

21. The system of Village Sanitary Committees in the Central Provinces is, in the main, similar to the Bombay system, but a few of the more important differences may be pointed out. The Central Provinces Act, especially as amended in 1902, applies only to large villages, no village of under five hundred houses being allowed to come under the Act.¹ It was expressly stated by Government that the Act was "wholly unsuited to small agricultural hamlets in which sanitary enthusiasm, if untempered by discretion, may easily harass and even injure the people. It is in the local centres of distribution from which the country folk draw their supplies at a weekly market, and in which the need for conservancy is greater, and local public opinion is stronger, that its provisions will be found most useful."² As regards the constitution of the Committee, a larger provision is made in the Central Provinces for the elective element. The Committee consists of the headman (*Mukaddam*) and not less than four representatives of the village community "who shall be chosen by election from among the inhabitants of the local area."³ The election is held in open assembly by owners of houses and proprietors or tenants of land permanently resident within the local area."⁴ Moreover, while the assessment under the Bombay Act is mainly voluntary, the Central Provinces Act provides for the necessary funds by compulsory assessment. The principal taxes levied under the Act are an assessment on houses and lands, license-fees on professional weighmen and measurers, tolls on carts, pack animals, and on porters and on animals sold in the village, rents from dealers temporarily occupying open ground in the local area, and lastly, fees on the voluntary registration of cattle sales effected in the village."⁵

¹ Act xi. of 1902, sec. 2.

² Speech by the Hon. D. Ibbetson, Imperial Legislative Council, July 18, 1902.

³ Act xi. of 1902, sec. 3.

⁴ *Local Rules and Orders of the Central Provinces*, 1904, pp. 132-8, Rule 5.

⁵ Act xi. of 1902, sec. 5.

22. The Report of the Royal Commission on Decentralization (1907-9) marks another stage in the development of village organizations for sanitation. The Commission recommended an extension of Village Committees in areas where they had not been tried.¹ The United Provinces were among the first to act on the recommendation of the commission, but in framing their proposal they declined to regard the measure as a permanent arrangement but looked upon it merely as an experiment. They also decided to circumscribe the sphere of work assigned to the committees under their scheme. They were to be concerned merely with the utilization of funds allotted to them by the District Board; and they were not to carry out any new schemes, however small, but only to maintain the general cleanliness of the village. The Committees would be chosen or approved by the District Board, but in the expenditure of the funds the Committees were to have unfettered freedom. "Any inspection by an official or by a member of the District Board should be with a view to his forming an opinion as to how the scheme has worked, and should not imply any detailed scrutiny of the work done." There are to be no formal accounts and no records. Local subscriptions to supplement the grants of the District Board were to be encouraged but not to be made a condition of the grant. For the present the maximum grant allotted to a village in a year was to be limited to Rs. 50.² The United Provinces Sanitary Report for 1913 recognized the experiment as a success in one district, but regarded it as doubtful in the other districts selected.³ A similar measure was attempted in Assam in the same year, the selected villages receiving their grants from the respective district officers. The experiment was, however, merged in the larger experi-

¹ *Report*, para. 711.

² *Résolution of United Provinces Government*, March 29, 1912.

³ *Sanitary Report, United Provinces*, 1913, *Orders of Government*, para. 12.

ment now (1913) on foot in Assam in the organization of village authorities." ¹

23. A system for maintaining an accurate record of the sanitary needs and condition of villages was introduced by the Government of India in 1895 by the institution of what are called Village Sanitary Note Books. These note books, of which each important village is expected to possess one, are to be a permanent record of the sanitary features of the village. The object of the book is primarily to serve as a source of information to the medical and administrative officers of the district, but it serves incidentally, wherever it is maintained conscientiously, to bring home more definitely to the village authorities themselves the sanitary defects of their village. The book is in a printed form, with a series of set questions on such topics as drainage, water supply, disposition of houses, characteristics of the population, conservancy, vital statistics, meteorological conditions, etc. A blank page is left after each set of questions in which Government officers of a required standing who pass through the village are expected to record their remarks. The book is kept in the village itself, in the hands of an influential literate resident, who may be a village officer, a land-owner, the schoolmaster, or in larger villages a Government servant, such as a hospital assistant or an inferior police officer. Once every quarter the books are sent to the civil surgeon of the district for him to abstract any information which may have a bearing on the sanitary administration of the district. The book proved of special advantage in the United Provinces during the famine of 1902, as the information it contained was of great use in determining the kind of relief works likely to be most useful in the villages.² While in some provinces the system

¹ *Sanitary Report, Assam, 1913*, Orders of Chief Commissioner, para. 6. A scheme for the organization of village institutions in Assam has now been completed, p. 200, *infra*.

² *Sanitary Report, United Provinces, 1903*, Orders of Government, para. 3.

has, on the whole, been justified by the result; the reports have not been unanimous in its commendation. Government officers have not been regular in asking for, and entering their remarks in, the books, and whatever the causes of this indifference, the technical character of the questions, most of which require expert knowledge, may have partly accounted for it.

24. In that important branch of sanitary administration, the registration of births and deaths, village officers throughout India play a conspicuous part. They form in every province the primary agency for collecting facts and for reporting them to the proper recording office. In Bengal, the United Provinces (except the hill tracts), the Punjab, the North-West Frontier Province, and the Central Provinces, the reporting agent is the village policeman. In all other provinces, except Bombay, he is the village headman. In Bombay the duty is divided between the accountant and the village official called the police *patel*, while in Sind the schoolmaster is sometimes found in charge. The recording office, in most cases, is the nearest police station, but in the United Provinces and Bombay the village officers who report the facts also maintain permanent registers for recording them. In Madras the headmen report to the collector, and in Burma they record entries themselves of which copies are made over to the police patrol for submission to police stations.¹ The accuracy of these statistics is checked by officers of the Revenue, Medical and Police Departments, and above all by Inspectors of Vaccination, who are required to make inquiries regarding vital occurrences when on their rounds to test vaccination operations. Nevertheless, the reporting of statistics is still in an unsatisfactory condition, it having been noticed in Bengal alone that as many as 30 per cent. of the deaths and 52 per cent. of the births have been

¹ *Report of Sanitary Commissioner with the Government of India, 1905, p. 98* (Tabular Statement).

unrecorded.¹ The illiteracy of the village officers is the principal difficulty. The prejudice of caste, the ill-luck supposed to attend enumeration, the comparative ignoring of female births and deaths as matters of little consequence—these are other hindrances. In regard to death statistics, apart from inaccuracy of numbers, the statement of the causes of deaths is often of little practical value. Most diseases are described as “fevers” or “bowel complaints,” the village officer being incapable of any profounder diagnosis.

25. A description of village sanitary institutions in India will not be complete without a reference to the unofficial associations which have been set up here and there in the course of the last thirty years, under the familiar title of *panchayat*, for the promotion of sanitation. They do not owe their initiation to legislative or official action, though in the course of their development they have received active support from Government; nor is it possible to trace any definite connection between them and the old village community. They are generally private enterprises, due to the spread of education and the growth of a new public spirit, but it is conceivable that they have been helped by local traditions of the old corporate unity. So long ago as 1881, it was noted in Bengal that in several populous villages where pleaders and retired servants of Government had settled down, informal *panchayats* had sprung up, which “built culverts, made roads, and drained dirty places, all with funds freely contributed by the villagers.”² A *panchayat* in a village in the United Provinces was officially reported in 1912, “consisting of two respectable *vakils* (pleaders), and the headman and two *banias*. . . . A sum of about Rs. 150 was raised by subscription, and two sweepers on Rs. 3 each

¹ Paper on “Vital Statistics,” by Dr. C. A. Bentley, 3rd All India Sanitary Conference, January 1914.

² *Report of Sanitary Commissioner with the Government of India, 1881*, para. 189.

a month were appointed, and a receptacle of iron for carrying dirty water out of the village was purchased. . . . The fourteen wells in the village were cleaned. . . ."¹ The Madras Government, in a recent order surveying the voluntary activities of villages in sanitation, said: "In many districts, a piece of communal land away from the village site is set apart for the storage of manure; in others, areas are set apart for use as latrines to prevent the indiscriminate fouling of the whole surroundings of the village; in some districts, village 'Sanitary Associations' have been in existence, which administer a voluntary cess raised by the people themselves for maintaining scavengers; in others, the villagers have subscribed regularly towards the cost of pumping water from protected wells to raised cisterns."² The most interesting instance of independent action in rural sanitation is reported from Bombay, in connection with the Florence Nightingale Fund for the Promotion of Village Sanitation in India. "The Committee adopted an admirable scheme . . . based on the voluntary services of young men and women devoted to the cause of rural health. It was arranged that these Health Missioners should in each case work with a village Committee consisting of the *patel* (headman), *kulkarni* (accountant), and schoolmaster, and two leading villagers; and that they should study the sanitary needs of the people, giving instruction by personal intercourse and magic-lantern lecture, and gradually gaining the confidence of the women, the children, and the depressed classes."³ The results of the experiment in the few selected villages have been encouraging.

26. Of a similar character is the work which has been begun by village co-operative credit societies. These societies, during the past ten years, have made a

¹ Resolution of United Provinces Government, March 29, 1912, Appendix.

² Madras Weekly Mail, July 2, 1914, p. 20.

³ India, London, July 10, 1914, p. 16. Letter from Sir W. Wedderburn.

remarkable progress in India, and as in most countries where the movement has spread, the economic advantages have been supplemented by the social and moral benefits which have flowed from it. Sanitation is one of the objects which have claimed most attention from the promoters of village co-operative societies. A recent Conference of co-operative societies in a Madras District passed the following Resolution: "It is the opinion of this Conference that Local Boards should make use of the agency of co-operative societies for improving village sanitation and village communication."¹ The Resolution may be taken as sufficiently typical. In many parts of India the co-operative movement has been hailed by responsible administrators as marking the dawn of a new era of village communal life, and it is a great deal to the good that outside their proper economic sphere this new life has been manifested in the hitherto neglected field of sanitation.

