to be reduced so as to enfranchise 10 per cent. The existing franchise is not uniform for all urban areas, and it is not possible from the materials before us to indicate at present what reduction would be required.

We would add that payment of grazing dues of an amount equivalent to the amount which may be fixed as a land revenue qualification should be an additional qualification for enfranchisement.

(*b*) We are of opinion that such an electorate would be capable of casting just as intelligent a vote as the present electorate.

(*c*) We would answer this question in the affirmative.

(*d*) In view of the above observations, this question does not arise.

(*e*) We are agreed that it would be practicable and desirable having regard to the considerations in (*b*) and (*c*) to enlarge the electoral roll so as to include 15 per cent. of the total population. This could be effected by a still further lowering of the existing qualifications beyond that indicated in our finding on 1 (*a*) If this should result in absorbing all payers of land revenue or of local rates or of chaukidari tax or of municipal tax, without attaining the desired percentage, any deficiency could be made up by introducing any or all of the following additional qualifications—the payment to a landlord of an annual rent on land whether in cash or kind, the receipt of salary or wages of Rs. 40 a month, educational qualifications of the middle school standard.

(*f*) Except perhaps in the case of tea garden 'abourers, we are agreed that the group system of voting by primaries and secondaries is impracticable. We give our reasons.

(1) It would not be practicable in Assam to have the groups formed by the villagers themselves. There are very few village organisations of the type referred to in the proceedings of the Round Table Conference Franchise Sub-Committee. The memorandum issued by the Indian Franchise Committee on "Village Panchayats" is misleading so far as Assam is concerned. Village Panchayats are constituted under the Chaukidari Act and not under the Assam Rural self-Government Act. Village authorities elected under the latter Act are few in number and function with varying degrees of efficiency. In the Surma Valley and in Goalpara there are Village Panchayats of 4 or 5 members but these are, in practice, only for the assessment and collection of the chaukidari tax and are in no sense representative of the village or villages in any particular chaukidari circle. In the Assam Valley outside Goalpara there are no panchayats. In some places in both valleys there are village authorities but as the experiment of rural local self-government has not been encouraging enough to warrant its universal extension, their use for the purpose of working the group system over the whole enfranchised area is out of the question.

Owing to the numerous castes which are to be found in most Hindu villages, there would be endless friction in the formation of groups; in Muhammadan villages, the difficulty would be less. It would be impracticable, on the ground of dislocation of other work and of expense, to employ Government officers in forming the groups and in compiling the registers of primaries and secondaries. The memorandum on the indirect system of election in Palestine in 1922-23 gives the population of Palestine in 1922 as 757,182. This is not very much more than the population of Habiganj sub-division in the district of Sylhet (632,521).

(2) It would be comparatively easy for a candidate to approach the secondaries before the election and to secure promise of their votes by bribery or other means.

(3) As the secondaries would have to be selected considerably in advance of the general elections, and before the names of the candidates for the Provincial Council were announced, the primaries would have no guarantee that the secondaries would cast their votes in favour of the man whom the primaries want.

(4) Leading men of the village or of the areas such as zamindars and money-lenders would bring undue pressure to bear on the primaries and induce them to elect secondaries at their dictation. There is thus no guarantee that the secondaries would really represent the primaries.

(5) Contact between the council candidate and the primaries would be impossible.

(6) One result of combining the direct vote on a broadened franchise with the group system would be to give additional weightage to the better classes at the expense of the poorer members of the constituency.

(7) Administratively, the greatest danger about the system of group election is that it would break down if a large section of the population refused to co-operate in its working.

(*g*) This question does not arise in view of our finding on (*f*).

(*h*), (*i*) *and* (*j*). We have already expressed our opinion against the group system and we would only add that to replace the present system of direct voting by one of voting by secondaries would be generally considered retrograde and would be resented by the people.

### 2. Franchise qualifications.

(*a*) We would refer to the correction slip to statement 7 at page 14 of the Memoranda of the Government of Assam to the Indian Statutory Commission which shows that there is generally a marked disparity in the operation of the franchise qualifications in urban as compared with rural areas. The lowering of the franchise which we have suggested under 1(*a*) and 1(*e*) would, we believe, to a large extent, rectify the disparity.

(*b*) Short of adult suffrage we consider that it is impossible to give each community a voting strength proportionate to its numbers and to maintain at the same time the same qualifications for all communities. We are unable to make any useful addition to the views expressed in the Round Table Conference Franchise Sub-Committee on this question.

(*c*) We are of opinion that the possession of property is a suitable test of fitness for the franchise, though not the only test. We have indicated in our answer to 1(*e*) the circumstances in which the existing property qualification may be extended to include occupancy of landed property and the receipt of income or wages in cash or in kind.

(*d*) Seven of us are of opinion that an educational qualification independently of property, should not be a franchise qualification for male voters: the remaining seven of us are in favour of such a qualification in case the lowering of the existing property qualifications does not result in the enfranchisement of 15 per cent. of the total population. The question of educational qualifications for women will be discussed under 3.

(*e*) Yes; provided that the extension to include service in the Auxiliary and Territorial Forces would apply only to officers, non-commissioned officers, or men actually on the roll of these forces.

### 3. Women's Suffrage.

(*a*) The majority of us are against granting the franchise to those who are the wives or widows of men entitled to vote under the property qualification. We are of this opinion because we consider that such enfranchisement would, in view of the fact that the maximum percentage of the total population which we consider at present practicable to enfranchise is only 15 per cent., deprive a considerable number of men of the vote. We are all agreed that all women, married or unmarried, and over 20 years of age, who possess the qualification of literacy according to the census definition, should be enfranchised. All women over 21 who in their own right possess the existing property qualifications for men should be enfranchised.

Such enfranchised women would be entitled to stand as candidates for the provincial legislature provided they have the same age qualification as may be laid down for men.

(*b*) We are opposed to the group system.

(*c*) We are agreed that women members should not be co-opted by legislatures. One objection to co-option is that women voters would be deprived of the opportunity of exercising the franchise for the return of women members. The Muslim members among us definitely state that in no circumstances would they agree to Muslim women standing as candidates or voting in any other than a Muslim constituency or to a woman of any other community standing as candidate or voting in the Muslim constituency. They would further point out that a Muslim woman would have no chance of success in any except a purely Muslim constituency. The majority of us agree with the views as expressed by our Muslim colleagues. A minority among us hold that it would be preferable to have no women representatives at all if their election is to be held on a communal basis.

### 4. Representation of the Depressed Classes.

We would preface our findings on the question of the representation of the depressed classes by inviting a reference to the note* on the depressed and backward classes in Assam prepared by our colleague Mr. Mullan, Superintendent of Census of Assam. We endorse the views expressed in that note to the effect that there is no such degree of depression in any class or caste in Assam, as it exists in some other parts of India, *e.g.*, Madras. An unapproachable caste is unknown in Assam and "boys of all castes are freely admitted into schools and colleges". We now proceed to discuss the claims for separate representation put forward by various communities as belonging to the depressed classes. The majority of us are of opinion that in the Assam Valley the Namasudras, Kaibartas, Baniyas (Brittial Baniyas) and Hiras, and in the Surma Valley the Malis (indigenous), Dhupis, Duglas, Jhalos, Malos, Yogis, Maharas, Sutradhars, Muchis, Patnis, Namasudras and Jaliya Kaibartas, may be treated as belonging to the depressed classes in the restricted sense in which the term is used in Assam.

To these the majority of us would add *ex*-tea garden coolies in both valleys. Coolies on tea estates will be dealt with separately in the course of our report.

If the term "representatives of their own choice" means the choice of a man belonging to the depressed classes, the majority of us consider that in a few constituencies the depressed classes, if they combined, could return a depressed class candidate in a general constituency; but the majority of us consider such a combination improbable.

The majority of us would secure the representation of the depressed classes by reservation of seats in non-Muhammadan constituencies. The minority are of opinion that there should be separate electorates

* Pages 337-363.

for them. On the other hand, some of us consider there are no depressed classes in Assam and that, therefore, no remedial measures are necessary.

As regards the backward tribes in the province, by which we mean tribal communities which retain some form of tribal organisation and are below the general provincial standard of education, we are all agreed in principle that those in the Assam Valley should be definitely represented in the legislature. The majority of us are in favour of reservation of seats in non-Muhammadan constituencies for the backward tribes specified at pages 19—23* of Mr. Mullan's note.

### 5. Representation of Labour.

(*a*) The industrial areas in Assam such as the Assam Oil Company at Digboi are negligible and no special measures are necessary for the representation of labour in such areas.

(*b*) The majority of us are of opinion that labour in tea gardens should be represented in the legislature, because, even under the proposed franchise qualifications, such labour must remain unenfranchised.

Among those of us who share that view, majority are unable to support the scheme of the Indian Tea Association, Assam Branch, as put forward in their memorandum at page 289 of the printed replies to the questionnaire. The majority hold that the only practical alternative is representation by nomination. As regards agricultural labourers, who are few in number, the majority of us are agreed that the lowering of the existing franchise qualifications will be sufficient and that no form of special representation is necessary.

### 5-A. Representation of special interests.

At present the special interests represented in the Assam Legislative Council are the tea industry, commerce and industry, labour and the backward tracts. For the first two there are separate electorates; the latter are represented by nomination. As we have limited the scope of our enquiry to the areas in the province which are enfranchised, it is unnecessary to deal with the backward tracts. We are unanimously of opinion that the representation of the tea industry, commerce and industry and labour should be retained. Other interests which we have considered as claiming special representation are Europeans, landholders and graduates. With the exception of the Chairman we are agreed that there should be no separate representation of the general European community. As regards landholders, we are of opinion that if there is a second Chamber in the Provincial Legislature, the landholders should sit in it and should not enter the Lower House through a special constituency; if, however, there is no second Chamber, the landholders should be represented in the Lower House through a special constituency. The majority of us do not favour the separate representation of graduates. We do not consider that separate representation of Indian Christians is necessary.

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* *Vide* pages 355-359.

## II.—THE FEDERAL LEGISLATURE.

### 6. Allocation of seats to British Indian Provinces.

(*a*) The majority of us do not agree that representatives in the upper Chamber of the Federal Legislature should be elected by the Provincial Legislatures by a single transferable vote, but favour direct election by the people.

(*b*) We consider that the franchise qualification ought to be different for the Federal and Provincial Legislatures.

For the Upper Chamber we are agreed that the existing franchise qualifications for the Council of State, as regards payment of land revenue, local rate and income-tax should be lowered so as to enfranchise approximately three times the present number of electors. The other existing franchise qualifications for the Council of State we would retain.

For the Lower Chamber we are agreed that if election to it is direct the existing franchise qualifications for the Legislative Assembly should be lowered so as to enfranchise approximately three times the present number of electors. The official members among us, while agreeing with this finding, wish it to be put on record that to arrange for the enrolment and for the polling of this increased electorate along with the greatly expanded electorate of the Provincial Legislature which we have proposed will constitute an administrative problem of very great difficulty.

(*c*) The majority of us are of opinion that election to the Lower Chamber should be direct. We are asked to indicate the nature of the constituency that we would form having regard to the number of seats which we consider ought to be allotted to our province. According to the schedule in the questionnaire, the Federal Structure Committee have suggested that Assam should have 7 seats in the Lower Chamber. We are confronted with the difficulty that we do not know the basis on which this tentative allocation was made. In the absence of information on this point we are not in a position to indicate the number of seats which we think the province ought to have.

### 7. Representation of Women, Labour and Depressed Classes.

Beyond stating that women should be enfranchised on the same terms as men as electors and as candidates in the Federal Legislature, we have nothing to suggest under this head.

We have no observations to make as regards the representation of Labour and the Depressed Classes in the Federal Legislature.

### 8. General.

Chapter I of the Memoranda of the Government of Assam to the Indian Statutory Commission contains observations on the working of the existing franchise and electoral rolls which throw light on the problems now under consideration. We are not in a position to make any substantial useful addition to the remarks in that chapter.

We desire to add that, having regard to the very limited time at our disposal, we feel ourselves unable to arrive at any final conclusion on some of the perplexing and difficult problems under consideration. In many cases we have had to content ourselves with stating certain general broad principles and some of the findings we have arrived at are, at best, provisional and might, in the light of further discussion, undergo substantial modification.

E. STUART ROFFEY, *Chairman.*

N. N. CHAUDHURY.

ROHINI KUMAR CHAUDHURY.

Z. RAHMAN.

BRINDABAN CHANDRA GOSWAMI.

MOHENDRA NATH GOHAIN.

B. K. Z. SARWAN.

K. CANTLIE.

C. S. MULLAN.

NURUDDIN AHMAD.

A. RAHIM CHAUDHURY.

MUNAWWARALI.

PYARI MOHAN DAS.

J. A. DAWSON, *Secretary.*

SHILLONG :

*The 18th February 1932.*

**(i) Note submitted to the Indian Franchise Committee on 23rd February 1932 by Messrs. Rohini Kumar Chaudhuri and Brindaban Chandra Goswami and Rai Bahadur Nagendra Nath Chaudhury, members of the Assam Provincial Franchise Committee.**

We, the undersigned, add the following remarks in support and explanation of the views expressed by us in the report of the Assam Franchise Committee specially on points on which we differed from some of our colleagues.

We are opposed, on principle, to any separate representation of races or castes, whether they are Depressed, as alleged, or not, by either separate electorates, reservation of seats or nominations, in the Legislative Council or Legislative Assembly.

Communal electorates were condemned by Mr. Montagu and Lord Chelmsford in their report on constitutional reforms, on several grounds. They were opposed to the teachings of history, which was against the State's arranging its members in any way which encourages them to think of themselves primarily as citizens of any smaller units than itself. They perpetuate class divisions, the creation of political camps organised against each other and teach men to think as partisans and not as citizens. They stereotype existing relations, with no hope of improvement. The joint authors observed as follows :—

> " The British Government is often accused of dividing men in order to govern them. But if it unnecessarily divides them at the very moment when it professes to start them on the road to governing themselves, it will find it difficult to meet the charge of being hypocritical or short-sighted."

The joint authors were indeed faced by history, by an accomplished fact, in the case of Mohamedans and they were compelled to agree to retention of separate electorates for Mohamedans, for the time being. They, however, expressed the opinion that any general extension of the communal system would encourage still further demands and would, in their deliberate opinion, be fatal to that development of representation upon the national basis on which alone a system of responsible government could be rooted.

Though there was a slight extension of the system of communal representation, in the case of the Sikhs, it is to be hoped that the policy enunciated by the joint authors that there should be no general extension of the system, is still the policy of the Government. We have no doubt whatever that that should be our national policy.

We should therefore seek all opportunities to remove this system in cases where it exists and should on no account extend it to new cases and create fresh settled facts.

Communal reservation of seats is also an evil, as being opposed to national representation, though of a lesser degree than separate communal electorates. We would not recommend its adoption excepting in the case of Mohamedans, in order to get rid of their separate electorates.

Happily for us there is no real depressed class people in Assam and there is no real necessity for their separate representation, as has been testified to by many persons, officials and non-officials, who know the country and the people well, in their written notes and oral evidence before our Committee. There is no pollution in mere touch, and no restriction in the use of tanks, wells, paths and other public places, admission to schools and hospitals, employment in offices or intermingling in places of business or amusements or in Kirtons and Namghars.

In Assam Valley there are very few people who are willing to admit that they belong to a depressed class. The condition is not different in the Surma Valley. There is no keen desire for separate representation among the masses of the people of the different castes, supposed to be in the lower strata of society. There is no justification for the assumption that a so-called depressed class man would prefer a man of his own caste or another depressed class or that a high caste man would not be a man of his *choice*. These castes are still educationally backward and there are very few educated people among them and the ambition of these men is service and they seek patronage of Government for this purpose. There would not be enough fit candidates from among them for real competition, and the member so elected would not be independent and these classes themselves would not be benefited thereby.

Where in any particular locality a particular race or caste or community is predominant, they can easily elect any person whom they consider fit. Where people belonging to different races, castes or communities live intermingled in the same area and no single caste, race or community is predominant in number, they should learn to depend upon one another and act in association and concert in politics, as in other matters. The main difficulties of these people are economical. These economical problems of the cultivators or labourers or of the other functional castes are common to people whose touch will in orthodox opinion pollute cooked food or drinking water and whose touch would not so pollute and they, instead of being divided, should learn to act in concert in political matters.

Many of these castes have expressed no opinion on the matter. There is no evidence that the Maharas, Shutradhars, Jhalas, Malas, Dhulis, Dhubis, or Malis in Surma Valley who are not numerous enough to claim separate representation for themselves would be happy to be represented by a Nath, Patni, or Namasudra or would be ready to be amalgamated with them or one another rather than with the higher caste Hindus. The same remark applies to the Kaibartas of Sylhet. The few gentlemen who have given written opinions or have appeared as witnesses are not really representatives of their people We are opposed to giving separate representation to any of these castes.

In the Assam Valley, whether water touched by a particular caste is taken or not, is not a satisfactory test, as the water touched by one such caste is not taken by another such caste. These castes are mutually exclusive and untouchable to one another in that sense. There are also cases that some of the so-called exterior castes do not take water touched

by the higher castes. We are satisfied from the evidence before us that the social barriers are disappearing and that in the Assam Valley they are now allowed to enter the Namghar of the higher castes, and as to the Manikut, it is particularly sacred and even Brahmins are not allowed to enter it.

The Secretary of the Kaibarta Sammilan, Gauhati, says that they want individual separate electorate, but also explains that their interests will be adequately represented, if the system of adult suffrage is adopted. They do not want amalgamation with the other castes.

After the amendment of the Special Marriage Act of 1872, any Hindu of any caste, can legally marry any one of the opposite sex of any other Hindu caste, without loss of religion. As is admitted by Mr. Mullan, open inter-dining in the Hostel dining halls among students of all castes has been prevalent for some time, without any objection on the part of the guardians.

There is no reason to treat the *ex*-garden coolies as depressed. There are high caste people among them. The *ex*-tea-garden coolies have not demanded separate representation or amalgamation with the so-called depressed castes.

We fully support the views of the Statutory Commission as expressed in page 65 of their Report.

We do not admit that there exist any depressed classes in Assam that require special protection by special representation. We do not agree to the view that combination amongst the so-called depressed classes to support a candidate who is really qualified and capable of defending their interests would be improbable. But it is evident that there can be no combination to support a candidate merely because he belongs to a particular caste or community.

As regards the backward tribes we are definitely of opinion that our objections to separate representation of the so-called depressed classes apply more or less to the backward tribes referred to in pages 19 to 23* of Mr. Mullan's notes. These tribes themselves do not want to be amalgamated with one another. Some of them, for instance, the Kacharis of Goalpara as also of Kamrup, Mikirs of Nowgong and Sibsagar, can come in through general constituencies with the lowering of the franchise and no reservation in their case is necessary.

As to the Garos, they are not numerous enough in the plains to deserve special treatment and if representation be given to the Garo Hills, where the Garos are predominant, then no special provision for Garos in the plains is necessary.

We supported reservation in case of backward tribes and depressed classes as opposed to separate electorates.

For the same and other reasons we also do not recommend any reservation of seats for them. Reservation of seats for these castes, scattered over wide countries and several districts would break up all non-Muhammadan territorial constituencies. It would be utterly impracticable in

* *Vide* Pages 355-359.

Assam unless certain particular constituencies are selected for reservation, other constituencies remaining unreserved.

We are also opposed on principle to nomination to secure their representation to legislative council, as it is opposed to the principle of responsibility of the Ministers to Council.

Nomination may be made either by the Government, that is, by the Ministers, or by the Governor.

We should not provide for a system, in which the Ministers finding their supporters in a minority among the elected members, after a general election, can convert this minority into a majority by suitable nomination.

Nomination by the Governor also would be similarly objectionable and would be very delicate for the Governor himself, as he would be open to the charge, of either keeping the defeated Ministers in power by nomination or turning them out by unfavourable nomination.

Even if there be a convention that a Ministry without an elected majority should resign, that would only give the majority a power to further strengthening their position by nomination.

On principle we are opposed to weightage to any class or section in the legislative council to which the executive would be responsible. No class or section of the people should have greater weight than their numerical strength would justify in turning the scale in divisions, in deciding great issues or turning out Ministers or keeping them in office. A small community like Europeans should not have a position of vantage from which they can turn the scale, either on this side or that side. The position might be otherwise in a second Chamber designed to protect minority interests, but this on principle cannot be admitted in a popular chamber. As for the Muhammadans, they are in a majority in the Surma Valley and some other portions in Assam. Their proportion in the whole of the province is sufficiently high to ensure their due representation and protection on the numerical basis and there is no case for weightage for Mahomedans in Assam.

3. *Women's Suffrage.*—We are of opinion that wives and widows of men entitled to vote should have the franchise irrespective of other qualifications, as literacy among females is very limited and few women have property and the number of the female voters on property and literacy qualifications alone would be too small to enable them to exercise their proper influence in the elections.

We do not want that there should be a separate electorate for women or separate seats reserved for them. We are also not agreeable that female voters should be divided into separate communal electorates. We do not support the view that a Moslem woman would have no chance of success in any except a purely Moslem constituency. We are rather of opinion that a Moslem woman would have a better chance of success in a general constituency than in a purely Muhammadan Constituency. We therefore propose that the female Muhammadan voters

should not be included in the electoral roll of Muhammadan constituency but should be included in the electoral roll of a general constituency consisting of all except Muhammadan males. The term Non-Muhammadan constituency should be changed for "General Constituency". The female advocates for women representation do not support communal division amongst them.

5. *Representation of labour.*—We are against separate representation of labour or of tea-garden labour. Labourers are not organised—there is no trade union amongst them. They are not independent. There are various restrictions upon their movement. Outsiders cannot enter into the gardens without the permission of the garden authorities and no political propaganda is allowed. The garden authorities can turn out a labourer from the garden at any time. The labourers are illiterate. In any conflict of interest the clerks and the Sardars, who are themselves exploiters, would side with the employers against the labourers. The labourers, even if they chose, cannot, under the existing circumstances, return any candidate who would not get support of the employers. The clerks and sardars cannot be proper representatives as their services can be dispensed with at any time and turned out of the garden and such men if elected can not act independently. Any representation given to labour would simply be additional representation given to the capitalists.

We agreed to the opinion that it being impracticable to enfranchise the labourer except on the basis of adult suffrage or what would practically amount to it the only other alternative for separate representation of labour is nomination, but we are by no means committed to separate representation of labour under the existing circumstances, and nomination of considerable number of representatives is, in our opinion, unsuitable.

We are also opposed to grouping for representation of labour. We are of opinion that grouping would be equally objectionable in their case. If separate representation of labour by election could be deemed desirable under existing circumstances we would favour direct election as we see no practical difficulty in direct voting.

5-A. Representation of special interests :—

*Graduates.*— There being no separate University in Assam, people in Assam are interested in the universities outside the province especially in Calcutta and Dacca. It is therefore proper that the graduates in Assam should be separately represented in Assam Council in order to protect the interests of those universities and the cause of higher education in Assam.

6. (*a*) We are of opinion that direct election by the people to the upper Chamber of federal legislature is not a practical proposition, as the States are not likely to agree to it. This is also opposed to the federal principle and there ought to be at least one chamber which should be representative of the federating units, *i.e.*, the States and the provinces,

and not of the people. This should preferably be the upper chamber as the lower chamber should consist of the direct representatives of the people.

The upper chamber of the federal legislature should not consist merely of representatives of wealth but it should be more on the lines recommended by the Statutory Commission. As qualifications for candidates the existing property qualifications for electors of the Council of State should be lowered and other qualifications should be added to represent experience, wisdom and culture. We suggest the following among other qualifications to be added :—

(*a*) Ex-Judgeship of High Courts and Chief Courts.

(*b*) Qualifications necessary for appointment as Judges of High Courts and Chief Courts.

(*c*) Official including ex-official membership of Provincial or Indian Legislature.

We are of opinion that allotment of seven seats to Assam for the lower chamber of the federal legislature and five seats for the upper chamber are not adequate and the number should be at least 9 for the lower and 7 for the upper chamber, considering the population and the area of the Province. We are opposed to the weightage given to the States and Bombay and the Punjab in the lower house. The scheme of weightage, especially to the States, would make the Constitution entirely unacceptable to the people of British India.

## Note on the depressed and backward classes in Assam by Mr. C. S. Mullan, I.C.S., Superintendent of Census, Assam.

### Depressed and Backward Classes in Assam.

Under the orders of the Census Commissioner for India a list of depressed and backward classes has to be prepared for every province in India. The invidious task of preparing such a list for Assam has, therefore, been laid upon me and I am compelled, however reluctantly, to assume the functions of a modern Ballal Sen.

The first difficulty that one meets in dealing with this complicated problem is to get a suitable framework into which the various castes and tribes concerned will fit on some sort of logical basis. The following is the general scheme I have adopted :—

The depressed and backward communities in Assam fall into one of the following divisions :—

(1) Hindu exterior castes.

(2) Indigenous backward tribes.

(3) Tea garden cooly castes.

Briefly (1) consists principally of indigenous castes which are recognized as Hindu castes but which suffer from severe social disabilities. What these disabilities are will be explained later.

(2) Consists of aboriginal tribes which are educationally backward. These t ibes may be either living in the hills—like the Naga tribes—quite untouched by Hinduism or they may be living in the plains—like the Lalungs or Miris—and influenced to a greater or less degree by Hinduism. The deciding factor in the latter case in that such tribes should still be aloof from the main body of Hindus and should still be generally regarded as a separate community rather than as a Hindu caste. In deciding this the fact that they still speak a Tibeto-Burmese tribal language may be of importance.

(3) Consists of coolies originally imported from other provinces to work on tea gardens and their descendants.

It will be noticed that I have not used the word " depressed " for any of these three divisions. I have done this advisedly because the word " depressed " is not, in my opinion, suitable as a description of the status of any caste in Assam. " Depressed " as used in India in connection with caste has come to be associated particularly with persons belonging to certain castes in Madras who are unapproachable, whose touch necessitates immediate purification and who are not allowed to read in the schools along with other boys.

There is, I am glad to say, no such degree of depression in Assam ; an unapproachable caste is unkown here and boys of all castes are freely admitted into all schools and colleges. Nor are there any difficulties worth mentioning as regards the drawing of water by all castes from public ' tanks ' and wells.

Hence I would be loath to apply to any caste in this province an adjective which has come to connote an extreme state of degradation. The expression " depressed castes " does however occur frequently in this note in the extracts quoted from the opinions of various officers. This is merely because these opinions were received before I had decided that I would not use the term in Assam.

The unusual expression " Hindu Exterior Castes " has been invented by me in accordance with the permission given by the Census Commissioner for India to Provincial Superintendents to use any expression which they considered more suitable to local conditions than the hackneyed term " depressed".

To return to our three divisions :—

(1) " *Hindu Exterior Castes.*"—This, as I have confessed, is an expression to which I plead guilty. I am by no means proud of it and it is open to many criticisms. I have however asked many Indian gentlemen to give me a better one but they have not succeeded. The expression, as it stands, connotes castes which are Hindu castes but which are outside something and that is really what I mean to imply.

What are they outside ? The answer is that they are outside the social pale of Hindu Society ; that they are " below the salt " ; that they are on the other side of a barrier which prevents them from moving upwards.

But before going further I must define what I mean by " Hindu Exterior Castes."

By this expression I mean castes recognized definitely as Hindu castes whose water is not acceptable and who, *in addition*, are so deficient as castes in education, wealth and influence or, for some reason connected with their traditional occupations, are so looked down upon that there seems little hope of their being allowed by Hindu Society to acquire any further social privileges within—at any rate—the next decade.

By the use of the word " exterior caste " I certainly do not intend to imply that such a caste can never raise itself to a higher level. On the contrary I intend to imply that this can happen, as it actually has happened in the past, and that an exterior caste may in the course of time possibly become what I may call an " interior " one.

It is impossible to lay down any simple test to distinguish members of the Hindu exterior castes in Assam from others. The main test to distinguish " clean " castes from " unclean " castes is whether the water of the caste is accepted by members of the upper castes. A caste whose water is acceptable is known in the Surma Valley as " *jal-chal* " and a caste whose water is not accepted may be conveniently defined as " *jal-achal* ". In Assam the words " *pani chale* " and " *pani ne chale* " are in vogue. But we cannot apply this simple test alone in order to find out which castes are exterior and which are not. It is true that all exterior castes are *jal-achal* but it is not true that all *jal-achal* castes are exterior. For example in the Sylhet district the Shahas are technically a *jal-achal* caste but they are a

very wealthy and influential community who are treated with considerable respect in society and by a peculiar social convention are permitted to purchase their brides from the higher castes.

The Shahas are in fact a good example of a caste which though technically unclean have by their own efforts raised themselves to a position in which the upper classes simply cannot afford to ignore them.

I have not therefore classed the Shahas as an "Exterior Caste".

One of my friendly critics—Babu K. C. Dutta, Extra Assistant Commissioner, has taken up this point.

"You do not class", he writes," the Shahas as an exterior caste simply because of their education and the wealth and influence they command. Yet they are not *jal-chal*, they are not allowed entrance into the *Thakurghar* of the cleaner castes and the disability is not likely to be relaxed in the next decade. I do not concede for a moment that the disabilities that bar the Shahas are any more pronounced in the case of the less influential and uncultured castes. These exterior castes are suffering from want of education, wealth, culture, in fact, all that contributes to social influence. As soon as they have achieved these, their position will be akin to that of the Shahas—neither clean nor depressed."

The Shahas are, of course, exterior to the extent that they fall on the other side of the great line which divides Hindu Society—the *jal-chal* line—but though this line is still of great importance, other things must be taken into consideration.

If, for example, the Patnis and Namasudras could shake off the tradition which associates them with occupations regarded as low (most of them are now cultivators but tradition associates them with fishing and boat-plying) and could acquire, as a caste, a reputation for wealth and culture they would, I admit, be in much the same position as the Shahas are to-day.

This process will, however, take many generations and in the meantime they are, in my opinion, clearly suffering from greater disabilities than the Shahas, the disabilities being the very absence of those factors which have made the Shahas a respected caste.

Thus while the *jal-chal* line is a useful line of division between the upper and the lower castes it is not of much use as a test for determining the "Exterior Castes". Nor does the test of temple entry afford us much assistance.

Generally speaking in the Surma Valley all castes which are "*jal-achal*" are not allowed into the actual *Thakurghar* of temples in which the higher castes worship and are not allowed to assist in the ceremonies by bringing *tulsi* and flowers with which to decorate the idol. *Jal-achal* castes are however allowed "*darshan*" and are permitted to come into the compound of the temple. In the Assam Valley where the "*Namghar*" generally takes the place of the temple the same principle holds good but a distinction is made between different classes of *jal-achal* castes. Nadiyals and Banias for example are not allowed at all into the *Namghars*

of higher castes whereas Katonis and Suts are allowed in some districts to enter the part not regarded as particularly holy, *i.e.*, they are not allowed to enter the *Monikhut*.

The whole matter being, therefore, so indeterminate how, it may be asked, can I possibly venture to say, with any degree of certainty, what castes are exterior. The only possible method was to find out by local enquiry in each district the general social position of all castes which might be thought to come under the definition of "exterior castes". This is the method I adopted and to those gentlemen who helped me in my enquiries—particularly to the many Extra Assistant Commissioners and Sub-Deputy Collectors who gave me much valuable and, above all, impartial information—I am greatly indebted.

The two Valleys—the Assam and the Surma Valleys—are really different countries and must be treated quite separately.

Caste in the Assam Valley is not, as elsewhere, chiefly a functional division; it is really a racial division and functional castes are very few.

Probably for that reason Hinduism in that valley is tolerant towards the tribal communities which have not yet been completely absorbed into its organism. It must, in fact, be extremely difficult for an Assamese Hindu to despise at heart a man whose Hinduism is open to considerable doubt but who considers that he is just as good a man as any Koch or Kalita. In fact people like the Deoris consider that they are much better and don't care who knows it. Nobody can be depressed who hits you with a big stick if you attempt to show your contempt for him.

As a result the only castes in the Assam Valley which can be called exterior are castes which are either traditionally associated with some degrading occupation (such as selling fish) or whose traditional origin is associated with a bar sinister. About some castes in this valley there is, however, no possible doubt. Let us deal with these first.

There is, I consider, no doubt that in the Assam Valley the caste which at this census has adopted the name of Bania and which at previous censuses was styled Brittial-Bania is an exterior caste. Some of the leading men of this community have in fact informed me that their position in society is hopeless and have asked to be classed as a depressed caste.

That this caste is an exterior caste is also the unanimous opinion of all responsible officers whom I have consulted.

Nor is there any doubt about the large class which has now adopted the caste name of Kaibartta—and which was previously known as Nadiyal; nor about the Charals of Lower Assam who now call themselves Namasudras with their offshoot the Hiras. The general opinion about all these castes is unanimous.

Thus the Census Officer, Dhubri, reports :—

"Namasudras or Nadiyals or Jaluas or Charals or Kaibarttas or Doms are considered untouchable by caste Hindus who neither admit them

into their places of worship nor take water touched by them " and the Census Officer. Jorhat :—

" Among the indigenous Assamese castes the following are depressed :—

(1) Kaibarttas or Nadiyals or Doms.

(2) Brittial-Banias.

(3) Hiras or Charals (found in Lower Assam only) ".

From Darrang comes further evidence :—

" That Doms, Nadiyals, Namasudras, Charals, Hiras and Brittial-Banias are depressed, is admitted by the members of the community themselves who were consulted ", writes the Census Officer.

In fact in every district of the Assam Valley the opinion is unanimous that the Brittial-Banias and the Kaibarttas (which name may be taken to include Charals, Nadiyals, Hiras and all the other names which from time to time have been applied to various branches of this family) are the most exterior castes in the whole of the Assam Valley.

These castes are socially " outside the pale " and though the Brittial-Banias have worked hard to improve their position and have a considerable number of educated men amongst them they appear to be as far off as ever from any sort of social recognition.

