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Crime and Policing in the 19th century: A study of Crime, Colonial Police and Justice in Bengal

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Abstract

Crime in 19th century Bengal is a composite phenomenon and it is deeply connected with social, economic and political conditions. This paper explores the prevalence of various forms of crimes in Bengal such as dacoity, murder, theft, forgery, embezzlement, swindling and counterfeiting. It examines the socio-economic causes of these crimes and strategies taken by the British government to deal with the criminals. The British administration enacted several regulations at different times to curb crime and maintain law and order. But the government's efforts to prevent crime often got hindered by corruption, systematic neglect of duty and incompetence displayed by the colonial police. Police officers often colluded with the criminals, hushed up evidences, favoured rich and denying justice to the poor. This paper also highlights the connection between famine, economic distress and increasing crime rates suggest that the colonial law enforcement could not address socio-economic grievances with much efficiency. This study argues that colonial police was largely ineffective in preventing crimes and often aggravated the law and order and security problems already faced by the common people rather than resolving it. By analysing archival records, scholarly articles, and books written by eminent historians, this article sheds light on the intersections of crime, class, caste and colonial governance in 19th century Bengal and argues that the inefficiency and corruption of colonial police was central to the persistence of crime in Bengal.

Keywords: Crime, Criminals, Colonial, Bengal, British, Corruption, Police, 19th century.

I. Introduction: Crime is a pervasive phenomenon that has plagued societies throughout history. Criminal activities have far-reaching consequences. These affect individuals, communities, and nations alike. Crime can be defined from various perspectives. Crime can be defined as an act that violates the laws of a particular society. It encompasses a wide range of offenses from minor misdemeanors to serious felonies. In a sociological context, crime refers to those activities that violate the norms, values, and expectations of a society. Emile Durkheim defines crime as a normal and necessary aspect of a society as it helps to reinforce social norms and collective values. According to him, societies where crime rates

are low are in risk of social stagnation as rigid norms and lack of change can hinder progress.¹ On the other hand, excessive crime rates could indicate a breakdown of social order and cohesion. Durkheim holds that the occurrence of crime helps to maintain social equilibrium and collective consciousness.² From a psychological standpoint, crime is often seen as a manifestation of an individual's antisocial behavior which arises from various personal, environmental, and genetic factors. Cesare Lombroso in his work "Criminal Man" proposed that criminals were 'born criminals' with specific and psychological characteristics that made them separate from the rest of the society.³ Albert Bandura examined how the behaviour of individuals can be shaped by their social environment. Bandura's research shows that criminal behaviour can be acquired through observational learning and imitation.⁴ On the other hand B.F. Skinner's work on operant conditioning show how environmental factors and reinforcement can influence criminal behaviour. He has shown the role of rewards and punishments in shaping individual actions.⁵

Criminal activities existed in ancient and medieval India, like any other society. Theft, robbery, murder and other forms of crime were present. Banditry was common and they operated in remote areas. They attacked travelers and villagers. They engaged in looting and plundering. There were instances of counterfeiting coins leading to economic instability as it took place during the reign of Muhammad Tughluq. Maritime piracy was a concern in coastal regions. Pirates targeted ships and communities residing in coastal regions. This resulted in the disruption of trade and commerce and endangering of sailors' lives. Apart from these crimes like cattle theft, crimes against royalty and nobility, crimes against women which included abduction and sexual oppression, and property crimes were more common.

During the colonial rule in India, the nature of criminal activities underwent significant changes. The colonial administration-controlled trade and economy. This led to a shift in criminal activities. Smuggling and tax evasion became more prevalent to evade British imposed tariffs. Colonial India saw an increase in the political crimes and acts of resistance against British rule. Exploitative economic policies of the British government led to impoverishment in certain regions. This economic disparity contributed to crimes such as property theft. The British introduced new technologies like railways which sometimes facilitated criminal activities like train robberies. White collar crimes like embezzlement, bribery and fraud became more prominent.

Albert Bandura's theory can be applied in the case of crime in Bengal. Suranjan Das has mentioned one case where an individual who have not committed crimes earlier joined a dacoit gang due to the ecology of that area. Suranjan Das termed this as a 'social ecology of

¹ Cited in Mukul Kumar, "Relationship of Caste and Crime in Colonial India: A Discourse Analysis", *Economic and Political Weekly*, Vol.35, No.10 (2004), 1078

² *Ibid*

³ Cited in Clive. R. Hollin, *Psychology and Crime: An Introduction to Criminal Psychology* (London and New York: Routledge, 1989), 23

⁴ Cited in *ibid*, 42

⁵ Cited in *ibid*, 39

the criminal area.⁶ Local or family acquaintance had a considerable role to play in this context. A Dacoit named Sunath Haree confessed before J. Ward, the Commissioner for the Suppression of Dacoity. He said that, "It so happened that Gosain Dass Haree Surdar and myself were residents of the same place, ... (His) nephew is married to my sister, and the surdar himself is my son-in-law. One day as we sat drinking (he) ...through persuasions got me to consent to join him in a dacoity."⁷

B.F. Skinner has shown the important role of rewards in shaping criminal behaviour. Many people in Bengal had joined dacoit gangs for the prospect of immediate gain. Here 'immediate gains' can be termed as 'rewards. In one case, an accused had a neighbour who used to bring him ornaments, vessels, and clothes for valuation. When he learned that these acquisitions were the result of dacoities he, too, got enticed to join the profession.⁸ In another case, a person Dhamu Mundal who was not a dacoit before, had dealings in silk with his neighbour Prosad Ghoraut without knowing that he was a dacoit, but once he learnt Ghoraut's identity he also got lured into committing dacoities.⁹

