The maintenance of village Chowkidars and Defadars for the preservation of rural peace and security is a time-honoured practice of the rural self-government in India. Prior to the emergence of the Panchayat system in the Hindu period the defence of the village was left in the hands of the village headman as he was the officer-in-charge of its Militia and Watch and Ward. In the days of the Moghul Emperors the duty of defending the village was given to the Chowkidars who were servants of the village community, and they were maintained by the villagers out of village lands or by a share of the crops. During the days of the company administration the appointment of Chowkidars was generally made by the local Zamindars and as a result the chowkidars had been the private servants of the Zamindars from when they held Chakran (service) lands. The arrangement thus stated above worked badly. The Chowkidars were useless and corrupt and degenerated into the supple tools of the Zamindars.

To mitigate the evils the First Lt. Governor,

1. A.S. Altekar-State & Govt. in ancient India, 1958, Ch. VI, P-226.
3. Cambridge history of India, 1958, Vol. VI, Ch. 11, Pp-26-77.
Sir Frederick Haliday succeeded in passing the chowkidari Act in 1856 which provided for the watch ward of these larger towns and villages to which it was applied. By virtue of this Act the District Magistrate would appoint Chowkidars on such fixed salaries as he thought fit. The cost of the maintenance of the Chowkidars was recovered from the inhabitants, in proportions assessed by Panchayats, committees of five leading men. The Act of 1856 sought to democratise the mode of appointment of services of Chowkidars but too much control of the District Magistrate negatived the same.

The Bengal village Chowkidari Act which was passed in the year 1870 also admitted the influence and power of both the Panchayat and the District Magistrate on the appointment and fixation of salaries of Chowkidars though the latter would ultimately prevail over the former. The Bengal Village Self-Government Act passed in the year 1919 did not also make an endeavour to remove the evil effects of dual control over the Chowkidars as introduced by the Act of 1870.

The West Bengal Panchayat Act, 1957 and its relevant rules thereto have made provisions for the appointment of Dafedar and Chowkidars. But these provisions are mere repetitions of the past procedures.

1. Ibid.
* 'Dafedar' means a head Chowkidar as defined in Sec. 4 sub-sec.(3) of the Bengal village Self-Government Act, 1919.
regarding the appointment and service conditions of the Chowkidars as observed under the Union Board system. The usual procedure of appointment of Chowkidars under the Union Board system was that the latter at a meeting would nominate a person to be a Dafadar or a Chowkidar and send the same to the District Magistrate through the Circle Officer and the District Magistrate was the authority to appoint the same.

But with the opening of new employment exchanges in the districts and sub-divisions names for the appointment of Chowkidars and Dafadars are generally invited by the District Magistrate or the Sub-divisional Officer if he is authorised by the District Magistrate to do so, on receipt of the intimation of vacancy from Anchal Panchayats. Though Anchal Panchayat is empowered under the rules to recommend the names of Dafadars and Chowkidars to be appointed in its jurisdiction, the District Magistrate reserves the right to reject the nominations and may make fresh entry into the list if the latter would think.

The maintenance of Dafadar and Chowkidars under the present set up has been one of the obligatory duties of the Anchal Panchayat and in order to perform the said duties, it is laid down, every Anchal Panchayat shall maintain under its control such number

of Dafadars and Chowkidars as the State Government may by general or special order determine. Similar provisions with respect to the appointments of Chowkidars and Dafadars and their maintenance thereto do exist in the Orissa Gram Panchayats Act, 1948. The Act in its section 50 lays down that 'the District Magistrate shall appoint after consideration of the proposals of the Gram Panchayat the requisite number of Dafadars and Chowkidars.' In Assam the appointment of the village Chowkidars and their maintenance thereof have been made optional as the Act stipulates that a 'Gram Panchayat, within the limits of funds and resources at its disposal, provide for watch and ward of the village and of the crops therein provided that the cost of watch and ward shall be levied and recovered by the Panchayat from such persons in the village.' The compulsory organisation of a village volunteer force for the watch and ward of the village in lieu of Chowkidars and Dafadars has been introduced in the Punjab Gram Panchayat Act, 1952 while the voluntary organisation of such force makes its way in Bihar, Mysore and U.P. Panchayats Acts.