Ancient custom and practice have ordained that members of these castes are to be treated as practically untouchable. It is true that the former necessity of taking a bath if touched by a member of one of these castes has fallen into disuse but a Brahman officer of about 30 years of age has informed me that when he was a small boy he had to take a bath if, by accident, he was touched by one of the hated Doms.

Above these castes came others whose position seemed to me for a long time to be extremely doubtful. They are the Naths or Jugis (known in Upper Assam as Katonis) and the Suts who are also commonly called Borias.

A careful study of the position of these castes has however convinced me that I would be wrong to class them as exterior.

The following evidence regarding the position of these two castes is interesting.

Rai Bahadur P. G. Mukherji, formerly Deputy Commissioner, Nowgong, considers that the following classes in the Assam Valley are depressed : —

(1) Katoni or Nath or Jugi.

(2) Sut or Boria.

(3) Kaibartta, Nadial, Jalia or Dom.

(4) Brittial, Bania or Hari.

(5) Hira or Charal.

He mentions that all these five classes suffer from the following disqualifications : —

(*a*) Water or food (cooked or raw) offered by them is not taken by caste Hindus.

(*b*) Caste Brahmans do not officiate in their ceremonies.

(*c*) They are not allowed entrance into the cook-sheds of caste Hindus.

He then goes on to say that " Naths and Suts are, however, allowed to enter inside the *Namghar* but not into the *Monikhut*. They are also allowed to partake of uncooked and raw eatables under the same roof and in separate lines behind the caste Hindus but the other castes mentioned above are not allowed these privileges ".

Nowgong appears to be slightly more orthodox in its treatment of Naths and Suts than other districts. From Goalpara district it is reported that " some of the higher castes do not now-a-days hesitate to take water touched by Naths who are not treated as a depressed class ".

In other districts also I found that educated Naths and Suts were respected and had no great grievance as regards their treatment in society.

The Settlement Officer, Darrang, notes particularly that the Naths (Katonis) and Suts in the Darrang district should not be included among depressed castes. In Lakhimpur also there is ample evidence to show that these castes are by no means outside the social pale to the same extent as the Brittial-Banias and Kaibarttas.

The truth about the Naths and the Suts appears to be that they are exterior castes who have made considerable efforts to raise themselves socially and that their efforts are beginning to bear fruit. There is a bar against them but they are beginning to break through it : they are really " superior exterior castes " who are moving upwards. There is, in fact, hope for them. As one Assamese officer has briefly expressed it :—

" All Assamese low castes have a chance of rising in the social scale except the Doms and Haris whose case is hopeless ".

The Suts and Naths do not themselves desire to be classed as depressed or exterior and in fact strongly object to it.

Hence I have not classed the Naths and Suts of the Assam Valley as exterior castes. If, however, these castes ever felt that by not being so classed they were being deprived of an advantage which they otherwise would have gained I would have no hesitation in classifying them as exterior. The Sut community have expressed a wish " to be classed in the census records not as a depressed caste but as one of the high castes of Assam backward in point of education or as one of the minority communities in respect of appointments and the franchise ". They cannot, I consider, have it both ways.

With a view to ascertaining how the Naths and Suts were treated by their fellow students in the Cotton College—which would naturally be the most liberal-minded society in the Assam Valley—I made certain enquiries into the matter and the following extract from a note written by Professor B. C. Sen Gupta describing the conditions in his own hostel is of considerable interest. The Professor states that the lower caste boys feel themselves more at home in his hostel than in any other and goes on to say :—" The hostel authorities have always maintained an attitude of benevolent neutrality towards the depressed castes, and absolute non-interference in matters of caste. The Education Department in 1915 provided three general dining halls and four separate rooms and the understanding has always been that the upper caste boys are to dine in the general dining halls and the depressed or backward class boys are to use the above four rooms. We never dictate to any one as to whether he should dine in the general dining hall or in one of the above four rooms. These matters are left to the students themselves, as far as possible. The Jugi or Nath caste boys formerly did not dine with upper caste boys in mess II (the mess under me). They used the above four rooms for their meals. For years they went on agitating for admission into the general dining hall and subsequently secured the consent in writing of all the upper caste boys in their favour. One boy who gave his consent in writing but who did not really intend to do so, quietly left the hostel. Since then the Nath boys have been dining with the upper castes boys in the mess under me. I am not aware if any 'Nath' boy is dining in the general dining hall of any other mess. But it may be noted that on ceremonial occasions, *e.g.*, the Saraswati Puja festival the upper caste boys of all the messes within the hostel compound dine together along with the above Nath boys. The " Sut " caste boys also similarly succeeded some years ago in securing the consent of other caste boys to their admission into the general dining hall of mess II, and they have been dining in that general dining hall since then. The following castes generally take their meals in the four rooms meant for the 'backward' or 'depressed class boys,' *viz.*, Miri, Deori, Kaibartta, Bania, Majhi, Kharia, Lalung, Kachari.

For the last two years, there has been a very strong movement for admitting these remaining 'backward' caste boys into the general dining hall—there is an overwhelming majority in their favour, only a small minority of about five or six still being in the opposition."

Professor Sen Gupta has subsequently informed me that the movement referred to in the last paragraph of his note resulted in August 1931 in the abolition of the remaining restriction and that—as a tentative measure—permission was given to the students who had formerly dined in the four rooms set apart to dine in the general dining hall. The Professor thinks it probable that the concession will continue.

This last piece of information, I confess, surprised me. If the concession is allowed to continue it will reflect great credit on the liberal

spirit of Professor Sen Gupta's mess and may, in time, have a far-reaching effect on social custom in the Assam Valley. It does not, however, change my opinion that the Kaibarttas and Banias are definitely "exterior castes".

On the whole I feel fairly confident that my classification of exterior castes in the Assam Valley is correct. I am fortified in this opinion by the criticism of my friend Mr. G. C. Bardalai, Extra Assistant Commissioner, who writes as follows :—

"I consulted some of the Honorary Correspondents here and we have come to the conclusion that so far as the Assam Valley is concerned your finding that none of the lower castes except the Banias, Kaibarttas, Charals and Hiras are included in 'exterior castes' is perfectly correct."

I only wish I felt as confident about the exterior castes in the Surma Valley.

Conditions in that Valley are very different from those in the Assam Valley. Sylhet is linguistically and ethnologically connected with Bengal and the inclusion of this large district in Assam was originally merely a measure of administrative convenience.

Sylhet and Cachar (which is largely populated by people of Sylhetti origin) are therefore essentially Bengali in their culture. Hence there are many more functional castes than in the Assam Valley, where, as I have already explained, caste is largely racial. Moreover, the presence of a large upper caste *zamindar* class in Sylhet - the arbitrators of social usage - has not tended to encourage any relaxation in the treatment of the lower orders of society.

I have received many interesting opinions on the question of depression in Sylhet. The trend of opinion of educated Indian gentlemen is that there is no such thing as an exterior caste in that district though there are "backward" castes. A typical opinion is that of Professor Nalini Mohan Sastri, M.A., of the Government Sanskrit College, Sylhet, who writes as follows :-

"I have come to the definite conclusion that so far as this district is concerned, there does not exist any class of people, who can properly be termed as depressed and suffer from disabilities, which render their position in the Hindu Society akin to that of *pariahs*. Hindu Society is an organic whole, composed of different classes, occupying positions of different grades and ranks, each with a distinctive feature of its own, as regards customs, manners and other social matters. Each is as important as the other in forming a part of the whole and having its use in the entire scheme, although the one may be lower in rank than the other. Even the lowest in rank such as the Muchis and Malis have their uses in Society and they are requisitioned in religious festivals to perform important duties in connection with them. As a matter of fact, a certain form of inferiority—complex attaches to every caste other than the Brahmin, and it is more or less pronounced, according

to the position the caste occupies in the order. But so long as it does not practically exclude a particular class from the general scheme or organisation, there is no justification of the assumption of a distinct class, called 'Depressed', as separate from the other. Officiating by priests of one class or group of classes in ceremonies of another, or taking by one of food touched by the other, or discriminating service of barbers are matters of local custom originating from convenience rather than from any other cause and would not make any class 'degraded' or 'depressed' for that reason".

Professor Sastri's view is strongly supported by the gentlemen who have been good enough to act as my critics. Thus Babu K. C. Dutta, Extra Assistant Commissioner, Census Officer, Sylhet, writes :-

"The concensus of Hindu opinion will bear out Professor Sastri in the view expressed that the body politic of the Hindu society is an organic whole, the different classes forming its component parts, although they vary in their respective ranks and grades. Each with its diversity of manners and customs is as essential a factor in society as the other. In a social and religious ceremony, *e.g.*, a priest, a barber, a potter, a mali, a dhuli each has to play his own role and the ceremony cannot be regarded as complete unless each has performed his own function. In spite of the inferiority—complex that is attached to all the castes other than Brahmins—the shade differing according to their respective ranks—the social organism never rejects or excludes even the humblest. The necessity therefore of demarcating some from the rest hardly arises. Even if a classification on this line be made the distinction will, I am inclined to think, be without a difference and wholly artificial."

Yet, with all due respect to the learned professor, this view strikes a non-Hindu as being a very one-sided one.

It may be extremely comforting for an upper caste man to reflect that society is so providentially arranged that all the menial jobs of life can never be done by himself; but surely an organization of this nature must, like that of an army, be an organization imposed from above. The man who has to do the menial jobs does not do them for pleasure; he would rather be at the top than at the bottom; but he cannot climb up because the organization does not let him. It is small comfort to him to realize that he is part of an organic whole.

Furthermore, when Professor Sastri says that "the taking by one of food touched by the other or discriminating service of barbers are matters of local custom originating from convenience rather than from any other cause" he is demonstrably wrong. Surely nothing could be more excessively inconvenient than the refusal of one caste to take food or water from another. The restrictions of caste rules are, in fact, the source of endless inconveniences and always have been.

Another interesting opinion is that of Swami Saumyananda, Secretary, the Ramkrishna Mission Seva Samity, Sylhet. He says :—

" The Samity started and is still maintaining several primary schools among the Dhulies (drummers), Namasudras and Khasia-Patras (charcoal makers) and as such the workers of the Samity are always in close touch with them. The chief thing needed for them is education which in its ultimate effect may be expected to raise them to the average level of the Hindu Society.

These poeple may be classed as ' Backward ' but not as depressed, inasmuch as the high caste Hindus do not stand in the way of their advancement—religious, material or educational. In fact, in social and religious festivities these poeple are invited by the high caste Hindus to their houses. In all public places of Hindu worship, *e.g.*, temples, in Benares, Gaya, Deoghar, Kamakshya, Puri, Hardwar, Chandranath and the like, all the Hindus irrespective of caste or creed, are allowed free entrance. So it is not a fact that certain classes of Hindu are not admitted into the Hindu temples. In private temples, as in other spheres, the owner has a discretion."

I regret that I cannot agree with this gentleman that the high caste Hindus do not stand in the way of the advancement of the low castes. Take for example the case of a M. A. of the Sylhet Mali caste occupying a good Government post. Many responsible Hindu officers have informed me definitely that if such a person came alone to see them in their paternal homes a chair would not be offered to the guest. A *jal-chauki* (small wooden stool) *might* be offered. Even Muslims treat these low castes in the same way. A Muslim Sub-divisional Officer tells me that if a Dhubi friend of his occupying a good position in Government service were to come to his house to see him " I would not offer him a chair. I would simply say ' sit down ' and the Dhubi would not take a chair ".

Surely if the upper caste Hindus wished to help the lower castes the least they might do is to treat the educated men among the lower castes with the same courtesy as they would extend to an educated Muslim.

The following opinion of a responsible Hindu Government officer is of interest :—" Some low caste men by their *submissive attitude* win the hearts of the upper caste men and get partial admission into society. Others claim as of right and get refused. A lot depends on the man himself. If he claims too much he gets badly snubbed. In places where orthodoxy is strong he will not, in any case, get fair treatment. In the towns treatment is more liberal than in the villages. In the villages orthodoxy still prevails. If a Patni is the tenant of a Zemindar he will never get fair social treatment however highly educated he is. Orthodoxy is strongest amongst the Zemindars. But if the low caste man is an executive officer such as a Sub-Deputy Collector or an Extra Assistant Commissioner he would be given better treatment than a non-executive officer, *e.g.*, than a Deputy Inspector of Schools." The above remarks refer, of course, only to private social intercourse. On all social and public occasions the educated Mali or Patni is simply nowhere. He has (if

he goes to the ceremony ) to sit along with his other caste-men outside the house on the mat provided for their caste, while the higher castes sit inside the house.

Add the following facts :—

(1) Members of castes like Mali, Patni, Muchi, etc., are not allowed to enter into the temples set up by the higher castes ;

(2) The upper castes will not take water or food touched by them ;

and one begins to realize the dreadful sense of mingled inferiority and hatred which an educated member of one of these exterior castes must feel in most cases towards the higher castes.

The exterior castes themselves are, however, guilty of similar treatment to each other and an exterior caste which considers itself to be on a higher social level than another exterior caste adopts exactly the same attitude as the higher castes do towards the exterior castes. A case which recently happened in Sunamganj illustrates this point. The local ferryman there (a Patni by caste) was prosecuted for refusing to row a Muchi across the river. His defence was that, according to social custom, a Patni could not row for a Muchi and that it had always been the practice, if a Muchi wanted to cross the river, for the paddle to be given to him so that he could row himself across.

After careful consideration and analysis of the evidence I have collected, I have come to the conclusion that the following are the main castes in the Surma Valley which should be classed as exterior. They are arranged in alphabetical order :—

1. Dhupi or Dhobi
2. Dugla or Dholi.
3. Jhalo and Malo.
4. Yogi (Jugi) (Nath).
5. Kaibartta (Jaliya).
6. Mahara.
7. Mali (Bhuinmali).
8. Namasudra.
9. Patni.
10. Sutradhar.

There is general consensus of evidence that these castes are exterior throughout the Surma Valley though the position of some of them seems to be much more hopeful in Cachar than it is in Sylhet. I have no doubt that this is due largely to the absence of a Zemindari class in Cachar which is a temporarily-settled district.

The following extracts from a note written by the Census Officer, Silchar, describe the position of some of the chief exterior castes of Cachar :—

" *Namasudras.*—They belong to a low class in Hindu society. They cannot even enter into the verandah of a Hindu temple. Their water is

not acceptable to high caste Hindus and the Brahmins of high caste Hindus do not minister to their religious rites. The Namasudras are fishermen by profession but in Cachar they have taken up agriculture as their main vocation. In Cachar the majority of the Namasudras are illiterate and they may be rightly classed as depressed.

*Patnis.*—The Patnis in Cachar have assumed the nomenclature of Mahishya Das. Their position in Hindu society is exactly like that of the Namasudras. They are boatmen by profession as their class name indicates, *pat* means boat and *Patni* means one whose occupation is boating. In Cachar there are some educated men among the Patnis and the Patnis as a class are making all endeavours to lift themselves up socially and educationally. They are undoubtedly a progressive class here and though the spread of education and refinement is not very appreciable at the present moment, there are indications of a change in the near future. By the next Census, I think, the stigma of depression will be removed from their brow.

*Malis.*—In Cachar the Malis call themselves Malakars and claim to be included among the Nabashakas. Their position is very low in Hindu society. They are on the same level as the Patnis and Namasudras and suffer from the same stigma of social inferiority. They are mostly illiterate. In Cachar they have taken up agriculture as their profession.

*Dhobi or Shuklabidya.*—They are washermen. They have no status in Hindu society. They cannot enter into the verandah of a Hindu temple and their water is not acceptable to high caste Hindus. They are mostly illiterate and appear to be indifferent to any improvement of their social status.

*Duglas.*—They are music-players. Their position in Hindu society is akin to that of the Patnis and Namasudras. They have no entrance into Hindu temples and their water is not accepted by high caste Hindus. They are almost cent-per-cent. illiterate.

The Deputy Commissioner, Cachar, in forwarding this note writes as follows :—

> " There is clear evidence that the Patnis are endeavouring to rise in the social scale and many of them, for their social betterment, have given up their old trade of purveying fish at the cost of economic suffering. They are now cultivators with insufficient land. Similar movements are taking place among the Namasudras but are as yet less intense and widespread. "

To any person who sympathizes with the desire of the lower castes to raise themselves to a higher social level such movements cannot be but welcome. It is however rather annoying to find that it seems to be *de rigeur* for a caste which wishes to rise to adopt a different caste name. This procedure is really childish and impresses no body and has the practical disadvantage of making the census statistics unreliable.

Mr Lloyd in noting on the large apparent decrease in Patnis in the Surma Valley in 1921 remarked " A strong movement was started and

decrees of Pandits were obtained to allow Patnis to use Mahisya as their caste name. It was suggested by one of the leaders in the movement that a caste which was so looked down upon could not hope to improve its status without getting a better name ; but it is not clear why they could not find a name unappropriated by others ".

As a result the actual census figures for Patnis in 1921 and 1931 are inaccurate, though it is possible, as we shall see later, to make a very reliable estimate of their real number.

I sincerely trust that the efforts of those who have, in Cachar, adopted the caste name of Mahisya will be crowned with success and that they will at the next census be found to have achieved an " interior " position in the social scale. But on the evidence before me I must, at present, classify them as an exterior caste. It is their misfortune that Sylhet is so near and that they are still commonly regarded as the same caste as the Patnis of that district.

It would be impossible in the compass of this note to examine in detail the evidence I have collected to prove that the indigenous Surma Valley castes I have mentioned are really exterior. To show, however, that I have, to the best of my ability, tried to get at the truth I may perhaps quote the following correspondence which took place between me and the Sub-divisional Officer, South Sylhet. I wrote to him as follows :—

" I have been told by several officers that the Maharas are a *jal-chal* caste and that people of this caste were made ' clean ' by some ancient Raja of Sylhet—the idea being that the Maharas used to carry the Raja's palanquin and, as Raja wanted to smoke in it, he had to have as palanquin-bearers people who could attend to his smoking requirements. On the other hand some officers completely deny this story and say that the Maharas are not a *jal-chal* caste. As the Maharas are principally to be found in South Sylhet will you please make particular enquiries on this point ".

The Sub-divisional Officer (a Muslim) replied as follows :—

" I have made close and careful enquiries and there is a general consensus of opinion that the Maharas are not *jal-chal* and are a depressed class. The story that Raja Subid Narayan made them *jal-chal* for smoking requirements only, seems to be true. If the Maharas are at all *jal-chal*, they are *jal-chal* only in the sense that a man of higher caste can smoke a *huka* filled with water by a Mahara. There is not a single graduate among the Maharas in this sub-division and not even a single matriculate can be found. The Deputy Inspector of Schools reports that the only educated Maharas he has met in the whole sub-division are three persons working as Vernacular teachers in Primary and Middle English Schools. So the Maharas are depressed both socially and educationally ".

The classification of one caste—the Yogis (Jugis) who are also commonly called Naths—may evoke some controversy. I will therefore

deal with this community at some length. One gentleman of Habiganj belonging to that community has written to me as follows:—" The Yogis do not require the services of the Brahmans of the caste Hindus as priests nor do they allow them to officiate as such from time immemorial. They have priests belonging to their own community. The Yogis do not take food touched by general Hindus. In fact, judging the merits of the form of religion they observe, they claim to be twice-born and it may be safely said that it is the only community among the Hindus who have persistently denied Brahmanical supremacy over them. My opinion was discussed at the annual general meeting of the Assam-Bengal Yogi community in October 1930 and was endorsed without a single dissentient voice. On this ground I, along with my community, protest against the inclusion of the Yogi community in the category of depressed classes."

Against this must be set the general opinion of all responsible officers in Sylhet that the Naths in that valley are an exterior caste.

The following are typical opinions of responsible Hindu officers:—" The Jogis are really regarded as out-castes—outside the pale—because they do not reverence Brahmans and select as their priests persons who are not Brahmans at all. They say that years ago they established exactly what Gandhi is preaching to-day, *i.e.*, abolition of caste distinctions and universal weaving but that the other Hindus would not follow their example."

" Naths are regarded as Hindus even though they bury their dead. They have now-a-days taken the sacred thread. Naths do not get admission into temples. They have gained in social position by their aloofness from general Hindu society and by the fact that they do not do any menial work. I am inclined to include Naths among the depressed castes but I would emphasize that fact that they don't do menial work."

Jogis were " originally a weaving caste but now deny this. They form a separate community altogether but we consider them to be Hindus. They are a depressed caste."

" Jogis are a little superior to Namasudras but are not allowed into temples and their water is not acceptable."

One gentleman from Karimganj—himself a Nath—has, indeed, no hesitation in including his community among the exterior castes. He writes as follows:—

> " So far as my knowledge goes, amongst the Hindus inhabiting this sub-division the Patnis, Jogis (Naths), Namasudras, Malis, Dhubis and Duglas are to be properly included in the list of depressed classes. The reasons of depression regarding each of these communities are almost the same, namely:—
>
> (1) The members of these communities are not allowed by the so-called high caste Hindus, to enter the temple; even their shadow defiles the image in the temple.

(2) The high class Hindus never take any food and water touched or shadowed by these people.

(3) Brahmins of caste Hindus never agree to officiate as priests in ceremonies performed by these people even if they request them.

(4) Some of these communities are not allowed to have the same barber who works amongst the high class Hindus to work for them.

In conclusion I beg to say that these are but few amongst the many disadvantages from which these people suffer."

Previous census reports show that for the last forty years the Naths have been endeavouring to raise their social position by giving up widow re-marriage and refusing food prepared by other castes. In spite however of these efforts the Nath community of the Surma Valley is still very much looked down upon and I must, I consider, class them as an " exterior caste ".

This classification may seem peculiar inasmuch as I have not classed the Naths (Katonis) of the Assam Valley as exterior. How far the Assam Naths are connected with the Sylhet Naths is a matter into which I intend to enquire further but I doubt whether there is any very close connection. In any case a sufficient explanation of this difference in treatment would appear to be that Hinduism in Sylhet is not so tolerant as it is in the Assam Valley. Even in the Murarichand College caste restrictions seem to be much more closely observed than in the Cotton College. I have received a note on the system of messing in that college and it appears that even the Sahas are not allowed to take their meals in the general dining hall reserved for the upper caste students. In fact the *jal-chal* line is strictly observed there—at least nominally—and the students who do not belong to the upper castes have their meals served to them " either in their own rooms or in those set apart in the main block or in two out-houses provided for the purpose ".

The Senior Hostel Superintendent adds however " The observance of these distinctions is becoming more a matter of form with the students than an inviolable practice. On festive occasions or when they are in a mood to fraternise these differences are sunk. If the differences are still reigning here it is more because the students are afraid of their elderly guardians than because they believe in such a ban themselves."

I have now dealt to some extent with all the castes I have classed as exterior except the Kaibartas (Jaliya), the Jhalos and Malos and the Sutradhars. The first three are fishing castes and for that very reason are exterior. The Sutradhars are principally boat-builders and makers of ploughs ; they are not *jal-chal* and are educationally very backward.

In addition to the indigenous castes which I have classed as exterior there are also some non-indigenous castes such as the Muchis and various sweeper castes who must be added to the list. Their numbers, are, however, small.

The following are the figures in round thousands for the castes in the Assam Valley which I have classed as exterior :—

| Caste. | District. | Population. |
|---|---|---|
| Namasudra .. | Goalpara .. .. .. .. | 8,000 |
| | Kamrup .. .. .. .. | 13,000 |
| | Nowgong .. .. .. .. | 8,000 |
| | Sibsagar .. .. .. .. | 1,000 |
| | All other districts in the Assam Valley.. | 1,000 |
| | | 31,000 |
| Kaibarta .. .. | Goalpara .. .. .. .. | 4,000 |
| | Kamrup .. .. .. .. | 20,000 |
| | Darrang .. .. .. .. | 12,000 |
| | Nowgong .. .. .. .. | 27,000 |
| | Sibsagar .. .. .. .. | 33,000 |
| | Lakhimpur .. .. .. | 22,000 |
| | Sadiya .. .. .. .. | 1,000 |
| | | 119,000 |
| Bania (Brittial-Bania) | Goalpara .. .. .. less than | 500 |
| | Kamrup .. .. .. .. | 4,000 |
| | Darrang .. .. .. .. | 2,000 |
| | Nowgong .. .. .. .. | 3,500 |
| | Sibsagar .. .. .. .. | 2,500 |
| | Lakhimpur .. .. .. | 1,500 |
| | | 14,000 |
| Hira .. .. | Goalpara .. .. .. .. | 3,000 |
| | Kamrup .. .. .. .. | 5,000 |
| | Darrang .. .. .. .. | 1,000 |
| | Nowgong .. .. .. .. | 8,000 |
| | | 17,000 |
| Sweeper castes .. | All districts of Assam Valley .. .. | 2,000 |

The grand total of exterior castes in the Assam Valley is therefore 183,000. The figures for the various castes correspond in most cases to the figures ascertained at previous censuses and may be accepted as correct for all practical purposes. It is, however, probable that a few thousand Doms belonging to the foreign Dom caste who are employed on tea gardens have been included in the figures for Kaibarttas.

The following are the figures for the Surma Valley. I accept them all as approximately correct except in the case of the Patnis where, owing to the partial adoption of a different caste name, an adjustment based on the figures of previous censuses has had to be made.

| Caste. | District. | Population. |
|---|---|---|
| Mali (indigenous) .. | Cachar .. .. .. .. | 4,000 |
| | Sylhet .. .. .. .. | 35,000 |
| | | 39,000 |
| Dhupi (Dhobi) .. | Cachar .. .. .. .. | 2,000 |
| | Sylhet .. .. .. .. | 21,000 |
| | | 23,000 |
| Dugla or Dholi .. | Sylhet .. .. .. .. | 10,000 |
| Jhalo and Malo .. | Cachar .. .. .. .. | 2,000 |
| | Sylhet .. .. .. .. | 9,000 |
| | | 11,000 |
| Yogi (Jugi) .. | Cachar .. .. .. .. | 13,000 |
| | Sylhet .. .. .. .. | 71,000 |
| | | 84,000 |
| Mahara .. .. | Sylhet .. .. .. .. | 5,000 |
| Sutradhar .. .. | Sylhet .. .. .. .. | 13,000 |
| Muchi .. .. | Cachar .. .. .. .. | 4,000 |
| | Sylhet .. .. .. .. | 4,000 |
| Patni .. .. | Cachar .. .. .. (Census figures give 9,000 only; correct figures are at least 40,000.) | |
| | Sylhet .. .. .. (Census figures give 43,000 only; there are at least 70,000.) | |
| Namasudras .. | Cachar .. .. .. .. | 15,000 |
| | Sylhet .. .. .. .. | 124,000 |
| | | 139,000 |
| Kaibartas (Jaliya) .. | Sylhet .. .. .. .. | 30,000 |
| Sweeper castes .. | Sylhet and Cachar (together) .. .. | 1,000 |

The total for the exterior castes of Sylhet is therefore 392,000 at a *minimum* and for Cachar 80,000.

*Backward tribes.*—To deal with the backward tribes after an attempt to reduce to some logical basis the extraordinary complexities of the Hindu social system is, indeed, " port after stormy seas ".

By backward tribes I mean communities which still retain some form of tribal organization and which are below the general provincial standard of education. They can conveniently be divided into two sections :—

(*a*) those living principally in the hills and frontier tracts who are practically untouched by Hinduism,

(*b*) those living principally in the plains who have become Hinduized to a greater or less extent.

In section (*a*) would be included the various Naga and Kuki tribes, the Garos, the Mikirs and the Abors, Mishmis, Singphos and Khamtis of the Sadiya Frontier Tracts.

Whether the various Lushai clans should be included in (*a*) is a matter of opinion. The Lushai Hills is now actually the foremost district in the whole of Assam for literacy—which, for the purpose of the census, is the ability to read and write a letter to a friend. There are, however, very few well-educated Lushais and the thin veneer of literacy over the district—a product of the last 30 years only—has probably not affected the real culture—form of the people.

" Such education as there is among them ", wrote Mr. N. E. Parry, I.C.S., as recently as 1928, " is purely superficial ".

The Khasis (with whom I include the Syntengs) are another race which, from the census point of view, has a high proportion of literates.

Among the Khasis, however, there are a considerable number of well-educated persons (a Khasi has been a Minister of the Government of Assam) and nobody could, I think, class the Khasis as a " backward tribe ".

Most of the Khasis live, of course, in the Khasi States outside the British portion of the Khasi Hills.

Under (*b*) would come the Kacharis, the Meches, Miris, Deoris, Lalungs, Rabhas, Tiparas and Hajongs.

Except the Hajongs and the Kacharis of the North Cachar Hills all the other tribes in this section dwell in the plains.

The question of the Manipuris of Sylhet and Cachar requires special mention. These people are the descendants of persons who originally emigrated from Manipur State and settled in those districts. They form an entirely separate community—a kind of Manipuri oasis in the plains—and, as the Census Officer, Silchar, has reported, " they have their own society independent of general Hindu Society. They call themselves Kshatriya by caste but have no intermarriage or dining with Hindus of any class. They are however making rapid strides towards progress and education "

Babu Girish Chandra Mazumdar, Extra Assistant Commissioner, Sylhet, writes as follows on the same subject :—

> "We see that in Sylhet there are Manipuris who have been living for nearly 200 years in Bengali villages but it is curious that these Manipuris have never adopted Bengali customs or habits though they have got practical education in Bengali manners and customs from living among them."

Mr. C. Gimson, I.C.S. (formerly Deputy Commissioner, Cachar), who knows the Manipuris well, has written as follows :—

> "I doubt whether the Manipuris of Cachar ought to be classed as 'backward'. They are intelligent and are taking to education and they are free from most of the habits (*i.e.*, over-indulgence in opium and liquor) which tend to perpetuate the backwardness of other backward classes."

The Manipuris of Cachar and Sylhet are really a people apart—they are foreigners who have settled in a strange land and have kept very much to themselves, preserving their own culture and their own language. Another peculiar fact about these Manipuris is that although the majority are devout Hindus there are also many Muslims among them.

They must, in my opinion, be considered rather as a community requiring special treatment than as a backward race.

The number of Manipuris in Sylhet and Cachar is as follows :—

| | Hindu Manipuri. | Muslim Manipuri. |
|---|---|---|
| Cachar .. .. .. | 44,000 | 11,000 |
| Sylhet .. .. .. | 27,000 | 2,000 |
| Total | 71,000 | 13,000 |

The number of speakers of Manipuri is 55,000 in Cachar and 29,000 in Sylhet.

It would be impossible in a note like this to give elaborate figures for all the numerous backward tribes who live in the hills and frontier tracts. The following figures deal with the main tribes only (excluding altogether the various Naga and Kuki tribes in Manipur State).

| | | |
|---|---|---|
| 1. Lushai clans including Lakhers (all in Lushai Hills) | .. | 119,000 |
| 2. All Naga tribes of the Naga Hills district | .. .. | 168,000 |
| 3. Mikirs .. .. Cachar | .. .. | 3,000 |
| Khasi and Jaintia Hills (British) | | 17,000 |
| Khasi States | .. .. | 3,000 |
| Naga Hills .. | .. .. | 1,000 |
| Kamrup .. | .. .. | 10,000 |
| Darrang .. | .. .. | 4,000 |
| Nowgong .. | .. .. | 59,000 |
| Sibsagar .. | .. .. | 32,000 |
| Elsewhere .. | .. .. | 1,000 |
| Total | .. | 130,000 |

Most of the Mikirs in Nowgong and Sibsagar live in the Mikir Hills; a portion of these hills falls in the Golaghat sub-division of the Sibsagar district and a portion in the Nowgong district.

The number of speakers of Mikir is 126,000.

| | | | |
|---|---|---|---|
| 4. Abors (Sadiya Frontier Tract) | .. .. .. | | 14,000 |
| 5. Garos .. .. | Goalpara .. .. .. | | 20,000 |
| | Kamrup .. .. .. | | 9,000 |
| | Khasi Hills (British) .. | | 2,000 |
| | Khasi States .. .. | | 5,000 |
| | Garo Hills .. .. .. | | 153,000 |
| | Sylhet .. .. .. | | 2,000 |
| | All other districts .. .. | | 2,000 |
| | Total .. | | 193,000 |

The number of speakers of Garo is also 193,000.

I also give the figures for the Khasis (including Syntengs).

| | | |
|---|---|---|
| 6. Khasis and Syntengs .. | Khasi and Jaintia Hills (British) | 74,000 |
| | Khasi States .. .. | 153,000 |
| | Sylhet .. .. .. | 2,000 |
| | Cachar .. .. .. | 1,000 |
| | All other districts .. .. | 3,000 |
| | Total .. | 233,000 |

The number of speakers of Khasi has been returned as 234,000.

I have, I think, dealt sufficiently with section (*a*), *i.e.*, the real hillmen; let us now examine the position of those backward tribes who dwell principally in the plains and who have been influenced by contact with a civilization which is predominantly Hindu. Take the Miris. Many Miris have become disciples of Assamese Gossains. They remain, however, a community apart and do not mix socially with their Assamese neighbours.

An Assamese officer who knows the Miris well has given me his opinion as follows:—

"Even though some Miris have become disciples of a Gossain they are not accepted into our society. They still keep pigs and fowls though they may call themselves Hindus. Personally I cannot regard a Miri as a Hindu. He is outside the Hindu fold, and from a social point of view he is not a Hindu though he may worship some Hindu deities. Still we respect the Miris and consider them good people whereas I confess, we hate the Doms.

Miris are not depressed because their own society satisfies them and they do not care for us. They won't allow any of us to get up on their *changs*. Deoris are the same. They are rich people and can stand by

themselves. The Assamese villagers are frightened of them. I consider the Kacharis the same as the Miris. In Lower Assam Kacharis can gradually enter a Hindu caste by first becoming 'Sarania', then 'Saru Koch', then 'Bor Koch' and finally mix with the Hindu Koches.

In Upper Assam, however, where Assamese orthodoxy is stricter a Miri cannot enter Hindu Society in this way. Even the Auniati Gossain could not get a Miri into Hindu Society as a Koch. The reason why things were not so strict in Lower Assam is that it was further removed from Sibsagar—our old social capital. In any case the Miris have not got the slightest desire to join our society. They are quite independent of us."

