CHAPTER 7

SOME CONCLUSIONS

Various factors contributed to the formation of Central Provinces. Geographically, Sagar and Nermada Territories Conjoined with the province of Nagpur. Politically the earlier administration in these two separate units did not exhibit unity, completeness and efficiency which are required in order that justice may be done to the condition and prospects of territories, so largely capable of improvement.

Under such circumstances it was both on administrative and political factors, necessary to consolidate these units into one compact province.

The basic administrative framework in the Central Provinces was based primarily on a pentarchical platform, consisting of the department of the General Administration, land Revenue, Judicial, Police & Jail and Education. For the betterment of administration constant efforts can be noticed on the part of the British Administrators to consolidate the provincial built up by organising the various divisions. The organization of different departments as and when
necessary also exhibits the intention of smooth running of administrative business.

The maintenance of Law and order in a country such as India, where the population is so scattered, must necessarily be both important and expensive; and the combination of efficiency and economy is a task of the greatest difficulty. This remark correctly applies to the police management under the British rule, for the simple reason that an efficient agency such as police was the primary organ for the maintenance of internal security as well as the law and order. Hence, an organization of modern police system was one of the most important achievements.

The financial crisis that followed the Revolt of 1857 also necessitated an immediate reduction of the cost of police. Consequently a determined attempt was made to evolve a new system of police in Central Provinces after its formation. In the light of the recommendations of the police commission of 1860 the police force in Central Provinces was reorganized.

The police system in Central Provinces as in other provinces also suffered from the financial handicaps throughout the period of study. There was a constant
trend of reduction on the ground of economy. It was often complained that the strength of the police was somewhat deficient.

The operational aspect of the central provinces police force is full of sensational results, it could not gain the confidence and cooperation of the people without which no police can discharge its functions effectively. The police men adopted an overbearing attitude towards the people. They could not, and in fact did not, identify themselves with the people and remained an instrument of the government for keeping the local population in order.

Crime was not more rife than in the provinces of Northern India. Relative to the population, there would appear to be, in the Central Provinces, less crime than in Punjab, considerably less than Oudh. The government had succeeded in keeping serious crimes in check. Failure was confined only to the petty crime against property. The crimes such as murder, dacoity and robbery were kept in check; dreaded crimes such as thagi and female infanticide were rooted out. In short, crime against the person were effectively checked.
The same, however, cannot be said of property. The greatest failure of the government lay in the great proliferation of petty crimes against property. It is general opinion of those able to judge that, under British rule, violent offences against the person, have decidedly decreased. The less aggravated of the offences have not decreased, and have probably some what increased.

It can be readily admitted, as police officers usually pointed out, that the vast majority of cases of theft involved a very trifling amount of property. But it must also be kept in mind that the vast majority of people in central provinces were extremely poor, a trifling amount of stolen property might constitute the whole of their belongings.

The administration failed to realize that the police needed, like any other professional organisation thorough professional training. Hardly any systematic attempt was made to train them in police methods. The weak point in the police administration was the want of intelligent, well educated chief constables—the class of officials on whom depended more than on any other, the
well being and efficiency of the force.

The old institution of the rural police was quite disorganised. Whatever police authority existed in villages was centered in the landholders (Malguzars) or petty proprietors. Kotwars were simply the servants of the malguzars, employed for reporting crime, police had nothing to do with them. The malguzars dispensed a sort of rude justice to the village population.

The other alternative would have been an organized village police, regularly enrolled. The cost of such a force could not be met, and the whole arrangement would have alienated the landholding class who would then have acted as an antagonistic element where as under the present system the government received their active cooperation in all the matters of administration.

A determined effort was made by the government of India after the suppression of the Revolt to simplify the laws and judicial procedure, so as to make them more acceptable to the people and more effective. The Penal Code, the Criminal Procedure Code and the Police Act put the laws relating to crime and criminals on a definitive footing. The outstanding achievements in the civil side
of the judicial administration was the introduction of the code of civil procedure and the establishment of a judicial hierarchy ranging from the judicial commissioner to the tahsildar. This not only ensured the people to obtain justice on a well defined procedure but also infused confidence among them. The increasing number of civil litigations bears ample testimony to the popularity of the civil courts. Promptness in disposing of the civil suits further brightened the judicial aspect of British administration in the Central Province.

The Principle of quick decision and prompt execution can also be noticed in the criminal side of the judicial administration. Here also the hierarchy of civil side functioned as criminal courts, right from the judicial commissioner to the Tahsildars. The important improvement in the system was a deep decline in the criminal cases.

Judicial procedure was still too complicated for the simple people of Central Provinces, who had been accustomed to a rough and summary type of justice. The trouble and the cost of travel to the courts and the exactions of the corrupt amla still made them try to
avoid involvement in judicial proceedings.

Many such defects could have been remedied by decentralising the judicial system. In fact, an effort in that direction was made, though for a very different reason by the appointment of Honorary Assistant commissioners. This pioneering experiment, with an immense potential for benefitting the people was made for essentially political reasons. Its purpose was to bind the land holders (zamindars) in close alliance to the government by sharing some administrative responsibility with them. The system of appointing Honorary Magistrates in the interior have been a very important step in the direction of carrying the administration of justice to the people, and to combat the sharp increase in petty crimes.

Honorary Magistrates undoubtedly rendered real service to the administration of criminal justice by making justice more readily accessible to the people and by lightening the task of other officers. Initially in 1862 forty six Honorary Magistrates were appointed. Several more were added in due course of time. Still many more courts were needed in the interiors. The
sheer distance between them and villages in the interior often handicapped the administration of justice.

No consistent policy of judicial punishments was developed in Central Province. The principal aim of punishments was deterrence. However, good behaviour system was introduced in the jails. Reforming part of punishment was always ignored, except to a certain extent in the case of juvenile offenders. Even this limited aim was often frustrated by the chronically over crowded prisons with little or sometimes no facility of putting the inmates to hard labour. The proportion of convicts increased with the passage of time. This suggests that punishments were not deterrent. Many officers, both police and judicial seemed to be convinced that the great increase in petty crimes against property was partly caused by insufficient punishment.

The financial difficulties in which the Government of India found itself after the suppression of the Revolt were responsible for many of the short comings of the administration in Central Provinces. The strictest economy was imposed in all the branches of administration. Only the minimum establishment could be
maintained in all the departments. It is surprising indeed, that in spite of the reduction in strength, the police managed to keep the occurrences of crimes in check.