CHAPTER VI
CRIMINAL ADMINISTRATION.

At the time of the constitution of the Chief Commissionership of Assam in 1871, the incident of serious crime was comparatively such lower than in the other Provinces. In forwarding the 'Report on the Police Administration of the Province of Assam, 1874' to the Secretary to the Govt. of India Home Department, Mr. H. Luttman-Johnson, Secretary to the Chief Commissioner of Assam observed: "The Chief Commissioner is able to congratulate himself, on the absence of serious crime in the new Province, professional crime is unknown, habitual crime is very rare".¹

Incidence of Crime, 1874

Nearly nine thousand (8,861) cases of cognizable crime were reported to the Police in the plains districts of the New Province in 1874. Compared with other Provinces, especially neighbouring Bengal, this incidence was extremely low. Thus 1,10,627 cases of cognizable crime had been reported in Bengal during 1973. As a sample study, the volume of cognizable crime reported in the two other Provinces, namely, Punjab and Central Provinces, in the year 1873 had been 50,026 and 30,383 cases respectively. Compared with the neighbouring Province of Bengal the incident of crime was thus nearly one-twelfth. Considering from another angle, there was one complaint of cognizable crime to 433 persons in Assam. This ratio for Bengal and Punjab and the Central Provinces was 1,568, 1,351 and 1,269 respectively. Indeed, this ratio was determined on population basis, which was much more in these Provinces than in Assam.
Main Features of Crime Scene.

The two important features of the crime scene were rioting, dacoity and murder. Sylhet led all the rest of the districts by a very big margin in respect of rioting, which was mostly over land. In 1874 there was some decrease in rioting cases compared with 1873 and the District Superintendent of Police proudly claimed that "It shows the prompt and vigorous measures that have been taken to control a people who delight in redressing their own grievances themselves have not been without effect, and that the people generally have been made to understand that it is better for them to act in a manner legal than to rush headlong into riots and assaults." 2 In respect of both murder and culpable homicide not amounting to murder also, Sylhet led all the other districts by a considerable margin. The total number of dacoities in 1874 was twelve, five of which were in Cachar. This increase in Cachar was considered accidental. Ordinary thefts were the largest single contributor to the volume of cognizable crime reported and out of total of 8,861 cases in 1874, 3,575 belonged to this category.

The accidental deaths for the year 1874 is of some interest since it throws some light on the contemporary social scene. Altogether 724 persons, out of which the majority (424) were children, lost their lives by drowning during the year. Parental control over their wards did not seem to be very strict. 254 persons died of snake-bite, but here the
but here the largest share (149) belonged to men. This was probably due to the fact that snake-bite occurred mostly while working outdoors. Almost an equal number of persons (238) were killed by wild animals, and here too the largest number of victims (192) were men due to the same reason. The Provincial Govt. distributed Rs. 12,120/9 annas as rewards for killing wild animals during 1874. The Chief Commissioner admitted in the Annual Police Administration Report that deaths due to snake-bite were undoubtedly very frequent in some districts of the Province and that he had been urged by his Deputy Commissioners to introduce rewards for killing snakes on the lines of killing wild animals, but regretted that he could not take the matter into consideration due to lack of funds.

One case in connection with habitually dealing in slaves came to notice during 1876 in which a Hindu girl of Sylhet was sold to a Brahmin as a slave for Rs. 101/- The complaint in the case was one Adith Ram Das, whose uncle had sold his sister to the Brahmin during his absence from home. On returning home, when Adith Ram Das complained about this to his uncle, the latter promised to get his nephew a wife and a horse. This promise the uncle allegedly did not keep and therefore the nephew lodged a complaint. However, the girl who was a minor (12) made a statement before the trying Extra Assistant Commissioner that her uncle and her brother had both given her in marriage for Rs. 97/- to the Brahmin. The case failed in the Court but the trying Magistrate observed that it was not improbable that one of the objects of the marriage was to
was to make the girl a slave or a life-servant. Although one of the very few incidents to come to official notice, the case throws some light on the contemporary social scene.  

During 1876 Cachar topped the list in the incidence of robbery. According to the Deputy Commissioner this was due mainly to the all too frequent desire of the rival parties in assault cases to strengthen their respective cases by charging the other party with robbery. Thus, a person who had been assaulted would often charge the dependent in the case with robbery as well. Whenever a charge of this nature was found untrue, in order to escape prosecution for a false charge the informant usually addressed the Magistrate by petition for Judicial enquiry in which he generally made out a case sufficiently plausible to justify the proceeding. The Deputy Commissioner remarked that facilities for obtaining false evidence were considerable in Cachar, since each village had its own friends and group alliances and with a view to self-protection or deliberate aggression groups of residents formed parties to help each other as witnesses. These groups were known as 'Dols' and a complainant or an accused often stigmatize the opponent's witnesses as members of a 'Dol'.  

An interesting feature of the crime scene in the Assam Valley districts was that most of the criminal cases pertaining to wrongful confinement had their origin in disputes about women. A young girl would often leave her home with her lover and the father seeing no other way to get the girl back would charge the lover with wrongful confinement.
Another feature of the crime in the Assam Valley districts especially Sibsagar, was organised cattle-stealing from the plains by the Hillmen. The Nagas who visited Sibsagar district to barter their hill commodities for rice etc. often drove off a few heads of cattle. One cattle were removed to the hills these were seldom recovered again. It was reported that a Naga, if pressed, did not hesitate to kill the beast he was driving off. A special patrol was started for this purpose on the Sibsagar - Naga Hills border in 1876.