At discussions held with various gentlemen in Darrang and Lakhimpur the general opinion was that very few Miris had entered Hinduism and that they were an independent tribe quite happy in their own society.

The Meches, Lalungs, Rabhas and Kacharis are in much the same position as the Miris. In spite of partial conversion to Hinduism they still remain tribal peoples and do not mix to any extent with outsiders. The Kacharis of the North Cachar Hills, even though they now return their caste as Kshattriya, still remain essentially a hill tribe.

The census statistics show that there has been a wholesale "conversion" of many of these tribal communities to Hinduism during the last decade. This is, however, mainly a political move and for all practical purposes these tribes remain exactly in the same position as before.

It may be asked why I have classed, *e.g.*, the Kacharis as a backward tribe while I have said nothing about, *e.g.*, the Ahoms. Both, it may be said, are really tribal communities; both were, in fact, at different times the dominant tribe of the Assam Valley.

The real basis of the distinction I have made is that the Ahoms—though in many ways a separate community—have been for so long completely Hinduized that they are now a racial caste rather than a tribe whereas the Kacharis though largely nominally converted to Hinduism during the last 10 years are still, I consider, more a tribe than a caste. One very clear distinction between them is that the Kacharis have preserved their own language whereas the Ahoms have lost theirs.

This in itself indicates that the Kacharis as a community have remained more aloof than the Ahoms from the general development of Assamese culture. Similarly the Miris, Lalungs, Meches, Rabhas, Deoris and Sylhet Tiparas have all preserved their tribal languages.

The following figures show in round thousands the strength of each of the backward tribes living in the plains or partly in the plains and partly in the hills. I have also given the figures for the Manipuris of Cachar and Sylhet though, as I have already stated, I consider them to be a community requiring special treatment rather than a backward race. I should also add that practically the whole of the Mech community of Goalpara has returned itself at this census as Boro-Kachari (which of

course it really is) and that, for the purpose of these figures, I have called them all Kacharis.

| Name of Tribe. | District. | Total population. |
|---|---|---|
| Kachari .. .. | Goalpara .. .. | .. 109,000 (including Boro-Kachari and Mech). |
| | Kamrup .. .. | .. 108,000 |
| | Darrang .. .. | .. 57,000 |
| | Nowgong .. .. | .. 13,000 |
| | Sibsagar .. .. | .. 15,000 |
| | Lakhimpur .. | .. 29,000 |
| | Cachar .. .. | .. 17,000 |
| | *North Cachar Hills* .. | .. *12,000* |
| | *Cachar Plains* .. | .. *5,000* |
| | All other districts .. | .. 2,000 |
| | Total Kacharis | .. 350,000 |

Of this total, 263,000 have returned themselves as Hindus, 78,000 as animists and 9,000 as Christians. It is interesting to observe that in 1921 about half the combined total number of Kacharis and Meches returned themselves as animists and half as Hindus.

Out of the total of 350,000 Kacharis (including Meches and Boro-Kacharis) 297,000 still speak Kachari (including Dimasa). The remaining 53,000 are made up principally of the Kacharis of Lakhimpur and Sibsagar who have returned their mother tongue as Assamese.

| Name of Tribe. | District | Total population. |
|---|---|---|
| Miris .. .. .. | Darrang .. .. | .. 6,000 |
| | Sibsagar .. .. | .. 35,000 |
| | Lakhimpur .. | .. 39,000 |
| | Sadiya Frontier Tract | .. 5,000 |
| | Total | .. 85,000 |

Of this total 80,000 have returned themselves as Hindus and the balance (all in Darrang) as "Miri" by religion. The number of speakers of the Miri languages is 81,000, practically the same as the total Miri population.

| Name of Tribe. | District. | Total population. |
|---|---|---|
| Lalung .. .. .. | Nowgong .. .. | .. 38,000 |
| | Khasi and Jaintia Hills (British Territory) .. | .. 3,000 |
| | Kamrup .. .. | .. 2,000 |
| | Total | .. 43,000 |

Thirty-one thousand Lalungs have returned themselves as Hindus and 12,000 as animists.

In 1921 the total number of Lalungs was 41,000 of whom only 3,000 had the heart to return themselves as Hindus. The number of speakers of Lalung is 9,000 against 10,000 in 1921.

| Name of Tribe. | District. | Total population. |
|---|---|---|
| Rabha .. .. .. | Goalpara .. .. .. | 32,000 |
| | Kamrup .. .. .. | 21,000 |
| | Darrang .. .. .. | 8,000 |
| | Garo Hills .. .. .. | 8,000 |
| | Total .. | 69,000 |

Sixty-one thousand Rabhas have returned themselves as Hindus and 8,000 as animists. In 1921 out of a total of 70,000, 28,000 returned themselves as Hindus and 42,000 as animists. The number of speakers of Rabha is 27,000.

| Name of Tribe. | District. | Total population. |
|---|---|---|
| Hajong .. .. .. | Garo Hills .. .. .. | 7,000 |
| | Sylhet .. .. .. | 1,000 |
| | Total .. | 8,000 |

Practically all Hajongs, as at previous censuses, have returned themselves as Hindus.

The Tiparas of Sylhet and the Deoris of Upper Assam are hardly worth mentioning. There are about 4,000 Tiparas in Sylhet and probably about the same number of Deoris in Lakhimpur. The Deoris are a section of the Chutiyas who have preserved their old language and have not become Hinduized like the Hindu-Chutiyas and the Ahom-Chutiyas.

### Tea Garden Cooly Castes.

Their name is legion, some are castes recognized in their provinces of origin as definite Hindu castes ; others would be considered Hindu castes merely by courtesy while others—such as the Mundas and Santals—cannot be said to be castes at all but aboriginal tribal communities. Coolies in Assam form, however, a separate class of the population no matter what caste or tribe they belong to and hence it seems best to treat all cooly castes and tribes under one heading, for all have one common characteristic and that is that, in Assam, a " cooly " is always a " cooly " and whether he works on a garden or whether he has left the garden and settled down as an ordinary agriculturist, his social position is nil. From the point of view of Assamese society a person belonging to any cooly caste or tribe is a complete outsider and is as " exterior " as any of the indigenous castes I have classed as exterior. Indeed from many points of view the social

position of coolies and *ex*-coolies is worse than any class in the province; they are educationally terribly backward; they have no recognized leaders or associations to press their claims or to work for their social advancement, they are foreigners to the country and, as a class, they are much addicted to liquor.

The number of tea garden coolies and *ex*-coolies in Assam is a matter of considerable interest and indeed of administrative importance. Attempts were made in the Census Reports for 1901, 1911 and 1921 to estimate the number of coolies originally brought to Assam for the purpose of working on tea gardens and the number of their descendants. As pointed out in the Census Report for 1911, this is an extremely difficult business and, as Mr. Lloyd remarked in 1921, "the problem becomes increasingly complex and liable to error at each succeeding census".

In view of the need for economy cooly castes were not sorted for separately on this occasion but arrangements were made in the sorting offices to extract the lump sum total of all cooly and *ex*-cooly castes in all districts. The main trouble about this procedure is that there are foreign cooly castes with the same name as indigenous castes who have nothing to do with tea gardens, *e.g.*, Telis. Every attempt however was made to keep the indigenous castes of the same name quite separate. The result however cannot be considered more than a fairly reliable estimate.

The following estimate was worked out by Mr. Lloyd in 1921. What he was endeavouring to do was to work out the number of persons in the province who were here either directly or indirectly on account of the tea industry.

The population censused on tea gardens in 1921 was 922,000. From this, however, must be deducted the managing and clerical staffs and also all persons belonging to indigenous castes censused on tea gardens. After making this deduction the number of immigrant coolies and their descendants actually on gardens was estimated by Mr. Lloyd to be 840,000

| | |
|---|---|
| Add *ex*-coolies .. | 360,000 |
| Total .. | 1,200,000 |

This figure represents the number of persons who were in Assam in 1921 directly on account of the tea industry. In addition Mr. Lloyd estimated that there were 130 or 140 thousand persons in Assam *indirectly* connected with the industry. These consisted of traders, *mistris*, carters, earth-workers, etc. The following is my estimate for 1931. The census figures for 1931 give the following results :—

| | |
|---|---|
| Number of Hindus belonging to cooly castes .. | 1,316,000 |
| Number of animists belonging to cooly castes .. | 53,000 |
| Estimated number of Christians belonging to cooly castes .. .. .. .. .. | 31,000 |
| Total . | 1,400,000 |

By valleys the division of this total would be approximately—

| | |
|---|---|
| Assam Valley .. .. .. .. .. | 1,050,000 |
| Surma Valley .. .. .. .. .. | 350,000 |

This total includes coolies of all kinds whether living on gardens or living in the villages: it also includes persons belonging to cooly castes who did not come to Assam for employment on tea gardens, *e.g.*, the Santals of the Santal colony in Goalpara district.

Let us now endeavour to ascertain how many of these 1,400,000 persons belonging to cooly castes or tribes are actually on gardens and how many are outside. The census figures show that 979,000 persons were censused on the tea gardens of the province (including of course the managing and clerical staffs) of whom 911,000 were Hindus, 25,000 animists, 24,000 Muslims and 19,000 Christians; 654,000 were censused in the Assam Valley and 325,000 in the Surma Valley.

As a rough estimate—it cannot be more—I take 900,000 (600,000 Assam Valley, 300,000 Surma Valley) as the number of persons actually censused on tea gardens who may be said to belong to tea garden cooly castes or tribes. If we deduct this figure from 1,400,000 we should therefore get the number of persons belonging to cooly castes who live outside the gardens; this comes to 500,000 in the whole of Assam of whom about 450,000 would be in the Assam Valley and about 50,000 in the Surma Valley. The only check we have against these figures is the amount of land held by *ex*-coolies as reported in the Annual Reports on Immigrant Labour.

The following figures give for each plains district the number of persons of cooly castes or tribes living outside tea gardens (1) according to my estimate, (2) according to the figures of land settled with *ex*-coolies outside tea gardens reckoning that 5 acres support 6 persons.

| Assam Valley. | Census Estimate. | Immigration Report. |
|---|---|---|
| Goalpara .. .. .. | 55,000 | *Nil.* |

The reason for this large discrepancy is that the number of tea gardens in Goalpara is very few—there are only 5,000 persons employed on tea gardens there—but there are a large number of persons belonging to "cooly" tribes and castes who came to Goalpara originally, not for employment on tea gardens, but as settlers, *e.g.*, the large Santal colony.

(In 1921 there were 33,000 speakers of Santali and Mundari in Goalpara; in 1931 the number has increased to 44,000. In addition there are 5,000 speakers of Oraon, so that the estimate I have made cannot be far wrong.)

| | | |
|---|---|---|
| Kamrup .. .. .. | 17,000 | 10,000 |
| Darrang .. .. .. | 100,000 | 133,000 |
| Nowgong .. .. .. | 24,000 | 29,000 |
| Sibsagar .. .. .. | 109,000 | 109,000 |
| Lakhimpur .. .. .. | 140,000 | 122,000 |
| Sadiya and Balipara .. .. | 5,000 | No figures. |
| Total .. | 450,000 | 403,000 |

The difference between the total of my estimate and the total deduced from the amount of land held by *ex*-coolies is due to the fact that Goalpara is not included at all in the Immigration Report figures. As regards individual districts the principal difference is that according to my estimate there are more *ex*-coolies in Lakhimpur and less in Darrang than the estimates worked out on the uniform basis of 5 acres supporting 6 persons. I have consulted the Settlement Officer, Darrang, on this point and he has informed me that "it is very likely that the reason why a comparatively larger area is held by *ex*-coolies in Darrang than in Lakhimpur and Sibsagar is that more waste lands were readily available here near the tea gardens". It therefore seems probable that the average holding for *ex*-cooly families in Darrang is a good deal larger than it is in Lakhimpur where rice land is not easy to obtain.

For the Surma Valley the Annual Reports on Immigrant Labour give no figures for the amount of land held by *ex*-coolies (this would be impossible in the permanently-settled district of Sylhet) so that we have no possible check. According to my estimate there are about 50,000 *ex*-coolies in the Surma Valley divided fairly equally between Cachar and Sylhet. Land is, of course, difficult to secure in that valley and the coolies on the tea gardens there have not had the same opportunities as they have had in the Assam Valley of settling outside the gardens.

The following figures give in round thousands the number of persons actually censused on the tea gardens in each district; they include, of course, not only coolies but the managing and clerical staffs as well as traders living within the garden boundaries. The Annual Immigrant Labour reports show the total number of coolies on the gardens of each district and I give the figures of that report for 1930-31 for the sake of comparison :—

| District. | Census figure (including managing and clerical staff). | Immigration Report figure (1930-31). |
|---|---|---|
| Goalpara .. .. .. | 5,000 | 5,000 |
| Kamrup .. .. .. | 7,000 | 7,000 |
| Darrang .. .. .. | 133,000 | 149,000 |
| Nowgong .. .. .. | 24,000 | 24,000 |
| Sibsagar .. .. .. | 234,000 | 264,000 |
| Lakhimpur .. .. .. | 250,000 | 294,000 |
| Sadiya .. .. .. .. | 1,000 | .. |
| **Total Assam Valley .. .** | **654,000** | **743,000** |
| Cachar .. .. .. | 147,000 | 141,000 |
| Sylhet .. .. .. .. | 178,000 | 181,000 |
| **Total Surma Valley .. .** | **325,000** | **322,000** |
| **Grand total for Assam .. .** | **979,000** | **1,065,000** |

It will be noticed that there is a large discrepancy between the total of the census figures and the total of Immigration Report figures, *viz.*, 86,000 and that the discrepancy is confined to the three large tea districts of the Assam Valley. At the 1921 census the discrepancy was almost exactly the same, *viz*, 90,000. The real discrepancy is however somewhat larger as the census figures include the managing and clerical staffs on the gardens whereas the Immigration figures do not. The reasons for this discrepancy are as follows :—

(1) In the Assam Valley the figures for the labourers on oil fields and coal mines are included in the Immigration Report figures. In Lakhimpur this amounts to about 12,000.

(2) At the time the census was taken (February 1931) many cooly *Sirdars* were away recruiting—(about 30,000 go every year from the Assam Valley; in the Surma Valley there were very few recruiters away as recruitment has practically stopped in that Valley).

These two reasons would explain about half the discrepancy. The balance must, in my opinion, be due to the fact that although the Immigration Report figures are supposed to refer only to persons "living in garden lines and on garden land" they do in fact also include coolies who are on the garden books but who actually dwell outside the garden boundaries, *i.e.*, *faltoo* labourers.

Let us now sum up briefly for the Assam Valley (excluding the Mikir Hills and the Frontier Tracts) and for the Surma Valley (excluding the North Cachar Hills) the result of these investigations and estimates.

They are as follows :—

| | Assam Valley. | Surma Valley. |
|---|---|---|
| (1) Hindu Exterior castes .. .. .. | 182,000 | 393,000 |
| (2) Backward tribes .. .. .. | 570,000 | 18,000 |
| (3) Cooly castes on gardens .. .. .. | 600,000 | 300,000 |
| Cooly castes outside gardens .. .. | 450,000 | 50,000 |
| Total | 1,802,000 | 761,000 |

In the total of the Surma Valley the Manipuris have not been included.

The total non-Muhammadan population of the Assam Valley (excluding the Mikir Hills and Frontier Tracts) being 3,590,000, the Hindu exterior castes, backward tribes, coolies and *ex*-coolies, taken together, have a majority over all other non-Muslims in the Assam Valley. As regards the Surma Valley (excluding the North Cachar Hills) the total non-Muslim population is 1,463,000 so that the Hindu exterior castes, backward tribes and coolies and *ex*-coolies also out-number all other classes of non-Muslims in that valley.

SHILLONG :
*February 6th, 1932.*

C. S. MULLAN,
*Superintendent of Census,*
*Assam.*

## III

**Supplementary Questionnaire addressed by the Indian Franchise Committee to the Government of Assam and the Assam Provincial Franchise Committee.**

*Question 1.* A. What is the considered opinion of the Government of Assam/Assam Provincial Committee as to the maximum number of voters who could be accurately polled in the Province using the total number of officers and maximum accommodation possible.

(*i*) if the election is spread over—

(I) two days (one for Muhammadans and one for non-Muhammadans).

(II) four days.

(*ii*) Taking 750 as the number of male voters with whom a presiding officer could deal in a day.

(*a*) if 40 per cent. of the voters are women,

(*b*) if 10 per cent. of the voters are women ?

B. What percentage would this number represent of (*a*) the total and (*b*) the adult population ?

*Question 2.*—Which system of polling illiterate voters do you prefer —

(*a*) Coloured boxes whereby the voter has to make no mark on the paper but is able to poll secretly :

(*b*) a system whereby the Presiding Officer marks the ballot paper on the instructions and on behalf of the illiterate voter ?

### Polling Machinery.

*Question 3.*—What is the maximum personnel which could be used as Presiding or Polling officers ? The Committee would be glad to have this information under the following heads :—

(*i*) Total number of Government Officers, gazetted, non-gazetted and ministerial.

(*ii*) Total number of pensioned Government Officers.

(*iii*) Total number of Court of Wards Officers (superior and ministerial).

(*iv*) Total number of members of Local Bodies (Municipal Commissioners, Members of District and Local Boards, Presidents and Members of Union Bench Courts, Honorary Magistrates, and any other category of honorary workers who could be employed). To what extent could these figures be supplemented by the use of non-officials (school-masters, etc.) ? Is any objection likely to be raised to their use for this purpose ?

(*v*) To what extent could provision be made for—

(*a*) separate polling booths for women and women presiding officers and clerks:

(*b*) separate entrances and compartments for women voters?

*Question 4.*—What franchise qualifications would you propose in order to enfranchise—

(*a*) 10 per cent. of the population,

(*b*) the maximum you consider administratively possible as in question 1 above?

What approximate percentage of women would be enfranchised on your proposals under (*a*) and (*b*) respectively.

*Question 5.*—The Franchise Committee would be glad of your considered opinion as between the four systems of voting which have been under consideration:—

(*a*) Universal direct adult suffrage.

(*b*) Universal indirect system.

(*c*) The extension of the direct vote so far as is administratively possible.

(*d*) A combination of the direct and indirect system as explained below.

A fuller note on each of these systems follows below with a view to facilitate a reply.

*A. Universal direct adult suffrage.*—The fundamental question is whether the system is administratively possible at the present stage. The reply to question 1 above will go far to make clear whether this is so or not.

*B. Universal indirect system.*—Under a universal indirect system the whole adult population, male and female, might be grouped in groups of between 20 and 50 each, each group to return one of their number as a secondary elector for the election of a member of the Legislative Council. Each group would elect one Mukhiya from among its own members, the election being either informal by means of a show of hands or by individual voting after nomination. (As an alternative the group might be larger electing one Mukhiya for each 20 of its number.) Immediately the election was complete, the Circle Officer would place the name of the Mukhiyas elected on the electoral roll, and there would be no appeal against his decision though his proceedings would be open to revision. In the event of its being decided to retain separate Hindu and Moslem electorates, or to create, as recommended in one Province, separate electorates for the Depressed Classes, it would be necessary to form separate Hindu, Moslem or Depressed Class primary groups in the villages. The electorate so chosen would be divided into constituencies for the election of members of Council.

In the event of your approving of this system please state :—

(*i*) The precise methods by which you consider that the election of the electors for the primary groups should be conducted (the supervising and revising authority ; whether an electoral roll should be maintained ; whether geographical proximity should be the basis of the group ; the size of the group ; whether the village or some other division or area should be adopted as the electoral unit ; whether the population should be divided into groups of 20 or thereabouts, each to elect a Mukhiya, or into larger groups—say 100—to elect say five Mukhiyas) :

(*ii*) whether men and women should be grouped together or separately ;

(*iii*) whether you think it could be made applicable to the towns as well as to the country.

If your answer is in the affirmative, please state whether you consider that the same basis of grouping and method of voting should be adopted in the towns as in the country. If not, what would you suggest ?

(*iv*) Do you consider that the loss of the direct vote by those who at present enjoy that privilege, and its substitution by a vote for a secondary elector, would be regarded as a source of grievance ?

*C. The extension of the direct vote so far as it is administratively practicable.*—In the event of your favouring the adoption of this system, please state exactly—

(*i*) the categories of the population which would fail under it to secure direct representation in the Legislature,

(*ii*) the approximate number of women who would be enfranchised, and the percentage they would represent of the total electorate,

(*iii*) the number of the Depressed Classes (applying the criteria of untouchability and unapproachability) who would be enfranchised, and the percentage they would represent of the total electorate.

*D. The combination of the direct and indirect system as suggested by the Round Table Conference.*—Under such a system the total adult population would be divided into—

(1) direct voters qualified by property, education, military service, etc. ;

(2) the balance of the adult population. These might be grouped in groups of say 20 (or some approximate figures). In the cold weather preceding that in which a general election is due, the Circle Officer, in accordance with instructions that would be issued, would divide villages into groups on the basis of geographical proximity.

Each group would return one of their number as a secondary elector for the election of a member of the Legislative Council. The election would be either informal or by nomination as suggested in the case of universal suffrage. On the completion of the elections in the village the Circle Officer would place the names of the secondary electors chosen on the electoral roll of the constituency to which they appertain along with the direct voters, the choice of the primary voters being thus regarded as a qualification for admission to the electoral roll. The voters not directly qualified might be grouped together in the same manner as suggested in the case of universal indirect election above. The method of polling groups would be similar to that suggested above in the case of universal indirect suffrage, except that it would apply only to a proportion and not to the whole.

In the event of your approving of this system the Committee would be glad to know :-

(*a*) The precise method of primary group election which you would suggest.

(*b*) The ratio which the number of the direct electors should bear to the Mukhiya electors.

(*c*) Whether men and women should be grouped together in the primary groups or separately.

(*d*) Assuming it is decided to have one Mukhiya for every 20 persons whether it would be better—

(*i*) to form the whole village into a single group, electing Mukhiyas on the basis of one per 20 adults, or

(*ii*) to form groups of say 100 each electing 5 Mukhiyas, or

(*iii*) to form groups of 20 each electing 1. How would you propose to conduct the election in each case ?

5. Do you propose that the same system should be applied to town and country ? If not, what alternative would you propose for the towns ?

6. Do you consider that town and country should have representation in the Council proportionate to their numbers, or that the towns should have some weightage, and if so, to what extent ?

7. The local Government stated* in reply to question 2 (*e*) of the questionnaire that the existing military service qualification should be retained and extended to the Indian Auxiliary and Indian Territorial Forces. What period of qualifying service, if any, in the Auxiliary and Territorial Forces would they require as a condition of admitting *ex*-members of those forces to the franchise ?

8. Would they propose any differential franchise for women, and if so, what number of women are likely to be placed on the electoral roll as the result of their proposals ?

Do the local Government/Provincial Committee consider it desirable to make provision to secure as a temporary measure, say, for the first ten

* Page 319.

years that a small number of women shall be members of the Council? If so,—

(*i*) should they be chosen by co-option by the Council, by the single transferable vote,

(*ii*) be elected by a special constituency of literate women only, divided if necessary into Muhammadan and non-Muhammadan constituencies, or

(*iii*) *e.g.*, as suggested in one Province on the following lines:-

"A fixed number of seats should be reserved in the Council for women: women should be allowed as at present in this Province to stand for any constituency for which they are qualified to stand and unsuccessful women candidates up to the number so reserved obtaining the highest percentage of votes to the number of electors on the electoral roll in the constituency for which they stand, should be declared elected to the seats reserved for women, provided that they have obtained sufficient votes not to forfeit their deposits. Women who top the poll in any constituency and win a seat outright would come into the Council as ordinary members and would be additional to those filling the seats reserved for women. If on the other hand the number of women candidates was insufficient to fill the quota of reserved seats, no further steps to fill the quota should be taken, whether by nomination or otherwise"

9. Could you state-

(*a*) the number of Depressed Class representatives in the existing Council, and the method by which they were appointed;

(*b*) the castes and sub-castes which in your opinion are depressed in your Province, applying the criteria of untouchability and unapproachability (including such disabilities as refusal of entry to public eating houses, and the population thereof).

(*c*) the number of members of the Depressed Classes, applying the criteria above, who would be placed on the electoral roll as the result—

(*i*) of the system of franchise you propose;

(*ii*) the extension of the direct electorate to 10 per cent of the population.

(*d*) are the Depressed Classes or Untouchables likely to return representatives of their own to the Council under the system of franchise you propose? If so, how many, and for what constituencies?

In order to assist the Franchise Committee in dealing with this matter could you take, say, two typical constituencies and have a detailed analysis prepared showing the number of individuals and voters belonging to the Depressed Classes in these constituencies, and the number of

Depressed Class electors who are now on the electoral roll and who would appear on the electoral roll—

(*i*) under the system of franchise you propose,

(*ii*) if 10 per cent. of the electorate were directly enfranchised ?

The Committee would also be glad of a statement in general terms of the distribution of the Depressed Classes, applying the criteria of untouchability and unapproachability throughout the Province. Are there any constituencies or areas in which the Depressed Classes are sufficiently numerous as to make it possible for them to return a member of the Legislature, in the event of their voting together ?

10. How do you propose to secure representation for—

(*a*) industrial labour, and

(*b*) tea garden labour

in the Legislature ?

11. To what extent, if at all, could the group system (either wholly indirect or 'hybrid') be used, in your opinion, to deal with the representation of labour ?

12. Have you any views as to the desirability of single-member constituencies, as opposed to multi-member constituencies, electing two, three or five members each, either by the single non-transferable vote, or any other recognised device ?

13. Do you consider that a second Chamber is feasible and desirable in your Province ; and if so, what should its members be, and how should they be composed ? What would be its position *vis-a-vis* the Lower House of the Provincial Legislature ?

14. What do you consider should be the number of members—

(*i*) of the Lower House of the Provincial Legislature in the event of a bicameral system being introduced,

(*ii*) of the Provincial Legislature if unicameral ?

15. What representation do you consider should be given in the Provincial Legislature to special interests, *e.g.*, trade and commerce, planting, landlords, Europeans, Anglo-Indians, Indian Christians, etc., etc. ?

16. As regards the Federal Legislature—

(*a*) Do you consider that the Upper Chamber should be elected by the Provincial Legislatures by some system of proportional representation ?

(*b*) To what extent should the existing franchise qualifications—

(*i*) for the Upper Chamber [if the answer to (*a*) is in the negative],

(*ii*) for the Assembly,

be extended ?

(*c*) Do you consider that any group system could be employed in election to both Houses for either House of the Federal Legis-

lature with a view to giving that portion of the population which has not a direct or indirect share in its election some voice in national affairs ?

(*d*) What special interests should be represented in the Federal Legislature, and to what extent ?

The Committee appreciate that reference to local officers will be necessary before answers to some of the above questions can be given, but they must ask that arrangements be made to furnish them with the bulk of the information required by 15th March at latest, and that any supplementary information on outstanding points may reach them not later than 25th March. They greatly regret the necessity for thus pressing local Governments and their officers at the present time, but in view of the date by which their report on the basis of the franchise has to be submitted, they are compelled to ask that the matter may be expedited in every possible way.

## IV

## Memorandum by the Government of Assam in reply to the Supplementary Questionnaire of the Indian Franchise Committee.

LETTER FROM THE SPECIAL OFFICER, GOVERNMENT OF ASSAM, TO THE SECRETARY TO THE INDIAN FRANCHISE COMMITTEE, BOMBAY, No. 2358-A.P., DATED SHILLONG, THE 12TH MARCH 1932.

With reference to your demi-official No. E.-221-Assam of 29th February, forwarding a supplementary questionnaire for consideration of the local Government and the Provincial Committee, I am directed to forward for the information of the Indian Franchise Committee the further views of the Assam Government on some of the questions. A reference is invited to Mr. Soames' letter* of 19th February 1932 in which Government gave their opinion on the general questionnaire.

2. *Qs. 1 and 3.*— The maximum number of voters who could be polled in the Province depends very largely on the number of officers who would be available as presiding or polling officers. It is proposed, therefore, to consider the latter question first. The Assam Government attach the greatest importance to employing as presiding officers only those who have the confidence of the public and who can be trusted to discharge such responsible duties honestly, efficiently and impartially. For this reason Government would entrust these duties only to gazetted officers, most of whom belong to the category of Extra Assistant Commissioners, Sub-Deputy Collectors, Sub-Judges and Munsiffs, officers of the higher Educational, Agricultural and Engineering services, Sub-Registrars, and officers in the upper grades of the Co-operative, Industries, Forest, Excise and Income-tax Departments. It is estimated that more or less, 400 of such officers would be available as presiding officers throughout the province. The Government would also be prepared to utilise as presiding officers pensioned Government officers as also Court of Ward officers who belong to the grades specified above. On account, however, of age and infirmity, it is improbable that many pensioned officers would come forward to undertake the arduous duties of a polling officer, and Court of Ward officers are few in number. The Government of Assam are not in favour of the employment of members of local and Municipal Boards or of presidents and members of Village Bench Courts. They would too frequently be partisans of some particular candidate. There are a few Honorary Magistrates, particularly pensioned Government officers, who could suitably be employed as presiding officers, if they were willing to undertake the task.

3. As regards the use of non-officials as presiding officers, the Government of Assam would only employ them with the consent of the candidates. I am directed to note that Government have taken advantage of the session of the Legislative Council to consult the non-official members and to ascertain their views on this matter. They are almost unanimous in their preference for an official presiding officer.

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* Page 317.

Some would agree to the employment of non-official agency, limited nowever to those cases where the consent of the candidates had been obtained.

As regards polling clerks the Government of Assam consider that the requisite number would be available. In some cases it might be necessary to employ a non-official agency to assist the presiding officer, out the Government are of opinion that they can rely on the latter for exercising the necessary supervision.

In this connection I am to suggest for the consideration of the Indian Franchise Committee the addition of another clause by way of amendment to Act No. XXXIX of 1920 (The Indian Elections Offences and Inquiries Act), penalising mal-practices at a polling station. It is thought that some legislation of this kind may be necessary to confer requisite powers on the presiding officer over any non-official agency.

To sum up, the Government of Assam are of opinion that it is not feasible or desirable to use non-officials as presiding officers except in rare cases, and that it is essential for years to come that polling officers should be under the control of presiding officers who are Government servants.

4. As regards the maximum number of voters who could be accurately polled in the province, it will be convenient to consider this from the point of view of the recommendation of the Government of Assam that it is not practicable or desirable to enlarge the electoral roll at present beyond 10 per cent. of the total population, which means about 20 per cent. of the adult population. The population of the plains districts of Assam is, in round figures, 8,000,000. The potential electorate would be 800,000 The Indian Franchise Committee have taken 750 as the number of male voters with whom a presiding officer could deal in a day. In the light of the experience of this and some other provinces, the Government of Assam consider that this figure is too high and would prefer to base their calculations on an estimate of 500 voters. If the election were spread over two days (one for Muslims and one for non-Muslims) 800 polling stations would be required. It would not be possible, however, to find sufficient suitable officers for so many polling stations. The Government of Assam are therefore of opinion that the polling should be spread over four days, *i.e.*, two days for each constituency. This would enable 500 votes to be polled daily in 400 polling stations or the possible reception of a total daily vote of 200,000 in the whole province or 800,000 during the four days. It would thus be possible to secure the services of sufficient presiding and polling officers to record the votes.

It is unnecessary to consider the question from the point of view of women voters forming 10 per cent. or 40 per cent. of those who come to the poll. Government consider that, in Assam, this is entirely outside the sphere of practical politics.

5. Before passing from this question, the Government of Assam invite attention to the fac that, for the purpose of calculation, they

have assumed that all electors would come to the poll. They consider it unlikely, however, that, on an average, more than 60 per cent. would cast their votes. A reference to paragraph 24 at page 23 of the Memoranda of the Government of Assam to the Statutory Commission will show that the average polling in previous elections has been about 38 per cent. of the electorate. In the case, however, of a keen contest, the polling may be much higher. Statement 8 at pages 18-19 of the same Memoranda shows cases where polling was as high as 70·98 of the elec torate. These, however, are exceptions. It is reasonable, however, to expect that with the political education of the electorate more voters will attend the poll and, in any event, as has been pointed out in election inquiries, the polling arrangements to be adequate must be based on the assumption of a large attendance. The Government of Assam consider that, in their calculations, they have left a comfortable margin to provide for any abnormally high poll. Further, the population of eight millions includes about one million of labourers and others residing on tea gardens who are at present unenfranchised. The Government of Assam have recommended (paragraph 14 *infra*) that these should be represented in the Legislative Council by nomination.

It is difficult to give any precise idea of the area which would be covered by each pol ing station. This must necessarily vary. In some districts there are large uninhabited tracts whi'e in others the population is fairly dense. The aim of the Returning Officer in establishing polling stations should be to limit the distance that electors have to travel in the interior to the polling stations to not more than 5 or 6 miles.

6. *Q. 2.* It is difficult under either system of polling to guarantee secur.ty. It has to be remembered that with an illiterate, diffident and suspicious electorate, the presence of any one inside the room where the votes are actually deposited, encourages the fear that the way the votes are cast, may be discoverable by the candidate or his agents.

In the case of the coloured box or token system the advantages are :—

(*a*) It is easier for the voter. The candidate is told what the colour of his box or the symbol will be a week or fortnight before the polling day and is able to instruct his supporters accordingly. The voter can go quickly into the voting chamber and deposit his ballot paper in the box of the candidate for whom he wishes to vote.

(*b*) It is quicker than the marked ballot paper system. The latter in the case of an e'ectorate which is largely illiterate, takes some time. If the presiding officer or the polling officer mark the ballot paper in order to assist the illiterate elector, it is difficult to preserve secrecy.

(*c*) Properly managed, the coloured box system should be more secret than the marked ballot paper. The voter need not disclose to any one in which box he has placed the ballot paper.