Criminologists like I. Taylor, Walton and Young are of the view that society is best seen as a collection of competing diverse groups. These groups are in conflict regarding unequal distribution of wealth and power within society, some are poor and dissatisfied while others are wealthy and powerful. This inequality in the distribution of power creates a social atmosphere based on conflict which in turn promotes crime.¹⁰ This theory can be applied to the society of Bengal. After the establishment of the British rule in Bengal, the English East India company established an exploitative land revenue system in which the ryots were oppressed to a greater extent. The revenue demand was high and it remained the same even at the time of Famine of 1770. This has a disastrous effect on the majority of Bengali population. Many paiks had lost their employment due to the breakdown of traditional zamindari establishment as a result of the introduction of Permanent Settlement in 1793 where the gomasthas, or other middlemen mostly benefitted who were entrusted with the task of revenue collection from the zamindars and the ryots. The colonial government gave birth to inequality which in turn led to conflict between the rulers and the ruled. Many people resorted to crimes like dacoity as it was only means of survival at that time.

II. History of Crime in 19th-century colonial Bengal: In the history of 19th-century colonial Bengal, several forms of crime were prevalent. These are dacoity and robbery, theft and burglary, counterfeit and forgery, murder, embezzlement, swindling, pilfering, embezzlement and so on. This section will briefly analyze the different forms of crime which prevailed in Bengal at that time.

⁶ Suranjan Das, "Behind the Blackened Faces: The 19th century Bengali Dacoits", *Economic and Political Weekly*, Vol. 42, No.35, (2007), 3575

⁷ *Ibid*

⁸ *Ibid*, 3576

⁹ *Ibid*

¹⁰ Cited in Hollin, *Psychology and Crime*, 6

(a)Dacoity: Dacoity is term which is used to describe organized form of robbery or banditry. It involves a group of armed individuals who forcefully enter a place such as home, a business centre, or a vehicle and rob valuable goods, money or other items. The dacoits use weapons and intimidation to carry out their criminal activities. In the context of nineteenth century Bengal, Suranjan Das describes dacoity as a predominantly rural phenomenon.¹¹ He has shown three major forms of dacoities prevalent in Bengal at that time. These are: - (a) dacoities committed by the immediate neighbours of the party robbed. (b) dacoities committed by “bands of up-countrymen” passing up and down the Ganges and Yamuna in boats. (c) dacoities related to affrays.¹²

John MacLane argues that the typical Bengali bandit gang of the early nineteenth century was made up of lowland villagers who were not born robbers.¹³ They were not hereditary tenants and therefore tended not to be bound tightly to a single village community or a parcel of lands.¹⁴ Suranjan Das argues that the accused in dacoity cases were overwhelmingly from the subordinate social groups of both Hindu and Muslim communities who did not know how to read or write.¹⁵ The zamindars, gomasthas and other officials of cutcherries were also connected with dacoit gangs although they did not directly participate in the raids. Apart from that, Bagdis, Koibartas, Telees, Manjhis, Santhals, Chamars, Chuars, Goalas, Chandals, Harees, Gosains, Napits, Koormees, Rajputs, Brahmins also participated in dacoities. There were instances of people from humble social background also joined dacoity to amass their economic fortune.¹⁶

The typical dacoity in the nineteenth century Bengal was committed on a dark night when the moon was at most silver.¹⁷ The members of the gang are recruited from various castes and groups. They usually slipped out of their huts at night and assembled in a pre-arranged spot. The sirdar of the gang conducted Kali Puja and gave each man a sip or a dab of liquor from the same cup on the forehead of each member of their group. Then the sirdar asked if all men were of one mind. After that the sirdar assigned a particular task to each member. The latter was also informed of their share of the loot. En route they were alert to omens such as an owl hooting, a jackal crossing their path, or a lizard making the ‘tik-tiki’ noise.¹⁸ They considered these as bad omens and aborted their plan immediately. After they considered all omens are satisfactory, they attacked the house or houses identified with torches, spears, lathis. Generally, a disloyal house servant or village watchmen informed the dacoits about the houses where most valuables were to be found. After robbing the designated houses, they fled to their dens and the sirdar distributed the

¹¹ Das, *Behind the Blackened Faces*, 3574

¹² *Ibid*

¹³ John R. McLane, “Bengali bandits, Police and Landlords after the Permanent Settlement”, in *Crime and Criminality in British India*, ed. Anand A. Yang et al (USA, University of Arizona Press, 1985), 27

¹⁴ *Ibid*

¹⁵ Das, *Behind the Blackened Faces*, 3575

¹⁶ *Ibid*

¹⁷ MacLane, “Bengali Bandits”, 26

¹⁸ *Ibid*

promised share of the loot among the members. Apart from that, local mahajans, gomasthas, amlas of zamindars, small landholders, shopkeepers, dyers, coppersmiths, goldsmiths etc, acted as receivers of looted properties.¹⁹ Women also acted as a receiver of property.²⁰ Men suspected of being dacoits often gave the village watchmen or landlord's agent a present to assure his silence about their absence on that night.²¹ Almost all the dacoits would resume their ordinary lives, as typically field labourers, cowherds, palanquin bearers, village watchmen, or lathials.²² In the nineteenth century, robberies with 'ranapa' were common in Birbhum district.²³