¹ *Tanjore District Co-operative Conference, January 1914.*

CHAPTER V

PUBLIC WORKS

1. THE arrangements made by the village community for the erection and maintenance of its public works, such as wells, tanks, channels, roads, and buildings, constitute a notable feature of village local government. The most important of these works, to which the community has always devoted special attention, as is to be expected in a country so predominantly agricultural, is the maintenance of a sufficient water supply for agricultural as well as domestic purposes. In all provinces where the condition of the land has called for irrigation, some kind of a systematic arrangement has been set up by custom, in many cases to be traced to remote times, not merely for making and maintaining tanks and channels, but for distributing the water and settling disputes arising out of it. A usual element in these arrangements is the institution of village communal labour, by which each member of the community is required to contribute his share of the labour or expense required for the upkeep of the works in his village. A long controversy has been carried on, especially in South India, as to how far the custom has survived to our day. The more authoritative opinion in the province has declared for the continuance of the custom, and for its revival in some form. The progress of this controversy has been marked by the production of some valuable reports, which help us to a fair knowledge both of the original features of the institution

and of the attempts made by the British Government from time to time to revive and enforce it.

2. The idea of compulsory labour for the benefit of the Central Government prevailed largely in India under indigenous rule, and continued for some time since the British occupation. It was employed in the construction of temples, palaces, public buildings and roads, and in carrying the baggage of Government officers and other powerful individuals. In a Memorandum on the Administration of India issued in 1858, it was remarked that the last vestige of this practice in a licensed form was in the construction of the Thibet road through the Himalaya Mountains.¹ The great temple of Tanjore in South India, which was erected by the Cholas in the eleventh century A.D., was built largely by forced labour. Tippu Sultan of Mysore (d. 1799) built his fortifications in Seringapatam by carrying off 20,000 labourers from the neighbouring areas, and forcibly keeping them in his employment for years.² It is said of the famous South Indian Prince, Tirumala Naick of Madura (d. 1659), that on the occasion of the great festivals at his capital, each village was bound to provide a certain number of men to drag the gigantic cars of the gods in procession, and this service was designated and taxed as *ter-ulyam* or *car service*.³ The maritime chief Angria (d. 1756), who ruled in Mahrashtra in the middle of the eighteenth century, enforced an elaborate system of taxation by personal service. The low caste tribes, the *Mahars*, were required to serve in the forts one month in the year, and received their subsistence in daily doles of rice from the Government; and certain other castes (the *Kharvees* and the *Daldees*) were bound to supply one man in every eight capable of bearing arms to serve for eight months in the year

¹ *Memorandum on the Administration of India during the Past Thirty Years*, 1858, London, p. 50.

² *Memorandum on the Progress of the Madras Presidency during the Last Forty Years*, Srinivāsarāghava Iyengar, 1892, para. 10.

³ *Calcutta Review*, April 1900. Article: "When Tirumala the Great Ruled."

on board the vessels of war, receiving in return monthly contributions of grain and a small money grant.¹

3. Compulsory labour in the interests of the village community has been in existence, in some form or other, in nearly every part of India. It has been best developed in its application to irrigation, and it is here that we may study it to the best advantage. A considerable part of the Indian irrigation system consists of small tanks and channels which have been in existence from very remote times, and which were built partly by individual charity and partly by communal enterprise. Two tanks in the Chingleput District of the Madras Presidency have been recognized as finding mention in inscriptions of the eighth and ninth centuries A.D. Epigraphic and literary evidences carry back the existence of irrigation works to still more remote times.² It is in the Madras Presidency that irrigation by small tanks and channels is most numerous, where they have been estimated to irrigate "collectively an area equal to that irrigated by all the larger works which have been constructed by the British Government in that Presidency."³ Whatever the origin of individual works, the duty of maintaining and keeping them in repair was sooner or later recognized by custom to fall upon the village community.

4. On the construction and maintenance of small irrigation works, South Indian inscriptions of the ninth to the twelfth century A.D., recorded in the Madras Epigraphic Reports, throw valuable light. An interesting summary of the facts set out in these inscriptions was contributed to the *Annual Report of the Archaeological Survey of India* for 1903-4, by the late Superintendent of Epigraphy, Rai Bahadur V. Venkayya.⁴ The

¹ *Geographical and Statistical Memoir of the Konkun*, Major T. B. Jarvis, Calcutta, 1840.

² *Archaeological Survey of India*, 1903-4, pp. 202-11; *The Tamilian Antiquary*, Madras, 1910, pp. 46-8.

³ *Report of the Indian Irrigation Commission*, 1901-3, part i, p. 8.

⁴ Pp. 202-11.

agency by whom tanks and channels were dug or their digging was financed does not appear clearly. Most of the inscriptions deal with the means employed for repairing them and keeping them in order after they were built. But we may assume that the construction of small irrigation works was carried out by the king, by the village assembly, or by private benefactors—oftenest, perhaps, by the last.¹ At any rate it is by these three agencies that the means required for repairing village tanks and channels were supplied; and it is reasonable to suppose that their construction also was due to the same agency. When private persons devoted their charity to beneficent public works, the usual form which it took was a grant of land or of money as an endowment towards their maintenance. The grant was probably administered by the village assembly through one of its committees as a form of public trust. The village temple is frequently mentioned as an accommodating benefactor, and the impression certainly arises on a perusal of early inscriptions that in meeting public needs such as these or great public emergencies like a famine, the temple authorities felt a special sense of responsibility, and often, perhaps, rose to it. The commonest kind of repair which required doing was the removal of accumulated silt. Towards this, provision was made for the supply of boats, of baskets in which to lift the earth, of labourers, of skilled workmen to take care of the boats, and of fishermen to provide certain kinds of necessaries. The village committee which was set to control these operations, we may assume, was the Tank Committee referred to in chapter 1, paragraph 3.

5. The practice of employing communal labour in the repair of village works perhaps arose whenever the

¹ In the erection of bridges in England, it will be remembered that though the erection itself might "be a matter of private or corporate bounty, the law, from the first, took cognizance of its maintenance in repair. When a bridge had once been erected, it became a matter of obvious public convenience that it should be maintained." Webb, *Story of the King's Highway*, p. 86.

means mentioned above failed. If the king's interest in the village waned for any reason or private charity was not forthcoming or the village assembly was short of funds or they had no available waste land with which to endow tanks, it became an obvious necessity to levy a general contribution of labour or wealth. The practice was not confined to tanks and channels, but was employed even in such things as the preparation of a public show or entertainment, the performance of sacrifices, and in other public works like the construction of roads. The *Arthaśāstra* lays down penalties for those who refused to join in or caused obstruction to those who did; and the king's favour was to be shown to any one who loyally did his duty in promoting the requisite forms of communal enterprise.¹

6. Whatever the origin of the custom of communal labour, it has never been applied, so far as we know, to the initiation of any new works or to repairs of any considerable magnitude. Sir Thomas Munro, who reported on it in 1803, stated that the custom was enforced where the damages to tanks were trifling, "not amounting to above ten, twenty or thirty *pagodas*,"² and he did not think the enforcement of it too heavy a burden if the expense of the repairs did not exceed 5 per cent. of the rent of the lands watered by the tank. In a letter addressed by the Madras Government to the Government of India in 1857, they regarded as falling within the operation of the custom such repairs of channels as did not exceed in expense $2\frac{1}{2}$ per cent. of the revenue derived from the village.³ The Famine Commission of 1880 made the following recommendation as to the limits of works to be repaired by the village community. "Tanks irrigating over 50 acres [and under 200], if found to require repairs, should be brought up to the necessary

¹ *Mysore Review*, August 1908.

² A *pagoda* was considered equivalent to Rs. 3½. *Minutes of Sir T. Munro* (Arbuthnot), vol. i, p. 90.

³ Quoted by the Hon. D. Elliot in the Imperial Legislative Council, April 8, 1857.

standard by the Public Works officers at the 'cost of the Government, and then handed over to the village officials to be maintained. Those irrigating less than 50 acres should be handed over to village officers, the Department of Public Works doing only masonry work. . . . The smallest class of tanks, irrigating less than 10 acres might be handed over entirely to the ryots. . . .'¹ Usually no payment was made for the labour thus rendered, though occasionally grants in aid were given by the Government for the improvement of specific works.² It has been noticed that the custom tends to die out sooner on tanks and rain-fed reservoirs than on water-courses, the reason being that in the latter case the appearance of silt may altogether cut off water supply and destroy the crops, and it is to the self-interest of the cultivator to take prompt action, while in the former case the cultivators may well wait through long years of deterioration till the embankment actually bursts and the water is finally stopped.³

7. A detailed description of the manner in which the custom was enforced in regard to works subsidized by the Government in the first half of last century is given in the Report of the Madras Public Works Commission of 1853, from which are taken the following extracts: "As soon as a *Tahsildar* receives orders to execute . . . a work, and has the necessary funds placed at his disposal, he sends to the headman of the village, desiring that they and the *Karnam* (accountant) will come to the *Katcherry* (office), bringing with them workmen to undertake the work. This order is either sent verbally by a *peon* (messenger) or more commonly is a written document. The village may be ten, twenty or even thirty miles distant . . . but in due time the village officers present themselves at the *Katcherry* with the workpeople to undertake the work,

¹ *Report of the Indian Famine Commission, 1880, part ii, p. 163.*

² *Ibid.*, App. v, ch. iv, para. 3.

³ *Report of the Indian Irrigation Commission, 1901-3, part ii, pp. 110.*

and perhaps with a number of the principal ryots or *meerasdars*. The terms of the estimate, viz. the nature of the work to be done, and the rates allowed for doing it, are then explained to the parties, and the terms having been agreed to, written engagements and security bonds are executed, and a portion of the amount of the estimate is advanced. As to the parties of these proceedings, the custom varies in the several districts. In some the workpeople themselves, through their headmen, receive the advance and execute the agreement, while the heads of the village give security for the fulfilment of the terms; in others the heads of the village receive the advance and execute the agreement, and the principal ryots or *meerasdars* are the sureties. . . . After these preliminaries have been completed, the people return to their village. . . . In the course of time, though generally not without considerable delay, the work is commenced, but it does not advance very rapidly. The advance has been received, but the parties are by no means in a hurry to perform their engagement. . . . The finished works are measured . . . by the *taluk* officers; the *Karnam* then goes to the *taluk Katcherry* with his accounts . . . and from there in comparison with the estimate and measurement statement the abstract account of the cost is prepared to be sent to the collector. . . . The village *Monigars*, or heads, the people engaged on the work or their headmen, and often the *meerasdars*, or some of them, are sent for, and they sign the accounts which are then despatched to the collector. . . . The people employed are generally under the control of the village officers, and are paid by them at their own convenience, and in money or grain, as they find most to their interest. Complaints to the collector are rare in consequence of the distance, . . . and the labourers are almost entirely at the mercy of the village authorities." ¹

¹ *Second Report of the Commissioners on Public Works in the Madras Presidency*, Madras, 1853, paras. 159, 163, 204. The nearest analogy to this in England

8. The following account of the way in which communal labour is employed to-day unofficially in a Madras district¹ has been gleaned from evidence recorded by a recent Government committee of inquiry. At certain seasons, or on fixed days of the year, the ryots of every village irrigated by the channel in question are expected to contribute labour every day, either by going themselves, or by sending a man, or men, instead. The amount of labour required of each man is measured by the quantity of land held by him in the irrigated area. The whole arrangement is under the supervision of a village officer, appointed by the cultivators themselves. The number of such officers in a village varies from one to sometimes as many as four. They have the right of fining any cultivator who makes default in supplying his quota of labour, the usual rate of fine being four annas each day. A defaulter book is kept, in which all entries with regard to fines are recorded. The amount thus collected is spent usually on some charitable object, such as feeding the poor, but sometimes advantage is taken of it for the construction of a new road in the village. Where a fine is not duly paid or some other breach of rule occurs, the officer refuses to let water on to the land of the defaulter. At no stage of the work is any reference made to a Revenue or Public Works official.²

9. Whether under the system of village communal labour the cultivator was obliged to render the necessary service himself, or whether it was open to him to make a grain or cash contribution instead, is a point on which it is difficult to be precise. Sir Thomas Munro, writing in 1803, clearly contemplated an alternative contribution as permissible by custom.

appears to be the obligation which was imposed on parishioners to repair, or provide for the repair, of roads under the supervision of the Surveyor of Highways. Webb, *Story of the King's Highway*, ch. ii.