The disadvantages are :—

(*a*) It is essential that some officer should be present to see that the ballot paper is actually placed in the box and not taken outside with a view to sa'e This can be done without impairing the secrecy of the ballot if officers entirely unconnected with the locality are deputed for the purpose.

(*b*) It is not possible with the coloured box system to have a recount in the case of a very close election.

(*c*) In the case of multiple constituencies,—*e.g.*, with reserved seats, it might be found that there were not sufficient distinctive colours. A multiplicity of boxes tends to confuse the voter.

(*d*) The coloured box system needs careful supervision by the presiding officer. He and he alone should stamp the ballot paper ; otherwise there is the risk of a polling clerk stamping 30 or 40 papers and placing them in a candidate's box. If recourse is had to the box system, the need for an absolutely impartial and vigilant presiding officer is emphasized.

On the whole the Government of Assam would advocate for the province of Assam the box system, except for those const tuencies where voting by post is permissible. I am however to point out that certain amendments and addit ons to the present electoral rules and regulations may be necessary to provide for the precautions ment oned above.

7. *Q. 3* (*c*).—The Government of Assam consider that it 's not possible to provide separate polling booths for women. It can be definitely stated that women presiding officers and clerks will not be available. It might be possible to have separate entrances and compartments for women voters but only at a considerable cost to Government. This would be useless, however, without women presiding officers and clerks.

8. *Q. 4.*· The Government of Assam in reply to II (*c*) of the general questionnaire have stated that the payment of a definite sum as tax or revenue either to Government or to a local body or, if feasible, the payment of a certain sum by way of rent every year to a landlord, should be the qualification for the franchise.

The actual extent to which the qualification for the franchise would have to be lowered must depend on detailed and necessarily prolonged enquiries in each district in order to ascertain exactly what payment of land revenue or chaukidari tax or local rates would enfranchise ten per cent. of the population. Similar detailed enquiries would be necessary to find out the approximate percentage of women who would be enfranchised.

I am to point out that the supplementary questionnaire reached Shillong on the afternoon of March 4th and that the reply thereto has to leave on the afternoon of March 12th Sufficient information on the subject is not available at headquarters, and it will be seen that there has not been time to consult local officers.

9. *Q. 5.*—The Government of Assam have expressed their decided opinion in favour of the extension of the direct vote so far as is administratively possible, and do not consider it necessary to offer any observations on questions 5—A, B, C and D. They have again very carefully considered whether under the conditions prevailing in Assam it is possible to introduce any indirect system of vote or whether this would meet with popular approval. I am to enclose for the information of the Indian Franchise Committee a note* which has been prepared on the former practice of electing local board members in Assam through *gaonburas* (village headmen) and *panchayats*. It will be seen that the system was generally condemned In the plains districts of Assam, except Sylhet, the density of population may be taken at 246 per square mile. In Sylhet district the density is 497 per square mile. As compared with other provinces there is a small cadre of revenue and judicial officers. The task of holding primary elections could not be entrusted to the *Mauzadar* in the Assam Valley or the *panchayat* in the Surma Valley. The Government therefore view with the greatest apprehension any attempt to hold primary elections which they consider would be unpopular, difficult to hold and, where they could be held, potentially mischievous.

I am also to say that the Government of Assam, after careful reconsideration in the time at their disposal of the extent to which the population of the province could be enfranchised, have come to the conclusion that, for the next ten years, it would be unwise to attempt to give the vote to more than 10 per cent. of the total population, including such women as were qualified They recognise a definite risk that a wider franchise might result in a general breakdown of the electoral arrangements and the consequent discredit of the whole system. In their opinion the real importance lies not so much in the proportion of the people qualified to be on the electoral rolls as in the number of those registered who will actually come to vote. Nor should it be difficult at some future date for the Legislative Council by a "constitutional" resolution of the kind suggested by the Statutory Commission to widen the franchise, to increase the number of constituencies, or to facilitate the representation of women in the Legislative Council. They would prefer gradual development to any sudden increase in the electorate on a scale likely to cause confusion. It is their considered opinion as regards female suffrage that, while every opportunity should be taken to encourage women to exercise their right to vote, nothing is to be gained at present by thrusting the franchise on people who do not wish to exercise it.

10. *Qs. 5 and 6.*- The Government of Assam, therefore, consider that there should be an extension of the direct vote though only to the extent indicated above, both in town and country. They desire to point out, however that in Assam the distinction between town and country hardly arises because there is no urban area with a population of more than 27,000 There are only three Municipalities with a population over 20,000. The question of weightage to towns does not arise in Assam.

* Page 382.

11. *Q. 7.*—The Assam Government would restrict the franchise to members of the Auxiliary and Territorial Forces who are actually serving in these forces and who have in the "previous year" passed the efficiency test.

12. *Q. 8.*—As stated above, after further consideration the Assam Government see no reason to alter their opinion given in the previous letter. They consider that in actual practice the number of women who will wish to exercise their right conferred by the franchise will be very small. As stated in reply to question 3 (*v*) it would be difficult to provide separate polling booths for women and impossible, under present conditions, to obtain women presiding officers and clerks.

As regards a constituency for literate women, it might be possible to arrange for registration of the electors, as in the case of male voters on the production of a certificate that they have passed the middle vernacular or corresponding examination. The number qualifying would at present be small but is likely to increase in the future. At present the number of literate women in the enfranchised areas in the plains is shown as 33,309 in the census returns, but this includes all who assert that they can read or write. It would be very difficult to frame a special constituency for literate women. It appears improbable that there will be women candidates or that they would be returned from an ordinary constituency. The Government of Assam do not consider it necesary that a small number of women should be members of the Council. They regard this suggestion as far in advance of the requirements of the province. It is considered improbable that under present conditions there would be any women candidates of a class whose advice or influence would be of any real value.

13. *Q. 9 (a).*—In the existing Council there are three representatives of the lower caste Hindus. One is a member of the *sonar* caste, nominated by His Excellency the Governor in 1929 to represent the depressed classes. The other two are *muchis* (cobblers) who were elected with the aid of the Congress party, when the latter decided to abstain from contesting elections for the Legislative Council. They were not elected with a view to giving representation to members of the "depressed classes". There is no doubt that the support that they obtained was given with a view to discredit Government and the Legislative Council.

*Q. 9 (b).*—I am to refer to the note* submitted as an appendix to the report of the Provincial Franchise Committee, dividing Hindu castes into "interior" and "exterior". As previously stated the term "depressed classes" is not applicable to Assam, but under present conditions it may be said that the "exterior" castes have little or no chance of obtaining representation in the Assam Legislative Council.

*Q. 9 (c).*—It is regretted that it is impossible, pending the publication of detailed census statistics, district by district, to give any estimate of the number of members of these "exterior" castes who would be placed on the electoral roll as a result of an extension of the franchise.

* Page 337.

The Assam Government contemplate an extension of the franchise sufficient to include 10 per cent. of the population, and think that it should be possible to provide by the creation of special constituencies adequate representation for these lower castes and backward tribes. As already stated, they attach considerable importance to allowing the individual voter the option whether he will enrol in a 'general' constituency intended for all classes and creeds, or in a separate electorate composed on communal lines.

The Assam Government prefer single member special constituencies to those which contain reserved seats. They believe such a constituency is more likely to return a member who will endeavour to advance the interests of the lower castes or backward tribes than would be the case in reservation of seats in the "general" or a "non-Muhammadan" constituency. In this connection the reply to question No. 12 may also be seen.

14. *Qs. 10 and 11.*—After giving further consideration to the question of representation for industrial labour and tea garden labour in the Legislature, the Assam Government are unable, having regard to the actual conditions prevailing in Assam, to facts as opposed to theories, to alter their opinion that at present such representations can best be secured by nomination, it being left to the Governor to try and devise for any area some system under which the labourers themselves could be consulted. It will be remembered that among the members of the Assam Provincial Franchise Committee there was one who might be regarded as typical of the class who would seek nomination, and who would probably be approved by the tea garden labourers.

A tea garden in Assam employs labourers from various parts of India. On one garden there may be, for example, Oriyas, Oraons, Mundas, Santals, as well as members of various Hindu castes from the Central Provinces, the United Provinces, Madras and Bombay. Each of these would form a little group of its own, but without any cohesion whatsoever amongst the groups. The Santals, for example, would have no use for the Oraon; the Oriya would remain absolutely distinct from the Bombay labourer. Under present conditions it appears impossible to devise any system by which the representatives of these various groups would agree on any one representative of several tea gardens. There is every possibility, however, that their disagreement in this matter might take the shape of undesirable activity. Many years must elapse before these labourers are able to combine for the purpose of electing a representative.

15. *Q. 12.*— The only plural member constituencies in Assam are the planting constituencies. They have never been contested. The Government of Assam are of opinion that illiterate voters would find it difficult to record their votes correctly in multi-member constituencies. The Government of Assam are opposed to multi-member constituencies, other than those designed to represent special interests, or where voting by post is possible.

16. *Q. 13.*—His Excellency and the other members of Government, excepting the Hon'ble Finance Member, are of opinion that a second Chamber or Senate in Assam is both feasible and essential. They consider that with a large increase in the number of members of the Lower House under the new constitution there is a risk of hasty and ill-considered legislation and resolutions. The Government of Assam are of opinion that, in these circumstances, there is need of a body which could act as a brake on precipitate action by the Lower House and which could effectively perform the functions of revision. As a general principle, no resolution passed in the Lower House would be binding on Government unless it was confirmed by the Senate. The Cabinet, however, should be empowered to decide what resolutions, or budget cuts, including token cuts, were of sufficient importance to be referred to the Senate. Broadly speaking, the Senate might stand in the same relation to the Lower House, as the existing Council of State does to the Legislative Assembly. It is suggested that there should be 30 members in the Senate, of whom 20 would be elected and 10 nominated by the Governor, who would presumably consult the Ministers. Provision should be made in the constitution, so that, as regards elected members, Muslims might receive adequate representation in the proportion obtaining in the Lower House, excluding from the calculation the special or non-territorial constituencies, mentioned in the reply to question 15.

As it is desirable that members of the Senate should be men of mature judgment, the minimum age of candidates might be fixed at 35.

The qualifications of an elector to the Senate would be on the lines of the qualifications of the existing electorate in Assam for the Council of State. It is considered, however, that the amount of payment of land revenue, local rate, and income-tax should be lowered so as to widen the electorate. The Government of Assam propose that a person shall be qualified as an elector for a member of the Senate who has a place of residence in Assam and who –

(*a*) is liable to pay, in temporarily settled areas, annually not less than Rs. 1,000 as land revenue or not less than Rs. 100 as local rate, or, in permanently settled areas, not less than Rs. 50 as land revenue or not less than Rs. 5 as local rate. These figures, however, are only suggested tentatively and might be subject to alteration in the light of further detailed enquiries as to the number of electors who would be enfranchised under these qualifications, or

(*b*) was in the financial year preceding that in which the electoral roll or the list of amendments thereto, as the case may be, for the time being under preparation, was first published under the electoral rules, assessed to income-tax on an income of not less than Rs. 6,000; or

(*c*) is or has been a non-official member of either chamber of the Indian Legislature, or of the Assam Legislative Council as constituted under the Government of India Act, 1915; or

(*d*) is or has been a non-official Chairman of a Municipal Board or Local Board in the province of Assam ; or

(*e*) is or has been an Honorary Magistrate in the province of Assam ; or

(*f*) is or has been a member of the Senate or a Fellow or an Honorary Fellow of any University constituted by law in British India ; or

(*g*) is the holder of any title officially recognised by the Government of Assam, or holds any decoration conferred by the King-Emperor or by the Viceroy of India.

17. *Q. 14.* The Government of Assam are of opinion that it is only when registration of the electorate has been completed that the number of constituencies can really be rightly determined. Any assumptions based merely on population are likely to be falsified, both in the numbers registering and the numbers voting. They are, therefore, at present unable to visualise the strength of the Lower House of the Provincial Legislature either in the case of a unicameral or of a bicameral Provincial Legislature.

18. *Q. 15.* The Government of Assam adhere to the view expressed in Mr. Soames' letter* of 19th February 1932, that the representation of special interests should be confined to the following :

(*a*) The tea industry on the present proportion of one-eighth of the elected members, two of the seats being reserved for Indians ;

(*b*) Two seats for Commerce, one being reserved for Indians ;

(*c*) One seat for Europeans ,

(*d*) One seat for Indian Christians by nomination ,

(*e*) Three seats for labour by nomination.

19. *Q. 16 (a).* The Government of Assam are in favour of direct election to both Chambers of the Federal Legislature.

(*b*) In the event of direct election to the Upper and Lower Houses of the Federal Assembly, the Assam Government are not in favour of lowering the existing franchise qualifications for the Council of State and the Legislative Assembly.

(*c*) The Government of Assam consider that the group system should not be employed in election to either House of the Federal Assembly.

(*d*) The Government of Assam would prefer to reserve their opinion as to the special interests to be represented in the Federal Legislature, until the scheme for the latter, more especially as regards the representation of the States, has been worked out in greater detail.

20. In conclusion I am to point out that the recommendations above contemplate the eventual creation in the province of Assam of constituencies of four kinds :

(I) *General, i.e.*, those now known as non-Muhammadan, a title which might perhaps with advantage disappear :

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* Page 317.

(II) Muhammadan;

(III) Other communal electorates restricted to members of the "Exterior" Hindu Castes or to aboriginal tribes or to those *ex*-tea garden labourers, who hold the necessary franchise qualification;

(IV) Constituencies designed to represent "Special" interests referred to in paragraph 18 above

It has been stated that it is impossible at present to indicate even on general lines, based on the proportion of population, the number of constituencies required under the head (III) above. As a matter of procedure the Government of Assam would advocate that, taking the population as recorded in the census of 1931 as the basis, constituencies should be provisionally created and six months given for electors to register. They would prefer that the rolls should be prepared in accordance with requests made for registration, rather than by Government officers preparing lists in advance on information in their possession. In other words registration would follow application. Six months might be allowed for this purpose when the registers should be closed and a period of one month allowed for hearing objections *e.g.*, against the inclusion of an elector in a communal constituency or on the grounds that an elector was not qualified. No more claims or additions would be admitted.

They would regard for the province of Assam 5,000 registered electors as the minimum justifying the creation of a constituency and 20,000 as the maximum, taking usually the sub-division, or in certain cases, the district as the geographical unit. In certain cases it might be necessary even for a 'special' constituency to combine two districts—*e.g.*, the districts of Sylhet and Cachar where provisionally a constituency might be created for the Manipuris whose number in the two districts comes to 84,000. The same would be the case with the Miris in Lakhimpur and Sibsagar districts. In Goalpara and Kamrup the population of Kacharis would justify the creation of a constituency in each district.

21. His Excellency the Governor considers that it may be difficult for registering officers to deal with questions of caste if objections are raised—*e.g.*, such as has occurred in the case of *Jogis* and *Suts* in the Assam Valley. He dislikes the idea of definitely reserving any constituency for the lower or "exterior" castes. He would prefer the division to be—

(1) General, on a purely geographical basis;

(2) Hindus—including in it all who would like to designate themselves as "Hindus";

(3) Muhammadans; and

(4) Special.

His belief is that, in course of time, the general constituencies would become the more important, and that the eventual tendency, after a period of years, would be for the purely communal constituencies to disappear.

This, in his opinion, should be the avowed ultimate aim. In this case also he would allow it to the elector himself to decide in which constituency he wishes to register. An elector should only be allowed to register in one constituency, and should only be allowed to stand as a candidate for the constituency in which he has registered.

22. In their earlier letter* of the 19th February 1932, dealing with the question of women suffrage, the Assam Government expressed the view that any woman free from statutory disqualification who applied for the registration of her name as an elector on a petition bearing a rupee stamp should be registered for a year. His Excellency the Governor would himself advocate the extension of this privilege to male voters also. Under present circumstances, some electors find difficulty and sometimes incur expense in obtaining the necessary proof of their qualifications such as the payment of municipal rates or chaukidari tax or, where a person holds plots of land in different villages. Further, under rule 4 of the Assam Electoral Rules, in the case of a Hindu 'joint' family ordinarily only the managing member gets suffrage unless his estate is large enough to be broken up into portions sufficient to justify the franchise being given to the other members of the family as well as to the manager. In such cases where another member of the family wishes to register, the Governor considers that an application bearing a rupee stamp should be sufficient to justify it.

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* Page 317.

**Note on the former system of electing Local Board Members in Assam through Gaonburas and Panchayats.***

1. Though prior to 1915 local boards in Assam were not corporate bodies and though there was no statutory provision requiring their members to be elected, they were even at that stage entrusted with duties relating to Public Works, Education, Public Health and other matters which closely touched the welfare of the people. They were similar to district boards in Bengal, and had much more responsible duties than local boards in Bengal.

2. During the period 1883-1905, in some boards each tea estate had one vote for the election of planters' representatives. Non-officials, other than planters, were generally nominated but in two boards they were elected, the main qualification for the franchise being payment of land revenue of at least Rs. 20.

3. In 1905 the boards were reconstituted and in addition to the tea planter representatives, some of the non-official seats in each board were thrown open to election. In the case of planter members the Managers had a direct vote, the number of votes depending on the acreage under tea. As regards other elected members, one member in each board was elected by those who paid municipal tax, another by income-tax payers on trading profits and the rest by the village *panchayats* or *gaonburas* in each constituency or circle. This system continued till 1915, when on the passing of the Local Self-Government Act, the local boards become corporate bodies, a certain number of whose members had to be elected in accordance with the rules made under the Act. The system of indirect franchise continued till 1921.

4. Since 1921 the qualification for voters to local boards are practically identical with those for the electors of the Legislative Council. The electoral roll for the local board is the same as the electoral roll for the Assam Legislative Council with some modifications in the case of urban areas.

5. Indirect franchise for Local Boards continued in force till 1921. In the Local Board Manual issued in 1905 it was laid down that in rural areas the voters will be (1) Chaukidari *panchayats* or (2) *gaonburas*, according to the system in force in each valley. Chaukidari *panchayats* exist in Sylhet and Cachar (the two districts in the Surma Valley) and in Goalpara in the Assam Valley. These are elected by the villagers under the Chaukidari Act of 1870. The voters for the constitution of the *panchayat* are the male adults in the village who pay Chaukidari tax. The main function of the *panchayat* is to assess and collect the tax for the payment the chaukidars or village watchmen. In all the districts of the Assam Valley, except Goalpara, each village or in some cases groups of villages have their *gaonbura* or headman who is supposed to be the pokesman of the people. He is nominated by the villagers and in case of good conduct holds office for life and his son, if suitable, succeeds him. According to rule, the villagers nominate the *gaonbura* where there is a

* *Vide* para. 9 of the memorandum of the Government of Assam, page 375.

vacancy. The Deputy Commissioner with whom the final appointment rests is not bound to accept the nomination but if it commands a two-thirds majority of the villagers who give an opinion he must in writing record his reasons for not accepting the nomination.

6. The *gaonburas* had one vote for the election of a local board member and so had the *panchayat*. The latter was usually composed of five members and in the case of voting the majority prevailed. At a subsequent stage, however, each member of a *panchayat* was entitled to vote separately. Two months' notice was given of an election, inviting the *gaonburas* or *panchayats* to meet at a certain place within their circle and on a certain date. Those attending would vote for the local board member in the presence of an officer not below the rank of Sub-Deputy Collector. The number of rural members elected in this way varied from 2 to 5 for each sub-division which was the territorial jurisdiction of the local board.

7. The Local Self-Government Act of 1915 provided for the creation of village authorities. The Chief Commissioner of Assam had power to declare any local area to be a village for the purpose of the Act. The next step was to establish a village authority consisting of members appointed or elected (in whole or in part). Usually the area of the village was about 10 square miles with 5,000 or 6,000 inhabitants. It was supposed to be the agent of the local board for carrying out petty repairs to roads and tanks in the village with funds supplied by the local board. Occasionally certain members of the village authority were empowered to try petty criminal and civil cases, and in practice more attention was paid to this branch of the work than to material improvements in the village. Moreover, unfortunately, the village authority frequently became a one-man show, the villagers being often entirely indifferent to the activities or non-activities of the village authority. By a notification of 1918, the members of the village authorities where such had been constituted formed the electorate for the election of local board members; in the remaining areas (*i.e.*, the bulk of the province) the chaukidari *panchayat* and *gaonburas* continued to be the electors. This lasted till 1921 when the direct franchise was introduced.

8. In the printed files of the Assam Secretariat there is ample testimony both by officials and non-officials that election of local board members by *gaonburas* was a failure. I will refer to a few of the opinions recorded.

In 1915, when the rules to be framed under the Assam Local Self-Government Act of 1915 were under discussion, officials and non-officials in their letters touched on the question of election by *gaonburas* and chaukidari *panchayats*. As regards election by *gaonburas* the opinions received are summarised in a Secretariat note as folows :—"In the Assam Valley the election of rural members by *gaonburas* is condemned almost universally." In the various letters it is stated that *gaonburas* are not real representatives of the villagers and are often tools in the hands of the mauzadars. The latter are the non-official agents who collect Govern-

ment revenue in the Assam Valley temporarily settled district. There are many *gaonburas* in each mauza. One result of the mauzadar's influence was that he frequently got himself returned as local board member. In 1915 an Assamese gentleman wrote :—" The proposed rule, which is in fact the existing rule under which the rural members are elected by only the *gaonburas*, is not at all satisfactory and is not liked by the intelligent and respectable class of the people. It does not secure or encourage candidature for membership of the desirable and the fittest persons of the circle. Many desirable and fit persons of the circles do not like, out of self-respect, to stand as candidate for election on account of having to be elected by the votes of the *gaonburas* only. The rule which was in force for many years, since the establishment of the local board in Assam, according to which the non-official members were elected by the votes of the landholders whose land revenue is not less than Rs. 20, was a more satisfactory and better rule which I respectfully beg to urge may be re-introduced for election of rural or circle members. As the rate of land revenue of the province has increased since the time when that rule was introduced, the limit of Rs. 20 may now be increased to Rs. 25 or Rs. 30.

9. As regards chaukidari panchayats, I may quote from a letter written in 1915 by a gentleman of Sylhet who has always taken a keen interest in village affairs : " The present system of election of rural members for the local board by the chaukidari panchayats is far from satisfactory. The franchise under this system is not only narrow but is worse than that. The sarpanches (the head member of the panchayat) being generally men of lower order do not possess the requisite amount of judgment and at the same time cannot exercise their independence in giving votes. It has been noticed on more than one occasion that they gave their votes against their own will under pressure of interested parties. This often results in the election of persons other than those whom the public at large numbers to be the fittest persons to represent them in local boards."

The comment of the Commissioner on the above is that the present method by which rural members are in the Surma Valley elected by chaukidari panchayats is not intended to be the final one and will doubtless be abandoned when some practical means of preparing a roll of electors qualified by the payment of a certain sum as local rate can be devised.

10. The experienced Deputy Commissioner of Kamrup who had a very intimate knowledge of the villagers in his district wrote in 1917— " Election by *gaonburas* is at present little more than a sorry farce and though the results have not been unsatisfactory, the method is one to bring the election system into lasting discredit." So strongly did he feel about the matter that he and the local board urged that on the day previous to that fixed for the election, the *gaonburas* should collect the votes of the villagers and have the result recorded in writing, similarly each head of village authority should collect the votes of the villagers in his circle. In other words he advised that there should be a more or less direct election for a choice of a local board member by the constituents of the

*gaonburas* and village authorities. It is clear that the Deputy Commissioner distrusted the secondary voting by the village authorities and *gaonburas*.

The Commissioner did not accept this suggestion on the grounds that the *gaonburas* were generally illiterate and would not be able to record the votes on paper and that the procedure proposed would open the door to objections. He remarks that "the system of election by *gaonburas* is open to objection no doubt for reasons which have been frequently stated, but we have to accept it in default of anything better."

11. I give extracts from two letters from Indian non-officials, one of them a local board member, written in 1917.—

> "The present highly objectionable procedure of election by *goanburas* should be at once closed without delay."
>
> "The system of election by *gaonburas* whether of village authorities or of villages should be stopped at once. This is the general public opinion. There are serious complaints against this system from time to time."

Both these gentlemen suggested a direct franchise of payment of Rs. 20 or Rs. 30 land revenue.

12. It is clear that indirect election for the members of local boards by *gaonburas* and by members of chaukidari panchayats, and of village authorities was regarded both by officials and non-officials as entirely unsatisfactory, and that there was a keen desire to evolve a system of direct election. Happily the need for an electoral roll for elections to the Legislative Council furnished a solution, the same being adopted for local board elections. The joint authors of the Report on Indian Constitutional Reforms (1918) observed that "the system of indirect elections should be swept way. It is one main cause of the unreality that characterises the existing councils, because it effectively prevents the representative from feeling that he stands in any genuine relation to the original voter." These remarks were made with reference to the indirect system of election to the provincial councils; they would have been equally applicable to elections for rural members of local boards in Assam. It may be that other provinces have been more fortunate in their experiments in village organisation. Each province has its own particular problems and different means of solving them. However attractive the group system of indirect election may appear as affording a solution to the problem of giving every one a voice in the constitution, the fact remains that the people in Assam will have nothing to do with it, and doubtless their experience of the system of indirect elections to local boards has, at least in part, influenced their conclusions. An ounce of fact is worth a pound of theory. Having regard to the great diversity and variety of circumstances in India, why should we worship a fetish of uniformity?

SHILLONG: J. A. DAWSON.

*The 8th March 1932.*

## V

### Memorandum by the Assam Provincial Franchise Committee in reply to the Supplementary Questionnaire of the Indian Franchise Committee.

1. The Assam Provincial Franchise Committee met on the evenings of the 9th and 10th of March to consider the supplementary questionnaire issued by the Indian Franchise Committee. All members were present. The majority of the members have been occupied since the 1st of March with the work of the Legislative Council which will continue its sittings till the 15th of March and they desire to point out that, under these circumstances, they have not been able to find time for a full study of the new questions. They would remind the Indian Franchise Committee that, in Calcutta, they were asked to meet on the afternoon of the 22nd February to consider their views on the direct and indirect systems of electorate and on the question of female suffrage. On the 24th of February they informed the Indian Franchise Committee that, after further consideration, they saw no reason to alter their views. To that position they still adhere.

The Assam Committee desire to express their regret that they are unable to answer certain questions, *e.g.*, as to the amount of payment of land revenue or of chaukidari tax which would enfranchise 15 per cent. of the population, as to the number among the depressed classes who would be enfranchised on this basis, the categories of the population which would fall under it to secure direct representation, and the approximate number of women who would be enfranchised. Replies to such questions could only be given after detailed enquries by local officers. Enquiries which would give reliable information on which to base conclusions would take months to complete.

The present report takes the form of a précis of the discussions that took place in the two meetings of the Committee.

2. *Q. 1 and 2.*—The Assam Committee were of opinion that only the local Government and officials could supply full information. They, therefore, confined themselves to general observations on certain points.

One official member of the Committee expressed his opinion that although on an average the number of voters who went to the poll did not exceed 60 per cent. of the electorate yet there were cases in the past where that percentage in Assam had been exceeded. It was to be expected that in future there would also be keenly contested elections where a very large number of voters would come to the poll. Experience had proved that in the closing hours of the poll the polling station was apt to be crowded and that there was some difficulty in recording the votes of all who were present. Moreover, the Committee had proposed to treble the electorate to the Lower and Upper Chambers of the Federal Assembly. These votes would presumably be recorded on the same polling days as fixed for the local council. He suggested, therefore, that it might be more practical to limit the direct electorate to 12½ per cent. instead of 15 per cent. of the total population.

The majority of the Committee, while recognising that this was a matter on which great weight must be attached to official opinion, considered that the present system of polling might be improved so as to enable a larger number of votes to be recorded during polling hours. The number of polling stations could be increased ; polling officers could be given powers to put the official stamp on ballot papers and to assist illiterate voters in marking the vote under the supervision of a reliable presiding officer ; and boxes of different colours or bearing different symbols might be used. In those circumstances the majority held that it would be practicable to poll an electorate of 15 per cent. of the total population.

3. With reference to question 1 (A) (*i*), the Committee noted the fact that at present in the general constituencies, polling throughout the province is spread over a period of about a fortnight. District officers fix the dates for polling in the various constituencies within their districts and frequently after completion of polling in one area some of the presiding and polling officers are deputed to assist in another area in the district. In a large district like Sylhet there is simultaneous polling in more than one sub-division. In a district like Nowgong the actual polling at present can be completed in 2 days. In all cases, however, the time taken by the presiding and polling officers in going to and returning from the polling stations has also to be taken into account. Accordingly, in question (1) (A) (*i*) the expression " if the election is spread over 2 days or 4 days " must be taken to mean the time taken in actual polling of votes in the Muslim and non-Muslim constituencies in a particular area. In various parts of the province there would be simultaneous polling in different districts or sub-divisions on the same dates. The Committee were of opinion that with an electorate of 15 per cent. of the total population polling over the province could be finished within 3 weeks.

4. *Q. 2.* The Committee discussed at some length the different systems of polling. One argument adduced against coloured boxes was that there was only a limited range of distinct colours and that local workmen would be unable to reproduce the exact colour desired. There was, moreover, a risk that in course of transit of the boxes to the polling stations the colours might be obliterated by rain or by other causes. Against the use of boxes with symbols it was argued that there might be some difficulty in getting the symbols printed locally for affixing to the boxes. It was pointed out, however, that they might be obtained from Calcutta in time. A vote on the question resulted as follows :—

11 in favour of boxes with symbols or tokens, 1 for coloured boxes and 2 for marking of votes.

5. *Q. 3 (i to iv).*—The Committee were unable to give the statistical information asked for. They were, however, of the unanimous opinion that as a rule, the presiding officer must be a Government official. They would not restrict this to the employment of only gazetted officers. They would include non-gazetted officers such as Inspectors of Excise and also ministerial officers of a higher grade, such as Sheristadars and Head clerks of the offices of a Deputy Commissioner or of a Commissioner.

They would not exclude pensioned Government officers or officers whose services had been lent to the Court of Wards provided that they held the same rank as the officers dealt with in the first part of this paragraph.

As regards members of local bodies and village bench courts and Honorary Magistrates, these were generally non-officials. The Committee were of opinion that non-officials should be employed as presiding officers only with the consent of the candidates. It was suggested that when candidates appear before the Returning Officer on the date fixed for the scrutiny of nominations they might be shown the list of non-officials whom the Returning Officer proposed to use as presiding officers and they might be asked whether they objected or consented their employment as such.

The Committee had no objection to the use of non-officials as polling officers as they would be under the supervision of a reliable presiding officer.

6. *Q. 3 (c).* The Committee considered that this was a matter on which Government could best give an opinion.

7. *Q. 4.*—An answer to this question was impossible without detailed enquiry.

8. *Q. 5.*—The Committee, as stated in their report of 18th February, advocated the extension of the direct vote so as to enfranchise 15 per cent. of the total population. They were unable to answer the questions in (C) without detailed enquiries by local officers.

9. *Q. 5 (in second half) and 6.*—In the opinion of the Committee there was really no urban population in Assam. They were in favour of a direct electorate up to 15 per cent. of the total population both in town and in country and would give no weightage to towns in Assam.

10. *Q. 7.*—The Committee adhered to their views in the first report. They would not grant the franchise to ex-members of the Auxiliary and Territorial forces.

11. *Q. 8.*—The Committee saw no reason to alter their considered opinion on the matter of women's suffrage.

12. *Q. 9 (a).* The Committee preferred that Government should reply to this question.

*(b).*—The Committee would refer to Mr. Mullan's note* on "The Depressed and Backward classes in Assam" and to their views expressed in the first report.

*(c) and (d).*—The Committee were unable to answer these questions without detailed enquiries by local officers.

13. *Q. 10.*—The Committee adhered to their former view.

As regards representation of tea garden labour, a vote was taken on four alternatives as follows:—

| | |
|---|---|
| (*a*) By nomination .. .. .. .. | 9 |
| (*b*) Election by labour of a candidate from within the tea estates. | 2 |

* Page 337.

(*c*) Election by labour of a candidate from within or without the tea estates. 2

(*d*) Election by labour of a candidate from outside the tea estates. *Nil.*

14. *Q. 12.*—In favour of multi-member constituencies it was argued that if there was one constituency for each sub-division with 2 or more members, the electorate would be able to vote for a member who held broader views than one who might be returned in a small single-member constituency where local influence might prevail. As against this it was urged that local patriotism was to be commended and that the electors, especially if illiterate, would be confused in recording their votes for 2 or more members in a multi-member constituency. Moreover, in a single-member constituency in a comparatively small area, there would be more contact between the member and his constituents. A vote was taken—8 members were in favour of a single-member constituency and 5 supported a multi-member constituency.

15. *Q. 13.* Nine members of the Committee were in favour of a second Chamber in the provincial Legislature and 5 were against it.

Eight members were of opinion that there should be 30 members in the second Chamber while 5 preferred a smaller chamber of 20 members. One member did not vote.

The Committee discussed the position of the second Chamber *vis-a-vis* the Lower House of the Provincial Legislature but came to no final decision. The general feeling was that the second Chamber should be a body for reviewing legislation initiated by the Lower House, but should have no power to reject the annual budget estimate. The second Chamber should, however, have the power to review legislation which sought to introduce a form of taxation which had not been previously in force in Assam, *e.g.*, the levying of an export duty on tea or death duties. As regards the power of the second Chamber to delay legislation, the view was expressed that in case of a conflict between the second Chamber and the Lower House recourse might be had to some or all of the methods at present governing the relations between the present Council of State and the Legislative Assembly (*vide* paragraph 181, volume I—Statutory Commission Report).

As to the composition of the second Chamber, the majority were of opinion that for the first term of the second Chamber one-third of the members should be nominated by the Governor; and two-thirds should be chosen by the electorate which the Committee in their first report suggested as the electorate for the Upper House of the Federal Assembly. The general feeling of the Committee was against election to the second Chamber from local bodies or from the Lower House of the provincial Legislature.