The growth of gang robbery by lowland villagers at the turn of the century was undoubtedly a consequence of the Cornwallis administrative reforms of the early 1790s rather than of changes in the economic production patterns.²⁴ The Cornwallis reforms altered land revenue obligations and tenant-landlord relations as well as the organization of the police and Judicial systems. Changes in each of these areas contributed to the rise in banditry.²⁵ Apart from that the nexus between the food scarcity and dacoity is evident throughout Bengal.²⁶ There was a sharp increase in the number of dacoities in Bengal during the famine years of 1866, 1873-1874, and in 1896-1897.²⁷ Sharp increases in food prices followed by the dramatic increase of this category of crime. Dacoities in Bankura, Midnapore, Birbhum, Burdwan were committed by starving people chiefly for the purpose of food. Foodgrain was the chief item to be robbed by the dacoits at that time. Tribes like Lodha and Bhumij also resorted to dacoity at the time of scarcity. However, petty farmers, village artisans did not participate in plundering food grains at the time of crisis.²⁸

Another type of dacoits termed as 'urban dacoits' can be seen in nineteenth century Calcutta who posed a challenge to rich inhabitants as well as police who were expected to protect them.²⁹ The city was ruled by the British officials during the day, and by dacoits at night.³⁰ The travellers could not pass through Baitakkhana, Kalighat road, Chitpur road without being robbed at night. Like the rural dacoits, the urban dacoits did not loot the houses of zamindars after giving a prior notice, or loot granaries and food grains. Their major victims were rich English and Bengali traders. Major commercial establishments, jewellery shops and banks became major targets of their attacks. As the British government

¹⁹ Das, *Behind the Blackened Faces*, 3574

²⁰ *Ibid*

²¹ *Ibid*

²² *Ibid*

²³ Milan Roy, "Crime and Dacoity among the Bagdi Community in Colonial Bengal", *Proceedings of the Indian History Congress*, Vol.76 (2015), 377

²⁴ MacLane, "Bengali Bandits", 27

²⁵ *Ibid*

²⁶ Arun Mukherjee, "Scarcity and Crime: A study of 19th Century Bengal, *Economic and Political Weekly*, Vol. 28, No.6, (1993), 237

²⁷ *Ibid*

²⁸ *Ibid*, 240

²⁹ Sumanta Banerjee, *The Wicked City: Crime and Punishment in Colonial Calcutta*, (Hyderabad: Orient Blackswan, 2009), 48

³⁰ *Ibid*

improved the surveillance method to detect criminals in the major urban centres like Calcutta, the urban dacoits adopted silent approach in their activities. They sneaked into jewellery shops and banks and crept into the houses of rich. They thus heralded the birth of urban crime in a modern metropolis.³¹ Another important issue is that urban dacoits did not enjoy popular support as was enjoyed by the rural dacoits. It could have been genuine concerns of the rural dacoits for fellow villagers. Often, they helped the villagers at their time of their distress. In this context the name of Biswanath Bagdi can be mentioned. His gang operated in Nadia, Murshidabad, Jessore, North and South 24 Parganas and Burdwan. Though a dacoit, he was known to show compassion, children and poor people. He was famous for his charity. He enjoyed very little money for his robbery. He spent almost all the money to the poor and vulnerable people. He was considered one of the pioneering personalities in the Blue Mutiny.³² It could be their sheer pragmatic self-interest to buy their support for their own protection, which had earlier prompted them to distribute a part of their booty among the rural poor that led in its turn to their emergence as folk heroes in the countryside.³³ Contrary to this, the urban poor were not a homogeneous community where these dacoits could find their familiar roots, or which they could win over by promises of distribution of wealth from their spoils. Urban dacoits were motivated by pure self-interest.³⁴

According to Ranjit Sen, the dacoits have constructed a trend of social resistance.³⁵ He did not say that dacoity is an act of excellence or generosity.³⁶ In the context of Bengal, he has argued that when the people in Bengal was getting oppressed, humiliated and exploited by the British, when they stood at the confluence of life and death, dacoity became their only means of survival. According to him dacoity in Bengal was an incessant event, it was a permanent terror. Dacoity was only way of their subsistence at that time when there is no other way open to them for their survival. Ranjit Sen holds that when history fails to turn around, the dacoits is turning around the history of incapability of turning around and here lies the importance of dacoity.³⁷

(b) Murder: Murder is the unlawful killing of another human being which refers to a deliberate and premediated intent to cause death or serious harm. In rural Bengal, the killing of individuals except the occasional cases of personal revenge either over love affairs, or in family disputes over property, was the result of collective actions like wars, or gang dacoities. But, in the urban centres like Calcutta, the act of murder was increasingly assuming the character of the individualised crime.³⁸ In Calcutta, there are single assassins

³¹ *Ibid*, 54

³² Roy, *Crime and Dacoity*, 377

³³ Banerjee, *Wicked City*, 54

³⁴ *Ibid*

³⁵ Ranjit Sen, *Banglar Smajaik Dakati: Akti Prathomik Protirodh*, (Translate of *Social Banditry in Bengal: A Study in Primary Resistance*), (Kolkata: Aruna Prakasani, 2006), Preamble, xiv

³⁶ *Ibid*

³⁷ *Ibid*

³⁸ Banerjee, *Wicked City*, 117

who murdered their targeted victims in the desolate streets of Calcutta after dark, or solitary killers on the prowl in the red-light area.³⁹ Some murderers strangled the victims, some used a particular poison for the job.