¹ Anantapur.

² Madras Forest Committee, 1913, *Minutes of Evidence*, pp. 423, 428, 438, 439, 453, 463, 471.

According to him the cultivators made the necessary repairs by their own labour, or by an assessment of grain for the payment of professional bricklayers. "There are very few tanks in which ordinary repairs have not always been made, either by the cultivators themselves or by the revenue servants at their expense, by levying a contribution of grain regulated by the quantity of each man's land."¹ When the question was raised by the Public Works Commission (1869-70) as to whether a money cess might be legally imposed instead of enforcing labour, the well-known South Indian administrator, Sir Seshayya Sastry, said: "I am entirely opposed to the commutation of *Kudimaramat*² into any form of cess. A cess is no doubt easily collected and as easily squandered away, but what is wanted is that the work be done, and done well, in proper season," and the Hon. Chentsal Rao said: "The ryots would much prefer supplying labour to paying a cess."³ Although, however, the proposal to impose a legal cess did not meet with approval, the practice of paying a voluntary cess instead of labour had been steadily growing, and grain gradually gave way to cash in the payment of the cess. The money so collected is spent by the revenue officials in executing repairs which would otherwise be effected by customary labour.⁴ The tendency to substitute a voluntary cess has been specially noticeable in regard to channels which supply water to a number of different villages, in which case the machinery of communal labour would be more difficult to employ. It is so clearly to the interest of the villagers to promptly pay the cess that the want of a legal sanction has not been felt as a distinct weakness. The Irrigation Commission (1901-3), while prepared to recommend a statutory

¹ *Minutes of Sir T. Munro* (Arbuthnot), vol. i, p. 90.

² Communal labour.

³ Quoted by Col. R. H. Sankey, R.E., in Madras Legislative Council, June 18, 1883.

⁴ *Imperial Gazetteer of India*, vol. xvi, p. 279.

money cess in certain cases, recommended that for the administration of the cess there should be constituted local *panchayats*, "the object being to get the people themselves to feel a proprietary interest and pride in their tank."¹

10. The constitution of a separate Department of Public Works took place in Madras in 1856-7. It took charge, among other things, of the repairs of irrigation works which had till then formed part of the duties of the collector and his subordinates. But the new Public Works Department lacked the executive and magisterial powers of the collector and his staff, and consequently their authority over the villagers in enforcing the obligation of customary labour speedily waned. It was therefore felt necessary, if the right was not to be lost to the Government, to seek the aid of the Legislature, and an Act was passed by the Legislative Council of the Governor-General in 1858, the *Madras Compulsory Labour Act* giving the requisite legal sanction. The Act laid down the following rule: "Whenever it shall appear to the officer in charge of any tank, river, or canal or other like works, that there is any imminent danger of the embankment of such tank, etc., being breached, which may be prevented by a large body of labourers immediately working together, it shall be lawful for such officer to require the head of the village in the vicinity to call upon all able-bodied male persons of the labouring classes in such village to co-operate in the work."² The Act, however, has remained practically inoperative. The causes of this failure were set out by Sir A. T. Arundel in a pamphlet which he published on communal labour in 1879.³ The main cause was the insufficient wording of the Act, which sanctions the

¹ *Report of the Indian Irrigation Commission, 1901-3, part ii, p. 114.*

² Sec. 1.

³ *Irrigation and Communal Labour in the Madras Presidency, A. T. Arundel, I.C.S., Madras, 1879, ch. iv.*

powers given under it, only in cases where the custom may be proved to be actually incumbent on the local village community, and it has been found to be no light matter, in the midst of a continual disintegration of the old village community, to establish the continuance of the custom in a court of law in any particular case. Another cause was that legal proceedings under the Act had to be taken "against each separate defaulter, on each separate occasion, and practically on the motion of village officers"—a ruling which rendered the procedure exceedingly lethargic.

11. It is clear from the testimony of successive commissions of inquiry that the institution of communal labour has not altogether died out in the Madras Presidency. The Public Works Commission of 1869-70 went minutely into the question, and produced a large mass of evidence to prove its continuance. All the witnesses said, practically without a dissentient voice, that whether the labour was exacted or spontaneously contributed, the custom prevailed, more or less, in every part of the Presidency. The annual value of the unpaid labour utilized in various districts was estimated in Trichinopoly at Rs. 50,000, in North Arcot at Rs. 60,000, and in Tanjore at Rs. 300,000.¹ The Famine Commission of 1880, through their special Committee on Irrigation, reported that so far as the irrigation by small spring channels was concerned, "it is still generally performed by the free labour of the ryot."² On the report of this Commission and the results of previous inquiries, a bill for legalizing the custom was introduced in the Madras Legislative Council in 1883, but was eventually dropped. The Indian Irrigation Commission (1901-3) said: "We were repeatedly assured that the maintenance of the tanks was not satisfactory, and that *Kudimaramat* was practically dead. Others regarded

¹ Pamphlet by Mr. Arundel, ch. iv.

² *Report of the Indian Famine Commission*, 1880, App. v, ch. iv, para. 5.

it as only moribund. . . . We are ourselves reluctant to admit that so valuable an institution is really dead and past restoration.”¹ Further testimony on the point was recorded by the Madras Forest Committee (1913), who brought out a very interesting collection of facts on the communal system of irrigation still prevalent in what are known as the Ceded Districts.

12. The capital required for the construction of public works in a village is usually contributed, in accordance possibly with ancient usage, by wealthy individuals to whom such works appeal as an attractive form of charitable endowment. But there has also been a considerable amount of communal effort by the village as a whole in raising capital, and that it is even now shown in various spheres of village life is a proof that the old corporate life of the village is not a thing of the past. We have seen it already in the erection of school buildings and of famine works. The more common method of raising the capital required for a work undertaken jointly by the community is by levying voluntary subscriptions. Sir A. T. Arundel, writing about Madras in 1879, said: “During the settlement of the Tinnevely District more than Rs. 250,000 were raised by subscription and by the sale of waste land, and expended upon objects of public utility, chiefly irrigation works. On one channel alone the ryots built forty-six substantial masonry sluices. . . . In another village Rs. 1,000 was subscribed by the ryots, and expended in clearing away accumulations of silt from neglected public channels. Four villages united to subscribe Rs. 2,500 to build regulating works to apportion the water supply. . . . Indeed so numerous were the applications from village communities desirous of raising subscriptions for works of public utility in which they were individually interested, that the authorities were unable to pay

¹ *Report*, part ii, p. 112.

attention to them all." ¹ In a speech which he made in the Bombay Legislative Council in 1889 on the subject of voluntary contributions under the Village Sanitation Act, Sir Raymond West remarked: "It is said that it is impossible to get subscriptions. . . . I do not think so. . . . The practice prevails in this Presidency, with which as a District Officer I was once personally familiar, and I find that in one *taluka* sixteen villages in the course of two years have subscribed a considerable sum for building and making tanks in their villages." ² Besides voluntary subscriptions, it used to be the practice for village communities in the Deccan to raise the necessary capital by a public loan. This was resorted to in cases where the expense was too great for the village to defray at once. The debt was gradually redeemed by an annual assessment, and sometimes by mortgages of grants of land on the part of the villagers. If the grant of land was small, no rent was charged by Government, but if it was a large grant, the revenue was paid by the other ryots, and the creditor still enjoyed the land rent-free. ³

13. We have been speaking so far of the presence of communal labour in the Madras Presidency. The system was best developed in the Southern Province, but it exists also in some measure in other parts of India, and a rapid survey may be made of the important areas where it is still found. In Gujarat in the Bombay Presidency, though not so pronounced as in Madras, it still exists, and the Irrigation Commission (1901-3) strongly recommended its revival. ⁴ In Nasik (Bombay) the *Bhandharas* (i.e. weirs constructed for raising the level of flowing water across rivers) are erected by the Government, but their recurrent repairs

¹ Pamphlet by Mr. Arundel, p. 45.

² Bombay Legislative Council, September 7, 1889.

³ Report on the Territories Conquered from the Pashwa, Ephinstone, p. 26.

⁴ Report of the Indian Irrigation Commission, 1901-3, part ii, p. 51.

and cleaning are left in the hands of the villagers.¹ The *Vaderu* in Sind (an ancient village officer) had, till about forty years ago, the duty of summoning the villagers for the annual clearance of the canals and water-courses.² In the Bhandhara District in the Central Provinces the village record-of-rights (*Wajib-ul-arz*) lays down the duty of the cultivators to do all the minor repairs, and of the village landlord (*Mal-guzar*) to do the greater repairs.³ A similar provision is entered in the village records of the Santal Parganas in Bengal, declaring it the duty of the headman and ryots of a village to maintain and repair all the village tanks and other works of irrigation.⁴ In Bhagalpur (Bengal) the responsibility for the maintenance of the *Janghas*, or small canals, is left with the ryots of the village.⁵ In the Punjab in the Kangra Valley the cuts from the hill streams called *Kuls* are managed by the people themselves, with no assistance from the Government. "They maintain an organized staff of officers, every village supplying its representatives, who patrol the water-courses to prevent theft, to stop leakages and to distribute the water."⁶ In the Zhob District in Baluchistan the old type of irrigation wells called *Karezes* is undertaken by joint capital divided among several co-sharers, whose shares are determined by the amount of water consumed by each. The work is carried out under the supervision of the *Mirab*, or headman, the co-partners themselves providing labour in works which require no special skill.⁷ In the North-West Frontier Province in Bannu canal clearance is carried out by unpaid labour called *tinga*, and the fines imposed upon defaulters constitute what is

¹ Evidence of A. H. A. Simcox, I.C.S., before the Irrigation Commission, 1901-3.