On the question of the representation of communities and special interests in the second Chamber and of weightage for Muhammadans as urged by the Muhammadan members of the Committee, the majority felt that they were unable to express any opinion without further time for reflection.

The Committee considered that members of the second Chamber should have experience, knowledge, training and judgment. They were of opinion that the age qualification for the second Chamber should be higher than for the Lower House but were equally divided as to whether the age limit should be 35 or 40.

16. *Q. 14.* The Committee were agreed that whether there was a second Chamber or not, there should be about 100 members in the Lower House of the Provincial Legislature.

17. *Q. 15.*—The Committee were of opinion that the *quantum* of representation to be given to special interests involved consideration of the question of the composition of the whole House.

As the various schemes put forward were largely on a population basis it will be convenient to give certain figures as to the population in the enfranchised areas of the province.

| | |
|---|---|
| (*a*) Muslims . . . | 2,744,108 |
| (*b*) Non-Muslims . . . | 5,125,024 |

The population of non-Muslims includes 979,000 (labourers and others in tea gardens), 654,000 (Hindu exterior castes, as defined in Mr. Mullan's note*). 500,000 (*ex*-tea garden coolies) and 588,000 (backward tribes).

There was a consensus of opinion that for Muslims and for other classes of the community except those for which there should be special methods of representation (*e.g.*, tea garden labour, tea industry, backward tribes, and depressed classes) seats should be allocated on the basis of one seat for 80,000 inhabitants.

*Scheme A.*—By a Muhammadan member—

| | | |
|---|---|---|
| Muslims . . | 35 | on population basis but 40 with weightage. |
| Non-Muslims . . | 45 | |
| European . . | 1 | |
| Planting . . | 7 | of whom one should be Indian. |
| Commerce and Industry . . | 2 | of whom one should be Indian. |
| Tea garden labour . . | 2 | |
| Shillong Constituency . . | 1 | |
| Backward tribes . . | 2 | |
| | 100 | with 40 Muslims. |

*Scheme B.*—By a Hindu member—

| | | |
|---|---|---|
| Muslims . . | 33 | |
| Planting . . | 11 | of whom 2 would be Indians. |
| Commerce and Industry . . | 2 | |
| Tea garden labour . . | 3 | |

* Pages 337—363.

| | | |
|---|---|---|
| Non-Muslims | .. .. | 52 out of which 3 would be for backward tribes and 5 for Hindu exterior classes including *ex*-tea garden coolies. |
| | | 101 |

The member subsequently agreed that Muhammadans should get their full proportion of seats on a population basis (34·3) but would not agree to weightage.

*Scheme C.*- By another Hindu member–

| | |
|---|---|
| Planting .. .. .. .. .. | 10 |
| Commerce and Industry .. .. .. | 1 |
| Tea garden labour .. .. .. .. | 3 |
| Muslims .. .. .. .. .. | 35 |
| Non-Muslims . .. .. .. . | 51 |
| | 100 |

Out of the 51 seats for non-Muslims seats would be provided for Hindu exterior castes, backward tribes and *ex*-tea garden coolies on the proportion of three-fourths of the population if they had separate electorates and on the basis of full population if there were reserved seats in non-Muslim constituencies. There should also be, in the Assam Valley, reserved seats for Ahoms, Chutias, and Koches.

*Scheme D.*- By an official member-

| | Seats. |
|---|---|
| Muslims (on population basis) .. .. | 34·3 (or 35) |
| Non-Muslims (excluding 979,000 on tea gardens) | 51·8 (or 52) |

Of the non-Muslims, Hindu exterior castes are entitled to 8 seats but would get 4 seats on half population basis ; *ex*-tea garden coolies are similarly entitled to 6 seats on population basis, but would get 3, and backward tribes though entitled to 7·3 seats would get 1. Therefore 52 non-Muslim seats *minus* (4 *plus* 3 *plus* 4) equals 41 seats.

The composition of the Council would therefore be :—

| | | |
|---|---|---|
| Muslims .. .. .. .. | 35 | |
| General .. . .. .. | 41 | |
| Backward tribes .. .. .. | 4 | |
| Hindu exterior *plus ex*-garden coolies .. | 7 | |
| Labour .. .. .. .. | 3 | |
| Tea Industry .. .. .. .. | 10 | (none reserved for Indians). |
| Commerce and Industry .. .. | 1 | |
| | 101 | |

The advocate of this scheme would give 3 additional seats to Muhammadans, as weightage, bringing the strength of the Council to 104.

In the short time at the disposal of the Committee, the members of the various communities found it impossible to come to any common agreement. Some members stated that they would submit separate notes* later which could be forwarded.

18. *Q. 16.*—The Committee had nothing to add to the views expressed in their first report.

J. A. DAWSON,

SHILLONG : *Secretary, Assam Franchise Committee.*

*12th March 1932.*

* Pages 394—404.

## Appendices to the Memorandum.


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## APPENDIX I.

### Note by Messrs. Rohinikumar Chaudhuri and brindaban Chandra Goswami and Rai Bahadur Nagendra Nath Chaudhury.

We are of opinion that as there are 80 lakhs of people who will participate in the responsible government of the province the number of representatives from territorial constituencies in the provincial legislature should be 100 so as to allow one representative to every 80,000 of the people. The Muhammadans constitute 33·7 per cent. of the population whereas the non-Muhammadans constitute 66·3 per cent. of the population. Roughly speaking, the Muhammadans may get 34 seats and the non-Muhammadans should get 66 seats on population basis. Of the 66 non-Muhammadan seats 11 should go to tea-garden labourers, 7 to the exterior Hindu castes and 4 to tribal groups, leaving 44 for the remaining non-Muhammadans. Of the 11 seats for tea-garden labourers we have proposed to allot only 3 to them to be filled by nomination. So the remaining 8 seats will remain unfilled and the total number of seats will be reduced by 8 leaving in all 92 seats. Seven seats for exterior Hindu castes and 4 for tribal groups will be reserved in the general non-Muhammadan electorate. To the 92 territorial seats mentioned we would add the following extra-territorial seats not based on population strength but to provide for special interests :--

| | | |
|---|---|---|
| Planting (one-eighth of elected seats) | 11 | (two reserved for Indians). |
| Commerce and Industry .. .. .. | 2 | (one reserved for Indians). |

The composition would therefore be the following :-

| | | |
|---|---|---|
| Muhammadans .. .. .. .. | 34 | |
| Labour .. .. .. .. | 3 | (by nomination). |
| Exterior Hindu castes . .. .. | 7 | |
| Tribal groups .. .. . | 4 | |
| Other non-Muhammadans .. | 44 | |
| Planting. . .. . .. | 11 | |
| Commerce and Industry .. | 2 | |
| | 105 | |

We are strongly opposed to any weightage in favour of any of the two communities, Hindus and Muhammadans. The only argument put forward by Muhammadans for weightage would disappear when the exterior Hindu castes, the tribal groups and labourers would get representation through persons belonging to those communities and the number of high caste Hindus in the legislature representing territorial constituencies would be reduced automatically. Further a community numbering 34 per cent. of the population cannot reasonably claim any weightage. According to our proposals set forth above they will get 34 per cent. representation on the population basis and will capture 37 per cent. of the territorial seats.

SHILLONG :
*The 11th March 1932.*

ROHINIKUMAR CHAUDHURI.
BRINDABAN CHANDRA GOSWAMI.
NAGENDRA NATH CHAUDHURY.

*N.B.*—We have already stated in our minority Report submitted before the main Franchise Committee in Calcutta that we are, on principle, opposed to nomination of labour and reservation of seats for the *so-called* depressed classes and backward tribes. The above note is based on the recommendations of the majority of the Assam Provincial Franchise Committee.

## APPENDIX II.

## Note on the composition of Legislatures, submitted to the Indian Franchise Committee, by Khan Bahadur Nuruddin Ahmed, Maulvi Munawwarali, Khan Bahadur Abdur Rahim Chaudhuri and Rai Saheb Pyari Mohan Das, members of the Assam Provincial Franchise Committee.

THE ASSAM LEGISLATIVE COUNCIL.

Distribution of seats :—

We propose a House of 102 members. All our endeavours have failed to find a basis of representation on population except in the case of caste Hindus and Muslims which we adopt in our recommendations.

The population of the enfranchised area according to the census of 1931 :—

| | |
|---|---|
| Non-Muslims .. .. .. .. .. | 5,125,024 |
| Muslims .. .. .. .. .. | 2,744,108 |
| Total .. | 7,869,132 |

The non-Muslims, other than caste Hindus, are distributed as follows :—

| | |
|---|---|
| Tea garden labourers .. .. .. .. | 979,000 |
| Depressed classes .. .. .. .. | 654,000 |
| Backward tribes .. .. .. .. .. | 588,000 |
| *Ex*-tea garden coolies .. .. .. .. | 500,000 |
| Total .. | 271,000 |

From an examination of circumstances prevailing in Assam and also from opinions expressed in the evidence given before the Provincial Franchise Committee and in memoranda submitted to them on behalf of these classes, as it has been urged before us, we are of opinion that they should not be mixed up with the caste Hindus whose number is found to be 2,404,024 or 30·5 per cent., *i.e.*, 31 per cent. of the total population.

The Statutory Commission have advised against the representation of the depressed classes and backward tribes on a population basis. With Mr. Roffey, Chairman of the Provincial Franchise Committee, who represents the tea industry, we agree that in this province representation of these classes and tribes must be on an arbitrary and territorial basis. Further, representatives of these classes and tribes who appeared before the Provincial Franchise Committee demanded separate representation with separate electorates and we were impressed that their demands were reasonable. They were themselves prepared to accept a lesser number of seats than their population justified in case their claim to separate representation were conceded. In arriving at our conclusions in the matter we have given our anxious thoughts to all these facts.

In the preliminary report of the Assam Provincial Franchise Committee they recommend that the tea garden labourers should be represented by nomination. It was urged with great point that these labourers are entitled to no representation whatsoever in any form. The Committee had at one stage thought that they deserved no representation. The following points, amongst others, were successfully advanced in favour of this contention :-

(1) The tea garden labourers in this province are not organised in any sense.

(2) They come from other provinces and leave after a sojourn and have no stake in Assam.

(3) They are hopelessly backward not only educationally but intellectually too.

(4) They live in complete isolation and no outsiders are allowed access to them and consequently no political organisation among them is possible.

(5) Unlike the general masses they are ignorant of what is going on around them.

Although these points are all very weighty, the Provincial Committee thought that they should be given some representation and considered nomination as the only satisfactory solution for the present. The Government of Assam also held the same view. We also are prepared to give them something rather than nothing and consider two seats to be quite adequate for them.

We recommend that seats should be distributed among the following classes and interests as below :—

| | |
|---|---|
| 1. Depressed classes (by separate electorates) .. .. | 4 |
| 2. Ex-tea garden coolies .. .. .. .. .. | 2 |
| 3. Backward tribes (by separate electorates) .. .. .. | 2 |
| 4. Commerce and Industry .. .. .. .. | 1 |
| 5. Tea garden labourers (by nomination— one from each valley) .. | 2 |
| 6. Landholders (by separate electorates one Muslim and one non-Muslim, even if there be a second Chamber in the province; the franchise qualifications being payment of local rates of at least Rs. 20 per annum) .. .. .. | 2 |
| 7. Planters (Europeans—8, non-Muslims other than Europeans 1 and Muslim 1) . . . . .. | 10 |
| 8. Europeans .. . .. .. . | 1 |
| Total . | 24 |

In the present Assam Legislative Council consisting of 53 members in all, the planting constituencies have 5 members. In a House of 102 we recommend 10 of whom 8 must be Europeans. We also have recommended one separate seat for Europeans, as such. It is quite likely that the Commerce and Industry seat will also be captured by Europeans. The two representatives of the tea garden labourers, although by nomination, may be expected to side with the European planters. It will thus be found that to all intents and purposes the European planters will have at least 12 members forming one group. The two Indian planters are likely to side with them on many occasions.

Looking into another side of the question, it will be found that practically the Europeans in Assam who number only 3,000 in all will be getting more than 300 times the representation which their number justifies and would enjoy a representation (9 seats—8 seats as planters and 1 as Europeans, as such) which 720,000 of population in Assam would be entitled to, if the proposed 102 seats were distributed merely on population basis. On account of the importance of the Europeans and European planting community in Assam we have been obliged to take a most lenient view of their case.

After deducting these 24 seats distributed as above, we have 78 seats left out of 102 to be distributed between the caste Hindus and the Muslims who form 31 per cent. and 35 per cent. respectively of the entire population. Hence on these proportions the caste Hindus are entitled to 37 and Muslims to 41 seats, out of the 78. In all fairness, it must be stated that the Muslims of Assam suffered very much by their absence from the memorable Lucknow Pact of 1916; while in every other province Muslim minority got weightage securing in almost all cases more than double the seats than their number justified, the case of Assam Muslims did not come up for consideration. We are grateful to the depressed class and European representatives who appeared before the Provincial Franchise Committee and accepted the principle of adequate weightage being given to the Muslims of Assam in the forthcoming constitution.

According to bare population proportion, the caste Hindus forming 31 per cent of the total population are entitled to 32 seats, and Muslims forming 35 per cent. are entitled to 36 seats out of the proposed 102. According to our recommendations, the caste Hindus have equal weightage *i.e.*, 5 seats as the Muslims.

FEDERAL LEGISLATURE.

Of the 7 seats for the Lower and 5 seats for the Upper Chambers, recommended by the Federal Structure Committee of the Round Table Conference, we recommend that Muslims should be given 3 seats in the Lower, and 2 in the Upper Chamber.

NURUDDIN AHMED
(KHAN BAHADUR), M.L.C.,
MUNAWWARALI, M.L.C.,

ABDUR RAHIM CHAUDHURI
(KHAN BAHADUR), M.L.C.,

RAI SAHIB PYARI MOHAN DAS, M.L.C.,

*Members of the Assam Provincial Franchise Committee.*

I have agreed to, and signed this note. But I do so on condition that the depressed class Hindus get separate representation as they demand and as has been recommended in this note; if not, the depressed class Hindus *plus* the class Hindus who form 30½ lakhs and are together 39 per cent. of the total population, are thus numerically entitled to get 43 seats out of the balance of 82 seats (102—20 the special interests and backward tribes) and the Muslims are entitled to 39. In this case I would like to give the Muslims a weightage of 2 seats making their number 41, the Hindus also getting 41 in deference of brotherhood of mankind and in righting the wrong done to our Muslim brothers of Assam by the Lucknow Pact of 1916—whereby Muslim brothers of every other province where they were in a minority got adequate weightage except our Muslim brothers in Assam.

If their prayer for separate representation be not granted, I would recommend 6 seats for the depressed classes in mixed electorates and 35 for the class Hindus, the total for the Hindus remaining unchanged, *i.e.*, 41.

PYARI MOHAN DAS (*Rai Sahib*), *M.L.C.*,
*Member, Assam Provincial Franchise Committee.*

SHILLONG :
*The 14th March 1932.*

## APPENDIX III.

## Note on the composition of the Assam Legislative Council, by the Chairman, Assam Provincial Franchise Committee.

With regard to the composition of the future Assam Legislative Council I consider that it should be as follows :—

| | |
|---|---|
| 1. Caste Hindus .. .. .. .. .. .. | 36 |
| 2. Depressed classes and backward tribes .. .. .. | 8 |
| 3. Muslims .. .. .. .. .. .. | 37 |
| 4. Planting (including 2 Indian planters) .. .. .. | 13 |
| 5. Tea garden labour .. .. .. .. .. | 3 |
| 6. Landholders .. .. .. .. .. .. | 2 |
| 7. Commerce and Industry .. .. .. .. | 1 |
| 8. Europeans .. .. .. .. .. .. | 1 |
| | 101 |

### Depressed Classes and Backward Tribes.

The depressed classes (including *ex*-tea garden labourers) and backward tribes amount to 1,742,000. The Indian Statutory Commission have commented on the inadvisability of giving representation to these classes on a population basis and propose the grant of representation on a fixed proportion of their population. I consider a better method will be to fix such representation arbitrarily on a territorial basis and am of opinion that, in allocating 8 seats to these classes and tribes, their rights and interests will be adequately protected.

### Muslims.

The Muslims are entitled to 35 seats on a population basis and I recommend they should be given a weightage of 2 seats, making their representation 37 seats.

### Planting.

The Indian Statutory Commission, the Assam Provincial Committee co-operating therewith, and the Government of Assam, have all recommended what amounts to 13 seats for the planting interests, provided 2 of such seats are reserved for Indian planters. Having regard to the tea industry's stake in Assam, on the prosperity of which industry the province and its inhabitants depend, I consider this representation is the minimum that should be allowed.

### Tea Garden Labour.

In the first report of the Assam Franchise Committee nomination was, by a majority, recommended for the representation of tea garden labour. The Government of Assam have also recently changed their former views and have recommended this as the only method of dealing with such representation. The Assam Branch, Indian Tea Association, in their reply to the questionnaire approved, subject to slight modification, the scheme of election on the group system originally put forward by the Government of Assam, whereby 3 members from tea gardens should represent labour. I am prepared to support such a scheme, but am bound to admit that, having regard to all factors now existing in Assam, nomination at present appears to be the only satisfactory solution of this problem. If nomination is to be adopted I consider one member for each valley of the province is all that will be necessary, the Council then consisting of 100, and not 101, members.

### Europeans.

I was the only member of the Assam Franchise Committee to recommend the allocation of one seat for the European community in Assam. For the reasons given by the Chairman, European Association (Assam Branch), and by me to the Indian Franchise Committee in Calcutta I am still of the same opinion. This opinion is shared by the Government of Assam.

**Caste Hindus.**

The composition of the Council will, with the exception of the caste Hindus, thus amount to 65 members. For several reasons I do not consider that the depressed classes and backward tribes, numbering 1,742,000, should be included in the caste Hindu population. Deducting these and labour in tea gardens from the non-Muslim population, the balance amounts to 2,404,024 or 30·5 per cent. for caste Hindus. I consider they should be given a weightage of 5 seats, making their representation 36 seats.

E. STUART ROFFEY,
*Chairman,*
*Assam Franchise Committee.*

SHILLONG :
*The 15th March 1932.*

## APPENDIX IV.

**Note by Mrs. Z. A. Rahman, Member, Assam Provincial Franchise Committee.**

It is unfortunate that our Committee was unable to come to an unanimous understanding as regards the composition of the future Legislature. I find that the question of women's franchise has been treated most unsympathetically; in fact none of the members is willing to concede any reservation of seats for women in the Council.

Our Committee or the majority of them are recommending special treatment to various communities and interests on the ground of lack of education, weakness of numbers, backwardness in society and economic conditions. For instance, landholders and tea planters despite their numbers are preferentially treated and the depressed classes and tribal people are also ensured their representation in the future constitution because of their general backwardness. In view of the lack of sufficient interest shown in the past by our legislators on questions of women's education, general welfare, etc. and also on account of the rather unenvious and hampered position of the women of India I see no reason why they also should not claim special treatment. Their case for such treatment is further strengthened by the fact that they comprise about half the total population.

I still urge in continuation of my note of dissent submitted to the main Franchise Committee in Calcutta—that women should have at least five seats for the present in the proposed Legislature. I do not think it is possible at the present time for women to contest seats on the same terms as men in the general election. Therefore, a certain percentage of representation should be reserved for women.

Regarding the distribution of these seats I suggest the following division, hoping for the greatest possible unanimity with the limited number suggested.

| | | | | |
|---|---|---|---|---|
| Caste Hindus one for each valley | .. | .. | .. | 2 |
| Muslims one for each valley | .. | .. | .. | 2 |
| Depressed or other classes .. | .. | .. | .. | 1 |
| | | Total | .. | 5 |

Moreover, following the principle of separate electorates I recommend that besides the two major communities others ought also to be represented.

I am submitting this note because I consider it my duty to put forward the case of women as I should not like it to be shelved for any inaction on my part.

MRS. Z. A. RAHMAN.

## APPENDIX V.

### Note by Mr. J. A. Dawson, Member, Assam Provincial Franchise Committee.

1. *Distribution of population in the enfranchised areas.*—In the province of Assam, the Indian general constituencies are classified as Muslim and non-Muslim. The 1931 census figures show that in the enfranchised areas of the province, the population is :—

| | |
|---|---|
| (*a*) Muslims .. .. .. .. .. | 2,744,108 |
| (*b*) Non-Muslims .. .. .. .. .. | 5,125,021 |

Under non-Muslims we have :—

| | |
|---|---|
| Labourers and others in tea gardens .. .. | 979,000 |

(There are a very few Muslims among them but their numbers are negligible.)

Hindu exterior castes as defined in—

| | |
|---|---|
| Mr. Mullan's note* .. .. .. .. | 654,000 |
| *Ex*-tea garden coolies in the villages .. .. | 500,000 |
| Backward tribes .. .. .. .. | 588,000 |

2. *Exclusion of tea garden population.*—In my opinion, labourers and others in tea gardens should be excluded in making any calculation of the number of seats in the new legislature which should be allotted to non-Muslims. These labourers are at present unenfranchised mainly because they pay neither land revenue nor chaukidari tax— the main qualifications for the franchise. Moreover, it is the recommendation of the Committee that at present they should *faute de mieux* be represented in the Council by nomination. We may, therefore, take the non-Muslim population to be considered as 5,125,021 *minus* 979,000, *i.e.*, 4,146,021.

3. *Proportion of population of depressed classes and backward tribes to the total population.*—The total of Hindu exterior castes, *ex*-tea garden coolies, and backward tribes is 1,742,000. For these it is proposed to have reservation of seats in non-Muslim constituencies. In paragraph 80 of Volume II of the Report of the Indian Statutory Commission it is stated that " the proportion of the number of such reserved seats to the total number of seats in all the Indian general constituencies should be three-quarters of the proportion of the depressed class population to the total population of the electoral area of the province ". The same paragraph gives the reasons why seats should not be allocated to them on the basis of their full population ratio.

The proportion of the depressed class population to the total population of the electoral area of the province is $\frac{1,742,000}{2,744,108+5,125,021}$ or about ·22 per cent.

4. *Allocation of seats among Muslims and caste Hindus.*—I agree with the majority of the members of the Committee, that, in the general constituencies, there should be one seat for 80,000 persons. Thus, for the Muslim population, there would be 34·3 seats. As regards the non-Muslims, I have already stated that labourers in the gardens should be excluded. As separate representation on an elective basis is being given to Hindu exterior castes, *ex*-tea garden coolies and backward tribes, their population has also to be excluded. Thus, seats have to be provided for 2,404,021 non-Muslims or rather for those who might be called caste Hindus—a term which, if unscientific, is at least intelligible. They would receive 30 seats. Adding these to the 34 Muslim seats, we have 64 seats.

5. *Allocation of seats among the depressed classes and backward tribes.*—According to the formula of the Statutory Commission (paragraph 3 *supra*) the proportion of the seats reserved for the depressed classes would be three-quarters of ·22, *i.e.*, $\frac{33}{100}$ or say $\frac{1}{3}$. Taking X to represent the number of seats in all the Indian

* Pages 337—363.

general constituencies including those of the depressed classes, the number of seats to be allocated to the depressed classes may be worked out as follows :—

$$64 + \tfrac{4}{85} X = X.$$
$$X = 76.$$

Therefore, out of 76 seats in all the general electorates the allocation would be :—

| | |
|---|---|
| Muslims .. .. .. .. .. | 34 |
| Caste Hindus .. .. .. .. .. | 30 |
| Hindu exterior castes, *ex*-tea garden coolies and backward tribes. | 12 |

6. *Allocation of seats for special interests.*—The next point for consideration is the representation of special interests. I would propose the following seats :—

| | |
|---|---|
| Tea Industry .. .. | 13 of which 2 should be for Indians. |
| Tea garden labour .. | 3 by nomination (2 for the Assam Valley and 1 for the Surma Valley). |
| Commerce and Industry .. | 1 |
| Landholders .. .. | 2 (one for each Valley). |

7. *Additional seats for Muhammadans.*—Thus we would obtain a Council of 95.

I am of opinion that in view of the continued expansion of the Muhammadan population in the province, due mainly to the influx of immigrants in the Assam Valley from Bengal, some addition should be made to the number of Muhammadan seats. I would allocate 37 instead of 34 to the Muhammadans.

8. *Readjustment of seats among depressed classes, backward tribes and caste Hindus.*—As regards the caste Hindus and depressed classes, I would propose a readjustment in the number of seats. Mr. Mullan's note* shows that in recent years there has been a marked tendency among certain of the lower Hindus castes, *e.g.*, the Jogis and Suts in the Assam Valley, to move upwards. This has been due largely to a spontaneous desire for uplift. Again, in the case at least of the Cacharis among the backward tribes, there has been wholesale conversion to Hinduism mainly the result of intensive propaganda work. It may be expected though it is by no means certain—that for some years to come most of the electors belonging to the depressed classes or to the backward tribes will vote for the reserved seat candidates rather than for the candidates in the general non-Muslim constituencies. But, as time goes on, I think that it is inevitable that at least as regards the depressed classes there will be a growing tendency for the electorate of these classes to support the general non-Muslim candidates. I believe that I am correct in stating that the idea in the minds of most, if not all, of those who supported the Committee's proposal for the reservation of seats in preference to separate electorates was that the depressed classes and perhaps the backward tribes would find their ultimate salvation by combining with the caste Hindus rather than by keeping aloof from them. If this argument is correct, there will not in the future be the same need for so many reserved seats as is contemplated at present. I would propose that meantime there should be 11 instead of 12 reserved seats, and of these I would allocate 7 to the depressed classes and 4 to the backward tribes. In paragraph 14 of my "Note† on how elections could be conducted with an electorate of 15 per cent. of the total population" a tentative distribution of these seats has been suggested. They would be on a territorial basis, but the number of seats has been worked out according to population. With 12 seats for a population of 1,742,000 among the depressed classes and backward tribes the standard is almost 145,000 per seat and with 11 seats it is about 158,000 per seat. In order to meet the gradual absorption of the depressed classes and the backward tribes in the higher Hindu castes, I would suggest that instead of 30 there should be 33 seats for caste Hindus. I recognize that the argument for this

* Pages 337—363. † Not printed.

increase—and also for the increase in the number of Muhammadan seats—rests on nothing more than a hypothesis. I think that, so long as there is no settlement of the communal question, there should be provision for readjusting the number of seats by a " constitutional resolution ", perhaps after every census.

9. *Tea-garden labour seats.*—For tea-garden labour I would have preferred representation by election, with 4 seats for the Assam Valley and 2 for the Surma Valley—more or less on the same lines as the representation for the depressed classes and the backward tribes—had I been convinced that this was both practicable and desirable. In my opinion, this method of representation is neither practicable nor desirable. I consider that 3 seats to be filled by nomination should suffice, but this would be only a temporary expedient. It is not difficult to visualise that formation of trade unions in tea-gardens in the not distant future, and when these become an accomplished fact and of a nature suitable to express, fairly and effectively, the needs of the tea-garden labourers, it may be possible to utilise them as a medium of representing tea-garden labour in the legislature. I think, however, that meantime representation by nomination must remain the best solution. It would be unwise—and might prove disastrous to the industry and therefore to the province as a whole—to allow an opening for a politician who has an axe to grind.

10. *Tea Industry seats.*—I have recommended 13 seats for the tea industry of which 2 would be reserved for Indians. This is, more or less, according to the present proportion of one-eighth of the elected members of Council. In this connection I would invite attention to paragraph 88 of Volume II of the Report of the Statutory Commission where it is stated that " In Assam, where there is no European seat apart from those allotted to planters there seems ground for making some addition to the quota, in view of the extremely large and important part which the tea industry plays in the province." As the acreage of Indian-owned gardens is about one-eighth that of those owned by Europeans, I think that two seats for Indians is a fair share.

11. *No provision for a separate seat for Europeans.*—I have suggested no separate seat for Europeans *qua* European. I believe that the allocation of 11 seats for European planters is all that is required. It is true that the electorate for the planting constituencies does not include those Assistant Managers who are not engineers or who are not in charge of a garden. There are also Europeans in industrial concerns such as the oilfields, coalmines and railways as well as among the officials. But, after all, the European population of the province in the 1931 Census was only 3,362 and most of them are in tea gardens. I think that nearly all Europeans pay income-tax and so have a vote in the general non-Muslim constituencies. It has been argued that the interests of the planters and of the general European community may clash ; this may possibly be the case in more or less petty matters ; but personally, I am confident that the planter members, if any vital question should arise in Council affecting the Europeans as a community, would be able to—and indeed would wish to—give it their best attention.

12. *Commerce and Industry seat.*—Outside the tea-gardens there are few industrial concerns of any considerable magnitude. For the oilfields, coalmines, railways, oilmills, etc., I think that one representative is all that is required to look after the interests of commerce and industry. As Assam develops, some addition may be required in the future.

13. *Seats for Landholders.*—As regards representation for landholders, there are not in this province many zamindars of the same status as in Bengal and some of the larger provinces. My personal experience in Sylhet is that, of recent years the tenants are becoming more independent, and it might not be easy for a landholder to be returned to Council from the ordinary constituency. At the same time landholders have a big stake in the country, and should be represented in Council. From time to time, legislative measures are introduced which closely affect their interests. I think that these interests can best be safeguarded if landholders are represented in the Lower House. Accordingly, I suggest that there should be one representative from each Valley. It should not be difficult to fix suitable qualifications for the landholders' electorate.

14. *Final scheme.*—In its final form, the scheme which I suggest for the Lower House is :—

| | |
|---|---|
| Muslims .. .. .. .. .. | 37 |
| Caste Hindus .. .. .. .. .. | 33 |
| Hindu Exterior Castes, *ex*-tea garden coolies and backward tribes .. .. .. .. .. | 11 |
| Tea Industry .. .. .. .. .. | 13 |
| Tea-garden Labour .. .. .. .. | 3 |
| Commerce and Industry .. .. .. .. | 1 |
| Landholders .. .. .. .. .. | 2 |
| Total .. | 100 |

SHILLONG :

*The 10th March 1932.*

J. A. DAWSON,
*Member and Secretary,*
*Assam Franchise Committee.*

## Miscellaneous correspondence with the Government of Assam on matters arising out of replies to Questionnaire.

## APPENDIX.

### I

### Position of Jogis and Suts in the Assam Valley.

LETTER FROM THE SECRETARY, GOVERNMENT OF ASSAM, TO THE INDIAN FRANCHISE COMMITTEE, No. 588-FR., DATED THE 13TH MARCH 1932.

The Government of Assam have considered the position of the Jogis and the Suts in the Assam Valley. Mr. Mullan has also submitted a note* of which I enclose a copy.

The Government of Assam would invite a reference to their reply to section IV of the questionnaire as given in Mr. Soame's letter† of 19th February 1932. They have suggested that there should be special constituencies for separate communities as well as general electorates which would absorb all electors who do not wish to register themselves in any special communal electorate or who are not sufficiently numerous to obtain special representation. It should be left to the Jogis and the Suts in the Assam Valley to enrol themselves in one of these separate electorates if they wish to do so, If, however, their numbers should be insufficient to justify a separate electorate, they would have to enrol themselves in the general electorate.

### II

### Further correspondence in regard to certain points arising out of the Supplementary Questionnaire.

(1) TELEGRAM FROM THE JOINT SECRETARY, INDIAN FRANCHISE COMMITTEE, TO THE SECRETARY TO THE GOVERNMENT OF ASSAM, No. S-1285, DATED THE 18TH MARCH 1932.

Chairman is most grateful to local Government and Provincial Committee for their prompt reply to supplementary questionnaire which will be of great assistance to us. He will be glad if further inquiries could be proceeded urgently on points referred to in sub-paragraph two of paragraph eight of local Government's letter‡. It is of particular importance to have an estimate even approximate of number of women who would be enfranchised. This is equally the case as regards the depressed classes. Chairman therefore while appreciating difficulties would be grateful for most exact approximate figure that can be worked out in their case based if necessary on 1921 statistics or any other figures readily available which local Government think more reliable.

(2) DEMI-OFFICIAL LETTER FROM THE SECRETARY, GOVERNMENT OF ASSAM, TO THE SECRETARY, INDIAN FRANCHISE COMMITTEE, No. 608-FR., DATED SHILLONG, THE 19TH MARCH 1932.

You will realise that the further enquiries which the Chairman now desires on the points referred to in sub-paragraph (*ii*) of paragraph 8 of my letter No. 2358-A.P., dated the 12th March 1932 must be, as stated in that letter, detailed and prolonged. I will send out a letter to our district officers and ask them to get approximate figures as quickly as possible but it is only fair to tell you that it is very doubtful whether these will arrive in time to be of use to you ; and, secondly, owing to the agency which we have to employ, we cannot guarantee their accuracy unless they are submitted to careful check by officers whom it is at present impossible to spare for the purpose.

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* Pages 337—363. † Page 317. ‡ Page 371.

Take, for example, the case of reducing the amount of *chaukidari* tax so as to extend the franchise. We shall have to obtain from each *panchayat* the following figures :—

(*a*) Total number of persons who pay any chaukidari tax—male and female ;

(*b*) Number who pay rupee one—*i.e.*, those at present qualified ;

(*c*) Number paying 0-12-0 (twelve annas)—male and female ;

(*d*) Number paying 0-8-0 (eight annas)—male and female.

Further, we should have to ask them to state, in each case, of (*a*), (*b*), (*c*) and (*d*) the number of " exterior " castes included ; also male and female. It is extremely unlikely that these *panchayats* will give accurate returns, though we shall send them forms to fill up and tell them that they should make no delay to make local enquiries but to work it out on the figures that they have—*i.e.*, on their assessment lists.

As regards the land revenue qualification, we have a better agency and we would get similar statements filled up for each Sub-Deputy Collector's circle in the Assam Valley which will be prepared roughly by the *mauzadar* who collects rents from his *mauzas* or collections of villages after an examination of the rent rolls. He would have to consult the *mandals*, or the village surveyors, who actually measure up land for assessment. They have the registers in their possession and should be able to give the information in the following form :—

(*a*) The present number assessed to land revenue on Rs. 15 per annum—male and female—*i.e.*, present assessment ;

(*b*) Number assessed to Rs. 10 per annum—male and female ;

(*c*) Number assessed to Rs. 8 per annum—male and female ;

(*d*) Number assessed to Rs. 6 per annum—male and female.