According to Sumanta Banerjee, most of the murder victims in nineteenth-century Calcutta were women, and prostitutes in particular. He has shown an example of one such murder case, that is the murder of the Rose Brown on 1st April 1868 led to the establishment of a detective department in November 1868.⁴⁰ Banerjee argues that the prostitutes were the main target of murderers in nineteenth century Calcutta. In the year 1868 when Rose Brown was murdered, five other murders took place of which three were prostitutes. Banerjee continues to show that not only men's greed for ornaments made the prostitutes victims of murder but there was a much deep-rooted social motive behind the assault on prostitutes.⁴¹ It was bound up with the entire issue of violence that was crucial to the growth and development of prostitution in nineteenth-century Bengal.⁴² Direct physical violence and aggression drove a large number of women to prostitution. Victims of slavery, trafficking, abduction, abortion, widows and unmarried women drifted in the red-light areas that were coming up in Calcutta and in neighbouring towns.⁴³ Banerjee has also highlighted the life of one woman who refused to play the role of passive victims. She was Trailokya who expropriated the right of murder from male and emerged as a serial killer. Among the murderers of prostitutes were also jilted lovers whose "machismo could be bruised by the mere sight of their favourite prostitutes turning their attention to some rival"⁴⁴. Male possessiveness extended from money and goods to women and prostitutes who were also regarded as personal commodities.⁴⁵

Apart from that murders were also carried out from the ideological motives such as murder of John Paxton Norman and the Earl of Mayo. These events opened a new dimension to the incidence of murder in the colonial environment. Unlike the personal motives of immediate gain or revenge that drove other murderers to make a quick escape after the loot or after carrying out the act of retaliation, the confessions of these murderers highlight a public announcement of their ideological beliefs.⁴⁶

(c) Inhuman treatment of the European masters towards the slaves, the latter turning criminals: The treatment of domestic servants by their European masters cannot be designated as fair and kind. The attitude of European employers towards their Indian menials was tinged with suspicion from day one. It was just a small step from suspicion towards accusation.⁴⁷ Constantly accused for thefts, the servants who might have started as

³⁹ *Ibid*

⁴⁰ *Ibid*

⁴¹ *Ibid*, 120

⁴² *Ibid*

⁴³ *Ibid*

⁴⁴ *Ibid*

⁴⁵ *Ibid*, 121

⁴⁶ *Ibid*, 134

⁴⁷ *Ibid*, 43

menials looking for an honest means of livelihood, eventually internalised these attributes given to them, and finally lived up to the reputation chosen for them as thieves and cheats. Here was a classic example of the working of the theory of labelling that was formulated by the modern sociologist H. S. Becker, which describes how negative labels affect the self-perceptions of the labelled individuals.⁴⁸ Apart from that if a servant escaped from the homes of their masters, it was considered as a crime. It was the job of the police to apprehend them, followed by the punishment of caning and finally returning them to their masters.⁴⁹

(d) Juvenile Crime: C. S. Playdell, Calcutta's Superintendent of Police, list also reveals the growth of juvenile crime which had been generally unknown in the pre-colonial days. One of the accused was a boy called Mooleah, who was frequently punished for robbery, and then "sent over the water". Another boy named Jack, was accused by his employer Cortib, a Portuguese, of stealing a silver spoon. Described as a complete little villain, Jack received five rattans.⁵⁰

(e) European Thieves: This class of criminals consisted of Europeans. Some visited the urban areas like Calcutta as sailors and soldiers and robbed pedestrians, some joined the vagabonds and stragglers for survival, and some decided to stay back and burgle richer homes and establishments.⁵¹ Two European thieves named Warner and Healey created disturbances in Calcutta by carrying out their activities of theft and as they possessed commendable skills in avoiding detection, Calcutta Police faced much difficulty in arresting them.⁵²

(f) Swindling: The business of cheating mainly prevailed in Calcutta at that time.⁵³ It can be classified as urban crime. One of the earliest forms of duping and fleecing unsuspecting strangers that was indulged in by enterprising Bengali tricksters was known as 'kaptani'. The victims were the newly arrived British clerks who came to join the East India Company's service in the early years of the colonial rule. They were taken over by the 'kaptan' the moment they stepped out from their ships. The kaptans spoke English fluently and behaved towards the former with the frankness and good humour. They also honoured them by pronouncing high-sounding titles. But he was soon to fall from the pedestal to which the kaptan elevated him, after they had led him to a shabby hotel where, during his brief stay, he was fleeced of all the money that he had.⁵⁴ The streets of the nineteenth century Calcutta offered a spectacle of a revolving stage for the performance of the numerous types of tricksters classified as direct acts of swindling by

⁴⁸ *Ibid*, 44

⁴⁹ *Ibid*, 45

⁵⁰ *Ibid*, 47

⁵¹ *Ibid*, 69

⁵² *Ibid*, 72

⁵³ *Ibid*, 174

⁵⁴ *Ibid*, 175

the contemporary journal 'Anusandhan'.⁵⁵ Most cunning of such imposters were a gang known as 'Udasi Fakirs'. They usually targeted young pedestrians.⁵⁶