² *Bombay Gazette*, 1881, part v, p. 24.

³ Evidence of A. B. Napier, I.C.S., before Irrigation Commission, 1901-3.

⁴ *Bengal District Gazetteers*, Santal Parganas, pp. 161-2.

⁵ *Ibid.*, Bhagalpur, p. 83.

⁶ *Punjab District Gazetteers*, Kangra, pp. 144-5.

⁷ *Baluchistan District Gazetteers*, Zhob, pp. 150-4.

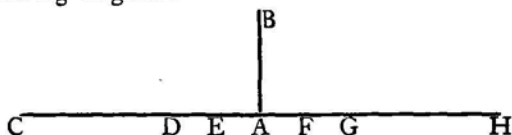
called the *Nagha* fund at the disposal of the Deputy Commissioner.¹

14. There is an extensive system of irrigation by means of small canals in Upper Burma with a complete organization for communal management. "The canals are managed by those who own land irrigated by them, who are also responsible for the necessary labour. On each canal there is a *Myaung-gaung*, or headman, and one or two criers. These officials are elected from their number by those interested in the canal, who are called *Myaung-thas*. The *gaung* allots tasks to the *Myaung-thas*, which are proportioned to the area of land to be irrigated possessed by each. On each canal there is a unit of measure of land, called a *det*, and a unit of measure of work, called a *ta*. These vary in each system. The *det* may be an area of land estimated to produce a certain outturn of paddy, or estimated to require a certain number of bundles of seedlings or of baskets of seed for its cultivation. Situation and quality of the land to be irrigated are taken into account, so that the actual area of a *det* on a single system is not necessarily uniform. For each *det* one labourer is required, for the supply of whom the owner or owners of the land included in the *det* are responsible. Either an owner may personally labour or the labourers required may be furnished by the *gaung* on payment of a fixed sum. In the case of a *det* owned by more than one man (and such ownership is common) the co-owners arrange among themselves for the provision of labour or for payment in its stead. Though theoretically one labourer is required for each *det*, in practice the number of owners who actually perform personal labour is usually sufficient for the work to be done, and these share among them the payments made for substitutes. The *gaung* and criers do no actual labour, their duties being

¹ *North-West Frontier Province District Gazetteers, Bannu*, pp. 94-5.

confined to supervision. The criers communicate the orders of the *gaung* to the *Myaung-thas* and call them out in case of breaches. . . . Each *Myaung-tha* is responsible for the minor channels which actually lead the water from the canal into his fields."¹

15. The actual distribution of water in an irrigated village from the main outlet into each field is very often left to the arrangement of the cultivators themselves. There is sometimes a *panchayat* appointed by the cultivators to regulate the water-supply, but more often a single village officer. This office is an ancient institution, remunerated even to this day in some parts of the country by grain fees contributed by the cultivators,² and its holder works under the immediate orders of the headman. In the large majority of villages at present there is no organization of any kind for the distribution of water within the village. It is carried out, for aught we know, in a haphazard way. There are some villages, however, which possess a regular system of time-honoured rules for distributing water. The following system which prevails in the Zhob District (Baluchistan) is devised with great ingenuity. "A dial is made of a straight stick, twelve fingers high, which is planted in level ground at sunrise. Subsequent operations are explained by the following diagram :—



AB represents the stick and CH the groundline, the first *atama*³ after sunrise is considered to be over when the shadow of the stick has receded to the point C,

¹ *Burma District Gazetteers*, Pakokku, pp. 46-7.

² Evidence of C. H. Mounsey, I.C.S. (Madras), and R. S. Baitmangalkar, Deputy Collector (Bombay), before Irrigation Commission, 1901-3.

³ Eighth part of the day.

which is twenty-four fingers' breadth distant from the point A. The second *atama* is over when the shadow has moved twelve fingers further and is at D, while each of the two subsequent *atamas* up to mid-day are represented by a movement for the breadth of six fingers each. In the afternoon the reverse process is followed, the last *atama* lasting from the time the shadow has reached the point H till sunset.¹ In discussing the nature of the rules by which a village community regulated its water-supply, Sir Henry Maine expressed the opinion that they rested for their sanction neither upon the personal authority of the author nor on a sense of equity nor on any express or implied agreement, but rather upon a sort of fiction which represented them to have existed from all antiquity.²

16. A word must be said of the form of compulsory labour known as *Begar*, which prevails in villages in Upper India. Two varieties of this may be noticed—one enforced by the Government, and the other by the village landlord. The former existed in practically an unimpaired form in certain parts of the Punjab till recently, having been abolished in Kangra proper only in 1884 and in Kulu in 1896, and apparently still exists in the hill district of Simla.³ It was a service which all those who cultivated the soil were bound to render to the Government as a condition of their tenure. It involved generally three different duties—viz. to carry loads, to convey messages or letters, and to provide wood and grass for camp. The amount of labour required was calculated rather on each individual cultivator than on each homestead. The order for the abolition of Government *Begar* in the Punjab does not extend, however, to labour for which full payment is made, and landowners are still expected to turn out for

¹ *Baluchistan District Gazetteers*, Lohb., pp. 158-4.

² *Village Communities in the East and the West*, Lecture iv.

³ *Punjab District Gazetteers*, Simla, p. 106.

such labour under certain conditions.¹ The other form of *Begar*, viz. that exacted by the landlord, is still found in various parts of Upper India. It generally takes the form of labour on the landlord's fields for a stated number of days in the year, to be fixed with reference to each successive harvest. The cultivator is also bound to provide the landlord with a plough and sometimes a bullock for a day at each harvest. In some places they have also to help in thatching the landlord's house, and sometimes to give him their labour free when there is a marriage in his family, or he goes on a journey. The village artisans, not seldom, are also bound similarly to work for the landlord when needed.²

17. The chief public buildings usually found in a village are the meeting-house which is often no more than an open shed, a guest-house, a temple or mosque, a school where such exists, and the relics of the old tower where the inhabitants used to store their property on the occasion of a sudden raid. Often these buildings are found merged in one another, and there is no clear demarcation of the uses to which they may be put in the exigencies of village life. It is difficult to trace any regular system on which they are built or repaired, but it is safe to assume that private charity and communal labour entered into the construction and maintenance of these buildings as well as of village roads and communications in the same manner, though not perhaps to the same extent, as into irrigation works. The maintenance of roads and communications is at present largely the responsibility of District and Local Boards, but the obligation of the village community to look after them is still definitely recognized in some parts of the country. An instance

¹ *Punjab District Gazetteers*, Kangra, pp. 186-8.

² *Bengal District Gazetteers*, Palamau, pp. 134-5; *Central Provinces and Berar District Gazetteers*, Bhandhara, p. 159. Compare the services rendered by a tenant to his manorial lord in England, Vinogradoff, *Growth of the Manor*, pp. 327-8.

of it is the small village paths in Almora (United Provinces), for the maintenance of which engagements are still made with village landlords at the time of the land settlement.¹ So in Burma in the Lower Chindwin District, rural foot-tracks are still the recognized charge of the village community.² In 1905-6 the total length of such tracks for which the villagers undertook responsibility was estimated to have been 384 miles.³

18. A somewhat unique experiment has been recently tried in Berhampore in the Madras Presidency in the direction of starting village *panchayats* to take control of public works. It is apparently nothing more than an informal measure adopted on the initiative of an individual officer of Government. The principle of the scheme is to divide the villages situated in a sub-division of a district, for the purpose of the scheme, among the members of the Local Board in charge of the sub-division. Each member is set to supervise a small definite group of villages. It is his duty in each of the villages, by instructing the villagers and co-operating with them, to get them to form *panchayats* for supervising works of public utility in the village. A certain sum of money is deposited with each *panchayat* for necessary expenses. When the money is spent or nearly spent, a report is made to the Local Board member, who is in charge of the particular village, and he makes a further advance. Such advances are to be made by the member only after he has satisfied himself of the progress which has been already made. It is too soon to say what will come of the experiment. But a recent report which appeared in an influential Madras newspaper seems to give ground for hope. According to it, the *panchayats* are "so keen and trustworthy that it is a matter of pride with them to do the work."³

¹ United Provinces District Gazetteers, Almora, p. 110.

² Burma District Gazetteers, Lower Chindwin, p. 141.

³ The Hindu, weekly edition, April 8, 1915, p. 2.

CHAPTER VI

WATCH AND WARD

1. IN the ancient village community, the headman had the principal direction of the arrangements for watch and ward. His chief executive assistant was the village watchman, who stood to him practically in the relation of a personal servant. As a rule, he was one of the menial castes, often given to criminal habits, who lived on the outskirts of the village and performed general service for the community. His position in the village has been noticed in a previous chapter in connection with the sanitary duties which he discharged in addition to his police functions. He was responsible, under the supervision of the headman, not merely for the discovery of lost property, but for replacing its value when not discovered. In the joint landholding communities of Upper India, the police responsibility of the single headman was divided among the landowners who, between them, maintained order in the village, and through their servants restored, or replaced the value of, lost property. The village communities were everywhere held jointly responsible for offences committed within their limits,¹ and any penalties awarded in consequence were liable to mutual apportionment. When necessity arose, the watchman was assisted by the members of his family, by the other village servants, and in some cases by the whole village com-

¹ Compare the joint responsibility for crime of a township in England in later Saxon times. Vinogradoff, *The Growth of the Manor*, pp. 196-9.

munity.¹ Such a necessity arose whenever a serious theft occurred in the village. It was then customary for the watchman, assisted by the general body of villagers, to start in pursuit of the thief, and the search was only given up when the offender had been definitely traced to an adjacent village, when the responsibility was understood to shift to the members of that village.²

2. One of the most graphic accounts that we have of the duties performed by the village watchman under former governments is that given by Elphinstone of the watchman in the Maratha country.³ The description is worth quoting. "The duties are to keep watch at night, to find out all arrivals and departures, observe all strangers and report all suspicious persons to the *Patel*. The watchman is likewise bound to know the character of each man in the village, and in the event of a theft committed within the village bounds, it is his business to detect the thief. He is enabled to do this by his early habits of inquisitiveness and observation as well as by the nature of his allowance, which being partly a small share of the grain and similar property belonging to each house, he is kept always on the watch to ascertain his fees and always in motion to collect them. When a theft or robbery happens, the watchman commences his inquiries and researches; it is very common for him to track a thief by his footsteps; and if he does this to another village so as to satisfy the watchman there, or if he otherwise traces the property to an adjoining village, his responsibility ends." The remuneration of the village police took the usual form of grain-fees, occasional perquisites, and endowments of land. A Commission appointed in 1858 to deal with ancient grants of land for public purposes in the Madras Presidency men-

¹ *Report of the Indian Police Commission* (1902-3), para. 8.