Here again we should require them to report for each class (*a*), (*b*), (*c*) and (*d*) the number of revenue payers belonging to :—

(*a*) exterior castes ; and

(*b*) tribes,

a list of castes and tribes being forwarded in each case.

We shall not delay matters by enquiring into municipal taxes as there is only one urban constituency in the province at present.

(3) DEMI-OFFICIAL LETTER FROM THE SECRETARY, GOVERNMENT OF ASSAM, TO THE SECRETARY, INDIAN FRANCHISE COMMITTEE, No. 637-Fr., DATED SHILLONG, THE 1ST APRIL 1932.

Will you please refer to the penultimate paragraph of my demi-official No. 608-Fr., of the 19th March ?

A circular letter in the vernacular was addressed to all *mandals* in the 5 districts in the Assam Valley where payment of land revenue is the main qualification for franchise. In the remaining district (Goalpara) payment of chaukidari tax is the qualification. The *mandals* are Government village surveyors who measure up the land and keep the record (*jamabandi*) of all land revenue payers showing the amount payable by each. The letter explained clearly what was meant by depressed (or Hindu exterior) classes, backward tribes and *ex*-tea garden coolies. The classification laid down in Mr. Mullan's note* was followed except that the Jogis and Suts of the Assam Valley were included as a Hindu exterior class on the analogy of their inclusion by Mr. Mullan in the case of the Surma Valley. In this connection I would invite a reference to my demi-official No. 588-Fr., of the 15th March 1932.

2. At the time when the Deputy Commissioner, Nowgong, got the letters for distribution, all the 190 *mandals* happened to be at headquarters for recess work

* Pages 337—363.

and within a few days I received a statement from each of them. These statements have been consolidated in my office, and I give the result below :—

All classes.

| Rs. 15 and over. | | Rs. 10 or more but under Rs. 15. | | Rs. 8 or more but under Rs. 10. | | Rs. 6 or more but under Rs. 8. | |
|---|---|---|---|---|---|---|---|
| M. | F. | M. | F. | M. | F. | M. | F. |
| 17,539 | 406 | 13,859 | 516 | 9,399 | 395 | 13,466 | 658 |

Depressed classes, backward tribes and *ex*-tea garden coolies.

| Rs. 15 and over. | | Rs. 10 or more but under Rs. 15. | | Rs. 8 or more but under Rs. 10. | | Rs. 6 or more but under Rs. 8. | |
|---|---|---|---|---|---|---|---|
| M. | F. | M. | F. | M. | F. | M. | F. |
| 5,791 | 163 | 5,285 | 247 | 3,761 | 177 | 5,580 | 278 |

I think that the statements are as reliable as can be reasonably expected. I was Deputy Commissioner in Nowgong for 6 years and have a fair idea of the distribution of the population. I have scrutinised several of the lists relating to localities where I know that there are villages inhabited by depressed classes, backward tribes or *ex*-tea garden coolies. The entries made under these classes are such as I would expect. Then again, certain areas in Nowgong are occupied largely by Muhammadan immigrants from Bengal and in some of these areas there are few, if any, of the lower caste Hindus or backward tribes. I found that this was borne out by the lists which I examined.

There is another fact that points to the tolerable accuracy of the statements. The present franchise qualification is the annual payment of Rs. 15 land revenue and according to the latest revised electoral roll for that district there are 17,558 electors—male and female—Moslems and non-Moslems—in the rural areas. There are in addition 1,053 electors in Nowgong town who are qualified by payment of municipal tax. This gives a total of 18,611. According to the consolidated statement above there are 17,945 persons who pay land revenue of Rs. 15 and over. To this has to be added 1,053 town electors, making a total of 18,998 which corresponds nearly to the present electorate. The electoral roll was last revised in 1929.

3. According to the 1931 census the total population of the enfranchised area in Nowgong (*i.e.*, excluding the Mikir Hills and tea gardens) is 462,000. According to the figures received from the *mandals* the payers of land revenue of Rs. 15 and over *plus* the small number of town electors constitute 4·1 per cent. of this population. Ten per cent. of the total population would mean approximately 46,200 persons. The total of those who pay land revenue of Rs. 8 and over is 42,114 and of those who pay Rs. 6 and over is 56,238. It is thus probable that a payment of Rs. 7 or Rs. 7-8-0 land revenue would enfranchise 10 per cent. of the total population. To enfranchise 15 per cent. or 69,300, as is proposed by the Assam Franchise

Committee, the qualification might be a payment of Rs. 4-8-0 or Rs. 5 land revenue.

4. The total population of the depressed classes, backward tribes and *ex*-tea garden coolies in the enfranchised area of Nowgong district is approximately 155,000. According to the statement there are 5,954 persons who pay land revenue of Rs. 15 and over which is just under 4 per cent. of 155,000. 15,424 persons pay a revenue of Rs. 8 and over or nearly 10 per cent. of the total population.

5. I would invite a reference to paragraphs 2 and 3 of my "Note on the method of calculating an electorate of 15 per cent. of the total population", where it is pointed out that a standard of land revenue which would enfranchise a certain percentage in one district would give a larger or smaller proportion in others. Complete statistics from other districts in the Assam Valley would have to be obtained before the standard of land revenue which would enfranchise about ten per cent. of the population in all these districts, taken as a whole, could be ascertained. I think, however, that the figures for Nowgong afford a useful indication as to what the standard would probably be. Nowgong is fairly typical of the districts in the Assam Valley where payment of land revenue is the qualification for the franchise.

6. The Prime Minister in his letter of the 29th December 1931, to the Chairman, Franchise Committee, observed that "it is clearly necessary so to widen the electorate that the Legislatures to which responsibility is to be entrusted should be representative of the general mass of the population and that no important section of the community may lack the means of expressing its needs and opinions." In your telegram of the 18th March, it was stated that it was of particular importance to have an estimate, even approximate, of the number of depressed classes who would be enfranchised. I think that the Nowgong figures show that a very considerable number of persons belonging to the depressed classes, backward tribes, and *ex*-tea garden coolies would receive the franchise. In Assam there is not, between these classes and other members of the general community, any wide gulf in material assets such as might be found in other provinces in India.

7. As regards women, the statement shows that 1,317 pay land revenue of Rs. 8 and over while 1,976 pay Rs. 6 or more. Perhaps if the qualification was fixed at Rs. 7 or Rs. 7-8-0, about 1,600 would be enfranchised out of a total electorate of 46,200. This would be about 3·5 per cent. of the electorate—a considerable advance on the present proportion in Nowgong district of about 1 per cent.

8. Up to date I have not received many statements from other districts. It would be interesting to know what payment of chaukidari tax in the districts where this is a franchise qualification would enfranchise 10 per cent. of the total population and what proportion of the depressed classes would be enfranchised on this basis. I hope that before the 6th of April material will be available to enable me to indicate what payment of chaukidari tax would be suitable. I may also be in a position to compile figures for some other districts or subdivisions in the Assam Valley where payment of land revenue is the franchise qualification, but the information is bound to be incomplete compared with the statistics for Nowgong.

(4) DEMI-OFFICIAL LETTER FROM THE SECRETARY, GOVERNMENT OF ASSAM, TO THE SECRETARY, INDIAN FRANCHISE COMMITTEE, No. 639-Fr., DATED SHILLONG, THE 8TH APRIL 1932.

In continuation of my No. 637-Fr. of the 1st April, I enclose a statement* showing the payment of land revenue or of chaukidari tax which would probably enfranchise ten per cent. of the total population in the enfranchised areas of the plains districts in the province. One column shows what proportion of the depressed and backward classes would probably be enfranchised under these qualifications. Another column indicates what percentage women voters would form of the ten per cent. electorate.

* Page 410.

2. The table below gives the number of mandals or *panchayats* in the different districts and also the number of statements tabulated. I have excluded statements which were obviously incorrect or which were unintelligible:—

| | Total number. | Tabulated. |
|---|---|---|
| *Mandals.* | | |
| Nowgong .. .. .. .. | 190 | 190 |
| Darrang .. .. .. .. | 166 | 166 |
| Lakhimpur .. .. .. .. | 143 | 139 |
| Sibsagar .. .. .. .. | 220 | 208 |
| Kamrup .. .. .. .. | 333 | 264 |
| | 1,052 | 967 |
| *Panchayats.* | | |
| Goalpara .. .. .. .. | 136 | 82 |
| Cachar .. .. .. .. | 99 | 84 |
| Sylhet .. .. .. .. | 1,062 | 566 |
| | 1,297 | 732 |

3. Except in the case of Nowgong and Darrang, where statements were received from all the *mandals*, I have calculated the total number of those paying land revenue or chaukidari tax of the various amounts given in my No. 608-Fr. of the 19th March 1932* on the assumption that the proportions given by those *mandals* or *panchayats* who have submitted statements would be maintained in the remaining chaukidari circles or *mandals'* lots.

I admit that this is only an estimate but it is the best that I can do in the circumstances. As regards area and population, *mandals'* lots and chaukidari circles are fairly equal in the province.

4. Roughly speaking, it is probable that in the five districts of the Assam Valley where payment of land revenue is the main qualification for the franchise a payment of about Rs. 7-8-0 would produce an electorate of ten per cent. of the population. Similarly, in the Surma Valley, payment of about 8 or 9 annas chaukidari tax would give a similar electorate. In Goalpara district in the Assam Valley a lesser rate of payment of chaukidari tax might have to be fixed. It is clear that a very considerable number of electors would belong to the depressed and backward classes. The number of female electors would also be increased.

* Pages 405-406.

***Payment of land revenue or of chaukidari tax which would give an electorate of 10 per cent. of the total rural population; percentage of persons belonging to the depressed and backward classes who would be enfranchised; and percentage of women electors.***

| District. | Population in thousands. | Population in thousands excluding urban areas, tea gardens and (in the case of Nowgong and Sibsagar) the Mikir Hills. | Population in thousands of Hindu exterior, ex-tea garden coolies and backward tribes. | Electorate of 10 per cent. of the population in column 3. | Probable rate of payment of land revenue or of chaukidari tax which would enfranchise 10 per cent. | Percentage of column 4 who would be enfranchised under the qualification in column 6. | Percentage of women electors to total electorate of 10 per cent. of population (column 5). | Present number of electors excluding urban areas. | Percentage of mandals or sarpanches whose statements have been tabulated. |
|---|---|---|---|---|---|---|---|---|---|
| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 |
| A.—With qualification of payment of Land Revenue— | | | | | Rs. a. | | | | |
| Nowgong .. .. .. | 562 | 452 | 155 | 45,200 | 7 8 | 11 | 3·5 | 17,558 | 100 |
| Sibsagar .. .. .. | 933 | 643 | 208 | 64,300 | 8 0 | 6 | 3·8 | 34,698 | 95 |
| Lakhimpur .. .. .. | 725 | 464 | 233 | 46,400 | 5 8 | 13 | 2·3 | 17,386 | 97 |
| Darrang .. .. .. | 585 | 451 | 214 | 45,100 | 7 8 | 10 | 3·1 | 14,254 | 100 |
| Kamrup .. .. .. | 977 | 932 | 230 | 93,200 | 5 8 | 9 5 | 2·4 | 31,215 | 80 |
| B.—With qualification of payment of Chaukidari Tax— | | | | | Annas. | | | | |
| Goalpara .. .. .. | 883 | 858 | 249 | 85,800 | 7 | 8 | 1·2 | 38,422 | 60 |
| Cachar .. .. .. | 538 | 387 | 110 | 38,700 | 8 | 13 | ·6 | 17,236 | 85 |
| Sylhet .. .. .. | 2,724 | 2,516 | 422 | 251,600 | 9 | 11 | ·8 | 99,679 | 55 |

NOTES.—1. *Column* 6.—The explanation of the comparatively low figure in the case of Lakhimpur is that this district is at present under resettlement. It may safely be assumed that the resettlement will result in raising the figure appreciably. The present figure is based on the rates of the existing settlement. The low figure for Kamrup is due partly to the fact that about one-sixth of the land in this district is *nij-khiraj* on half revenue rates and partly to the fact that there is much land for cold weather cultivation on temporary leases the revenue on which has not been taken into consideration. More *nij-khirajdars* would however obtain the franchise under the qualification of payment of local rates as they pay full local rates. Resettlements in Nowgong, Sibsagar, Darrang and Kamrup are of recent date.

2. *Column* 8.—In districts where the franchise qualification is payment of chaukidari tax of a certain amount, the chaukidar tax is assessed on the head of household and almost invariably males are assessed. Poor females or widows are generally exempted from payment of chaukidari tax.

# Replies

# of the

# Chief Commissioner, North-West Frontier Province,

# and the

# North-West Frontier Province Provincial Franchise Committee

# to the

# Indian Franchise Committee's Questionnaires.

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## NORTH-WEST FRONTIER PROVINCE.

### I

### Memorandum by the Chief Commissioner, North-West Frontier Province.

*Preliminary.*— It must be understood that our electoral rolls and the figures resulting therefrom cannot be treated as accurate. Complete final figures of voters will not be available till the middle of March. The present rolls have been compiled from the voters' rolls for district boards and municipalities, and fresh rolls have only been made in the case of cantonments. The district board franchise rolls cover for all areas outside the municipal and cantonment limits. The rural constituency franchise described at rule 7 of the North-West Frontier Province Electoral Rules, Schedule II, reproduces the district board franchise. 7 (*i*) is a new qualification. Similarly 6 (*a*) to (*g*) of the Schedule are the municipal qualifications. 6 (*h*) is new. The result of 7 (*i*) and 6 (*h*) is that urban and rural qualifications are made valid in rural and urban constituencies respectively. As far as can be ascertained from figures available at the time of writing some 17,000 additional voters have been admitted to the roll. Of these a considerable number appear to owe their admission to the above extension. Others no doubt were wrongly omitted from the original rolls. Revision has had to be done with undesirable haste.

### I

I. *Extension of the Franchise.*— (*a*) Final figures are not available but on preliminary rolls 4·2 per cent. of the total population, 7·7 per cent. of the male population, 15·5 per cent. of the male population over 20 years of age (approximately) are enfranchised in general constituencies. The corresponding Punjab figures in the two former cases are 3·4 per cent. and 6 per cent., respectively, according to the memorandum prepared for the Simon Commission. The male population over 20 represents rather more than 25 per cent. of the total population of the five districts. Adult male suffrage at 21 would therefore enfranchise about 25 per cent. of the population.

The following table of figures supplied from the Hazara district is interesting as showing the effect of the present franchise qualifications in elections for local bodies. It will be observed that in these particular municipalities the enfranchised are well over 20 per cent. of the total population.

*Table showing the number of voters by communities at the District Board election qualifying under each of the specifications (a) to (h) in rule 6 of the District Board rules**

| Specifications. | Muslims. | Hindus. | Sikhs. | Total. |
|---|---|---|---|---|
| (a) Village headmen, etc. .. | 1,207 | 4 | 3 | 1,214 |
| (b) } Land revenue and assignments | 5,044 | 105 | 32 | 5,181 |
| (c) } Land revenue and assignments | 13 | .. | .. | 13 |
| (d) Three-year lease .. .. | 112 | 18 | 3 | 133 |
| (e) Occupancy tenants .. | 1,195 | 32 | 7 | 1,234 |
| (f) Income-tax .. .. | 6 | 56 | 6 | 63 |
| (g) Military .. .. .. | 4,054 | 3 | 14 | 4,071 |
| (h) Board cesses and taxes .. | 350 | 540 | 56 | 946 |
| Total .. | 11,981 | 758 | 121 | 12,860 |
| Population (both sexes) in District Board area. | 625,515 | 14,814 | 5,895 | 646,224 |

*Number of voters by communities at the municipal election qualifying under each of specifications (e) to (j) of the Municipal Election Rule 6-V.†*

*Haripur Municipality.*

| Specifications. | Muslims. | Hindus. | Sikhs. | Christians and others. | Total. |
|---|---|---|---|---|---|
| (e) Ownership .. | 30 | 189 | 14 | .. | 233 |
| (f) Rent Rs. 4 .. | 2 | 8 | .. | .. | 10 |
| (g) Income Rs. 40 .. | 634 | 629 | 134 | .. | 1,397 |
| (h) Land revenue .. | 53 | 21 | 9 | .. | 83 |
| (i) Matriculation .. | 5 | 4 | 5 | .. | 14 |
| (j) Military .. | 4 | .. | .. | .. | 4 |
| Total .. | 728 | 851 | 162 | .. | 1,741 |
| Population (both sexes) | 4,253 | 2,693 | 696 | 11 | 7,653 |

* Pages 423—426. † Pages 420—423.

*Abbottabad Municipality.*

| Specifications. | Muslims. | Hindus. | Sikhs. | Christians and others. | Total. |
|---|---|---|---|---|---|
| (*e*) Ownership .. | 225 | 139 | 38 | .. | 402 |
| (*f*) Rent Rs. 4 .. | 224 | 57 | 33 | 1 | 315 |
| (*g*) Income Rs. 40 .. | 407 | 207 | 123 | 5 | 742 |
| (*h*) Land revenue .. | 8 | .. | .. | .. | 8 |
| (*i*) Matriculation .. | 18 | 19 | 4 | .. | 41 |
| (*j*) Military .. | 20 | .. | .. | .. | 20 |
| Total .. | 902 | 422 | 198 | 6 | 1,528 |
| Population (both sexes). | 5,314 | 1,656 | 546 | 122 | 7,638 |

The urban franchise indeed gives the vote to about 12 per cent. (final figure not available) of the total urban population throughout the Province. Attention should therefore be directed to widening the franchise in rural areas. To attain this object the obvious methods are to lower the land revenue qualification in Schedule I, Section 7 (*b*) (*c*) (*d*) and (*e*) of the North-West Frontier Province Electoral Rules and enfranchise *ex*-members of the Auxiliary and Territorial Forces and of the Transborder Militias, Frontier Constabulary and Police. Pensioned civil officials if not otherwise qualified should be enfranchised.

(*b*) The persons thus admitted will be at least as capable of intelligent use of the vote as many who at present enjoy it.

(*c*) Constituencies are small. Many only contain 3 or 4 thousand voters, and the largest only about 12,000 - an urban area and therefore not under the above proposa's likely to increase If the rural constituencies were doubled they would none of them be unmanageable as polling units. The subject of the preparation and maintenance of to'ls is however one that merits attention.

The present system by which officials whose real duties are quite other are expected to devote t me to a series of elections to Imperial, Provincial, Municipal and District bodies, is noxious to the proper conduct of administration. It is suggested that—

1. The preparation of all rolls should be done at regular intervals of say, five years, regardless of elections.

2. Persons desirous of enrolment should be made to apply for enrolment by claim : no preliminary roll should be prepared.

3. A special body should be appointed to hear and decide claims and compile and publish rolls which would be unalterable till the expiry of the statutory period and used at all elections within that time.

4. The franchise for the Provincial Legislature and local bodies should be the same, subject only to varying residential or communal qualifications.

While admitting that the above view may be coloured by experience of the difficulties of conducting elections in the Province for the first time, and at unusually short notice, it is suggested that here are many advantages in the method proposed.

(*d*) Does not arise.

(*e*) I consider it impracticable at present to go further than I have suggested. If we go further we might as well proceed to adult male suffrage at once.

(*f*) and (*g*). I deprecate the suggestion that there should be two classes of electors. It would tend to confusion where simplification is an imperative need.

(*h*) The former part of this suggestion would be feasible if the principle of secondary election were conceded. But the North-West Frontier Province Council of 40 is large compared with other Provincial Legislatures ; and constituencies will always be small. I do not think that secondary elections are, or will ever be, necessary. If they were, however, I consider voting by artificial arithmetical groups would not be compatible with the existing organisation of society, except possibly in the larger towns and cantonments. Villagers are nearly always divided according to the ancestral origin of the owning community and the people would be confused by, and impatient of, any other division. The single non-transferable vote for a plural secondary constituency would appear to suit best the village organisation. Each division of a village would then generally have an opportunity of putting in their own representative. The machinery proposed in (c) above could deal with the necessary grouping and enrolment and I would not entrust it to the revenue staff which at present deals with these matters.

I consider however that as far as the Provincial Council goes such arrangements are unnecessary.

I enclose, rather as an essay than as a recommendation, a rough sketch* of how a system of secondary election would work out. The mathematical scale on which it is drawn up was adjusted to suit an electoral college for the Assembly but being mathematical it can be easily adjusted to suit any unit.

* Page 427.

(*j*) I do not consider any such qualification would be necessary.

2. *Franchise qualification.*—(*a*) There is marked disparity. Twelve per cent. of the urban population have votes as against some three and a half per cent. of the rural (by "urban" is intended inhabitants of municipalities and cantonments. In "rural" is comprised in present practice three towns and villages of over 10,000 and several others of considerable size). The extension of the rural franchise already suggested could be adjusted to remedy the disparity.

(*b*) No set of qualifications could be relied on to produce this result. The desideratum is mathematical and could most easily be obtained by adult suffrage. Otherwise it would be impracticable except by secondary electorates in case (*iii*) : and in cases (*i*) or (*ii*) it appears to be pointless.

(*c*) By this definition everyone would be an owner of property except those who are dependents of others. The present franchise in this province provides ample recognition of qualifications other than those of property only.

(*d*) Matriculates already have votes. Considering the very low standard of education which matriculation represents it appears unnecessary to go further. I would however be prepared to give votes to persons who have passed the middle school examination. This would incidentally enfranchise many members of the scholastic profession.

3. *Women's suffrage.*—(*a*) Female suffrage is probably at present so unthinkable in public opinion as to be outside the scope of practical politics. Women do not generally hold property or pay taxes, and would therefore have to be enfranchised if at all through their civil condition, *i.e.*, as wives, widows or daughters, unless some form of universal franchise limited by age were introduced.

For the present the difficulty of providing female staff for *purdah* polling appears insuperable. The compilation of rolls including enquiries as to names would, anyhow in the first instance, involve considerable difficulties. The whole subject is one best left to local public opinion which even if largely male is not everywhere unsympathetic as is proved by the removal of the sex disqualification by many Provincial Legislatures.

(*b*) If the group is the village or mohalla as suggested in I 1 (*i*) separate groups for men and women would be unnecessary. If the groups were purely numerical, separate groups for men and women would be desirable.

(*c*) See the final sentence of answer (*a*) above.

4. *Representation of depressed classes.*—In urban areas no class can be regarded as depressed, either economically or otherwise. There are of course a large number of poor but they are not excluded from schools, nor from any occupation, professional or other.

Of 5,468 persons classified in Provincial Census, table II, as Hindu Depressed Classes no less than 3,514 are returned from Nowshera tahsil and it is understood that these are principally immigrants of the servant class employed in the cantonment. They are therefore as a class not numerous enough to justify a separate electorate. In fact the problem scarcely exists in this Province.

In rural areas the village Kamin or menial can only be regarded as depressed in the sense that in addition to his normal trade of potter, weaver, etc., he often performs certain services in exchange for his right to occupy a place in the village site (which is the property of the village agricultural community).

As however this menial population comprises tenants often with occupancy rights, paid labourers who earn wages, and independent persons who live by their transport animals or work at harvest only for the village community, many of them especially in Peshawar district are probably already voters as payers of Rs. 4 per annum in district, board cesses. This amount is leviable on those earning Rs. 300 per annum.

5. *Representation of labour.*—(*a*) There is no organisation of labour in the Province.

(*b*) The labouring classes are scattered throughout the Province and special representation for them is not very practicable. The proper method seems to be extension of the franchise eventually. They will then be able to exert more influence probably than by having two or three special seats. There are no capitalists employing labour on a large scale.

5-A. *Representation of Special Interests.*—Landholders are the only special interest at present represented. There is no university and no chamber of commerce. There should be no difficulty in forming a university constituency of graduates of recognised universities, but if commerce finds it unnecessary to associate for general purposes it may be taken as too inchoate to require a special constituency.

Hindu interests are almost entirely commercial.

If separate electorates were abolished it might become desirable to provide special representation for commerce.

## II.—The Federal Legislature.

6. *Allocation of seats to British Indian Provinces.*—The tentative allocation of seats provides for two in the Upper Chamber and three in the Lower Chamber. In the event of separate communal electorates it would be difficult to provide for minority communities, though it might be feasible to attach the members of the minority communities to a Punjab constituency.

(*a*) If the Province is to have two members in the Upper Chamber and three in the Lower, without creating a very small electorate for the Upper Chamber direct election would produce so little differentiation in candidates and voters as between the Chambers as to be almost incomprehensible. A very small electorate would be difficult to devise without a great deal of undesirable controversy. Indirect election by the Provincial Legislature at least provides an intelligible distinction and an indisputable electorate. It appears to be the best way out of the difficulty. I would also favour qualifications for membership of the Upper Chamber. *e.g.*, age, the holding of certain offices and the exercise of a profession.

(*b*) If indirect elections are adopted for the Provincial Legislature, I see no reason to differentiate in the basic franchise. Otherwise either a restricted franchise or indirect voting for the Federal Legislature would appear to be essential if candidates are to be known to the electors in these enormous constituencies.

(*c*) Direct election on a wide franchise of 200 persons to represent 300 million others appears to reduce representation to an absurdity. As a means of deciding fortuitously what persons from a certain Province shall go to Delhi and sit in a certain Chamber it is merely inconvenient. The persons sent cannot be brought to book by any body of public opinion. Their electors will not know whether they have really supported the interests of the Province or merely fished for private advantage or for amusement in the whirlpool of central politics.

I would not support direct election in urban areas and indirect in rural. Assuming three constituencies for North-West Frontier Province the natural division is

North—Hazara.
Central—Peshawar.
South—the remainder.

I would however greatly prefer to see a Federal Lower House elected also by Provincial Legislatures. Devolution to the Provinces will be very extensive ; central matters will touch but faintly the ordinary life of the average man. Those who represent the Province in a Federation should represent the Province as a whole and not particular constituencies.

The Legislative Council is a better guardian of Provincial interests than a congeries of voters and the Council could influence the Provincial representatives throughout their term of office. It seems essential that those who go to the Central Government should be responsive to pressure from home and not be permitted to lose sight of the purpose for which they were sent owing to the greater fascinations of high politics.

As between the Upper House and the Lower—I would, as stated above, prescribe qualifications for members of the former, but none for those who are sent to the Lower House.

*Representation of women, labour and depressed classes.*—No further remarks.

## I (a) Electoral Rules.

### (*i*) NOTIFICATION.

*Peshawar, the 25th March 1931.*

No. 649-L. F.—With reference to the North-West Frontier Province notification No. 105-L. F., dated the 19th January 1931, and in exercise of the powers conferred by Sections 240 and 240-A of the Punjab Municipal Act, 1911, the Chief Commissioner, North-West Frontier Province, is pleased to make the following rules in supersession of the rules and notifications specified below :—

(1) Punjab Government notification No. 249, dated the 20th April 1886.
(2) Punjab Government notification No. 453, dated the 11th August 1887.
(3) Punjab Government notification No. 633, dated the 25th September 1889.

} in so far as they relate to the Municipal Committees of Peshawar, Abbottabad, Haripur, Kohat, Bannu and Dera Ismail Khan.

(4) North-West Frontier Province notification No. 327-L. F./XXI-I.-24, dated the 8th March 1928.

(5) North-West Frontier Province notification No. 500-L. F./XXI-A.-90, dated the 20th April 1929.

(6) Rules 2, 3 and 4 of the rules published with North-West Frontier Province notification No. 479-L. F./Con./147, dated the 15th April 1929.

RULES.

PART I.

* * * * * * * * *

*Qualifications of voters—*

6. No person shall be entitled to be registered as a voter in any municipality unless he—

(*a*) is a male British subject ; and

(*b*) has on the first day of the month in which the roll is published under the provisions of sub-rule (1) of rule 8 attained the age of 21 years ; and

(*c*) has not been adjudged by a competent court to be of unsound mind ; and

(*d*) has ordinarily resided or carried on business within the limits of the municipality concerned for the 12 months preceding the first day of the month in which the roll is published, under the provisions of sub-rule (1) of rule 8 ; and

(*e*) possesses immovable property within the municipal limits, of a value of not less than six hundred rupees ; or

(*f*) pays not less than four rupees per mensem as rent for a house or part of a house situated in the municipality ; or

(*g*) is in receipt of an income of not less than 40 rupees per mensem ; or

(*h*) pays or at the time of preparation of the roll is liable to pay as proprietor or receives as an assignee of Government not less than 10 rupees per annum on account of land revenue in respect of land situated within the tahsil in which the municipality is situated ; or

(*i*) has passed the Matriculation, School Leaving Certificate or any other equivalent or higher examination of any recognised university, or any oriental title examination of such university ; or

(*j*) is a pensioned commissioned or non-commissioned officer or soldier of His Majesty's Regular Forces.

*Explanation.* (1) When two or more persons are co-sharers in immovable property or in payment of house-rent or in receipt of monthly income or assigned land revenue, every such person shall be qualified as an elector who would be so qualified if his share in such property, house-rent or monthly income or assignment were held separately.

(2) For the purposes of this rule and rule 8, a person may be presumed to reside in a constituency if he owns a residential house or a share in a residential house in the constituency, provided that the house has, during the 12 months preceding the date on which the roll is published under the provisions of sub-rule (1) of rule 8, not been let on rent either in whole or in part.

*Qualifications and disqualifications for membership*-

7. (1) No person shall be eligible for election as a member of a municipal committee unless he—

(*a*) is registered as a voter on the roll of a constituency in the municipality concerned published under the provisions of sub-rule (1) of rule 13 and in force under the provisions of sub-rule (2) of rule 13 ; and

(*b*) can read and write English, Urdu, Hindi (in Devanagri script) or Punjabi (in Persian or Gurmukhi script) ; and

(*c*) is the owner of immovable property of a value of not less than 12 hundred rupees, half or more of which is situated within the municipal limits ; or

(*d*) is in receipt of an income of not less than 80 rupees per mensem ; or

(*e*) is in receipt of not less than 50 rupees per mensem as pension from Government ; or

(*f*) pays as proprietor or receives as an assignee of Government not less than 20 rupees per annum on account of land revenue in respect of land situated within the tahsil in which the municipality is situated ; or

(*g*) has passed the Matriculation, School Leaving Certificate or any other equivalent or higher examination of any recognized university, or any oriental title examination of such university ; or

(*h*) is a pensioned commissioned or non-commissioned officer or soldier of His Majesty's Regular Forces.

*Explanation.*—In the case of a father and son living together the possession of immovable property or a monthly income or pension or the payment of land revenue or receipt of land revenue as an assignee of Government to the value or amount specified in clause (*c*), (*d*), (*e*) or (*f*) shall be held to qualify the father only, provided that if the father so desires such possession, payment or receipt shall be held to qualify the son in lieu of the father

(2) Notwithstanding anything contained in sub-rule (1), no person shall be eligible for election as a member of a municipal committee who—

(*a*) is under contract as regards work to be done for, or goods to be supplied to the municipal committee ; or

(*b*) has, within five years from the date fixed for the nomination of candidates under the provisions of rule 15, been proscribed from Government employment ; or

(*c*) receives any remuneration out of the municipal fund for services rendered to the municipal committee ; or

(*d*) has, at any time within five years from the date fixed for the nomination of candidates under the provisions of rule 15, been serving a sentence of imprisonment for a period exceeding one year ; or

(*e*) is an undischarged insolvent or being a discharged insolvent has not obtained from the court a certificate that his insolvency was caused by misfortune without any misconduct on his part ; or

(*f*) is a whole-time salaried Government official ;

Provided that the Chief Commissioner may in cases not covered by Section 13 of the Indian Election Offences and Inquiries Act, 1920, exempt any person or class of persons from any of the disqualifications contained in clause (*a*). (*b*), (*c*), (*d*) or (*e*) of this sub-rule.

*Explanation.*— For the purposes of this sub-rule a Public Prosecutor is not a whole-time salaried Government official.

(*ii*) NOTIFICATION

*Nathagali, the 8th July 1931.*

No. 539-L. F. N.- With reference to the North-West Frontier Province notification No. 103-L. F., dated the 19th January 1931, and in exercise of the powers conferred by Sections 55 and 55-A of the Punjab District Boards Act, 1883, as extended to the North-West Frontier Province, the Chief Commissioner, North-West Frontier Province, is pleased to make the following rules applicable to all District Boards in the North-West Frontier Province in supersession of the rules and notifications specified below: -

(1) Rule IV of the rules published with Punjab Government notification No. 133, dated the 25th August 1887.

(2) Rule VII of the rules published with Punjab Government notification No. 157, dated the 10th September 1887.

(3) Rule 5 of the rules published with Punjab Government notification No. 13, dated the 27th January 1888.

(4) Rule 5 of the rules published with Punjab Government notification No. 176, dated the 20th July 1888.

(5) Rules 2, 3 and 6 of the rules published with Punjab Government notification No. 98 dated the 11th April 1894.

(6) North-West Frontier Province notification No. 1014-L. F./XXI- 1-21 dated the 15th October 1926.

(7) Part II of the rules published with North-West Frontier Province notification No. 391-L. F. XXI—A-65, dated the 19th March 1928.

RULES.

PART I.