- (g) Counterfeiting:** The proliferations of counterfeiters were noticeable in the nineteenth century Calcutta. It can be examined in the wider context of the trend of replication and imitation within the colonized society.⁵⁷ According to Sumanta Banerjee, at the administrative level, the British rulers were injecting their system on to the pre-modern traditions of Bengal which led to the emergence of this trend. Picking up their language, copying their accent, imitating their manners and lifestyle, and adopting their values and ideas, became essential for certain sections among the first generation of colonised Bengalis in order make their entry into this system as banias, clerks and the professional classes. Sumanta Banerjee argues that parallel to this trend of replication of this model by the upper-class Bengalis in Calcutta, there flowed a simultaneous subterranean stream of covert operation in the city's underworld which replicated the new currency that was introduced by the colonial administration.⁵⁸ The counterfeited coins threatened to subvert the Company's financial transactions in the market. The act was motivated by purely selfish commercial interests.⁵⁹ These coins were mixed with original coins in the market and became indistinguishable. Unlike burglary and murder, counterfeiting could not be easily detected nor the police could apprehend the offenders with ease. The criminal output of counterfeiters had the unique distinction of being accepted by the public for the long period of time. One such counterfeiter was Shyama Charan Mukherjee who circulated his manufactured forged coin for a long period of time.⁶⁰
- (h) Forgers:** Sumanta Banerjee informs about another class of offenders known as forgers emerged in Calcutta who specialised in fabricating false government securities, tampering with its stamp papers, faking signatures on cheques, and manufacturing spurious bank notes. most of them were dependent on their manual skills of copying for fudging documents like securities and cheques, some others took recourse to mechanical tools for manufacturing false notes. Most of these forgers operated in connivance with employees in government offices or banks. But some were patronised by the rich.⁶¹
- (i) Embezzlement:** The term 'embezzlement' means stealing of money by employees from within their workplace as distinct from theft and burglary committed by the outsiders.⁶² It included a wide range of criminals ranging from domestic servants accused of theft in their employer's households to middle-class employees purloining cash from the government offices and efforts. The remarkable feature of this category of crime was the

⁵⁵ *Ibid*, 184

⁵⁶ *Ibid*, 186

⁵⁷ *Ibid*

⁵⁸ *Ibid*, 195

⁵⁹ *Ibid*, 196

⁶⁰ *Ibid*

⁶¹ *Ibid*, 204

⁶² *Ibid*, 218

involvement of educated people or those who were occupying influential positions in government departments or as clerks in private employment. Example: Gholaum Durgah, one of the accused was a duftery or record keeper in the office of L. Clarke, barrister of the Supreme Court, Manuel Mendez, a clerk in the General Post Office of Calcutta.⁶³ The most sensational case was the embezzlement of funds of the Steam Boiler Commission of Calcutta over a period of three years from 1880 to 1883.⁶⁴ The main accused was the Bengali accountant, Tulsi Dass Nundy. But later official investigation revealed that the secretary of the commission, H. J. Madge, and then the Commissioner of police of Calcutta, Henry Harrison was also involved in embezzlement.⁶⁵

III. Strategies taken by the British to curb criminals and their activities: The Company government passed different regulations in due course of time to bring down the rate of crime and to maintain peace and tranquillity in Bengal. Most important of all regulations was Regulation XXII of 1793. This regulation was promulgated by Lord Cornwallis. This regulation stripped the zamindars of their police powers and made the Company responsible for law and order. It created new police jurisdictions or 'thanas' of twenty-mile squares under the command of 'daroghas' (local heads of police, called thanadars elsewhere in India), and placed each darogha under the authority of the English district magistrate.⁶⁶ The darogah was the first officer of the thana. His duties were to preserve peace within the limit of his jurisdiction, to report to the Magistrate all occurrences connected with the police, to prevent as far as possible the commission of all criminal offences, to discover and apprehend the offenders.⁶⁷ The mohurir was the second officer of the thana. His duties were to preserve the thana records, to write reports and prepare other papers under the direction of the darogah.⁶⁸ The jamadar was the third officer of the thana. His duties were to see that barkandazes were in attendance at their posts and that their arms and accoutrements were kept in a state of efficiency and that prisoners and property brought to the thana were duly guarded during the time they remained under the custody of barkandazes attached to the station.⁶⁹

Apart from that the government passed many other regulations from time to time to refine the existing methods of detection and apprehension of criminals and suppress the latter's activities. Some of these regulations are as follows⁷⁰:

- 1) **Regulation III of 1807:** The government appointed trustworthy zamindars, taluqdars, and any other principal inhabitant as the amins or Commissioners of Police. The

⁶³ *Ibid*, 219

⁶⁴ *Ibid*, 220

⁶⁵ *Ibid*

⁶⁶ MacLane, "Bengali Bandits", 28

⁶⁷ Basudev Chattopadhyay, *Crime and Control in Early Colonial Bengal: 1770-1860*, (Kolkata: K.P. Bagchi and Company, 2001), 64

⁶⁸ *Ibid*, 65

⁶⁹ *Ibid*

⁷⁰ *Ibid*, 126-132

amins were appointed by a sanad from the Magistrate with the approbation of the Governor General in Council.