² This really amounts to raising a "hue and cry."

³ *Report on the Territories Conquered from the Paishwas*, Elphinstone, p. 47.

tioned nine cases of such grants, among which were included the following two : (1) grants connected with the general police of the country under former rulers, and (2) grants to village headmen, accountants, and village police.¹ With regard to the responsibility of the watchman to make good lost property, Elphinstone's remark may be noted that his obligation was limited by the extent of his means, while the remainder was levied on the village as a whole, and that it was only in particular cases that this indemnity was enforced at all. Where indemnity was directed to be paid and the headman or watchman refused, the punishment was the transfer of the assigned land to the nearest relation, fine, imprisonment in irons or severe corporal punishment.²

3. The exact manner in which the village police was linked up with the Central Government is not easy to trace, but it may be presumed that it was in some such way as this : The village police, with the headman and the watchman, were looked upon as the immediate working agency. Over them, in many cases, were officers set in charge of groups of villages, assisted by armed followers, who, in respect of this wider area, had much the same duties and obligations as the village police in the village. Over these again, not infrequently, were officers in charge of districts, and over them the governor of the province.³ This, of course, is a very rough and perhaps hypothetical description, and applicable only to limited areas and to comparatively recent times. The intermediate officers between the village and the provincial Government were known as *Kavalgars* and *Palegars* in parts of the Madras Presidency—names around which have gathered bitter tales of pillage and plunder. To the

¹ *Land Systems of British India*, Baden Powell, vol. iii, p. 78.

² *Report on the Territories Conquered from the Paishwa*, Elphinstone, p. 47.

³ *Papers Connected with the Reorganisation of the Police in the Madras Presidency*, 1859, pp. 43-5.

same class belonged in Telingana or the old Telugu country the police official called *Munewar*. Sir Richard Temple wrote of him in 1868: "The Munewar's original function was to supervise the village watch and to keep the peace generally within a certain circle of villages. For this work he received either allowances drawn from the land or a landed grant. At first these men were doubtless hereditary police officers. In later days they often figure as rural chiefs, and sometimes either as turbulent subjects or as persons resolute to resist aggression, whether from government or from their neighbours."¹ Under this class of connecting links with the central Government may be mentioned also the detective police inspectors known as *Tapasnavis*, appointed by the famous Maratha administrator, Nana Farnavis (d. 1800).²

4. We have an interesting account in the *Fifth Report* (1812)³ of the financial arrangements connected with the institution of *Palegars*, the old police chieftains of the Madras Presidency, as it obtained during the troublous times which immediately preceded the British occupation. They fulfilled two capacities—first as district watchers, and secondly as village watchers. And corresponding to these two functions, they collected two kinds of fees—the village watching fee called *Stallum Kaval*, and the district watching fee called *Desha Kaval*. The former was really the police contributions of the village community meant to support the village watchmen, but the *Palegars* had so encroached on the position of the watchman that, in order to appropriate the fees due to them, their retainers undertook to discharge the duties of the watchmen and practically drove them in large numbers out of occupation. In the district of Tinnevely, with its 2,000 villages, there were in 1799 only 477 with watchmen of the

¹ *Report on the Administration of the Government of H.H. the Nizam*, R. Temple, Calcutta, 1868, para. 143.

² *Imperial Gazetteer of India*, vol. viii, p. 370.

³ P. 142.

ancient communal type; and even these were allowed to retain their places only on condition of contributing a share of the emoluments attached to the office. The district watching fee was often the gift of the king; but sometimes it was the gift of defenceless villagers, who paid it partly to guard against roving bands of plunderers and partly to prevent the *Palegars* themselves from plundering them. The Report goes on to say: "These contributions consisted in payments in money, grain, ploughs, or cattle, and various other articles, and were raised by armed peons. They were not regulated by any fixed principle, but the amount depended on the conscience of the *Palegar*. The payment was sometimes enforced by torture and the whip, and the whole village was put into confinement and every occupation interdicted."

5. The practice by which defenceless villagers were led to engage the services of plundering robber chieftains to secure them against robbery and violence, was part of an extensive system of what might be called "private police." The system must have prevailed in most parts of the country during the political upheaval of the seventeenth and eighteenth centuries. The *Palegars* of South India were in reality not different in their methods, and the causes which gave them birth, from the Marathas in Western India, or from the *Pindaris* and the *Thugs*, all of whom were characteristic products of a time which witnessed a universal breakdown of governments and dynasties. There is evidence that this practice of employing men privately for police purposes goes back to ancient times. The *Arthasāstra* mentions wild tribes (*Aranyachara*) among those who may be used to protect the interior of the kingdom.¹ A South Indian inscription of the fourteenth century A.D., represents a village assembly as selling the right of *Padikkaval*, that is, possibly, the

¹ *Mysore Review*, February 1907.

right of guarding the village.¹ The essence of the system was that the inhabitants of a village entered into a formal contract with the head of a neighbouring tribe of marauders by which, in return for a specified payment, he agreed to protect them against invasion and robbery, and in case of theft to compensate them for the loss. Very often the real objective of this precaution was the contracting tribe themselves—it was a payment they expected “for kindly desisting from robbery.”² The practice has survived to this day, in some form or other, in spite of systematic efforts to put it down. In the Madras Presidency the two criminal tribes who are prominently associated with this custom are the *Kallars* and the *Maravars* in the Madura, Tinnevely, and adjoining districts, and the institution is called *Tuppu-Kuli* and *Kudikaval*. In the United Provinces³ the *Gujars* and the *Jats*, and in Bombay⁴ the *Ramosis* are the tribes employed for purposes of private police, and the system in the former province is called *Languri*. Corresponding to these in Burma⁵ is the system of cases known as *Pyan-pe*, and in the Punjab⁶ the cash gratifications known as *Bunga*. There is nothing to show that the contract is not, as a rule, faithfully discharged by the tribes concerned, and indeed it often happens that a village finds it a more satisfactory method of safeguarding its property, the ways of the regular police being formal and sometimes harassing. Speaking broadly, then, it may be said that the police arrangements of the village before British rule began consisted of the village watch and the private police or the village guard. The former were concerned with offences within the village, the latter with offences from without.

¹ *Madras Epigraphy, Annual Report, 1908-9*, pp. 82-3.

² *Thillai Govindan, Madras*, p. 2.

³ *United Provinces Police Report, 1906*, para. 120.

⁴ *Police and Crime in India*, Sir E. Cox, London, ch. iii.

⁵ *Burma District Gazetteers, Thayetmyo*, vol. A, p. 49.

⁶ *Punjab Police Report, 1903*, para. 17.

6. It may be of interest to set out a few facts regarding the "private police" system, especially in the Madras Presidency, and of the efforts made to put it down. It is the history of a movement which began as a real necessity during a time of general lawlessness, as the only method of safeguarding life and property; but the vested interests it has created by providing through centuries a lucrative occupation for whole tribes of men, combined with the sense of necessity and fear which the traditions of former disorders have helped to sustain, has turned the movement into a grave standing abuse, against which, in the new regime of law and order, the resources of Government have had to be employed with unceasing vigilance. The foremost of these tribes in the South, called the *Kallars*,¹ have a history which apparently goes back for many centuries. Mr. Vincent Smith has suggested the possibility that the *Kallars* are the same race as the *Pallavas*, who exercised such great political dominion in South India in the centuries previous to the Muhammadan invasions, and that the "bold predatory habits" which the *Kallars* display correspond, from what we know, to the manner in which the *Pallavas* exercised their power.² He also notes that during the first three centuries of the Christian Era, the frequent wars which occurred among the various independent chieftains of South India were often waged by the agency of these aboriginal tribesmen.³ The methods employed by them of plundering and of levying tribute were not different from those adopted by the Marathas several centuries later, in connection with their levy of the famous tribute known as *Chauth*. Indeed there is evidence that when the Marathas ventured into the extreme South they enlisted the

¹ An excellent account of the *Kallars* will be found in *Yusuf Khan, the Rebel Commandant*, by S. C. Hill (Longmans, 1914), pp. 25-6.

² *Early History of India*, V. A. Smith, Oxford, 1914, p. 470.

³ *Ibid.*, pp. 439-40.

co-operation of the *Kallars*. When, for example, the Maratha General Raghoji Bhonsla attacked Trichinopoly, among the forces which he led were numbered the *Kallars* besides other tribes.¹ A splendid opportunity for the exercise of their time-honoured profession came to them when Haidar Ali of Mysore made his invasion of 1781 and in the wide-spread disorder which followed it. We find, therefore, that the movement which the Madras police are still engaged in fighting, has to be traced to habits whose roots lie away back in the dim ages of antiquity.

7. The agreement by which the inhabitants of a village engage the services of a criminal tribe often consists of two parts—one which is preventive, that is, engaging the tribe to protect them against future offences—and the other which deals with restoration or compensation in regard to offences which have already occurred—a combination, in fact, of police and insurance. In Madras the term *Kudikaval* (joint watch) is ordinarily applied to the first, and the term *Tuppu-Kuli* (clue-hire) to the second. It is not clear whether the system as found in the other provinces has a preventive side to it, or is merely concerned with the restoration of stolen things or replacement of their value. It is not unusual in either case to find the agreement executed with a fair show of legal formalities, such as witnesses and written documents; and cases sometimes occur of suits being filed in courts of law for the due fulfilment of the contract. The actual parties to the transaction do not, as a rule, come face to face, but leave themselves to be represented by agents. Cattle thefts are the most usual form of offences with which the system is found connected,² partly because

¹ *The Private Diary of Anandaranga Pillay*, Madras, vol. i, p. 161.