* * * * * * * * *

*Qualifications of voters—*

6. Every male British subject, who had on the first day of the month in which the roll is published under the provisions of sub-rule (1) of rule 8 attained the age of 21 years and has not been adjudged by a competent

court to be of unsound mind shall be entitled to be entered as a voter on any roll if he has any of the following qualifications, namely, if he—

(*a*) is a zaildar, inamdar, village headman or chief headman in the constituency appointed under the provisions of the rules made under the Punjab Land Revenue Act, 1887; or

(*b*) is the owner of land situated within the district board area and assessed to land revenue of not less than 10 rupees per annum; or

(*c*) is an assignee of land revenue amounting to not less than 20 rupees per annum in respect of land situated within the district board area; or

(*d*) is a tenant or lessee under the terms of a written lease for a period of not less than three years, of land situated within the district board area and assessed to land revenue of not less than 10 rupees per annum, provided that, when the land revenue payable is assessed from harvest to harvest, the annual land revenue payable in respect of such land shall be deemed to be the annual average amount payable in the three years previous to the first day of October next preceding the date of publication of the preliminary rolls under the provisions of rule 8 of these rules; or

(*e*) is a tenant with a right of occupancy as defined in chapter II of the Punjab Tenancy Act, 1887, in respect of land situated within the district board area and assessed to land revenue of not less than 10 rupees per annum; or

(*f*) resides in the district board area and was during the financial year previous to the date of publication of the roll assessed to income-tax; or

(*g*) is a retired or pensioned officer, non commissioned officer or soldier resident in the district board area who has served for not less than five years in His Majesty's Regular Forces and has not been discharged therefrom with ignominy; or

(*h*) has paid in the year ending on the 31st day of March last preceding the date on which the rolls of constituencies are published under the provisions of sub-rule (1) of rule 8, not less than the sum of four rupees on account of any cess, rate or tax payable to the board.

*Explanation* (1) When two or more persons are co-sharers in land assessed to land revenue or in any tenancy or lease of land assessed to land revenue or in receipt of assigned land revenue every such person shall be qualified as an elector who would be so qualified if his share in such land property, tenancy, lease or assignment were held separately.

(2) For the purposes of this rule and rule 8, a person may be presumed to reside in a constituency or area if he owns a residential house or a share in a residential house in the constituency or area, provided that the house has during the 12 months preceding the date on which the roll is published under the provisions of rule 8, not been let on rent either in whole or in part

*Qualifications and disqualifications for membership—*

7. (1) Every person who is registered as a voter on the roll of a constituency in the district board area concerned published under the provisions of sub-rule (1) of rule 13 and in force under the provisions of sub-rule (2) of rule 13 shall be eligible for election as a member of that board if he—

(*a*) is a zaildar, inamdar, village headman or chief headman in the constituency appointed under the provisions of the rules made under the Punjab Land Revenue Act, 1887; or

(*b*) is the owner of land situated within the district board area and assessed to land revenue of not less than 20 rupees per annum; or

(*c*) is an assignee of land revenue amounting to not less than 40 rupees per annum in respect of land situated within the district board area; or

(*d*) is a tenant or lessee under the terms of a written lease for a period of not less than three years, of land situated within the district board area and assessed to land revenue of not less than 20 rupees per annum, provided that, when the land revenue payable is assessed from harvest to harvest, the annual land revenue payable in respect of such land shall be deemed to be the annual average amount payable in the three years previous to the first day of October next preceding the date of publication of the preliminary rolls under the provisions of rule 8 of these rules; or

(*e*) is a tenant with a right of occupancy as defined in chapter II of the Punjab Tenancy Act, 1887, in respect of land situated within the district board area and assessed to land revenue of not less than 20 rupees per annum; or

(*f*) resides in the district board area and was during the financial year previous to the date of publication of the rolls assessed to income-tax; or

(*g*) is a retired or pensioned officer, non-commissioned officer or soldier resident in the district board area who has served for not less than five years in His Majesty's Regular Forces and has not been discharged therefrom with ignominy; or

(*h*) has paid in the year ending on the 31st day of March last preceding the date on which the rolls of constituencies are published under the provisions of sub-rule (1) of rule 8, not

less than the sum of eight rupees on account of any cess, rate or tax payable to the board.

(2) Notwithstanding anything contained in sub-rule (1), no person shall be eligible for election as a member of a board if he—

(*a*) is under contract as regards work to be done for, or goods to be supplied to the board ; or

(*b*) receives any remuneration out of the district fund for services rendered to the board , or

(*c*) has been proscribed from Government employment , or

(*d*) has at any time within five years from the date fixed for the nomination of candidates under the provisions of rule 15 been serving a sentence of imprisonment for a period exceeding one year ; or

(*e*) is an undischarged insolvent or being a discharged insolvent has not obtained from the court a certificate that his insolvency was caused by misfortune without any misconduct on his part , or

(*f*) has been removed from membership of a board under Section 14 or Section 14-A of the Act or if his election for such membership has been declared void for corrupt practices under the provisions of these rules ; or

(*g*) has been removed from the membership of any municipal town or notified area committee or cantonment board, or whose election for such membership has been declared void for corrupt practices , or

(*h*) is a whole-time salaried Government official :

Provided that the Chief Commissioner may in cases, not covered by Section 13 of the Indian Elections Offences and Inquiries Act, 1920, exempt any person or class of persons from any of the disqualifications contained in clause (*a*), (*b*), (*c*), (*d*), (*e*), (*f*) or (*g*) of this sub rule.

*Explanation.*—For the purposes of this sub-rule, a Public Prosecutor is not a whole-time salaried Government official.

## I (b) Appendix.

SKETCH OF ELECTION FOR ASSEMBLY BY INDIRECT VOTING.

1. I postulate—(*a*) Enfranchisement of 10 per cent. of the population, equally in rural and urban areas, and that the distribution will be fairly even in all districts. The voters will be the same as those who vote (indirectly or directly) for the Provincial Legislature.

(*b*) Use of latest census figures of population till next census or for 10 years whichever is less.

(*c*) Villages of over 3,000 to be treated as towns and divided into ward units.

(*d*) Secondary electors can be allotted either by population or by primaries. I assume by population as this gives secondary voting strength according to population.

2. The method of secondary election described by the Proportional Representation Society in their letter of 14th January 1932 as in use in Japan is by single non-transferable vote, *i.e.*, every primary elector has one vote only which he can give to any one candidate secondary.

3. The position of a secondary elector would be neither lucrative nor very important and there seems to be no very good reason why an electoral board of three—say one official and two non-officials resident in another Tahsil if necessary) should not conduct the primary elections by show of hands as is done in the Punjab for panchayats.

Secret ballot would prolong operations considerably, and in view of the prevalent illiteracy the advantage thereof would be incommensurate with the time and trouble to all concerned. In urban areas (*i.e.*, all towns and villages with more than 5,000 inhabitants) secret ballot would be necessary.

4. *Rural.*—Assume now that two secondary electors are to be chosen for every village in columns 4 and 5 of Census Table III* (under 500), 3 electors for columns 6 and 7 (500—1,000 of population), 8 electors for columns 8 and 9, 14 electors for columns 10 and 11, *i.e.*, one secondary for every 250 population taking the average of high and low limits.

In the case of the lowest class I assume 2 in each class as the population of each habitation secondary electors, as few villages have less than 250 inhabitants.

| | Secondaries. | Population. | Assumed voting strength (primary) at 10 cent. of population. |
|---|---|---|---|
| Column 4 1,600×2 . . | 3,200 | 366,821 | 36,682 |
| Column 6 637×3 . . | 1,911 | 452,816 | 45,281 |
| Column 8 379×6= . . | 2,274 | 524,546 | 52,454 |
| Column 10 203×14= . . | 2,842 | 597,263 | 59,726 |
| Total secondaries in rural areas . . | 10,227 | 1,941,446 | 194,144 |

The number of primaries who would elect is the total of columns $\frac{5, 7, 9, 11}{10}$ (assuming 10 per cent. enfranchised), *i.e.*, $\frac{1,941,446}{10}$ = 194,144 or roughly one secondary for 20 primaries.

*Page 430.

5. *Urban.*—Applying the same figures to habitations of 5,000 and over

| Towns. | Elect one secondary per 250 inhabitants of average population of class. | Secondaries to be elected. | Population. | Primary electors at 10 per cent. population. |
|---|---|---|---|---|
| Columns 12 and 13 .. .. | 27 × 30 | 810 | 180,778 | 18,077 |
| Columns 14 and 15 . | 4 × 60 | 240 | 50,770 | 5,077 |
| Columns 16 and 17 | 5 × 140 | 700 | 147,310 | 14,731 |
| Columns 18 and 19 .. . | 1 × 350 | 350 | 87,440 | 88,744 |
| Total .. | .. | 2,100 | 366,298 | 36,629 |

6. If more than 10 per cent. of the population is enfranchised it would be possible to lower the population ratio for secondaries, if desired, so as to keep the approximate ratio of 20 primaries to one secondary. But the main object in view is to ensure a college of secondary electors of reasonable size. In the example given above we should have roughly 12,000 secondaries, or about 4,000 electors for each of three constituencies of the Assembly.

7. As regards details of election of secondaries see paragraph 3. If a village or ward failed to elect a full quota, *i.e.*, if all the votes given to candidates are less in number than the number of secondaries to be elected the easiest way would be simply to acquiesce in the village or ward being to that extent disfranchised This might however lend itself to manipulation and it might be better to provide for a new poll. If after the second poll a similar result ensued the village or ward would be disfranchised to the extent to which it failed to elect secondaries.

The candidates up to the total of secondaries to be elected in each case who received the larger number of votes outright would be elected -the votes are not transferable.

*N B.*—Any unit with a population not exactly divisible by 250 would be entitled to elect the additional secondary. It is therefore more accurate to assume the average of each class as the population of each town and village therein than simply to divide the totals of each population column by 250. The figure of secondaries for the single town over 50,000 is however achieved by dividing actual population by 250.

## TABLE III.*

*Cities, Towns and Villages classified by population.*

1. No statistics are available of the number of villages situated in the trans-frontier area. This table deals therefore with the five administered districts of the North-West Frontier Province only.

2. In this table, as in tables I, IV and V, cantonments have been treated as separate towns. In the case of municipalities with Civil Lines adjoining them, the whole area has been treated as a single town.

3. The revenue Mauza has been taken as a village, except in the case of towns. According to revenue records, the total number of villages in the five administered districts of the North-West Frontier Province is 3,006, of which 154 are uninhabited. The total number of inhabited villages and towns according to this table comes to 2,856. The difference of four villages is due to the fact that in some cases revenue estates contain both urban and rural populations, and in other cases more than one revenue estate is included in a single town.

4. Travellers enumerated in encampments, boats and trains, etc., have been shown separately in this table. No such travellers were enumerated within the limits of any town.

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*Census Table III (page 430).

## TABLE III.

*Cities, Towns and Villages classified by population.*

| District. | Total number of inhabited towns and villages. | Population. | Under 500 | | 500—1,000 | | 1,000—2,000 | | 2,000—5,000 | | 5,000—10,000 | | 10,000—20,000 | | 20,000—50,000 | | 50,000—100,000 | | 100,000 and over | | Encampments, boat and railway population unclassed |
|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|---|
| | | | Number. | Population. | Number. | Population. | Number. | Population. | Number. | Population. | Number. | Population. | Number. | Population. | Number. | Population. | Number. | Population. | Number. | Population. | |
| 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 | 12 | 13 | 14 | 15 | 16 | 17 | 18 | 19 | 20 | 21 | 22 |
| Hazara .. | 933 | 670,117 | 527 | 125,110 | 226 | 157,814 | 113 | 158,687 | 59 | 175,289 | 8 | 53,217 | .. | .. | .. | .. | .. | .. | . | .. | . |
| Peshawar . | 857 | 974,321 | 391 | 93,023 | 206 | 148,688 | 154 | 213,132 | 91 | 275,184 | 8 | 46,210 | 4 | 50,730 | 2 | 58,274 | 1 | 87,440 | .. | | 1,640 |
| Kohat .. | 283 | 236,273 | 170 | 37,276 | 55 | 39,371 | 36 | 47,531 | 16 | 46,766 | 5 | 40,229 | .. | .. | 1 | 25,100 | .. | . | . | .. | .. |
| Bannu .. | 383 | 270,301 | 235 | 55,775 | 79 | 56,193 | 46 | 64,525 | 19 | 49,129 | 3 | 19,699 | .. | .. | 1 | 24,980 | .. | .. | .. | .. | . |
| Dera Ismail Khan. | 400 | 274,064 | 277 | 55,637 | 71 | 50,750 | 30 | 40,671 | 18 | 50,895 | 3 | 21,423 | .. | .. | 1 | 38,956 | .. | .. | .. | .. | 15,732 |
| North-West Frontier Province Districts. | 2,856 | 2,425,076 | 1,600 | 366,821 | 637 | 452,816 | 379 | 524,546 | 203 | 597,263 | 7 | 180,778 | 4 | 50,730 | 5 | 147,310 | 1 | 87,440 | .. | .. | 17,372 |

## II

## Memorandum by the North-West Frontier Province Provincial Franchise Committee.

LETTER FROM THE CHAIRMAN, PROVINCIAL FRANCHISE COMMITTEE, NORTH-WEST FRONTIER PROVINCE, TO THE SECRETARY, INDIAN FRANCHISE COMMITTEE, No. 6844-P., DATED THE 18TH MARCH 1932.

1. The following members attended meetings of the Committee :—

Mr. J. S. Thomson, I.C.S. (*Chairman*).

Major Sir Muhammad Akbar Khan of Hoti, K.B.E., M.C.S.

Sir Sahibzada Abdul Qaiyum Khan, K.C.I.E.

Major Sir Hissamuddin Khan, C.I.E.

Khan Bahadur Abdur Rahim Khan, Kundi

Rai Sahib Mehr Chand Khanna.

Mr. Muhammad Yunis Khan.

S. Raja Singh.

Mr. Aurangzeb Khan.

Mr Muhammad Jan Khan.

Mr. Ghulam Rabbani Khan.

Khan Muhammad Akram Khan.

Mr. Malik-ur-Rahman Khan.

Mr. Muhammad Aslam Khan

The Nawab of Dera was unable to attend owing to his duties as a member of the Legislative Assembly at Delhi.

2. *Preliminary.*- We have had the advantage of seeing and studying the memorandum drawn up by the Chief Commissioner and also memoranda received from-

(1) Nawab Hafiz Saifullah Khan, President, Muslim Representative Committee, Dera Ismail Khan.

(2) Tehl Ram Ganga Ram, Zamindar and Honorary Secretary, Frontier Provincial National Liberal Association.

(3) Beli Ram Malhotra, Vice-President. Frontier Nationalist Hindu Federation.

(4) Haji Safdar Ali, President, Provincial Shia Conference, North-West Frontier Province.

(5) Qazi Muhammad Shafiq, Pleader, Charsadda.

(6) President, Sikh Sudhar Committee, Peshawar.

(7) Secretary, Khalsa Dewan, Peshawar.

3. We decided that it would be advantageous to embody our views in a memorandum for presentation to the Indian Franchise Committee. We have however not attempted to give exhaustive replies to all questions and this indeed is not possible, seeing that so far no election has been held in the Province and we have only a meagre supply of statistics on which to work.

4. The views put forward herein represent the opinions of the Committee as a whole. Where there was decided division of opinion the fact is noted Marginal references refer to the questionnaire.

## I.—The Provincial Legislature.

1. *Extension of the franchise.* (*a*) The Committee agrees with the Chief Commissioner that the present franchise should be so altered as to abolish the disparity between the number of urban and rural voters and that the first and most obvious method of doing so is to lower the land revenue qualifications in Schedule II, 7 (*b*), (*c*), (*d*) and (*e*) of the present Electoral Rules.

In the matter of enfranchisement of ex-members of the forces of the Crown the North-West Frontier Province might safely adopt whatever enfranchisement is adopted in the Punjab, where conditions are similar and experience has been gained of the result of this franchise. Frontier Militias and Frontier Constabulary should be treated on the same lines as the regular forces We would, however emphasise that a residential qualification must, as regards this franchise at least, be insisted upon. We also agree to the enfranchisement of pensioned civil officials, if that qualification is admitted in the Punjab.

As regards other proposals under this head we think it should be possible to enfranchise tenants in addition to occupancy tenants and holders of leases. Tenants-at-will might be enfranchised on the same conditions as occupancy tenants, provided they can prove three years' residence in the constituency. Some members would omit the three years' residence qualification other members would be content to follow the Punjab in the matter. Most of us would not favour further extension of the urban franchise unless it is deemed feasible in the neighbouring province to enfranchise over all a yet larger proportion of the population than is represented by the present figure of our urban franchise- 12·54*.

(*b*) We think that the extensions where proposed will not introduce a large number of people who are incapable of understanding the nature of a vote.

(*c*) We are not prepared to criticise in detail the Chief Commissioner's view that there are difficulties about the present system of preparing and maintaining electoral rolls; but as regards his suggestions we think that the preparation and validity of rolls should be coincident

* This figure is derived from the final electoral rolls and the 1931 Census and sheet of statistics of voters and population sent as postscript to the Chief Commissioner's memorandum.

with the election and term of the Council. We do not think it possible to do without a preliminary roll, and we do not like the idea of a special organisation for the compilation of rolls.

The suggestion that the Provincial Council and local bodies' franchise should be the same appears to be within the competence of the Provincial Government.

(*e*) In the absence of experience of elections we would prefer that the North-West Frontier Province standard of franchise should be that decided for the Punjab, subject to the proviso that the present percentage of enfranchisement should not be reduced, and that the rules should be framed to aim at equality between the urban and the rural vote.

As regards the rest of this part of the questionnaire the Committee is strongly opposed to the group system or indirect voting in any shape or form.

2. *Franchise qualifications.*—(*a*) The point raised here has been discussed already.

(*b*) We do not agree with the suggestion to manipulate the franchise so as to give voting strength proportionate to its population in the case of each community.

(*c*) We think that a property test is desirable, taking property in the sense given to it in the text of the question.

(*d*) The middle school examination should be the educational qualification. Some members would prefer to follow the Punjab in this matter also, if that province adopts the primary examination as the standard.

3. *Women's suffrage.*—In this Province the sex disqualification continues and will continue until the Provincial Council removes it. There has of course so far been no opportunity to remove it. We agree with the Chief Commissioner that women suffrage is foreign to male public opinion among the mass of Muslims in this Province and we do not think that it would be possible to introduce it at present unless administrative arrangements can be made for enrolment and polling consistent with *purdah*, where it is observed. The majority of members are in favour of women suffrage in the abstract, but agree that practical obstacles are such as to render anything like its immediate introduction extremely difficult.

The Hindu and Sikh members state that they would gladly see women suffrage introduced at once as far as their own community is concerned.

As regards parts 4 and 5 of the questionnaire the Committee agrees generally with the views expressed by the Chief Commissioner.

*5-A. Representation of special interests.*—The Committee is content to see the special representation of landholders continue and would add university representation. About the latter, opinion is divided. One party would frame a constituency to include graduates of seven years' standing of any recognised university resident in the Province ; a second would prefer to see the seat go to graduates from the three local colleges at present recognised by the Punjab University, pending the establishment of a Provincial University : a third party goes so far as to say that if the university seat cannot be given to the graduates from the local colleges they would prefer to have no university seat at all. It should be explained that the three local colleges in this Province are affiliated to the Punjab University at Lahore and that students proceed from them to their degrees at the Punjab University. Before concluding this part of our reply we wish to record the opinion that the Provincial Legislature should consist of 60 members instead of 40.

## II.—The Federal Legislature.

The second division of the questionnaire deals with the federal legislature. The Committee wish to emphasise what has already been represented in the Federal Structure Committee that the tentative allocation of seats to this Province is inadequate. They consider the Province entitled to at least twice the number of seats in each house. The Committee would not favour election to the Upper Chamber or to the Lower by indirect election. As regards direct franchise having no experience to go on, they would again be content to adopt whatever qualifications are adopted in the Punjab.

It is considered undesirable to attach members of the minority communities to Punjab constituencies.

The Hindus and Sikhs are anxious for adequate representation for themselves in the Federal Legislature.

(*Signed—on behalf of the North-West Frontier Province Provincial Franchise Committee.*)

J. S. THOMSON,
*Chairman.*

II (1) LETTER FROM THE CHAIRMAN, PROVINCIAL FRANCHISE COMMITTEE, NORTH-WEST FRONTIER PROVINCE, TO THE SECRETARY, INDIAN FRANCHISE COMMITTEE, CAMP INDIA, No. 6845-P., DATED PESHAWAR, THE 18TH MARCH 1932.

I have the honour to refer to letter No. 260-S., dated the 23rd February 1932, from the Hon'ble the Chief Commissioner to your address and to say that this letter has been laid before the Provincial Franchise Committee. Subject to what has already been said in the memorandum forwarded with my letter No. 6844-P., dated the 18th March 1932, the Committee have no comments except to say that they consider that the Provincial Legislature should be increased to 60 members.

## III

### Supplementary Questionnaire addressed by the Indian Franchise Committee to the Revenue Commissioner, North-West Frontier Province, and Chairman, North-West Frontier Provincial Franchise Committee.

LETTER NO. E.-594-N.-W.F.P., DATED THE 11TH APRIL 1932, FROM THE INDIAN FRANCHISE COMMITTEE, TO THE REVENUE COMMISSIONER, NORTH-WEST FRONTIER PROVINCE, AND CHAIRMAN, N.-W. F. PROVINCIAL FRANCHISE COMMITTEE.

We have already asked for your assistance on a number of points arising out of the discussion between the Indian Franchise Committee and the Provincial Franchise Committee. According to my list, the points in question are as follows :—

(*a*) Analysis of population, under the Land Alienation Act, by districts, showing its division between agricultural and non-agricultural and the total number of occupancy tenants.

(*b*) A statement of the number of polling officers available under various heads.

(*c*) The ratio between town and country, and the percentage of the total population which would be enfranchised, if the basis of franchise were to be reduced to Rs. 5 land revenue.

We should be grateful also for information on the following points :—

(*a*) How many voters are registered under the following qualifications :—

(*i*) Persons earning not less than Rs. 40 per mensem ;

(*ii*) Educational qualification of Matriculation or school leaving certificate.

(These qualifications do not exist in the Punjab on which your electoral rules are generally based and it would be of interest to us to know to what extent they have brought in voters in the North-West Frontier Province.)

(*b*) To what extent would the industrial classes, in so far as they exist in the Province, be enfranchised under the scheme suggested by the local Government/Provincial Committee ? If they would be enfranchised only to a very small extent or not at all, would it be practicable to bring them in by a lowering of the wage-limit ?

(*c*) The problem of the enfranchisement of women is one which has been brought to the particular notice of the Indian Franchise Committee in the Prime Minister's letter. The two important points are :

*Firstly*, the securing of a substantial percentage of women voters ;

*Secondly*, the securing of a percentage of women representatives in the legislatures.

The following, among other suggestions, have been made in regard to the first of these points :—

(*i*) Enfranchisement of the wives of male voters who possess double the minimum property qualification ;

(*ii*) Enfranchisement of wives and widows of men with ordinary property qualification ;

(*iii*) Enfranchisement of wives (and widows) of existing voters for the Provincial Council ;

(*iv*) Enfranchisement of women on the basis of mere literacy (*i.e.*, ability to read and write).

This to be certified by a responsible individual, *e.g.*, a schoolmaster.

(*v*) Enfranchisement of adult women subject to application to be registered as voters and the payment of a registration fee.

On the second question, the steps to be taken to ensure the presence of a certain number of women in the Legislatures, I attach a copy of a memorandum* containing various proposals for effecting this. We should be grateful if they could be considered by the Provincial Committee/local Government.

(*d*) We should be grateful for an estimate of the cost of the present election and the cost, so far as it is possible to estimate it, of an election on the basis recommended by the Provincial Committee and the local Government.

(*e*) Would it be possible, later on, to have figures of voters and population district by district, say, in the following form :—

| 1 | 2 | 3 | 4 | 5 |
|---|---|---|---|---|
| Name of district. | No. of voters in *each* municipality, in the district or cantonment area. | Population in *each* municipality or cantonment. | No. of voters in the non-municipal area of the district. | Population in the non-municipal area. |

We understand that both the Chief Commissioner and the Provincial Franchise Committee would be willing to let us have a note of their views on the question of the franchise in the light of experience of the forthcoming election. This we should greatly appreciate- its importance from the point of view of our Report is, of course, obvious. We should in particular welcome an expression of the considered views of the local Government/Provincial Committee on the maximum electorate which they regard as desirable and administratively practicable in the light of their experienc of the election, on the qualifications on which that electorate should be based.

* *Vide* page 114, Vol. II.

## IV

**Memorandum by the Revenue Commissioner, North-West Frontier Province, and Chairman, N.-W. F. Provincial Franchise Committee, to the Joint Secretary, Indian Franchise Committee, No. 10760-P., dated the 27th April 1932.**

Please refer to your No. E.-594/N.W.F.P., dated 11th April and the questionnaire included therein.

2(*a*). I attach Appendix A* showing the details of population as between tribes notified as agriculturists under the Land Alienation Act, and others.

As regards the second part of your question, the following figures may be of interest. From the 1931 census report figures, not yet published but supplied to me by the Census Superintendent, it appears that the cultivating population is divided as follows :—

| | |
|---|---|
| (*a*) Non-cultivating proprietors taking rent in money or kind. | 36,966 |
| (*b*) Cultivating owners .. .. .. | 221,032 |
| (*c*) Tenant cultivators .. .. .. | 178,690 |

These figures refer to males actually employed.

Use of regularly paid labour for cultivation is rare. Special labour is engaged at harvest times and paid from produce. The number of persons who are whole-time paid labourers in receipt of regular wages is extremely small. The figures of the latest census are not yet published. The actual figures under head farm servants and field labourers in Table XVII of 1921 Census is 3,985.

From Statement II of Part I of the last Land Revenue Administration Report it appears that of 2,724 thousand cultivated acres in the five districts 1,189 thousand were cultivated by owners and the remainder, 1,565 thousand, by tenants. Of these 286 thousand were the subject of occupancy rights and 1,259 thousand were cultivated by tenants-at-will. Neither the Census Report nor the Land Revenue Administration Report gives us separate figures for occupancy tenants. It will be observed that approximately 1/6th of the land cultivated by tenants is cultivated by occupancy tenants and we should arrive at an approximate figure of occupancy tenants (male workers) by dividing the number of tenant cultivators given above (178,690) by 6. This would give us round about 20,000 male working occupancy tenants. I think this is the best figure you can take. It thus follows that $\frac{178,690}{6}$, say 20,000, have rights of occupancy. It includes of course the adult sons of occupancy tenants. I think however that it is the most accurate figure that we can give you.

(*b*) You ask for a statement of the number of polling and presiding officers. Please see the list† attached to this letter. I have excluded all

* Page 440. † *Vide* Appendix G at page 447.

Deputy Commissioners and Assistant Commissioners, as I do not think it would be practicable to have these officers at polling booths during election times. If there is danger of any kind of disturbance such as occurred in Charsadda and in Mardan at the recent elections, it is highly probable that no magistrates would be available in the affected areas for use as polling officers.

I have also excluded Treasury officers and Tehsil officers in charge of sub-treasuries, as we cannot close our treasuries even for elections.

I have also presumed that nobody is on leave or sick.

I do not consider that the officers designated as polling officers could be employed as presiding officers. At present the use of non-officials of any kind gives rise to complaints. I am quite sure that feeling would be very strong against, for instance, the use of honorary magistrates. The members of Municipal Committees and district boards would certainly inspire no confidence at all.

I would add that there are 139 Municipal Commissioners, 184 District Board members and 39 Honorary Magistrates and Sub-Judges. Honorary Sub-Registrars number 3. Whether they can be used or not would depend much on personalities.

I have asked for numbers of pensioned officers, but the figures will have to be obtained from treasuries and I have not yet received all replies.

(*c*) Appendix B* shows the figures for voters and population (rural and urban) and the percentage which the one bears to the other on our existing rolls. It also shows the effect of making land revenue qualification (ownership) Rs. 5 instead of Rs. 10 as at present. It has been assumed that all the additional voters effected by this would come from rural areas. This assumption may be taken as approximately correct. The number of persons paying Rs. 5—Rs. 10 land revenue who reside in towns must be extremely small.

3. As regards your further questions, you ask how many voters are registered under the following qualifications :—

(*a*) Persons earning not less than Rs. 40 per mensem.

(*b*) Educational qualifications of Matriculation or school leaving certificate.

As regards (*a*) I am afraid we cannot without lengthy enquiry give figures for the whole Province because in many of the local bodies no details were given of the qualifications which earn the vote. I think however that we can give you figures for certain individual areas which will give you a fairly accurate idea of the results of the qualification and also of the matriculate qualification.

You will find the figures for the rural and urban areas of Hazara already given in the Chief Commissioner's memorandum. I now append two similar tables (Appendices C and D)† analysing the municipal rolls of Dera Ismail Khan and Peshawar. The number of persons who got on to

* Page 442. † Page 443.

the rolls on revision as a consequence of the application of these two qualifications to rural areas was probably very small. I can obtain the figures for Dera Ismail Khan and Hazara if you want them but I do not think that they would tell you much.

(*b*) The proposals both of the local Government and of the Provincial Committee were to let the urban franchise stand as it is and to expand only in rural areas. Without knowing exactly what is meant by industrial classes, it is difficult to answer the question as to whether they would be enfranchised or not. The phrase appears to me to belong to a state of society which does not exist here. A certain number of people do no doubt earn a daily wage in towns, but we have already given our opinion that it is undesirable to add to the number of urban voters. We should certainly add to them if we were to lower the wage limit.

As regards rural areas, please see the Chief Commissioner's memorandum under 1·4 representation of depressed classes. As stated there, and as the accompanying analysis (Appendix E*) of the Peshawar district board voters (who are also legislative council voters) shows, there are a very large number of persons enfranchised by the Rs. 4 board tax qualification. No doubt a number of these are shopkeepers, but as a very large number of these must be Hindus and Hindu voters only number 1,313 under all qualifications, there are clearly well over 2,000 Muslims enfranchised under the Rs. 4 board tax and the very great majority of these will be of the menial class. Compare also the Hazara District Board figures already supplied (in Chief Commissioner's memorandum). Considering the very low proportion of population which the menial classes represent in rural areas, it appears that they are not inadequately represented. For this please see Table XVII of 1931 census.

4. As regards the question of female franchise, I understand that you would like the Provincial Committee further consulted, and this shall be done in due course. I suggest if it would suit you that we should consider and send our views at the same time as we deal with the last part of your letter analysing the lessons to be learnt from the recent election. This can be done after May 10th when we expect to have ready the report of the officer who conducted the elections.

As regards the cost of the elections, figures are not yet available; but probably they will find a place in the report on the elections which we are to issue about the middle of May.

I attach as Appendix F† a table showing the figures of voters and population by districts and municipalities.

* Page 444. † Page 445.

## APPENDIX A.

**Population of the districts of Hazara, Peshawar, Kohat, Bannu and Dera Ismail Khan.**

| District. | Agricultural tribes. | Others. |
|---|---|---|
| Hazara .. .. .. .. .. | 541,950 | 127,919 |
| Peshawar .. .. .. .. .. | 693,960 | 274,366 |
| Kohat .. .. .. .. .. | 185,655 | 49,781 |
| Bannu .. .. .. .. .. | 202,365 | 67,410 |
| Dera Ismail Khan .. .. .. .. | 158,797 | 114,926 |
| Total .. | 1,782,727 | 634,402 |

The figures exclude Europeans and Anglo-Indians altogether. The details below show details of agricultural tribes by districts. Figures are derived from Table XVII of 1931 census and of course include population resident in towns.