- 2) **Regulation IX of 1808:** Co-ordination of information from different districts and to prosecute vigorous action against dacoit gangs, the office of the Superintendent of Police was created.
- 3) **Regulation VI of 1810:** Provided for penalties on zamindars and farmers for neglecting to give information about the resort of dacoits.
- 4) **Regulation XVI of 1810:** Provided for rewards for apprehension of information about proclaimed dacoits.
- 5) **Regulation VII of 1811:** Clarified the powers and responsibilities of darogahs and zamindars.
- 6) **Regulation XX of 1817:** It suggested the methods of regulating relations between the zamindar and the darogah, vested the appointment, promotion and dismissal of darogahs in the hands of Magistrates and brought the village watch under the control of thana officials.
- 7) **Regulation III of 1818:** Clarification of the role of darogah with regard to certain kind of offences.
- 8) **Regulation VIII of 1818:** Dealt with the question of rules related to release of prisoners.
- 9) **Regulation III of 1821:** Dealt with the question of foreign vagrants.
- 10) **Regulation XI of 1824:** Entrusted to the Superintendent of Police certain power relating to the pardon of the accused.
- 11) **Regulation I of 1829:** The office of the Superintendent of the Police was abolished. The duties being made over to the Commissioner of Revenue and Circuit.
- 12) **Regulation The Riot Act or Act IV of 1840:** Dealt with the tackling of affrays.

Apart from these the government also appointed 'goyendas' or spies to gain information about the criminals. The spies were to provide the obtained information to the darogah so that the latter could apprehend the criminals easily. Mr. Blaquiere, the Magistrate of 24 Parganas got considerable success in detecting criminals by adopting this method. Another important strategy adopted by the British to apprehend the criminals was approver method. In this method the apprehended member of the gang would give the information about the leader of the gang and other details in return of the promise of pardon or lesser punishment. The members who were forced to join the dacoit gangs were readily accepted to turn to approver in lieu of pardon. S. Wauchope, the Magistrate of Hooghly adopted this method and succeeded in apprehending the leaders of the dacoit gangs. Apart from that Office of the Commissioner for the Suppression of Dacoity was established in 1852 to eradicate the crime of dacoity in Bengal.

After the revolt of 1857, British government devoted their attention to the reform of Police. In 1860 a Police Commission was established.⁷¹ The general object of this

⁷¹ *Ibid*, 159

Commission was to demilitarize policing in India and to establish a more intimated system of surveillance and regulation. The duties of the police were entirely civil rather than military. If a rebellion broke out, the functions of the civil police were to end and military functions of the police will begin. The functions of the police were to prevent crime and disorder or to find out criminals and disturbers of peace.⁷²

According to the Police Commission, the new Police was to form a separate department in each local government or local administration under the control of its chief. It was designed as an effective instrument at the disposal of the District Officer. The Police under each local government should constitute one force under an Inspector- General of Police. In every district there was to be a European officer of police designated as Superintendent of Police. On the basis of the recommendation of the Police Commission, the Police Act was introduced in Burdwan, Bankura and Birbhum districts from October 1862.⁷³ The remaining districts of Bengal with the exception of Darjeeling came under its purview on 1st January 1864. It was introduced in Darjeeling towards the middle of 1864. From May 1863, the Inspector-General of Police was introduced.⁷⁴

IV. Corruption and Collusion within the Police Force: The police system that prevailed in colonial Bengal were not at all successful in suppressing crime and in the maintenance of law and order. The high rate of crime, together with the low rate of conviction called into question the efficacy of police control.⁷⁵ The inefficiency of police was also reflected in the small amount of robbed or stolen property recovered by the police every year.⁷⁶ The crime rate did not go down after 1793. On the contrary it was steadily on the increase.⁷⁷ Corruption was rampant in the police department. The darogahs often formed league with the criminals and there was laxity in their supervision of their jurisdictions.⁷⁸ In ordinary cases of dacoities, the darogahs seldom took any preemptive steps to prevent their occurrences. Whenever a darogah, a jemadar, or a barkandaz went to a village for investigating cases, a tax was immediately levied by them on innocent villagers.⁷⁹ Apart from that Company's government allowed the zamindars to exercise some control over the village watch or chowkidars. In consequence the chowkidars used these men to serve their personal ends. The chowkidars, if not the actual dacoit, are careless about the occurrence of dacoities. The barkandazes are not dependable either.⁸⁰ It is ironical that some innocent men who were forced to join the dacoit gangs were often got punished. The leaders of the gang usually escaped and the lesser members of the gang were apprehended and were sent to the Magistrates.⁸¹ The darogahs fabricated false charges against some innocent

⁷² *Ibid*

⁷³ *Ibid*, 160

⁷⁴ *Ibid*

⁷⁵ *Ibid*, 75

⁷⁶ Ranjan Chakrabarti, *Authority and Violence in Colonial Bengal: 1800-1860*, (Kolkata: Bookland Private Limited), 87

⁷⁷ Chattopadhyay, *Crime and Control*, 125

⁷⁸ *Ibid*, 75

⁷⁹ Chakrabarti, *Authority and Violence*, 68

⁸⁰ Chattopadhyay, *Crime and Control*, 81

⁸¹ *Ibid*, 83

persons either to extract money or to satisfy personal grudge.⁸² In many cases of murder, the modus operandi of the darogah tried to hush up the murder on receipt of money. Even after the police reforms of 1861, there was no fundamental change in the character of subordinate police. The police reforms of 1861 only changed the names of different ranks and created some new posts.⁸³

Corruption can also be seen in criminal justice system in colonial Bengal. The court responded to the power and interest of the rich and became their plaything.⁸⁴ If a zamindar or a landlord was apprehended for playing leading role in dacoities or in murders and affrays, they were sent to the court for trial. During their trial, they could easily be proved innocent. A gang of professional witnesses was there to give false witness in favour of the zamindars in lieu of money. They operated in collaboration with the court amlahs, pleaders, and moktars.⁸⁵ The landlords also produced forged documents in the courts.⁸⁶ The Court amlahs help them in this issue. The landlords kept many judges under their influence by offering them heavy loans.⁸⁷ Attempts were also made by them to pack the courts with their relatives and dependants.⁸⁸ Thus, it can be stated that the poor people were denied the right to get justice as they have not enough money to bribe the court officials and to produce false witnesses.