That the Chowkidars and the Dafadars in West Bengal were placed under the disposal of both the Anchal

1. Sec.51, Sub-sec.(1) of the W.B.Panchayat Act, 1957.
2. Sec.36 (IV (1) of the Assam Panchayat Act, 1959.
Panchayats and the State Government will be clearly proved by the relevant sections of the West Bengal Panchayat Act, 1957 and the rules made thereunder. It has been laid down in the Act that the Anchal Panchayat shall determine the number of Chowkidars and Dafadars, the salary to be paid to them and the nature and cost of their equipment and all matters relating to their recruitment, conditions of service, powers and duties, superannuation, discipline, punishment and dismissal in accordance with the rules as may be prescribed. Thus the rules relating to their salary, conditions of service and so on are generally laid down by the State Government.

Section 59 of the West Bengal Panchayat Act lays down that the State Government will make contribution to the Anchal Panchayat fund for the maintenance of Dafadars and Chowkidars and this contribution generally stands about half the cost of their maintenance. Thus, under the present management the cost of maintenance of Dafadars and Chowkidars is borne jointly by the Anchal Panchayat and the State Government.

Punishment proceedings of the Dafadars and Chowkidars:

Anchal Panchayat may at a meeting formally condemn or reprimand a Dafadar or Chowkidar by way of punishment. A dafadar or a chowkidar shall be fined for wilful misconduct in his office or neglect of his duty to the extent of one month's half salary by the District
Magistrate or any other officer authorised by the District Magistrate. The Anchal Panchayat has also been authorised to inflict fine upon a Dafadar or a Chowkidar on the said charges to the extent of one-quarter of a month's salary. But the Anchal can recommend for fine more than a quarter of one month's salary to the District Magistrate or any other officer authorised by the District Magistrate, through the Supervisor of Panchayats. The aforesaid imposition of fine, or its recommendation thereto, upon a Dafadar or a Chowkidar must be done at a meeting of the Anchal Panchayat.

The Anchal Panchayat may at a meeting recommend to the District Magistrate, or any other Officer authorised by the District Magistrate, the withdrawal from a Dafadar or a Chowkidar of good conduct badges or stripes. The District Magistrate or any other Officer authorised by the District Magistrate may suspend any Dafadar or Chowkidar against whom the Anchal Panchayat has drawn up proceedings. Such suspension shall be reported to the Anchal Panchayat and the Anchal Panchayat shall thereupon make arrangements for the appointment of a substitute.

The dismissal of the Dafadars and Chowkiders also lies with the District Magistrate or any other officer authorised by the District Magistrate. Under the present rules the Anchal Panchayat can consider at a meeting that a Dafadar or a Chowkidar should be dismissed, it shall then

submit a statement of the same to the Supervisor of Panchayats who shall forward the same to the District Magistrate or any other officer authorised by the District Magistrate. The statement submitted by the Anchal Panchayat shall furnish the following information in full details:

1. the nature and particulars of the misconduct or neglect complained of;
2. the explanation of the Dafadars and Chowkidars, if any;
3. details of his previous punishments and rewards; and
4. the finding together with the recommendations of the Anchal Panchayat.

Duties of the Dafadars and Chowkidars:

The Act and its relevant rules have laid down in details the duties of the Dafadars and Chowkidars. The maintenance of rural peace and the defence of the village have been in general the responsibility of the Dafadars and Chowkidars. The Chowkidars has been entrusted with the duty of reporting the following incidents to the Pradhan of the Anchal Panchayat and to the officer in charge of the Police Station within whose jurisdictions such things have occurred:

1. Every unnatural and suspicious death
2. Murder
3. Culpable homicide
4. Rape
5. Dacoity
6. Robbery
7. Mischief etc.

Chowkidars have also been vested with the power of arresting a person without any order from a Magistrate or without any warrant under certain circumstances but the exercise of this power by the Chowkidar is open to grave

1. Ibid 101.
2. For details please see Schedule II of the Act.
doubts. Under the regime of the Union Board the Chowkidars and Defadars were entrusted with the same set of powers as they are observed in the Panchayat to-day, but the failure of the machinery to the proper discharge of the same resulted in inefficiency and futility of the Unit. We do not hope that there has been any improvement of the machinery under the present set up in the existence of the old rules governing the service conditions, salary etc. of the Chowkidars and Defadars. A Chowkidar has the duty to guard throughout the night the area allotted to him by the Anchal Panchayat. But the latter has not, however, been given the exclusive authority to make an allotment of beats to Chowkidars and Defadars as it has been said that the Anchal Panchayat shall subject to the control of the District Magistrate, or such other officer as may be authorised by him, allocate to each Chowkidar a reasonable beat. The clause 'subject to the control of the District Magistrate or such other officer as may be authorised by him' negates the exclusive power of the Anchal in fixing the beat.

