

Chapter-V-f

Police Administration

I

Due to the meagerness of source material it is not possible to examine the police administration of English Bazar town specifically but going through an extensive history of police administration of the country as well as Bengal Presidency we get some idea about the police administration of the town.

In ancient India the indigenous system of police were organized on the basis of land tenure and so the land-holder and later on Zamindar was primarily responsible for the public peace and order of region. Under the large Zamindars there were a number of subordinate tenure-holders. All of whom were required in their degree to perform police duties in their respective areas and were responsible for the public peace which rested upon the Zamindars for the whole estate. And finally, there was a joint responsibility of the villagers. This village responsibility was enforced through the village headman, who was always assisted by one or more village watchman. These later were the real executive of police of the country. Although, there was only one watchman for every village but when necessity arose they were assisted by all the male members of his family and other village servants and in some cases by the whole village community. The main duties of a village watchman was to keep watch at night and find out all arrivals and departures, observe all strangers and report all suspicious persons to the headman. In large town the administration of police was entrusted to an officer called the 'Kotwal', who usually paid a large salary to defray the expenses of a considerable establishment of police.¹

Abul Fazal mentioned that the police administration under Mughals followed closely to the indigenous line of the country. The Kotwals of cities, kusbahs, towns and villages in conjunction with the royal clerks was responsible for the maintenance of a register of the houses and buildings of the specific areas including a particular description of the inhabitants of each habitation. They were under the prefect of each district who was responsible for the police administration of the district. Secret intelligencers and spies were appointed in every district to collect information of any

theft, fire and other misfortune may happen. A certain number of persons were also appointed to each district to patrol by night in cities, towns and villages.²

The system was no doubt well suited but owing to the lack of effective control, from the top of the administration the extortion and oppression flourished unchecked through all gradation of the officials responsible for the maintenance of peace and order.

II

This was the state of things when the British came into power and introduced certain reforms in this field. First of all they had decided to retain the village system and to improve the machinery for better supervision. Though the method adopted by the Britishers were differed somewhat in different provinces. The first step in this direction was taken to relieve the Zamindars of their liability for police administration³ and henceforth the village watchman were (by section of Regulation XXII of 1793) declared subject to the orders of the newly appointed darogas and become dependent on the regular police force, though they remained in some respects the private servant of the Zamindars.⁴ The charge of a daroga was on an average about 20 square miles and he had 20 to 50 burkundazes worked under him. All the watchman of village establishments was subjects to his orders. The maintenance and protection of law and order of the cities was vested on the office of 'kotwal' as it existed and a daroga was appointed for each ward of the city. During later period the expenditure involved in city police levied from the inhabitants by an assessment on each house and shop.⁵ The above mentioned reforms were produced no satisfactory result. There was tremendous increase of crime in every-where.⁶ Consequently, Lord Wellesley constituted an inquiry committee to find out the causes of the failure of the above mentioned reforms in police administration in Bengal. Court of Directors also appointed a special committee of their own in 1813 to institute an inquiry into the administration of justice and police in the Company's territory in India. In 1814 the Court issued orders on the subjects and condemned the establishments of darogas and their subordinates and they insisted strongly upon the maintenance of the village police. They pointed out that the village police secured the aid and co-operation of the people at large to maintain peace and order in Bengal because it is organized according to their customs. The Court therefore directed that measures should be taken to re-establish the village police agreeably to the practice

of the country and where it was in a neglected condition it should be restored to its former efficiency. The Court finally directed that the duties of Magistrate and the control of police should be transferred from the Zilla Judge to the Collector. Sir Thomas Munro and Mr. Stratton were appointed Commissioners to carry out these instructions in Madras and on their recommendation Madras Regulations XI of 1816 was passed for the purpose of establishing a general police system throughout the presidency. In Bombay effect was given to the views of the Court of Directors by Regulation XII of 1827, which established a system of police "founded chiefly on the ancient usages of the country".⁷ In Bengal, owing mainly to the permanent settlement and the consequent absence of the subordinate revenue establishments found in Madras and Bombay, it was impossible to abolish the daroga and his man. But some attempt had been made in 1811 to curtail his powers for evils. Meanwhile, an important step taken in 1808 towards the police administration in Bengal was the appointment of a Superintendent in Bengal or the Inspector-General of Police for the Divisions of Calcutta, Dacca and Murshidabad. This office was constituted for the purpose of concentrating information obtainable from different parts of the country with a view to more extensive operations for securing the peace and for the discovery and seizure of gangs of dacoits. The results obtained by the Superintendent of Police were so satisfactory that in 1810 the system was extended to the Divisions of Patna, Benaras and Bareilly.⁸