² Judging by the provisions about it in Anglo-Saxon law, theft, especially of cattle and horses, appears to have been by far the commonest and most troublesome of offences then. Pollock & Maitland, *History of English Law*, vol. i, pp. 55-6.

cattle form the most valuable property of the agriculturist next to land, and partly because of their mobility. In Tanjore the fee levied is generally from 4 to 8 annas and sometimes 1 rupee per annum for a pair of bulls.¹ These fees must be considered moderate. Indeed it is a point of strength with these robber guards, that they seldom drive the people to desperation by enormous demands. The penalty which a villager is visited who proves recalcitrant is a surreptitious loot of his things, in the course of which he finds "his standing crops taken from his field, his straw-stack or house on fire, or his best pair of bullocks missing."²

8. It is a remarkable fact that after all these years during which this system of blackmail has gone on, there has been but little conscious effort on the part of the people to co-operate in suppressing it. This may be traced to various causes—to fear of vengeance, to long continued habit, to the convenience of avoiding formal police investigations and judicial inquiries, and certainly also to the moderation and discretion of the tribesmen themselves. The only instance of their acting so as to provoke the enmity of the villagers happened in the Madura District in 1896-7 when, owing to certain unprecedented exactions, a general revolt took place which resulted in serious riots. "Meetings of villagers were held, at which thousands attended; they took oath on their ploughs to dispense with the services of the *Kallars*; they formed funds to compensate such of them as lost their cattle or whose houses were burnt; they arranged for watchmen among themselves to patrol the villages at night; they provided horns to be sounded to carry the alarm in case of thefts from village to village, and they prescribed a regular scale of fines to be paid by those villagers who failed to turn out on the sound of the

¹ *Madras District Gazetteers*, Tanjore, pp. 205-6.

² *Ibid.*, Madura, pp. 90-3.

alarm."¹ But the agitation begun so well led in the end to no permanent result; and whatever improvement has occurred in recent years has been mainly due to the activities of the regular police and little to any change in public opinion. The chief measures adopted so far have been to organize special police parties for collecting information, to demand sufficient security from leaders of criminal gangs, to effect a system of registration of cattle sales, so as to prevent questionable transactions and to insist on branding cattle for easy discovery in case of theft.² The only really satisfactory means, however, would be the reformation of the tribesmen themselves—and attempts towards this have recently been made by putting them to the more genteel but less exciting profession of rice cultivation,³ and by the formation among them of co-operative credit societies.

9. While the system of private police, inherited from a time of anarchy and disorder now long past, has thus become a veritable hindrance to good government, its counterpart, the ancient village watch, which maintained internal order in the village, has been on the whole an object of solicitude to the British Government from as far back as the beginning of last century. Lord Hastings, as Governor-General, described them in 1815 as "the foundation of all possible police in this country," and declared that "upon their renovation, improvement, and stability depends the ultimate success of all our measures for the benefit of the country in the prevention, detection, and punishment of crime."⁴ Sir Thomas Munro, in a Minute written in 1824, protested strongly against the idea of absorbing the village watch into the regular police system, "for no system for any part of the

¹ *Madras Police Report*, 1896-7, para. 5.

² *Ibid.*, 1906-7, para. 21, and 1910-1, para. 22.

³ *Madras District Gazetteer*, Madurai, pp. 90-3.

⁴ Quoted in the *Bengal Legislative Council* by A. Money, C.B., May 21, 1870.

municipal administration can ever answer that is not drawn from its ancient institutions or assimilated with them.”¹ The experience of provincial governments in regard to the usefulness of the system, in spite of its varying fortunes, was expressed in the *Bombay Administration Report* of 1882-3 in these words: “The actual importance of the village police cannot for a moment be overlooked. Without the aid of the village police not a single offence could be traced out. They are the real backbone of the detective police, they know all that is going on and know every one in the villages.”² Sir Andrew Fraser’s Police Commission (1902-3) went quite as far as any previous authority in declaring the necessity of maintaining the village watch. “This is necessary from the purely Government point of view—it is impossible to support the expense of a force which would be adequate to obtain information regarding crime over the extensive area and among the vast population of India, without securing the co-operation and enforcing the responsibility of the village authorities. It is necessary also from the people’s point of view; even if the expensive establishment required could be maintained, it would be vexatious and intolerable to the people. Constant interference by the police, constant espionage on village life, constant visits of officials of the lowest grades constitute an intolerable burden to the people.”³

10. The history of the reorganization of the village police in Bengal affords an excellent illustration of the strenuous but shifting policy by which Government attempted to materialize their intentions in regard to this problem, as it is also an example of the peculiar difficulties connected with it. The year 1870 may be taken as the chief landmark in this history. It saw the passing of the most important legislative enactment on

¹ *Minute on the State of the Country and Condition of the People in Fort St. George*, 1824.

² P. 24.

³ *Report*, ch. iii.

village police, the *Bengal Chaukidari Act*.¹ It may, therefore, be convenient to divide the story into three parts with reference to this year 1870 : first, the attempts made before the passing of the Act ; second, the provisions of the Act ; and third, the amendments effected subsequently.

11. In Bengal, as in most parts of India, the watchman was originally an officer of the village community, paid by, and responsible to, the community. A great change, however, came over their position during the period of Mughal rule. The Mughal Government was, above all, a fiscal government, and on their fiscal agents, the zemindars, they conferred powers which practically left in their hands many of the instruments of administration. The village watchmen became their personal servants, looking after their affairs by day and watching the village by night. Their functions grew more fiscal than police—more the collection of public dues than the maintenance of order. Under Clive's arrangement in 1765, the Company became possessed of the revenues of Bengal, and the village watchmen, in their new capacity of revenue officers, passed under the control of the Company.² The system still suffered from their personal allegiance as a class to the zemindars, and all early efforts at reform failed signally. The Permanent Settlement of Lord Cornwallis in 1793 offered an opportunity for reconsidering the whole position of the zemindars, and it was used to deprive them of their control over the village watchmen, who were transferred to the jurisdiction of the Government police inspectors known as *darogahs*. This meant, in theory at any rate, that they were thereafter to be under the jurisdiction of the regular police. The change, however, was only nominal, as the zemindars, by their enormous local influence, now strengthened by the new proprietary

¹ Act vi. (B.C.) of 1870.

² *The Annals of Rural Bengal*, W. W. Hunter, 1868, p. 333.

right under the Permanent Settlement, continued to retain their control over the village watch, and used it to pervert the course of justice in their own interests. The position of the watchman was thus made vague and indeterminate. He was, by law, under the regular police; he was, in practice, the zemindar's man. In either case there was now no question of responsibility to the village community, the dominant position of the zemindar under the Mughals, now sealed by the Permanent Settlement, having thrown the community into comparative powerlessness. This was practically the position of the village police in Bengal until 1870.

12. It must be pointed out that there are considerable parts of Bengal, especially Eastern Bengal, where the village watchmen, as they are found to-day, are not the survivals of the ancient system, but purely a modern creation. In the reports of district officers in those parts of Bengal during the early years of last century, there is evidence that they found little signs of a village police, and some of them on their own account instituted a rural police service corresponding to what obtained in other parts. In fact, the oldest legislative enactment (1817) now in force in Bengal¹ to formulate the position of village watchmen was passed primarily with a view to vindicating the independent action of these district officers.² An important test for distinguishing the two systems, the survival of the old from the new artificial creation, was found in the fact that the remuneration of the watchmen under the former system was to a considerable extent derived from assignments of land, while under the latter it was entirely payment by money. This led to the further difference that a watchman who held land in a zemindar's estate was bound, at least by long usage, to render personal service to him in addition to discharging his public duties, while in the other case

¹ Reg. xx. of 1817.

² Speech by the Hon. H. J. S. Cotton, Bengal Legislative Council, July 30, 1891.

his responsibility was rather to the general body of villagers under the direction of the magistrate. He owed his maintenance to contributions by the villagers, and his appointment to the magistrate on the nomination of the headman. The main defect with this latter class was that the wages paid to them were often very inadequate and were constantly in arrears. The question whether a zemindar was entitled to the personal service of a watchman who held land in his estate was the subject of a long dispute in Bengal, which was ultimately carried to the Privy Council. The decision of the Privy Council was a compromise to the effect that the watchman's service was partly public service and partly personal service to the zemindar.¹

13. A strong movement to remedy the accumulated confusion which marked the position of the village police in Bengal started from the great reforms in criminal administration which took place in 1862.² In that year were introduced the Indian Penal Code, the Criminal Procedure Code, and the Police Act, and in that year also the High Court took the place of the older courts—the Supreme Court and the *Sadr Nizamat Adalat*.³ The effect of these changes was to make a great demand for efficiency on the regular police and the magistracy, which was bound to have its influence on the village police, upon whom the first duties in connection with the detection of offences often rested. Various unsuccessful attempts were made at reform. The first of them, which was made sometime before 1862, was the work of Sir H. Ricketts, who brought forward a Bill in 1859 for the formation of a *panchayat* to assess and collect the salaries of the watchmen, but leaving their appointment and removal to the magistrate. This was followed in 1863 by the proposal of Sir Charles Hobhouse to do away with payment by

¹ Joykissen Mookherjee's Case.

² Report of the Committee to Consider the Reform of the Police of the Lower Provinces of Bengal, Calcutta, 1891.

³ Principal Criminal Court.

lands and grain-fees, and to make the watchman a salaried servant of Government. Next came Mr. D. J. Macneile's Report in 1866, asking for the total abolition of the village watch and for placing villages under the jurisdiction of the regular police, whose numbers were to be increased for this purpose. None of these proposals met with favour, and the Act of 1870 had to be devised on more or less fresh lines.

14. The main principle of the Act may be represented as the "municipalization" of the village police, meaning its reconstitution as an organ of the village community, paid by, and responsible to, the community acting through a representative committee called the *panchayat*. In the words of "The Statement of Objects and Reasons of the Act" (*Calcutta Gazette*, 1870, p. 357), "the provisions of the Bill, while maintaining the responsibility of all landholders to report crime, are based upon principles which have been recognized as applicable to these Provinces, first, that it is just and expedient that the people at large should pay for their own protection; and secondly, that it is the duty and policy of the Government to leave as much as possible of the business of the country to be done by the people themselves." The members of the *panchayat* were nominated by the district magistrate, and before a committee was appointed in any village, it was his duty either personally or through a subordinate to explain to the villagers the object of the measure, and seek to enlist their co-operation. The *panchayat* were given power to fix the salaries of watchmen and the number to be employed in each village. They assessed and collected the necessary funds. They had also power to appoint and dismiss watchmen. The *panchayat* worked under the general control of the magistrate, but this control was not to be exercised unless there had been neglect or failure on the part of the *panchayat* to take the necessary action. Besides the general control of the magistrate, there were three means open to Govern-

ment for checking abuses: first, the power given to the magistrate to fine anyone who refused to act on the *panchayat*; secondly, the provision by which a *panchayat* who refused to collect the amount required for the watchmen's salary might have their goods and chattels distrained to make up the amount; thirdly, the power reserved to the Lieutenant-Governor to frame rules which would have the force of law for the guidance of *panchayats*. The idea behind these measures was evidently to bring back to life, as far as possible, the state of things supposed to have been in existence before the large landholders or the Government stepped in to assume the rights of the village community.