The duty of the Chowkidar to patrol regularly the beat allotted to him by the Anchal Panchayat, and the present in that beat throughout the night was found to exist in the past but the Chowkidars had hardly done the same and thus it resulted in the off and on occurrence of

3. Union Board Manual, Rule No.35(a), P-79.
theft, burglary, dacoity etc. in the rural areas of Bengal. It was very strange to observe that even the association of the Chowkidars and Dafadars with the thieves and robbers was also reported in some instances. This shirking of duty of the Dafadars and Chowkidars was, perhaps, due to the fact that either they were afraid of performing the onerous duties alone or they were aware of the limited powers of the Union Board. Moreover, the poor salary and the unhappy conditions of work also contributed to the inefficiency and failure of the machinery.

Apart from the duties as mentioned above a Chowkidar and a Dafadar shall always keep watch on persons of bad character at the direction of the Anchal Panchayat. On receipt of information of the arrival of a wandering gang the Anchal Panchayat shall see that the Dafadars and Chowkidars promptly convey such information to the local police. The Anchal Panchayat may, with the sanction of the District Magistrate or such other officer as may be authorised by him in this behalf, require Dafadars and Chowkidars to appear at muster parades at the office of the Anchal Panchayat at regular intervals. But such parades should not be held more than once a fortnight.

A chowkidar being the subordinate to Dafadar shall always carry out all lawful orders of the Dafadar under whom he is to serve. He shall to the best of his ability assist the police in the execution of their duties and

carry out all the lawful orders issued by the police thereto. A Chowkidar is to give all sorts of help and information at his disposal to all process-serving persons of Civil or Revenue courts in the matter of service and execution of processes.

A Dafadar particularly, being the head Chewkidar, shall always keep a bound note book to be supplied to him and enter therein such information as the District Magistrate or such other officer as may be authorised by him, may prescribe. He shall periodically patrol the villages within the jurisdiction of the Anchal Panchayat within his beat both at night and by day, and obey the orders of the Anchal Panchayat in regard to keeping watch within the jurisdiction of the Anchal Panchayat. The Dafadar shall pay surprise visits to at least two of the Chowkidars' beats on at least four nights during the week, and shall see that the Chowkidars are alert and perform their duties properly. Other functions of the Dafadars as enumerated by the rules therein generally overlap with the functions of the Chowkidars. We have observed that a Chowkidar has a long list of functions and he is to appease both Pradhan of the Anchal Panchayat and the Thans Officer to keep his services intact. To appease both the the Pradhans and the Thans Officer involves loyalty to two matters: This type of dual control over the Chowkidars and the Dafadars, brings in loss of efficiency and encourages irresponsibility. It is very difficult to carry out the aforesaid functions with a meagrely pay of Rs.40/- to Rs.50/- per month.

1. Rs.81(c) (d) & (e) Ibid. 2. Ibid 83(c),(d),(e) & (f) Ibid.

* A survey of the pay structure of the Chowkidars of different Anchal Panchayats reveals the above facts (see Rest).
Thus, the necessity of the maintenance of a head Chowkidar or a Dafadar in the present state of circumstances is open to question.

The Planning Commission in the Second Five Year Plan observed that the preservation of rural peace and security would be one of the recognised Civic functions of the Village Panchayat. But the proper discharge of this function does necessitate the absolute control over the chowkidars which the present Panchayat is found to be lacking. It was observed by Mr. U.C. Day that if the rural police could not be made to constitute a part and parcel of the regular constabulary of the State, the control exercised by the Union Board over the Watchmen must be full and effective. The same argument may hold good even to-day in the Panchayat system.

The management of the village watch and ward by the village volunteer force has been one of the notable changes in the new Panchayat administration. The survey conducted by the Institute of Public Administration of Patna in the Years 1958 and 1959 revealed that the village Volunteer force in Bihar contributed to a large extent to reduce the incidence of theft, burglary, murder and gambling. As many as 94% of the people were in favour of substituting the posts of Chowkidars.