In 1829 Divisional Commissioners or Commissioners of Revenue and Circuit were first appointed and the office of Superintendent of Police was abolished mainly on the ground of heavy expenses. Hence the Collector-Magistrate became the head of the police while the functions of Superintendent were performed for each Division by the Commissioner. These changes were followed by deterioration in the state of the police administration⁹ which led to the appointment of a Select Committee in 1832. The report of the Select Committee of 1832 expressed the view that the subordinate staffs of the police administration were corrupt, inefficient and oppressive. While the Superior officers, owing to the multiplicity of their duties were unable to exercise an adequate supervision. No immediate action was taken except in Bengal where a committee was appointed to draw a plan for more efficient police organization. But nothing was done immediately.¹⁰

After the annexation of Sind in 1843, Charles Napier organized a regular police force for Sind which was completely different from the police organization of the rest of the country. In Sind it was completely a separate organization having no other functions to perform. This characteristic of the system attracted the attention of Sir George Clerk, the Governor of Bombay, and accordingly in 1853 the Bombay police was remodeled on the basis of Sind police organization. The chief features of the reforms was the appointment of a Superintendent of Police in every district who were generally subordinate to the Magistrate and had exclusive control over the police administration. Below to the Superintendent there were native officers in each tahasils under the subordinate to the tahasildar.¹¹

Madras was the next province introduced reforms in police administration and constituted a Commission in 1855 which brought to light great abuses in the working of the police in that province. The Commission recommended the separation of revenue and police functions and the placing of the police establishments under independent European officers who would be able to give their undivided time and energies exclusively to the control of the force. The Madras Government accepted these views and recommended the appointment of a Superintendent of Police for each district and two Superintendents in case of the larger districts. They also strongly advocated the appointment of a Commissioner of Police for the whole presidency as a central controlling authority. These proposals were accepted and a Bill was passed into law as Act XXIV of 1859 with some modification which placed Superintendent under the order of District Magistrate. After annexation of Punjab in 1849 a police force was organized on the lines of the Sind police.¹²

But the heavy expenditure involved in police administration throughout the country proved a serious financial burden and in 1860 the Government of India appointed a Commission to inquire into the whole questions of police administration in British India and to submit proposals for increasing the efficiency and reduction the excessive expenditure.¹³ The constitution and recommendation of the Commission of 1860 was a landmark in history of police administration in India. Practically the modern police administration of India was based on the recommendation of the Commission of 1860.

The Commission recommended the abolition of the military police as a separate organization and the constitution of a single homogeneous force of civil

constabulary for the performance of all duties. To secure unity of action and identity of system the general management of the force in each province was to be entrusted to an Inspector-General. The police in each district were to be under a District Superintendent, who in the large districts have an Assistant District Superintendent and both these officers being Europeans. The subordinate force recommended consisted of Inspectors, head constables, sergeants and constables, the head constable being in charge of a police station and Inspector of a group of stations. No mention is made of any police officers of the rank of Deputy Inspector-General, but the Commission recommended that Commissioners of Division should cease to be Superintendent of Police. On the subject of the relations between the Magistracy and the police their conclusions were that no magistrate of lower grade than the District Magistrate should exercise any police functions. The Commission submitted the Bill which was passed into law V of 1861. Accordingly the police forces of various provinces were organized on the general line laid down by the Police Commission of 1860. Though there have been some differences of minor importance between provinces to province.¹⁴

When the new police force was first constituted according to the recommendation of the commission its officers were largely drawn from the commissioner ranks of the Native Army, but for various reasons this source of recruitment become gradually closed and police officers were appointed by nomination. This method of selection was condemned by the Public Service Commissions and since 1893 recruitment in most provinces has been by competition in England, in India and by the promotion of officers already in the public service.¹⁵

The system introduced in 1860¹⁶ was a wise and efficient system. But following points weaken the system.

1. The concept co-operation of village police with the regular police was a lost sight.
2. The important of police work has been under-estimated and responsible duties have ordinarily been entrusted to uneducated and ill-educated officers.
3. The supervision has been defective owing to the failure to appoint even the staff contemplated by the law and to increase that staff with the growing necessities of administration.

The superior officers of the department have been insufficiently trained and out of touch with the people and their own subordinates.¹⁷

However, it worked throughout the country quite satisfactorily. But in early eighties the Government of India and the Government of Bengal had been examine the working of the police and came to the conclusion that the appointment of a General Commission to investigate the problem of police throughout India is necessary. Accordingly a Committee was set up to enquire minutely into the causes of deficiency and to give advice of necessary remedy. Mr. J. Beames, Commissioner of Bhagalpur was appointed as President of the Committee and started work in August 1890. The Committee made some recommendation¹⁸ of which following were given effect to at once-

1. That no stoppages should be made from the pay of recruits on account of uniform and clothing allowances and that a free kit should be given to them on joining.
2. That no deduction should be made on account of the obsolete superannuation fund.
3. That the fourth grade of constables on Rs. 6 a month should be abolished in the districts of Bengal proper.