### HAZARA DISTRICT.

| Agricultural tribe. | Poulation. | Remarks. |
|---|---|---|
| Awan .. .. .. .. .. | 106,931 | The tribes star-marked in this statement are included in the Pathan tribe. |
| Bamba .. .. .. .. .. | .. | |
| Bib .. .. .. .. .. | .. | |
| Dhund .. .. .. .. .. | 38,983 | |
| Dilazak* .. .. .. .. | .. | |
| Ghakkar .. .. .. .. | 6,045 | |
| Gujar .. .. .. .. .. | 98,599 | |
| Karal .. .. .. .. .. | 27,117 | |
| Kureshi .. .. .. .. .. | 6,415 | |
| Malliar .. .. .. .. .. | 5,204 | |
| Mishwani .. .. .. .. | 5,361 | |
| Mohiyals .. .. .. .. | .. | |
| Mughal .. .. .. .. .. | 11,843 | |
| Pathan .. .. .. .. .. | 54,544 | |
| Rajput .. .. .. .. .. | 5,882 | |
| Sarrara .. .. .. .. .. | 9,984 | |
| Satti .. .. .. .. .. | .. | |
| Swathi including Konshis .. .. .. | 44,511 | |
| Syad .. .. .. .. .. | 27,629 | |
| Tarin * .. .. .. .. .. | .. | |
| Turk .. .. .. .. .. | 4,486 | |
| Tanauli .. .. .. .. .. | 83,417 | |
| Brahmans of the Abbottabad Tahsil .. | 4,999 | |
| Total population of Agricultural Tribes .. | =541,950 | |
| Others (*i.e.*, all castes excluding Europeans, Anglo-Indians and Agricultural Tribes noted above) .. .. .. | =127,919 | |

## PESHAWAR DISTRICT.

| Agricultural Tribe. | Population. | Remarks. |
|---|---|---|
| Pathan .. .. .. .. | 473,738 | |
| * Dilazak .. .. .. .. .. | | * Included in the Pathan tribe. |
| Awan including Gohas .. .. .. | 134,237 | |
| Gujar .. .. .. .. .. | 22,099 | |
| Baghdan .. .. .. .. | 26,531 | |
| Khand .. .. .. .. .. | .. | |
| Khattar .. .. .. .. | .. | |
| Bahatti .. .. .. .. .. | .. | |
| Bagri .. .. .. .. .. | .. | |
| Pathwari .. .. .. .. | .. | |
| Mogal .. .. .. .. .. | 3,461 | |
| Kaka Khel .. .. .. .. | .. | |
| Sayid .. .. .. .. .. | 25,373 | |
| Qureshis including Saddiqi Sheikhs .. .. | 6,035 | |
| Tanaulis.. .. .. .. .. | 2,486 | |
| Total population of Agricultural Tribes .. | =693,960 | |
| Others (*i.e.*, all castes excluding Europeans, Anglo-Indians and the Agricultural tribes noted above) .. .. | =274,366 | |

## KOHAT DISTRICT.

| Agricultural Tribe. | Population. |
|---|---|
| Pathans .. .. .. .. .. .. .. | 148,098 |
| Awans .. .. .. .. .. .. .. | 19,891 |
| Sayads .. .. .. .. .. .. .. | 10,816 |
| Sheikhs including .. .. .. .. .. .. | 1,162 |
| Koreshis .. .. .. .. .. .. .. | 5,080 |
| Malliars .. .. .. .. .. .. .. | 608 |
| Total population of Agricultural tribes .. .. .. | =185,655 |
| Others (*i.e.*, all castes excluding Europeans, Anglo-Indians and the Agricultural tribes noted above) .. .. .. | =49,781 |

## BANNU DISTRICT.

| Agricultural Tribe. | Population. |
|---|---|
| Arain .. .. .. .. .. .. .. | 1,468 |
| Awan .. .. .. .. .. .. .. | 13,972 |
| Biloch .. .. .. .. .. .. .. | 797 |
| Musalman Jats .. .. .. .. .. .. | 6,625 |
| Kureshi .. .. .. .. .. .. .. | 7,958 |
| Pathan .. .. .. .. .. .. .. | 159,737 |
| Sayad .. .. .. .. .. .. .. | 11,808 |
| Total population of Agricultural tribes .. .. .. | =202,365 |
| Others (*i.e.*, all castes excluding Europeans, Anglo-Indians and the Agricultural tribes noted above) .. .. .. | =67,410 |

## DERA ISMAIL KHAN DISTRICT.

| Agricultural tribe. | Population. |
|---|---|
| Arain .. .. .. .. .. .. .. | 4,482 |
| Awan .. .. .. .. .. .. .. | 5,964 |
| Biloch .. .. .. .. .. .. .. | 35,619 |
| Kureshi .. .. .. .. .. .. .. | 1,723 |
| Jats .. .. .. .. .. .. .. | 34,890 |
| Rajputs .. .. .. .. .. .. .. | 768 |
| Sayad .. .. .. .. .. .. .. | 6,346 |
| Pathan Gandapur .. .. .. .. .. .. | 69,005 |
| Pathan Kundi .. .. .. .. .. .. | |
| Other Pathans .. .. .. .. .. .. | |
| Total population of Agricultural tribes .. .. .. | =158,797 |
| Others (*i.e.*, castes excluding Europeans, Anglo-Indians, and the Agricultural tribes noted above) .. .. .. | =114,926 |

## APPENDIX B.

| Existing voters and their percentage to population. | | | Percentages, etc., of voters to population, etc., if the land revenue qualification were reduced to Rs. 5. | | |
|---|---|---|---|---|---|
| *Urban* .. | Voters .. | 48,035 | *Urban* .. | Voters .. | 48,035 |
| | Population .. | 382,776 | | Population .. | 382,776 |
| | Percentage .. | 12·54 | | Percentage .. | 12·54 |
| *Rural* .. | Voters .. | 71,287 | *Rural* .. | Voters .. | 117,951 |
| | Population .. | 2,042,300 | | Population .. | 2,042,300 |
| | Percentage .. | 3·49 | | Percentage .. | 5·77 |
| Total N. W. F. P. | Voters .. | 119,322 | Total N. W. F. P. | Voters .. | 165,986 |
| | Population .. | 2,425,076 | | Population .. | 2,425,076 |
| | Percentage .. | 4·92 | | Percentage .. | 6·88 |

Additional voters in each District :—

| | | |
|---|---|---|
| Peshawar .. | 19,498 | 46,664 |
| Hazara .. | 10,968 | |
| Kohat .. | 5,791 | |
| Bannu .. | 6,837 | |
| D. I. Khan .. | 6,670 | |

## APPENDIX C.

*Statement showing different classes of qualified voters of Dera Ismail Khan Municipality.*

| | Moham-madans. | Hindus. | Sikhs. | Christians. | Total. |
|---|---|---|---|---|---|
| (*e*) Ownership .. .. | 1,160 | 973 | 17 | .. | 2,150 |
| (*f*) Rent Rs. 4 .. .. | 148 | 263 | 8 | 2 | 421 |
| (*g*) Income Rs. 40 .. | 675 | 1,471 | 35 | .. | 2,181 |
| (*h*) Land Revenue Rs. 10.. | 75 | 47 | .. | .. | 122 |
| (*i*) Matriculation .. | 135 | 121 | 2 | 6 | 264 |
| (*j*) Military .. .. | 14 | 1 | .. | .. | 15 |
| Total .. | 2,207 | 2,876 | 62 | 8 | 5,153 |
| Population (both sexes) .. | 21,709 | 16,421 | 638 | 188 | 38,956 |

## APPENDIX D.

*Statement showing different classes of qualified voters of Peshawar City.*

| | | |
|---|---|---|
| (*e*) Holding property at Rs. 600 or over .. .. | 8,909 | |
| (*f*) Rent Rs. 4 .. .. .. .. .. | 3,409 | |
| (*g*) Income Rs. 40 .. .. .. .. | 2,192 | |
| (*h*) Land Revenue Rs. 10 .. .. .. | 100 | 14,820 |
| (*i*) Matriculation .. .. .. .. | 166 | |
| (*j*) *Ex*-Government servants Civil and Military Pensioners | 44 | |
| Population Peshawar City (both sexes) :— | | |
| Muslims .. .. .. .. | 69,893 | |
| Hindus .. .. .. .. | 11,594 | |
| Sikh .. .. .. .. | 5,150 | |

## APPENDIX E.

*Analysis of district board voters of Peshawar District.*

| | |
|---|---|
| (*a*) Lambardars, etc. .. .. .. .. | 1,784 |
| (*b*) Land revenue .. .. .. .. | 19,655 |
| (*c*) Muafi .. .. .. .. .. | 2,348 |
| (*d*) 3 years lease .. .. .. .. | 1,115 |
| (*e*) Occupancy tenants .. .. .. .. | 30 |
| (*f*) Income tax .. .. .. .. .. | 73 |
| (*g*) Military .. .. .. .. .. | 2,700 |
| (*h*) Rs. 4 board tax .. .. .. .. | 3,579 |
| | 31,284 |
| Muslims .. .. .. .. .. | 29,401 |
| Hindus .. .. .. .. .. | 1,313 |
| Sikhs .. .. .. .. .. | 570 |

## APPENDIX F.

*Statement showing the figures of voters and population District by District, N.-W.F.P.*

| District. | Details. | Voters. | | | | Population. |
|---|---|---|---|---|---|---|
| | | Mohammadan. | Non-Mohammadan. | Sikh. | Total. | |
| 1 | 2 | 3 | 4 | 5 | 6 | 7 |
| **Peshawar** .. | Peshawar Municipality .. | 10,775 | 2,965 | 1,132 | 14,872 | **87,440** |
| | Peshawar Cantonment .. | 1,419 | 1,591 | 411 | 3,421 | **34,426** |
| | Mardan Municipality. | 2,802 | 556 | 386 | 3,744 | **23,848** |
| | Nowshera Cantonment .. .. | 350 | 802 | 89 | 1,241 | **16,137** |
| | Risalpur Cantonment .. .. | 53 | 378 | 18 | 449 | **8,016** |
| | Mardan Cantonment .. .. | 24 | 73 | 23 | 120 | **2,431** |
| | Cherat Cantonment | 42 | 23 | 12 | 77 | **843** |
| | Non-Municipal Area. | 37,887 | 1,646 | 751 | 40,284 | **801,180** |
| | Total .. | 53,352 | 8,034 | 2,822 | 64,208 | **974,321** |
| **Kohat** .. | Kohat Municipality .. .. | 3,089 | 715 | 279 | 4,083 | **25,100** |
| | Kohat Cantonment | 27 | 59 | 20 | 106 | **9,250** |
| | Non-Municipal Area .. .. | 4,979 | 374 | 45 | 5,298 | **201,923** |
| | Total .. | 7,995 | 1,148 | 344 | 9,487 | **236,273** |
| **Bannu** .. | Bannu Municipality. | 606 | 2,358 | 903 | 3,867 | **24,980** |
| | Bannu Cantonment | 43 | 18 | 4 | 65 | **5,559** |
| | Non-Municipal Area .. .. | 8,268 | 927 | 36 | 9,231 | **239,762** |
| | Total .. | 8,917 | 3,303 | 943 | 13,163 | **270,301** |
| **D. I. Khan** .. | D. I. Khan Municipality. | 1,981 | 2,867 | 96 | 4,944 | **38,956** |
| | D. I. Khan Cantonment .. | 38 | 143 | 16 | 196 | **1,375** |
| | Non-Municipal Area .. .. | 4,730 | 1,908 | 33 | 6,671 | **233,733** |
| | Total .. | 6,749 | 4,918 | 144 | 11,811 | **274,064** |

| District. | Details. | Voters. | | | | Population. |
|---|---|---|---|---|---|---|
| | | Mohammadan. | Non-Mohammadan. | Sikh. | Total. | |
| 1 | 2 | 3 | 4 | 5 | 6 | 7 |
| Hazara .. | Abbottabad Municipality .. | 916 | 432 | 99 | 1,447 | 7,638 |
| | Haripur Municipality .. .. | 732 | 854 | 162 | 1,748 | 7,653 |
| | Abbottabad Cantonment .. | 143 | 333 | 48 | 524 | 8,527 |
| | Non-Municipal Area .. .. | 15,525 | 1,109 | 266 | 16,900 | 646,299 |
| | Total .. | 17,316 | 2,728 | 575 | 20,619 | 670,117 |
| | Grand Total N.-W. F. Province. | 94,329 | 20,131 | 4,828 | 119,288 | 2,425,076 |

## APPENDIX G.

*Presiding Officers.*

| | | | |
|---|---|---|---|
| (*i*) Extra Assistant Commissioners | | 39 | |
| *Exclude* .. .. .. | | 5 | Treasury Officers. |
| | | 3 | Secretariat officers namely— |
| | | | (*i*) Indian Personal Assistant to the Chief Commissioner. |
| | | | (*ii*) Mir Munshi to the Chief Commissioner. |
| | | | (*iii*) Personal Assistant to the Revenue Commissioner. |
| | | 8 | Officers employed in Agencies. |
| | | 16 | |
| Available .. .. | | 23 | |
| (*ii*) Sub-Judges .. .. | | 8 | |
| (*iii*) Income Tax Officers .. | | 4 | |
| (*iv*) Professors .. .. .. | | 35 | |
| (*v*) Deputy Collectors (Irrigation) | | 2 | |
| (*vi*) Excise Superintendent .. | | 1 | |
| (*vii*) Inspector of Vernacular Education. | | 1 | |
| (*viii*) Assistant Registrar, Co-operative. | | 1 | |
| (*ix*) Agricultural Officers (Gazetted) | | 2 | |
| (*x*) Veterinary Officers (Gazetted).. | | 2 | |
| (*xi*) District Inspectors of Schools | | 5 | |
| | | 84 | |

*Polling Officers.*

| | | | | |
|---|---|---|---|---|
| (*i*) (*a*) Tahsildars .. .. .. .. | 29 | | | |
| Exclude Tahsildars employed in Agencies .. | 9 | | | |
| Available .. .. .. .. | | | | 20 |
| (*b*) *Naib-Tahsildars.*—41. | | | | |
| Exclude Naib-Tahsildars employed in Agencies | 10 | 26 | | |
| Naib-Tahsildars in Sub-Treasuries.. .. | 16 | | | |
| Available .. .. .. .. | | | | 15 |
| (*ii*) Excise Inspectors .. .. .. | 6 | 16 | | |
| Excise Sub-Inspectors .. .. .. | 10 | | | |
| Exclude Excise Sub-Inspector, Landi Kotal.. | 1 | | | |
| Excise Staff available .. .. .. | | | | 15 |

| | | | |
|---|---|---|---|
| (*iii*) Inspectors of Co-operative Societies .. | 11 | | |
| Available .. .. .. .. | | | 11 |
| (*iv*) Income Tax Inspectors .. .. .. | 6 | | 6 |
| (*v*) Head Masters of High Schools— | | | |
| Government .. .. .. | 11 | | |
| Private .. .. .. .. | 17 | | |
| Middle Schools— | | | 76 |
| Government .. .. .. | *Nil* | | |
| Private (including Municipal and District Board). | 48 | | |
| (*vi*) Zilladars, Irrigation Department .. .. | 13 | | 13 |
| Total available .. | | | 146 |
| *Municipal Commissioners*— | | | |
| Abbottabad .. .. .. .. .. | | | 14 |
| Haripur .. .. .. .. .. | | | 14 |
| Peshawar .. .. .. .. .. | | | 29 |
| Kohat .. .. .. .. .. | | | 18 |
| Bannu .. .. .. .. .. | | | 17 |
| Dera Ismail Khan .. .. .. .. | | | 20 |
| Mardan .. .. .. .. .. | | | 17 |
| Total .. | | | 129 |
| *District Board Members*— | | | |
| Hazara .. .. .. .. .. | | | 36 |
| Peshawar .. .. .. .. .. | | | 60 |
| Kohat .. .. .. .. .. | | | 28 |
| Bannu .. .. .. .. .. | | | 32 |
| Dera Ismail Khan .. .. .. .. | | | 28 |
| Total .. | | | 184 |
| *Honorary Magistrates and Honorary Sub-Judges* .. .. | | | 59 |
| *Honorary Sub-Registrars* .. .. .. .. .. | | | 3 |

(One of these at Dera Ismail Khan is to be retrenched from the 1st July 1932 which would leave the number at 2.)

# Replies
# of the
# Chief Commissioner, Coorg,
# and the
# Coorg Provincial Franchise Committee
# to the
# Indian Franchise Committee's Questionnaire.

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## COORG.

### I

### Memorandum by the Chief Commissioner of Coorg.

LETTER FROM THE SECRETARY TO THE CHIEF COMMISSIONER OF COORG, TO THE SECRETARY, INDIAN FRANCHISE COMMITTEE, No. 922/20-32, DATED BANGALORE, THE 8TH APRIL 1932.

I am directed to forward, for the information of the Chairman of the Franchise Committee, a copy of the Report of the Coorg Provincial Franchise Committee.

2. I am to add that the Chief Commissioner agrees with the views expressed by the Coorg Provincial Franchise Committee.

### II

### Memorandum by the Coorg Provincial Franchise Committee.

The Committee was constituted as follows:—

1. Mr. L. J. MacIver, I.C.S., (Commissioner), Chairman,
2. Rao Bahadur K. Chengappa, B.A., (District Magistrate),
3. Rao Sahib B. Sripathi Rau, M.L.C.,
4. Lieutenant-Colonel H. F. Murland, M.L.C.,
5. Mr. P. R. Thimmappa Punja, M.L.C.,
6. Mr. A. B. Chengappa, M.L.C.,
7. Mr. M. Rasul Khan Sahib.

The Committee met at the Council Chamber, Mercara, at 10 A.M., on Tuesday, the 15th March 1932, and formulated the following replies to the Questionnaire issued by the Indian Franchise Committee.

#### 1. Extension of the Franchise.

*Question 1.* (*a*) The population of Coorg is 160,000 and odd of which about 40,000 represent a floating population of immigrant labourers. Of the remaining 120,000 and odd of the population, the total number of electors at present is 11,143, that is, nearly 10 per cent.

The Committee deem it unnecessary to propose any arbitrary percentage to represent the proportion of the population now to be enfranchised, but wish to make certain proposals to increase the present electorate. These proposals are set out in their proper place below.

(*b*) The Committee considers that such an electorate will be capable of casting an intelligent vote.

(*c*) In the opinion of the Committee, the extended electorate proposed will be administratively manageable.

(*d*) No answer is required.

(*e*) The proposals which the Committee has made in reply to question 2 below may be expected to increase the electorate to 15 to 16 per cent.

(*f*) The Committee is opposed to the introduction of the group system suggested.

(*g*) to (*i*) No answer is required.

### 2. Franchise qualifications.

(*a*) There is no marked disparity at present in the operation of franchise qualifications in urban as compared with rural areas.

(*b*) The Committee is in favour of joint electorates with reservation of seats and would like to see the present separate electorates abolished.

(*c*) The Committee is of opinion that the possession of property of some kind is a suitable test of fitness for the franchise. As a means of enlarging the existing electorate, they would recommend the reduction of the existing basis of qualifications by 50 per cent., in respect of both land tenure and the taxes paid under the Coorg District Fund and Municipal Regulations

(*d*) The Committee favours the introduction of a qualification based on education, independently of property, and suggests for men as a standard the possession of a completed Secondary School Leaving Certificate and for women a lower educational qualification, say the Lower Secondary standard.

(*e*) The Committee is in favour of retaining the existing military service qualification and extending it so as to include service in the Auxiliary and Territorial Forces.

### 3. Women Suffrage.

(*a*) The Committee is not in favour of increasing the women's electorate in the ways suggested beyond the educational test recommended above as an additional means of extending the present electorate.

(*b*) No answer is required.

(*c*) The Committee is against the proposal.

### 4. Representation of the depressed classes.

The Committee considers that the term "Backward classes" is more appropriate and that they be extended to include classes other than untouchables also, and be represented by reservation of seats in joint electorates as soon as this becomes possible. In the meantime, they should, if at all possible, be represented by a member nominated from among themselves.

### 5. Representation of Labour.

Labour at present is not organised in Coorg. The greater part of the labour force stays in Coorg only for a certain number of months in the year, and, in these circumstances, there may be great difficulty in getting an electoral roll prepared. Besides, it is hoped that the Committee's recommendation under the previous heading "Depressed Classes"

as well as for the extension of the franchise will secure adequate representation for this class. In the circumstances, the majority of the Committee do not consider it necessary to provide for separate representation for labour, as such, in Coorg.

### 6. Representation of special interests.

*Europeans.*—The Committee by a majority is of opinion that there should be special representation for Europeans. They consider that the existing methods of election are quite efficient.

*Planting interests.*—In the opinion of the Committee separate representation for planting interests in Coorg is not necessary.

## II.—The Federal Legislature.

(*a*) The majority of the Committee is in favour of direct election for both Chambers, the Upper and the Lower.

(*b*) Franchise qualifications ought to be different for the Federal and Provincial Legislatures. Payment of land revenue of Rs. 25 per annum may be fixed as the franchise qualification for the Lower Chamber and Rs. 200 for the Upper Chamber.

## Representation of Women, Labour and Depressed Classes.

The Committee has no remarks to make.

L. J. MACIVER,

MERCARA: *Chairman.*

*The 15th March 1932.*

# Reply

# of the

# Hon'ble the Agent to the Governor-General

# in

# Rajputana (Ajmer-Merwara)

# to the

# Indian Franchise Committee's Questionnaire.

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## AJMER-MERWARA.

### Memorandum by the Hon'ble the Agent to the Governor-General in Rajputana (Ajmer-Merwara).

The questionnaire deals with the problem of extending the franchise primarily in its relation to Governor's provinces and the reason given for the desirability of a considerable extension is that, as these provinces will in future be units enjoying the greatest possible measure of autonomy, it is essential that the legislature should be representative of the general mass of the population. Obviously the questionnaire itself, therefore, is largely inapplicable to Ajmer-Merwara which is a small unit with no provincial legislature and the reasons which have been advanced to justify a large extension of the franchise have little weight so far as Ajmer-Merwara is concerned. It is not, I consider, necessary even if it were possible to arrange for sectional interests such as labour, the depressed classes and so forth in Ajmer-Merwara to receive special representation. Elections hitherto have not been fought on any particular platform nor have the candidates standing for election had any definite declared policy. Votes have been cast for individuals and not for policies. In extending the franchise the object in view should be to secure, if possible, the return of a candidate with varied knowledge and intelligent concern for all sections of the community and to endeavour so far as practicable to remove the disparity which at present exists between the urban and rural voting strength.

2. *Extension of the franchise.*—The Franchise Sub-Committee of the Round Table Conference suggest an immediate increase of not less than 10 per cent. of the population.

In Ajmer-Merwara at the last election the number of electors on the electoral rolls was 4,339 and the population at the last census was 560,292. Thus the electorate as at present constituted represents less than 1 per cent. of the population. The enfranchisement of a minimum of 10 per cent. of the population would mean an electoral roll of 56,000 or thirteen times the strength of the present electorate. Such an immediate increase would be a dangerous experiment and administratively unmanageable. The work of preparing the electoral rolls in rural areas would probably be thrown on the revenue staff, who already have more work than they can adequately cope with. The rolls would certainly not be properly prepared. In municipal areas the rolls would probably be prepared in a still more unsatisfactory manner. At present in the Ajmer and Beawar Municipalities in which the number of electors is about 6,000 and 3,000, respectively, the municipal authorities have shown themselves to be entirely incapable of preparing their electoral rolls properly.

The recording of so large a number of votes would present still greater difficulties. Experience has shown that with an electorate, which is largely illiterate, one Polling Officer can at most deal with 500 votes in a day. With such an electorate it is essential—if malpractices

on an extensive scale are to be prevented—to have thoroughly reliable Polling Officers. The number of responsible officials available for this work is limited. It might be possible—with difficulty—to find about 40, who could deal with not more than 20,000 electors. Moreover, locally there has been so far no demand whatever for an extension of the franchise. In rural areas little, if any, interest is taken in politics and the majority of these enfranchised would have no idea of its meaning or implication and would certainly be incapable of casting an intelligent vote. So far as Ajmer-Merwara is concerned, I am not, therefore, prepared to recommend an immediate extension of the franchise to the extent suggested. I recognise, however, that some extension is desirable as a measure of political education, though, if the experience of local self government in Ajmer-Merwara is to be taken as a guide, it cannot be said that so far there is any evidence that the possession of the franchise has improved the political education of the ordinary citizen. Such an extension can best be secured by a modification of the existing electoral qualifications as described below.

3. I am not in favour of a system of group voting. The task of grouping all adults in rural and urban areas in groups for the purpose of selecting a representative would be beyond the capacity of the existing district establishment. Nor is it clear to me on what principle the groups could be formed. The system, even if workable, would be peculiarly open to manipulation, bribery and unscrupulous demagogy. I am convinced that so far as Ajmer-Merwara is concerned, better results would be secured by giving as a first step the franchise to village headmen who are the recognised representatives of the village community rather than to groups which would vote as directed by the most influential person in the village or at the dictates of the village money-lender. Further advances can be made later when experience has shown how the power which has been given has been used and how far the franchise is used intelligently by those to whom it has been given. It has to be remembered that Ajmer-Merwara is geographically part and parcel of the most conservative tract in India and sudden drastic innovations are neither necessary nor desirable.

4. *Franchise qualifications.* The existing rule as regards the qualifications of electors for the election of an Ajmer-Merwara representative for the Legislative Assembly is :—

> "A person shall be qualified as an elector for the constituency who resides in the constituency and who
>
> (*a*) has owned in the constituency for the twelve months preceding the date of the publication of the electoral roll immovable property, not being land assessed to land revenue or granted free of land revenue, but including any building erected on such land of the value of not less than five thousand rupees or of an annual rental of not less than three hundred rupees, or has been tenant of such immovable

property for a like period ; provided that a person shall be deemed to have owned such property for any period during which it was owned by any person through whom he derives title by inheritance ; or

(*b*) is the owner of land in the constituency assessed to land revenue of not less than one hundred and fifty rupees per annum ; or

(*c*) is the assignee of land revenue amounting to not less than one hundred and fifty rupees per annum ; or

(*d*) pays rent of not less than two hundred rupees per annum as an *ex*-proprietary tenant of agricultural land ; or

(*e*) pays rent of not less than three hundred rupees per annum as a tenant, otherwise than in *ex*-proprietary right of agricultural land of which he has been such tenant during the three years preceding the date of publication of the electoral roll ; or

(*f*) was assessed to income-tax during the financial year preceding the date of publication of the electoral roll. The total number of electors enrolled on the last list was 4,339 distributed according to the qualifications enumerated above as follows :—

| | |
|---|---|
| (*i*) | 3,400 |
| (*ii*) | 1 |
| (*iii*) | 51 |
| (*iv*) | 0 |
| (*v*) | 135 |
| (*vi*) | 752 |

Of the total number of electors, 2,597 were enrolled in the Ajmer Municipality, 941 in the Beawar Municipality, 355 in the Kekri and Deoli Municipalities and the Nasirabad cantonment, and only 466 in the rural areas. I enclose a statement* showing the distribution according to castes from which it will be seen that Mahajans at present form more than 1/3rd of the total electorate.

It is clear that the existing qualifications give an altogether disproportionate number of votes to the urban population. For at the last census the urban population of the district was returned as 180,199, *i.e.*, about 1/3rd of the total population, whereas 3,893 electors out of 4,339 represented urban interest.

* Page 464.

Working on the basis of the qualifications described above, I make the following suggestions for widening the electorate :—

(*a*) In the Ajmer Municipality owners of house property valued at not less than 1,500 or occupiers of premises of which the rent is not less than Rs. 150 a year are, *ceteris paribus*, eligible to be enrolled as electors for Municipal elections. The number actually enrolled with these qualifications is :—

| | |
|---|---|
| House proprietors .. .. .. .. .. | 4,718 |
| Rent payers .. .. .. .. .. | 1,229 |
| | 5,947 |

I think these figures (Rs. 1,500 and Rs. 150) might be adopted instead of the present figures (Rs. 5,000 and Rs. 300) under qualification (*a*). With the present figures this qualification enfranchises 3,400 electors. If the figures were reduced as suggested the number of electors under this head might perhaps be increased to about 10,000.

(*b*) This qualification of ownership of land assessed to land revenue of not less than Rs. 150 per annum has resulted in the inclusion of only one elector in the roll. Obviously the figure is far too high. It might be reduced to Rs. 20. This would enfranchise approximately 3,000 persons.

(*c*) Similarly, the figure under this head should be reduced from Rs. 150 to Rs. 20. This would bring about 100 assignees of land revenue on to the electoral roll.

(*d*) This qualification might be omitted. No one is at present enrolled as an *ex*-proprietary tenant and the distinction between ex-proprietary tenants and other tenants should be omitted in qualification (*e*).

(*e*) If the figures were reduced from Rs. 300 to Rs. 50 about 1,000 more tenants of agricultural land might be enrolled as electors.

(*f*) At present there are 752 income-tax assessees on the electoral roll. The lowering of the exemption limit will probably raise the number of assessees by about 2,000.

As a further measure to increase the voting strength of the rural area I suggest that all Government pensioners, head Bhumias, and village headmen should as such be electors. There are a number of military pensioners—especially in Merwara—who might otherwise not be eligible for inclusion in the electoral roll. The total number may be about 1,500. The Bhumias hold a position of some influence in the villages of the Ajmer sub-division. There are 87 Head Bhumias. Village headman are the recognised representatives of their villages. The number varies in accordance with the size of the village. Some villages have only one : others have several. Taking two as the average number per village there would be about 1,500 for the 750 villages of the district. The appointment of headman in khalsa villages is usually— according to village

custom— hereditary but where the appointment does not, or for any reason cannot, pass from father to son, a vacancy is filled by appointing the candidate who is elected by a majority of the khewatdars who will have to pay their land revenue through him, if he is not otherwise disqualified. There is not the same system for appointing headman in villages in Istimrari and Jagir estates but such villages usually have their headmen and it should not be difficult to arrange that each such village should have one or more who could be enrolled as electors as the accredited representatives of their villages or 'thoks'. Presumably many of the village headmen will be entitled to be electors in their individual capacity as owners of land assessed to land revenue, if qualification (*b*) is widened as suggested above, but if they are made electors in their representative capacity the whole of the rural population will thus to some extent have a voice in elections through their recognised representatives. It might also be possible to allow each co-operative society to nominate an elector to represent it. There are about 600 such societies in the district.

If the qualifications I have suggested are adopted, I estimate that an electorate of about 20,000 would be secured. It is not possible at present to give anything but very approximate figures. The number of electors, however, under the various categories may roughly be estimated as follows :-

| | |
|---|---|
| Qualification (*a*) .. .. .. .. .. | 10,000 |
| ,, (*b*) .. .. .. .. .. | 3,000 |
| ,, (*c*) .. .. .. .. .. | 100 |
| ,, (*d*) } ,, (*e*) } .. .. .. .. .. | 1,150 |
| ,, (*f*) .. .. .. .. .. | 2,250 |
| Government pensioners .. .. . .. | 1,500 |
| Bhumias .. .. .. .. .. .. | 87 |
| Village Headmen .. .. .. .. .. | 1,500 |
| Representatives of Co-operative societies .. .. | 600 |
| Total .. | 20,187 |

5. I am not in favour at present of prescribing any special qualification for women. I consider that they should be admitted to the suffrage on the same terms as men. The proposal that the wives and widows of men entitled to vote under the property qualification seems to me to have little to recommend it. In nine cases out of ten the practical result would be to duplicate the husband's vote thus giving to the property qualification an excessive representation while at the same time it would enhance the urban voting power as compared with the rural and the Hindu as compared with the Muslim.

6. *Literary qualification.*—I am opposed to the introduction of a qualification based on education independently of property, for I can discover no satisfactory criterion for weighing votes on the score of superior intelligence. No certificate of scholastic attainments that I am aware

of would constitute any safe guarantee that its possessor would use his voting power intelligently for the benefit of the community at large, nor do I consider that the possessor of such a certificate uses his voting power with more political insight than many a thoughtful uneducated artisan. Moreover, without any formal advantage in voting power, the educated classes are always likely to exercise great indirect electoral power and their interests are not likely to suffer from inadequate representation or incompetent advocacy.

7. I consider the suggestion that each community should be given a voting strength proportionate to its numbers as an unpracticable proposition, if the franchise qualifications are to be the same for all communities. For obviously if qualifications are to be retained, the community which has the greater number of members possessing those qualifications must have the greater proportional voting strength and the only method of adjusting the strength of the electorate to the numbers of a particular community is by varying the voting qualifications.

8. *Military service qualification.*—I consider that the existing military service qualification should be retained and should be extended to include service in the Auxiliary and Territorial Forces. At present these qualifications apply to Provincial Legislative Councils only, but as Ajmer-Merwara has no provincial legislature I consider that they should be included so far as Ajmer-Merwara is concerned in the qualifications for the Federal Houses Electorate.

9. *II—The Federal Legislature.*—In asmuch as Ajmer-Merwara has no provincial legislature and so far as I know it is not proposed that it should have one, the greater part of this section of the questionnaire does not concern this administration.

Seeing that 4/5th approximately of the population of Ajmer Merwara are Hindus, the question arises whether any special arrangement is required to obviate the inevitable result that the Province will always be represented in the Federal Chamber by two Hindu members. It has been suggested that in order to secure representation for Muslims the representative in the Upper Chamber should be a Muslim when the representative in the Lower House is a Hindu and *vice versa*.

Such an arrangement would not in my view be satisfactory for it would give excessive representation to the Muslim minority.

Moreover, the selection of both members by direct election would run counter to the principle which will be applied in other Provinces for it seems probable that the British Indian members of the Senate will be elected by the Provincial legislatures, to secure the natural character of a federal polity that the federating units as such should be represented in the structure of the common Government. On this analogy the representative of Ajmer-Merwara in the Upper Chamber should represent the governing body of Ajmer-Merwara. In the absence of a provincial legislature the only method by which this desideratum can be secured is by an arrangement by which this member is nominated by the authority responsible for the Government. Such a system of securing representation would doubtless not accord with procedure in other Provinces. But

different conditions require different treatment and if Ajmer-Merwara is to be a separate unit in the federal polity I regard it as of paramount importance that its Government should have some method of representing its views in the Federal House. The only other suitable alternative would be for the member of the Upper Chamber to be selected by indirect election through the Municipal and District Boards. I make these remarks on the assumption that Ajmer-Merwara will be a *quasi*-federal unit and will be represented as proposed by the Federal Structure Sub-Committee in the Federal House, but I am far from the opinion that the Government of an isolated unit like Ajmer-Merwara can suitably be entrusted to a federal body sitting in Simla and Delhi the members of which will be entirely ignorant of local conditions and will be occupied with affairs of far wider interest. Moreover it is impossible that the States will agree to the proposed representation of Ajmer-Merwara in both Houses unless they are accorded similar representation in proportion to their size and population.

## Castes of electors in Ajmer-Merwara Constituency of the Legislative Assembly, 1930.

| Numbers and Names of Sub-Divisions. | Brahmans. | Rajputs. | Mahajans. | Kayasthas. | Malis. | Gujars and Jats. | Moha-medans. | Christians (includes Europeans and Anglo-Indians.) | Others. | Total. |
|---|---|---|---|---|---|---|---|---|---|---|
| I. Ajmer Municipality .. | 281 | 15 | 729 | 150 | 55 | 7 | 584 | 129 | 647 | 2,597 |
| II. Beawar Municipality .. | 78 | 5 | 555 | 19 | 23 | 7 | 99 | 7 | 148 | 941 |
| III. Kekri Municipality .. | 4 | .. | 47 | 2 | .. | 3 | 9 | .. | 5 | 70 |
| IV. Deoli Municipality .. | .. | .. | 11 | .. | .. | .. | .. | .. | 1 | 12 |
| V. Nasirabad Cantonment .. | 4 | 3 | 100 | .. | | .. | 90 | 50 | 20 | 273 |
| VI. Ajmer rural area .. .. | 19 | 13 | 64 | .. | .. | 5 | 19 | .. | 3 | 123 |
| VII. Beawar rural area .. | .. | .. | 7 | .. | .. | .. | .. | .. | 3 | 10 |
| VIII. Todgarh Tehsil .. | 1 | .. | 20 | .. | .. | .. | .. | .. | 2 | 23 |
| IX. Ajmer Istimrari area .. | 1 | 26 | 20 | .. | .. | 37 | 1 | .. | 11 | 96 |
| X. Kekri Istimrari area .. | 3 | 75 | 50 | 5 | 3 | 35 | 2 | .. | 21 | 194 |
| Total .. | 391 | 137 | 1,603 | 176 | 87 | 94 | 804 | 186 | 861* | 4,339 |

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* Includes Parsis, Sikhs, etc.