V. Zamindari Authority and Challenges of Policing: The area of Jungle Mahal has seldom ever known to be in a state of perfect tranquillity nor has the zamindar ever expected to acquire sufficient control over the different descriptions of persons residing within his estates to prevent depredations either on himself, or on the neighbouring zamindars. In this region Chuars, and disaffected Paiks commit their depredations. Frequent affrays took place in this region. When disturbances occurred in that region the darogahs retreat from the jungles. In fact, no effectual police ever existed in any part of the jungles or ever could exist except that which is kept by the zamindars and Sirdar Paikes or Chuars. A darogah never attempted to summon either a Sirdar Paik or Chuar any of his people. The Sirdar Paikes were able to commit depredations with impunity and owing to the nature of the country they inhabit. It is difficult to seize their persons or expel them or to confine them or to cause them to retire to Marhatta territory. The regular troops were inefficient to protect the country from their depredations because the Paikes can occasionally return plunder and when pursued, easily escape due to their knowledge of the country.⁸⁹

⁸² *Ibid*, 89

⁸³ Chakrabarti, *Authority and Violence*, 74

⁸⁴ *Ibid*, 35

⁸⁵ *Ibid*, 42

⁸⁶ *Ibid*, 49

⁸⁷ *Ibid*, 42

⁸⁸ *Ibid*

⁸⁹ *Proceedings No. 6, H. Strachey, Midnapore Magistrate to H.S.G. Tucker, Secretary of the Government of Bengal, Judicial Department, Fort William, 13th April 1800, Judicial Criminal Proceedings, (Then named as JCP) West Bengal State Archives, Calcutta. (Hereafter; WBSA)*

Colonel S. Watson, the Lieutenant Colonel said that this area was full of jungle and the deleterious effects of the jungles on the health of the troops under his command was so severe that he required reinforced. The jungles provided facility to the Chuars to commit robbery and enough room for escape. The small parties of Chuars cause much trouble for the troops and dread to the peaceful inhabitants. They have their spies within this camp and every motion of troops is immediately conveyed to them.⁹⁰

The Magistrates faced numerous difficulties in apprehending the criminals. In Midnapore one person named Roopcharan Mahapatra was murdered and the Francis Law, the Magistrate of Midnapore said that all his endeavours to trace the murders were ineffectual. Not a single man dares to come forward to give evidence to the police.⁹¹

VI. Recognition and Reward for Crime Prevention: To prevent crimes and to deal effectively with criminals the British government took a strategy of rewarding individuals whenever they assisted the colonial police in apprehending criminals. Some instances can be shown in this context. When a notorious Sirdar Dacoit named Gopal Manjee with 11 of his followers in the neighbourhood of Jelda was apprehended by a party of Sepoys under the command of Lieutenant Roughsedge, D. Campbell gave much credit to the judgement displayed him in planning this service and the zeal and perseverance he displayed in executing it. Several attempts had been made earlier to apprehend Gopal Manjee but these efforts failed as the troops had to encounter numerous difficulties such as peculiar nature of the country covered in most parts with jungle, and the dacoits got a good amount of information regarding any motion made against them by the troops. The landholders of Beerbhom assisted the sepoy in apprehending Gopal Majhee.⁹² The Government also applauded them for their services.

Two Dacoits in Burdwan were apprehended on the spot for committing robbery and murder by the courage and activity of Sheetal Das, a youth of 16 years of age and of one night watchman. The Magistrate of Burdwan paid 50 rupees as reward to Sheetal Das for his good conduct on this occasion. The Nizamat Adalat also instructed to the Magistrate of Burdwan to employ Sheetal Das in some of the police stations under his jurisdiction whenever the opportunity shall offer.⁹³ In another case a darogah named Abdul Rauf of the Police Station Holilpore was also given the reward of a pair of shawl for his role in apprehension of the gang of dacoits in the district of Burdwan for committing robbery and murder.⁹⁴

⁹⁰ *Proceedings No. 6 S. Watson to Lieutenant Colonel Darby, Adjutant General, Letter no 15, Extract from the Military Department, 21st December 1799, Midnapore, WBSA*

⁹¹ *Proceedings No. 7, Francis Law, Midnapore Magistrate to H.S.G. Tucker, Secretary of the Government of Bengal, Judicial Department, Fort William, 24th December 1799, JCP, WBSA*

⁹² *Proceedings No. 11, D. Campbell, Birbhum Magistrate, to H.S.G. Tucker, Secretary of the Government of Bengal, Judicial Department, Fort William, 26th April 1800, JCP, WBSA*

⁹³ *Proceedings No. 20, J. Lumsden, Register of the Nizamat Adalat to H.S.G. Tucker, Secretary of the Government of Bengal, Judicial Department, Fort William, 30th April, 1800, JCP, WBSA*

⁹⁴ *Proceedings No. 31, J. Lumsden, Register of the Nizamat Adalat to , to H.S.G. Tucker, Secretary of the Government of Bengal, Judicial Department, Fort William, 30th April, 1800, JCP, WBSA*