15. The Act had not long been in operation before complaints were heard. These complaints were summarized by the Bengal Police Committee (1891) as follows¹: First, though there was some improvement in the wages of village watchmen since the Act, the improvement was due not to the *panchayats* but entirely to the action of magistrates. Secondly, there was everywhere the greatest reluctance among villagers to serve on *panchayats*, due (1) to the appointment being compulsory, of indefinite duration, unremunerative, and entailing great personal trouble and responsibility; (2) to *panchayats* being liable to great odium and enmity among their fellow-villagers if they collected dues punctually or distrained and sold for arrears; (3) to growing police interference with the affairs of *panchayats*, though this was not contemplated in the Act. Thirdly, owing to the unpopularity of the *panchayats* the best men were out of them, and their efficiency and reputation suffered in consequence. Fourthly, the assessments levied by *panchayats* were in many cases unfair, rich or influential people being let off with only a light contribution, while the poorer villagers were heavily assessed. These failures soon

¹ Report, paras. 16-20.

began to tell, and within fifteen years of the passing of the Act a fresh change was demanded—from the municipal idea to something of the idea of a regular state police. The remarks of the Police Commission (1902-3) on this change of opinion deserve notice: "A fair trial can hardly be said to have been given to the village system. The Commission have also formed the impression that, with some striking exceptions, there is too little interest in the village police displayed by collectors in this Province. . . . The Commission are disposed to attribute the failure of the *panchayat* system in some measure at least to this lack of interest."¹

16. The two principal amendments by legislative action to the Act of 1870 took place in 1886² and 1892.³ The direction in which the reforming process was set by these amending Acts was somewhat to discountenance the village municipal system. Mr. Cotton (now Sir Henry Cotton), who introduced the Act of 1892 in the Legislative Council described the step as one "in the direction of centralizing police administration, and of bringing the village watch much more than it now is under the immediate supervision of the District Magistrate."⁴ The main changes sanctioned in 1886 were these: (1) the *panchayats* were relieved of the duty of collecting the tax required for the maintenance of village police. They continued to assess the tax, but the actual collection was to be carried out by a paid agency working under the magistrate; (2) the *panchayats* were to retain the right of nominating watchmen, but the appointment itself was to be made by the magistrate; (3) the power of punishing and dismissing watchmen was to be withdrawn from *panchayats* and transferred to magistrates or Superintendents of Police; (4) the village watchmen were hereafter to receive only money salaries in every case. Any lands

¹ Report, ch. iii.

² Act i. (B.C.) of 1892.

³ Act i. (B.C.) of 1886.

⁴ Speech, April 23, 1892.

assigned for watchmen, still outstanding, were to be settled with the zemindar, the produce to go to a fund called the Village Watchmen's Fund. The Act of 1892 went further in the same direction: (1) it transferred from the *panchayat* to the magistrate the power to determine the number of watchmen in each village and to fix their salary; (2) it empowered the magistrate, at his own discretion, and not merely at the suggestion of a *panchayat*, to appoint a Government officer to take charge of the collection of taxes; (3) fines and penalties were to be credited not to a village fund, but to a district fund for maintaining village watchmen. Parallel with this curtailment of the powers of *panchayats*, the Act of 1892 introduced the rather radical change of allowing *panchayats* to be elected by the people "in any manner most convenient." The change amounted to this—a committee designed with the object of securing better popular representation was to undertake responsibilities of a manifestly lesser character. It is difficult to say the change has proved a success.

17. To sum up, the history of the village police in Bengal comprises the following successive stages—First, they started as an organ of the village community, responsible to its representatives. Secondly, during the Mughal period they tended increasingly to become the revenue and personal servants of the zemindars, the farmers of revenue. Thirdly, in 1793, Lord Cornwallis placed them by regulation under Government police officers, but they continued practically under the control of the zemindars. Fourthly, in 1870 they were put back into the position of village servants responsible to representative village committees. Fifthly, in 1886 and 1892 they were, to a considerable extent, removed from the control of village committees and placed under the immediate direction of the magisterial officers of Government.

18. In describing the present state of the village police in the different provinces, it is convenient to go back for a moment to the brief description of the ancient village watch with which this chapter began. It will be seen from that description that the village community had principally three organs of police administration, namely, the headman, the watchman, and the general body of villagers. Around these three factors may also be gathered the leading features of the present system. To take first the headman, he is still the head of the police in his village in almost every province except Bengal, or the greater part of Bengal. On the whole, his position may be described as that of an intermediary between the village police and the village community on the one hand, and the District Administration on the other, any interference by the regular police in the internal affairs of the village being, as a rule, steadily discountenanced. It is to him that the watchmen make their reports, and reports to the regular constabulary are usually made by him. The Criminal Procedure Code lays on him, in the first instance, the duty of reporting to the magistrate or the police such matters as the whereabouts of notorious thieves, the commission of serious offences in the village, the occurrence of unnatural deaths, etc. It also empowers the District Magistrate, where there are no headmen, to appoint them specifically for the purpose of this section.¹ The first report of an offence committed in a village which the headman forwards to a magistrate is often of great importance in the judicial inquiry which arises over the offence. Variations between the headman's story and subsequent accounts are a usual form of assistance to defence counsel. Almost invariably the headman combines revenue with police duties. The justification of the system has been stated to be the increased knowledge

¹ Sec. 45.

of the village, which comes of doing revenue duties, the prestige and influence he thereby commands in the village, and the manifest economy of employing one officer for this double function. The arrangement is in accordance with the well-known views of Sir T. Munro. It is urged, on the other hand, that this makes him too much a tool of the Revenue Department, and that oftentimes his other duties take up so much of his attention as to leave him little time for police work. While his position is of greater consequence in Madras, Bombay, and Burma than in any other province, it may be said on the whole that there is a general resemblance in most provinces. On the general character of the village headman as an officer of police, the following words from a Resolution of the United Provinces Government in 1910 are instructive.¹ "The village headman is for the most part what the district officer makes him, and the success or failure of the system lies in the hands of those who administer it. At the best, the village headman can be a most useful connecting link between the police and the people, who can give assistance to the former and smooth the path of the latter. He can increase the efficiency and the honesty of police work in villages, can mitigate popular prejudice, and remove misunderstandings. But at the worst, he will be the jackal of the least scrupulous members of the force."

19. In Madras the position of the village police was formally settled by a Regulation of 1816,² passed on the recommendation of a Commission of which Sir Thomas Munro was a member. Its effect was to place the village watchmen under the control of the Revenue and Magisterial Officers, but to recognize the headman as the local authority. A subsequent Act passed in 1859, to organize the present regular police, left the village watch in the same position as before, and with

¹ *United Provinces Police Report, 1910, Orders of Government.*

² *Reg. xi. of 1816.*

a few secondary changes, the Regulation of 1816 has continued to this day. The police duties of the headman are set out in detail in the *Madras Village Officers' Manual*. Briefly, he "must maintain law and order in his village, applying for assistance to higher authorities if necessary, and reporting to them the occurrence of crimes and the movements of criminal gangs."! An important change in the responsibility of village headmen as police officers has taken place in Madras, as in some other provinces, within recent years by the abolition of what was known as the *Village Beat System*. This was an arrangement by which constables of the regular police used to be told off to watch village areas in addition to the old village police. Its abolition has practically left the headman as the undisputed head of the police within his jurisdiction. An increased sense of responsibility is hoped for in consequence, and to a certain extent has in fact been shown. An examination of the official reports points to three defects as regards the general character of headmen as police functionaries: (1) their illiteracy; (2) their tendency to be mixed up in local quarrels; and (3) their occasional alliance with criminal tribes—an analysis which will be found to apply to other provinces besides Madras.

20. In Bombay the village police were placed for the first time under the District Magistrate in 1852. The change was declared to have worked satisfactorily, and the Village Police Act of 1867, which still regulates the organization of the village police, confirmed the change and formulated the duties of the officers concerned. The head of the police in the village is an officer called the *police patel*, who very often combines the office with the duty of revenue collection. He is often, in fact, the village headman in another guise. His duties correspond in the main to the police duties of the headman in Madras. Besides the supervision of

¹ *Imperial Gazetteer of India*, vol. iv, p. 281.

the village police and the maintenance of order, he is "to furnish the magistrate of the district with any returns or information called for, and to keep him constantly informed as to the state of crime and all matters connected with the village police and the health and general condition of the community in his village."¹ Certain improvements were effected in his position on the recommendation of the Police Commission of 1902-3.² They have been summarized as follows: (a) Greater subordination of the village servants to the *patel*; (b) instruction to magistrates that they should refer to the *patels* any people who come to them with complaints of petty hurt and abuse; (c) investing selected *patels* with special powers to try petty cases on the spot.³ The position in Sind, which forms part of the Bombay Presidency, is that there is nothing there which may be properly called a village police, and the duties which elsewhere are performed by headmen are done by local landowners, "most of whom loyally give the assistance of their great influence to the police in all criminal cases." The attempt to create an official class of headmen has not materialized (1912) owing to the unwillingness of landowners to be enrolled as paid Government servants and to the possibility of discontent among them where one man is singled out in an area comprising numerous influential men.⁴ The headmen in Burma, who are a creation of Government, have important police duties, which are set out in detail in the Burma Village Act.⁴

21. In the landlord villages of Upper India, the duties of the headman are discharged by one of the landlords specially selected. Taking first the United Provinces, the landlords shared among them for a long time the responsibilities of village police. These

¹ *Bombay Administration Report, 1911-12*, pp. 28-9.

² *Bombay Police Report, 1910*, pp. 20-1.

³ *Bombay Administration Report, 1911-12*, p. 30.