Foot note: Under the Act both the Pradhans of the Anchals and the Officer-in-charge of the Police Station have been entrusted with the duties of maintaining rural peace and security and the said duties are being performed by them through the machinery of the Chowkidars and Dafadars. Thus, the authority of both the Pradhans and the officer-in-charge of Police Station does extend over them.

Contd.
and Dafadare by the village Volunteer force. The faith and trust expressed by the villagers in the efficiency of the V.V.F. indicates that 'they are realising the significance of initiative, self-help and co-operation for village defence.'

The assumption of the duties of Dafadare and Chowkidars by the village volunteer force will largely comply with the recommendations of the Mehta Committee on Plan Projects. The Mehta Committee suggests that 'the local resources which the village Panchayats now raise and spend on the maintenance and watch and ward staff should, in future, be used for development purposes. But we should consider the evil effects of unemployment that might ensue prior to the introduction of the said scheme. The ability of the noble and gentry of the villages to carry out the watch and Ward activities of their areas during the night is also doubted. Moreover, the organisation of the scheme and its implementation thence is a very difficult and a stupendous task in a society which is divided between haves and have-nots.

DIAMOND FOR NATIONALISATION OF RURAL POLICE.

A question has recently arisen about the nationalisation of rural police. The persons who are in favour of nationalisation might argue that nationalisation

of the system would make the conditions of service of
the Ghewkidars and Daradjars better such as better pay,
better amenities, security of service etc. In Great
Britain the maintenance of a sufficient police force has
been the duty of every county and the Home office is
declared to be competent to make rules binding on the
local authorities regarding uniformity of pay, clothing,
equipment and necessaries. Thus the conditions of service
might be made better by following the said practice
though this might impair the autonomy of the local
units to some extent. Secondly, complete nationalisation
of rural police involves heavy financial commitment at
this stage of national reconstruction and development.
Thirdly, nationalisation of rural police means means
bureaucratization of the machinery and loss of local
initiative and enthusiasm. Lastly, preservation of law
and order and the maintenance of peace have been primarily
the functions of the proper local authorities and the
adoption of direct central control to the system
would alter the whole basis of the police system and
particularly prejudice the intimate relation between
the police and the localities. It is indeed, vital
to emphasize that in a state of society where the police
are called upon, not merely to apprehend criminals, but to
preserve order in recurrent industrial strife, local
recruitment, manners and accent are safeguards against
police tyranny and the violent resentment of the rural
neighbourhoods.

1. Finer - English Local Government 1950, P-379.
2. Ibid, P-384.
The Process of Industrialisation through successive five year plans of the Government of India might also give rise to such contention.

It is undoubtedly true that the nationalisation of rural police force does involve a huge financial commitment which the Government as well as the Anchal Panchayat are quite unable to bear at present. But it is also true that the service condition and pay structure of the Chowkidars must be improved. To improve the pay structure and service conditions of the Chowkidars means the enhancement of the tax rates imposed by the Anchal Panchayat and diminution of allotment to its constituent Gram Panchayats for development purposes. Thus, the real solution of this problem most probably lies in the raising of village volunteer force at each and every village which will supplement the activities of the Chowkidars.

In our West Bengal there are instances of quite a large number of villages which have successfully raised village volunteer force and the latter has played a positive role in eradicating the crimes and preventing the misdeeds perpetrated in the rural areas. Not only that, the village volunteer force has also, in many cases done constructive works for rural uplift.