Apart from the above mentioned reforms the proposals regarding the recruitment of Sub-Inspectors by competitive examination was introduced at once. The proposals for redistribution of force were introduced gradually in ten years. But the scheme did not come into full effect till 1902-03, the year when the report of the Indian Police Commission of 1902-03 was published¹⁹ in May 1903.²⁰ The Government of India accepted the recommendations of the Police Commission of 1902-03 with a few exceptions and some modifications in March 1905.²¹ For example, orders have been passed that no officers of a lower grade than that of a Superintendent of Police should be placed in charge of the police of a district and there should be one Assistant and Deputy Superintendent in every district. The Inspector circles should be consisting of five to eight police-stations and each police-station should be under the charge of a Sub-Inspector. A head constable should be attached to every police-station to perform the duties of Station Writer. Other recommendations relating "Recruitment and Training", "Pay", "Strength", "Disciplines" etc were also accepted²² and orders have been passed accordingly.

The important recommendations relating municipal police, commission said that "In some provinces the police employed in the municipal towns, other than three presidency towns and Rangoon, which have been dealt with already, are paid wholly or in part from municipal funds. It is objected to this system that much-needed improvements are prevented by the inability or unwillingness of the municipal bodies to meet the necessary increased expenditure. The police in such towns are generally under-manned, there are no reserves, and an inferior agency is employed because it is cheaper. The Commission also recognized that the cost of the police is a fair charge upon municipal revenues, but for the reasons just stated the system does not work well. They consider therefore that in general the charge should be transferred to provincial revenues, which should, in turn, be relieved of expenditure on other departments which municipalities can better control. The important consideration is that the municipal police must form an integral part of the provincial police force and be under the undivided control of the provincial authorities.²³ The Government of India deferred on this part of the proposals of the Commission and the proposal was pending for final consideration.²⁴ This is the History of Police Administration of British India as well as Bengal presidency it was more or less remained same till independence.

III

As far the police administration of the English Bazar town is concern, the Municipal force at the end of 1872 consisted of 2 officers and 32 men, maintained at a total cost of Rs. 235.5.4 a month. The Census Report returned containing a population of 12859, giving an average of one policeman to every 476 of population. The annual cost of the municipal police, as compared with the population protected, amounted in 1872 to 2 annas 5 pies per head of the population.²⁵ The following table shows the strength and cost of the Municipal Police of English Bazar town till 1880-81.

Table-1

Strength and Expenditure of Town Police								
Name of Town	Acts under which Police Force entertain in them	No of houses	population	Strength of Police		Annual Receipts and Expenditure		
				Head Constable	Constable	Total of Receipts of Municipality	Cost of Police	
							Paid from Municipal fund	Paid from Imperial fund
1	2	3	4	5	6	7	8	9
1865-66						524	338	186
English Bazar 1869	Act VI of 1868 and Act V of 1861.	2675	739 4	1	28	2143	2143	None
1881-82							2073	

Source: Report of the Police of the Lower Provinces of the Bengal Presidency for the year 1869, by Colonel A. H. Paterson, (Calcutta: Alipore Jail Press, 1870), 267.

After the submission and acceptance of the Indian Police Commission of 1902-03 by the Government of India, along with other town, the Municipal Police of English Bazar town was made over to the District Superintendent in April 1869.²⁶ Henceforth, the police administration of the town was rested upon District Superintendent of Police.

The only jail of the district of third class category was situated in English Bazar. The average number of prisoners daily in 1910 was 156. The accommodation strength of the jail in 1910 was 159 for male prisoners and 4 for female prisoners.²⁷

Notes and References

¹ Report of the Indian Police Commission, 1902-03, Submitted by H. A. Stuart, Secretary of the Commission, (Simla: The Government Central Printing Office, 1903), 4.

² Ibid. 4.

³ Ibid. 6.

⁴ Ibid. 6.

⁵ Ibid. 6.

⁶ Ibid. 6.

⁷ Ibid. 6.

⁸ Ibid. 7.

⁹ Ibid. 7.

¹⁰ Ibid. 7.

¹¹ Ibid. 9.

¹² Ibid. 10.

¹³ Ibid. 7.

¹⁴ Ibid. 11.

¹⁵ Ibid. 12.

¹⁶ Ibid. 12.

¹⁷ Ibid. 12.

¹⁸ Ibid. 83-87.

¹⁹ Ibid. 83-87.

²⁰ W. R. Gourlay, *A Contribution towards the History of Police in Bengal*, (Calcutta, Bengal Secretariat Press, 1916), 89.

²¹ W. R. Gourlay, *op.cit.* 143.

²² *Ibid.* 143.

²³ Report of the Indian Police Commission, *op.cit.* 75.

²⁴ W. R. Gourlay, *op.cit.* 149.

²⁵ W.W. Hunter, *A Statistical Account of Bengal*, Voll-VII, (Delhi: D. K. Pub. House, 1974), 111.

²⁶ Report of the Police of the Lower Provinces of the Bengal Presidency for the year 1869, by Colonel A. H. Paterson, (Calcutta: Alipore Jail Press, 1870), 267.

²⁷ W.W. Hunter, *op.cit.* 84.