VII. Goyendas not always useful for collecting information about criminals: Employing 'goyendas' or spies for the collection of information about the criminals did not bear advantages all the time. Shearman Bird, Senior Judge and I. Stonhouse, Fourth Judge of the Dacca Court of Circuit are of the opinion that, "Although goyendas occasionally make useful discoveries, the benefit derived from them is overbalanced by the oppressions of which in this capacity they may be guilty throughout the country. They must, whenever not employed with extraordinary discernment and circumspection be a terror to the inhabitants. They may by their intimidations extort a tax from persons wholly innocent and harass them by their artful representations to the Magistrates or Darogahs..."⁹⁵

VIII. Challenges faced by the British Government in suppressing criminals: The regional rulers of Bengal often refused to cooperate with the Company's government in suppressing criminals despite knowing their whereabouts and details. Even they and their relatives took part in criminal activities. One example of this was a daring dacoity committed in Nagore, the neighbouring area of Birbhum. In this dacoity the house belonging to the 'Rajah' was spared and all other houses were ravaged by the dacoits. D. Campbell, the Magistrate of Birbhum said that the 'Rajah' of Birbhum was well aware of the intentions of the dacoits and encouraged them to come forward. He sent him no information on the approach of the dacoits nor did he give alarm to the police Darogah. Later when some of the dacoits apprehended, they confessed that one of the brothers of the Raja of Birbhum maintained regular contacts with the dacoits prior to this incident. The Darogah of this region is not active either. He was illiterate and did not know how to read and write. The Magistrate continued to say that instead of pursuing the dacoits and giving alarm to the neighbouring darogahs, he contented himself with merely ascertaining the mischief they had done in the plundering of the region.⁹⁶ The Magistrates often dismissed darogah for their neglect of duty and corruption. One instance can be cited in this context. S. Macan, the Magistrate of Dacca dismissed the darogah Ghulam Ali as the latter sank into corruption. He withheld from the inferior officers of the Thannah, a part of their allowances. Apart from that he took bribes and tried to buy off witnesses when a jamadar of his thana named Meer Mahomed Ally complained about his misdoings.⁹⁷

The magistrate and the District Superintendent of the Police did not have much knowledge about the criminals belonging to their districts. Mr. Reynolds, the Magistrate of Midnapore has argued that criminal spirit of Hooghly and Midnapore manifests itself in dacoity. In general, regular police was not successful in investigating cases. The leaders of the gang usually escape punishment, whilst a few of the lower agents only got occasionally apprehended by the Police. In many cases, notorious dacoits and receivers of stolen

⁹⁵ *Proceedings No.4, Shearman Bird, Senior Judge and I. Stonehouse, Fourth Judge of the Court of Circuit of Dacca to H.S.G. Tucker, Secretary of the Government of Bengal, Judicial Department, Fort William, 29th December 1800, JCP, WBSA*

⁹⁶ *Proceedings No. 2, D. Campbell, Birbhum Magistrate, to George Dowdeswell, Secretary of the Government of Revenue and Judicial Department, Fort William, 15th May 1801, JCP, WBSA*

⁹⁷ *Proceedings No. 6, S. Macan, Dacca Magistrate to to George Dowdeswell, Secretary of the Government of Revenue and Judicial Department, Fort William, 29th August 1801, JCP, WBSA*

property were released by the Judge and the jury of Hooghly for the want of evidence. The crime of dacoity is in its nature almost beyond the power of the ordinary police, either as a repressive or as a detective force.⁹⁸

The District Police are not generally successful in dealing with the cases of dacoity. Their primary idea is to get the complainant to name persons as having been recognized by him at that time, and then to search the houses of the accused for stolen property. As dacoits are not in the habit of concealing the stolen property in their own houses, the measures of the police generally fail and the police got confused regarding what proceedings to adopt.⁹⁹

In Midnapore, the robberies are planned by the professional dacoits. They got the lion's share of the plunder and comparatively few in number. These men are by no means belonged to the lower classes. They are money lenders and land holders. They are very much feared by the inhabitants of the district and it is difficult to say a word against them.¹⁰⁰

IX. Conclusion: The history of crime in 19th Century Bengal was interconnected with socio-economic and political transformations brought about by the British rule. From the violence displayed by the rural dacoits to the pre-planned and well-executed forgeries of urban criminals, the 19th century Bengal witnessed the prevalence of both traditional and modern forms of crime many of which were exacerbated by economic distress and administrative inefficiency. The British law enforcement agency often failed to address the root causes of crime. Instead, they fostered corruption and inefficiency within their own ranks. Crime in 19th century Bengal was not just an issue of law and order but a reflection of social, economic and political tensions. The absence of effective governance coupled with economic deprivation and systematic exploitation led to an environment where crime became both a means of survival and a form of resistance. Understanding these historical patterns is crucial for contextualizing the relationship between, governance and social justice in Bengal which is important for understanding the broader dynamics of colonial rule and its legacies.

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⁹⁸ C.T. Buckland, *Officiating Commissioner of the Burdwan Division to the Secretary of the Government of Bengal, 11th February 1869* Judicial Department, Police Branch, WBSA

⁹⁹ H.J. Reynolds, *Officiating Magistrate of Midnapore to the Commissioner of Burdwan Division, Letter no. 33, 18th March 1869*, Judicial Department, Police Branch, WBSA

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