⁴ Act. vi. of 1907, *secs. 7 and 8*.

responsibilities, which had been enforced by regulation till 1862, were from that year enforced under the Criminal Procedure Code (sec. 45). This provision, as will be remembered, authorized District Magistrates to appoint headmen for the purpose of reporting crime, where the village itself did not provide for it. Rules were issued under this section in 1895 with the object of setting up the *lambardar*, who is merely a representative of the landlords for revenue dealings with Government, as headman for the purpose of the Criminal Procedure Code. If he was not a resident in the village, some other influential landlord was appointed. The headmen thus chosen, who are called *mukhiyas*, have no police duties apart from the Procedure Code, which amount practically to communicating information on specific topics, and to little more. In the Punjab the *lambardar* has the primary responsibility not merely for communicating information, but for maintaining the peace of the village. In some villages there are more than one of these representative landlords, in which case one of them is selected as chief (*ala-lambardar*). These men are under the control of an officer in charge of a group of villages, called a *zaildar* or *inamdar*. In the Central Provinces, of which the greater part consists of landlord villages, the *lambardar* is, as a rule, constituted headman (*mukaddam*) for the general administration of the village, and his duties are defined by the Land Revenue Act. He is responsible "for reporting crime and for assisting the police." In villages of small holders (*ryotwari*) the village *patel* is in charge of the police, and discharges in respect of it the same duties as the headman of a landlord village.

22. The position of the village watchman is less complex than that of the headman, and is more easily described. His functions extend "to the arrest of offenders, general aid to the police, the maintenance of a watch over bad characters and suspicious persons, and

the general supply of local information." ¹ Sir Murray Hammick, when he was Inspector-General of Police in Madras, summarized the duties of the watchman as follows: (1) Patrol of the village; (2) surveillance of strangers; (3) execution of criminal processes; and (4) the carrying of information to police stations.² The methods of remunerating village watchmen fall into two classes applicable, in widely varying proportions, to most provinces—either by assignments of land and grain-fees, or by monthly salaries in cash. In Bombay and the Central Provinces the old custom of land assignment and grain-fees prevails almost exclusively. The money required in the case of the salary system is largely raised by means of a local cess, to which sometimes non-agriculturists also have to contribute. The Police Commission of 1902-3 seemed on the whole to favour the first form of remuneration. In their opinion the advantages of the system are these: In the case of an assignment of land, the watchman is provided with occupation for his spare time and for his family, and reaps what may be called the moral benefits of an agricultural life. Grain-fees keep the watchman in communication with the agriculturists, and give him a sense of obligation to them. In making the appointments, hereditary claims are always respected, but the appointments themselves are, as a rule, made by the magistrate on the nomination of headmen and landowners. In some parts of the country there are no rural policemen who may be properly so called. In the Central Provinces, for example, the watchmen are in the position almost entirely of the headman's personal servants, and all of them may be summoned by him for police duties, and any one of them may be called in to help in any village duty. In Burma the only kind of functionaries who may be called rural policemen are what are called the "ten-

¹ *Imperial Gazetteer of India*, vol. iv, ch. 12, p. 39.

² *Statement of Police Committee on District Police in Madras*, 1902, sec. 2, para. 153.

house men" in Lower Burma¹ and the agents of outlying hamlets in Upper Burma.² In Assam there are rural policemen appointed on the Bengal model in the Surma Valley and in Goalpara. In Sind what corresponds to a village police is the class of trackers known as *pagis*, who are skillful in tracing stolen animals by their footprints. They were a necessary appendage in an unsettled time to an agricultural community with a scattered population. Sir Bartle Frere, in a memorandum on the Sind police in 1859, said of them: "I have known some of the more experienced ones make a very good livelihood, equal to ten or twelve rupces per mensem. It is esteemed an honourable profession, and in disputes the word of an experienced tracker is often regarded as decisive; I have known robbers appeal to it, and admit their guilt at once and show where the stolen property was concealed, if the tracker's fiat were against them."³ Originally their employment was casual, but now some of them receive regular employment in *talukas* and villages at the rate of Rs. 10 and Rs. 5 per mensem.⁴

23. The policy with regard to village watchmen is as strongly as ever against placing them in direct subordination to the regular police. Their responsibility is to the magistrate and the Revenue Department through the village local authorities. Whilst this arrangement has certainly its own faults, it must be recognized that it is preferable to the other system of making them a part of the regular constabulary. The Revenue Officials, though subject necessarily to the routine of the Department, are yet interested in the preservation of the village as the administrative unit, and there is less danger under them than under the Police Department of the functionaries of the village being absorbed into a centralized administration. At

¹ *Se-etu-gaung*.

² *T'oa-gaung*.

³ *Memorandum on the Sind Police*, H. B. E. Frere, 1859.

⁴ *Bombay Administration Report*, 1911-12, p. 30.

the same time it is recognized to be a prime necessity that though not subordinate to the regular police, they must give them every possible co-operation, and it is an object of care on the part of those responsible that this relation of co-operation between the two arms of the police is sustained and promoted. One of the strongest advocates of the present system was Sir Murray Hammick as Inspector-General of Police in Madras, and to his influence is largely due the strong stand which that Government have since taken in the preservation of village institutions. It is interesting, however, to note two little changes in recent years which appear, somewhat unconsciously, to go against this idea. The first is the providing of village watchmen in increasing numbers with official badges and staves to signify their authority. This is to give them an appearance of aloofness from the village, and to present them as less of a natural organ of the village community. Another change is an occasional instance of what are known as *talayaris*' meetings, which means the gathering of watchmen in a particular group of villages to meet the Government Sub-Inspector of Police and receive instructions from him. Fortunately the practice is being discountenanced.¹

24. Coming to the action of the village community as a whole, the first thing to note is that the ancient joint responsibility of villages for crime occurring in their areas is still enforced, though rarely, in provinces such as Burma, the Punjab and Sind by the levy of a fine on the whole village, which is collected usually as if it were a revenue demand. It is customary also on occasions to offer a reward to a whole village in the form of a money present or of a remission of revenue if good work has been done in preventing or discovering crime.² There is provision in many provinces requiring the inhabitants of villages to give assistance to villagers

¹ Madras Police Report, 1912-13, Orders of Government.

² Punjab Police Report, 1906, Orders of Government, para. 7.

in resisting robberies or similar aggression. Another way in which the community takes part in police work is by the institution of *panchayats* for furnishing information to the regular police regarding the existence of bad characters in the village.¹ There is, on the other hand, in parts of the Punjab a strong organized combination in villages *against* giving evidence to the police. The combination is cemented by each member taking an oath to uphold it at whatever cost, called "*Dua Khair*."² Apart from these more or less normal modes of proceeding, the village communities make special organized efforts, when a grave necessity arises, for joint police action. A few of the more conspicuous instances of such common action may be noticed.

25. One of the most noteworthy of such instances is what is known as the *Tikri Chaukidari* system in the Amritsar district in the Punjab. It was employed with satisfactory results in 1897, during a period of exceptional outbursts of robbery. The Punjab Police Report for 1898³ contains a good account of the system, which may be quoted in full. "It is an arrangement under which all the villagers voluntarily undertake, in turn, to guard the entrances of the village at night. The method of selection for the duty is that two *gharras*, or large earthen vessels, ordinarily used for carrying water, are sunk in the ground in the place of the village common resort, the *patwar-Khano*, or the *dharmsala*, the neck and mouths of the *gharras* are left above ground-level, and are fastened with a lid secured by a lock. The names of all the male inhabitants of the village, irrespective of caste or position, and who are between certain stated ages, are written on scraps of paper—whence the name *tikri*; these are folded, and all the names are then dropped into one of the receptacles, the whole are well stirred up. A number of stout cudgels, called *lathis* or *dangs*, are provided, which cor-

¹ *Madras Police Report, 1912-13, para. 8.*

² *Punjab Police Report, 1907, para. 7.*

³ Para. 28.

respond in number with the number of watchmen that the village community has decided shall be nightly on duty : these cudgels are the batons of office. Daily the village elders and such persons interested as care to attend meet at the place where the name receptacles are, the lock is opened, papers to the number of watchmen for duty on the approaching night are drawn at hazard, and the cudgels of office are then despatched to the persons whose names have been drawn, and it becomes the duty of each one to undertake in person watch on the night. The names after having been drawn are dropped into the second receptable, and those who have done a night's watch are no more liable until all have had their turn, when the business commences over again." The system has more recently declined almost into abeyance, partly because the necessity for it has become less pressing. There have been proposals to revive it by placing it on a legal basis. If the proposals were carried out, it would be interesting to know whether the improvement expected has really been brought about by compulsion. The question looks rather like *Conscription against Voluntaryism* ; and in the absence of reliable information as to what the village Tories and Radicals of Amritsar, in moments of fierce party war, are apt to say on this question in the blazing purlieus of the village parliament, we must be content to quote the following from the sober report of an officer of the Civil Service.¹ "The effect of the *Tikri Chaukidari* system in Amritsar seems to be waning. It is natural that when people discover that there is no legal punishment for neglect, they should become negligent. I see no reason why we should not enforce village responsibility for the prevention of crime by legalizing the system. The crux of the whole matter is probably the decision of who are and who are not liable to be put on the

¹ Sir J. M. Douie, *Punjab Police Report, 1898*, para 28.

roster. The work of watch and ward is the proper task of the young unmarried men. Having regard to the conditions of village life, I do not think we can expect much service of this sort from married men, at least of the landowning classes." ¹

26. Two other cases may be noted. A system adopted for organized resistance of robbers in a Central Provinces district in 1883, at the instance of a magistrate, was thus described by him. "I had lists prepared of all able-bodied men in every village, and ordered that, on the approach of dacoits, an alarm should be sounded, whereupon all whose names appeared in these lists were to collect at some previously arranged place with all available arms, and to combine in the defence of the village, instead of flying in every direction, as they usually did. . . . In addition to this, red paper discs were issued to the *Mukaddam* (headman) of every village, with instructions that on the receipt of information as to the movements of the dacoits, that information should be at once forwarded, written on the backs of these discs, to all the surrounding villages, who were to pass the information on promptly, at the same time turning out *en masse* over the whole of their respective village areas, to watch for any further movements on the part of the dacoits. This method of spreading information is one well known and understood in the country." ² A somewhat similar system was employed in Bombay in 1899, during a time of prolonged agricultural scarcity. The village police and *patels*, with as many able-bodied, willing villagers as they could get were encouraged to pass the nights, particularly during the dark half of the month, in the village *chavadis* (meeting-house) with a supply of slings, stones, and sticks handy, the men more or less on the alert,

¹ A certain resemblance may perhaps be traced between the *Tikri Chaukidari* system and the liability of citizens to serve as special constables in England in a time of emergency.

² *Central Provinces Police Report, 1883, para. 64.*