In this chapter a chart has been given to demonstrate the inadequacy of the arrangements of the village watch and ward in some areas of the District of Birbhum and the insufficiency of their salaries and allowances. The following chart will clearly indicate the inadequacy of the arrangements of village watch and ward and the insufficiency of expenditure for the maintenance of the said system in some areas of the District of Birbhum.
<table>
<thead>
<tr>
<th>Name of the Anchal, Police Station, &amp; District.</th>
<th>Population</th>
<th>No. of Gram Panchayats</th>
<th>Year</th>
<th>No. of Dafadars</th>
<th>No. of Chowkiders</th>
<th>Total amount spent including equipment charges.</th>
<th>Per head expenses on Chowkiders &amp; Dafadars in a year.</th>
<th>Monthly expenditure on Chowkiders &amp; Dafadars per head.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Panihar, Malhati, Birbhum.</td>
<td>16,000</td>
<td>18 sq. miles.</td>
<td>1963-70</td>
<td>1</td>
<td>14</td>
<td>Rs.7980.00</td>
<td>Rs.538.00</td>
<td>Rs.44.00 approx.</td>
</tr>
<tr>
<td>Damhata, Suri, Birbhum.</td>
<td>10,000</td>
<td>2</td>
<td>1963-70</td>
<td>1</td>
<td>9</td>
<td>Rs.4560.00</td>
<td>Rs.594.00</td>
<td>Rs.43.00 approx.</td>
</tr>
<tr>
<td>Tarna, Suri, Birbhum.</td>
<td>12,932</td>
<td>4500</td>
<td>20</td>
<td>1963-70</td>
<td>1</td>
<td>6</td>
<td>Rs.3660.00</td>
<td>Rs.623.00 (Approx) Rs.43.58 approx.</td>
</tr>
<tr>
<td>Chimej, Durlaipur, 7,137</td>
<td>16</td>
<td>18 sq. miles.</td>
<td>1963-70</td>
<td>1</td>
<td>6</td>
<td>Rs.3615.00</td>
<td>Rs.516.43</td>
<td>Rs.43.00</td>
</tr>
<tr>
<td>Tipara, Suri, Birbhum.</td>
<td>3,442</td>
<td>18</td>
<td>1963-70</td>
<td>1</td>
<td>8</td>
<td>Rs.4110.00</td>
<td>Rs.513.75</td>
<td>Rs.42.82</td>
</tr>
<tr>
<td>Kendua, Suri, Birbhum.</td>
<td>10,000</td>
<td>26</td>
<td>1963-70</td>
<td>1</td>
<td>10</td>
<td>Rs.4990.95</td>
<td>Rs.444.63 (Approx) Rs.37.05</td>
<td></td>
</tr>
<tr>
<td>Karishna, Suri, Birbhum.</td>
<td>10,000</td>
<td>26</td>
<td>1963-70</td>
<td>1</td>
<td>11</td>
<td>Rs.5985.00</td>
<td>Rs.584.09</td>
<td>Rs.46.34</td>
</tr>
<tr>
<td>1</td>
<td>2</td>
<td>3</td>
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<tr>
<td>Tentipara, Dubrajpur, Birbhum.</td>
<td>10,000</td>
<td>19</td>
<td>1067-70</td>
<td>I</td>
<td>9</td>
<td>Rs.4,814.86</td>
<td>Rs.490.54</td>
<td>Rs.40.88 approx.</td>
</tr>
<tr>
<td>Harisara, Sainthia, Birbhum.</td>
<td>4,222</td>
<td>12</td>
<td>-do-</td>
<td>I</td>
<td>4</td>
<td>Rs.2,670.00</td>
<td>Rs.534.00</td>
<td>Rs.44.50</td>
</tr>
<tr>
<td>Puranarpur, Suri, Birbhum.</td>
<td>6000</td>
<td>5</td>
<td>-do-</td>
<td>I</td>
<td>6</td>
<td>Rs.3,160.00</td>
<td>Rs.451.43</td>
<td>Rs.37.63 approx.</td>
</tr>
</tbody>
</table>
It has been learnt from the offices of the Anchal Panchayats that under the present rule a Dafadar receives Rs.50.00 per month as his salary and a Chowkidar Rs.40.00. It is also clear from the above chart that an Anchal having a population of eight to nine thousands with ten square miles as its area can employ only seven to eight Dafadars and Chowkidars in average for the maintenance of peace in its jurisdiction. Sometimes it is found that a Gram Panchayat which is a constituent organ of the Anchal is composed of two to three villages and they can have only one Chowkidar in their areas to look after them. Naturally, the capability of the Chowkidars and Dafadars to make night patrolling throughout the villages within their jurisdictions and the prevention of crimes and theft is very meagre. Everywhere the people complain against the Dafadars and Chowkidars for the inefficiency of their services. Moreover, the Chowkidars and Dafadars work in the fields during day time to supplement their income and during night they become tired for which they cannot sufficiently make patrolling within their allotted jurisdiction.

Thus the proper remedy in this case lies in the organisation of village volunteer force considering the present financial position of the Anchal panchayats and the tax-payers.
The Anchals under study have practically raised volunteer force to make patrolling at night throughout the villages and during summer the system functioned well but not so in rainy seasons when the agriculturists become tired at night after a daylong's hard works in the fields.