The histories of some of the murder cases thrown an interesting sidelight on the extent of superstitious practices prevalent at the time. Thus a man in Goalpara killed his step-mother under the belief that she had caused pain in his stomach due to sorcery. In the same district 3 men deliberately murdered a woman by forcing a stick into her vagina in order to terminate all their disputes. In Sibsagar, a man killed a boy, the son of a neighbour, and drank his blood. In the Khasi and Jaintia Hills, a Khasi killed his wife and two young children. The accused defended himself by saying that he was under the influence of some evil spirit.

Crime to Area Population Ratios : 1879.

There was only a slight increase by 632 cases in the total volume of cognizable crime reported in 1879. The percentages of convictions to those arrested and put on trial were 63 and 65 respectively in 1879, against 59 and 61 in the preceding year. The following table shows the incidence of crime in relation to area and population. Compared with the preceding year there was a slight increase in the proportion of
of true cases reported to area per square mile in Kamrup, Sibsagar, and Sylhet. On the other hand there was decrease in all the other districts except Cachar. As for the ratio between true cases reported and population, there was only a very slight deterioration in the situation. 


<table>
<thead>
<tr>
<th>District</th>
<th>Sq. miles</th>
<th>Population</th>
<th>&quot;to area per sq.mile.&quot;</th>
<th>to Population</th>
<th>on trial &quot;to area per Sq. mile.&quot;</th>
<th>on trial &quot;to population.&quot;</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>1878</td>
<td>1879</td>
<td>1878</td>
<td>1879</td>
<td>1878</td>
<td>1879</td>
</tr>
<tr>
<td>Goalpara</td>
<td>4,433</td>
<td>4,07,714</td>
<td>'14</td>
<td>'12</td>
<td>1 to 638</td>
<td>1 to 726</td>
</tr>
<tr>
<td>Kamrup</td>
<td>3,631</td>
<td>6,61,681</td>
<td>'19</td>
<td>'21</td>
<td>1 to 791</td>
<td>1 to 716</td>
</tr>
<tr>
<td>Darrang</td>
<td>3,413</td>
<td>2,36,009</td>
<td>'19</td>
<td>'18</td>
<td>1 to 349</td>
<td>1 to 356</td>
</tr>
<tr>
<td>Nowgong</td>
<td>3,415</td>
<td>2,56,390</td>
<td>'16</td>
<td>'15</td>
<td>1 to 452</td>
<td>1 to 479</td>
</tr>
<tr>
<td>Sibsagar</td>
<td>2,855</td>
<td>2,96,589</td>
<td>'41</td>
<td>'47</td>
<td>1 to 254</td>
<td>1 to 219</td>
</tr>
<tr>
<td>Lakhimpur</td>
<td>3,723</td>
<td>1,21,267</td>
<td>'13</td>
<td>'11</td>
<td>1 to 243</td>
<td>1 to 285</td>
</tr>
<tr>
<td>Sylhet</td>
<td>5,440</td>
<td>17,19,539</td>
<td>'64</td>
<td>'69</td>
<td>1 to 487</td>
<td>1 to 456</td>
</tr>
<tr>
<td>Cachar</td>
<td>3,750</td>
<td>2,40,027</td>
<td>'29</td>
<td>'29</td>
<td>1 to 214</td>
<td>1 to 217</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td><strong>30,660</strong></td>
<td><strong>3,839,216</strong></td>
<td><strong>'29</strong></td>
<td><strong>'29</strong></td>
<td><strong>1 to 431</strong></td>
<td><strong>1 to 418</strong></td>
</tr>
<tr>
<td><strong>AVERAGE</strong></td>
<td><strong>30,660</strong></td>
<td><strong>3,839,216</strong></td>
<td><strong>'29</strong></td>
<td><strong>'29</strong></td>
<td><strong>1 to 431</strong></td>
<td><strong>1 to 418</strong></td>
</tr>
</tbody>
</table>
Murder cases recorded on increase in 1879 and the notable cases include one case in which 2 men and 2 women murdered a man with a spear in Kamrup and gave out that the man had been killed by a tiger. The cause of the murder was the wife of the deceased, who was accused of murdering her husband with the help of the other co-accused. After the case had first been declared unnatural death, on re-investigation it was found to be a case of murder. In another case, a woman killed her brother's son, a boy of about 7 years, by an unsuccessful attempt at castrating. The woman confessed that she had been inspired to do so by the Almighty. The third notable case occurred during the Bihu Festival at Dibrugarh. Two Khampti girls and a boy while going to the bazar met an Assamese youth on the way who joked with them and threw a dead snake at one of the girls. On going home, the Khampti girl reported the matter to her family and the man to whom she was betrothed. The Khamptis assembled in a group and vowed vengeance against the Assamese youth, who left his home on hearing of this and took employment as a mahout elsewhere. While returning to visit his parents he was way-laid by the Khamptis and speared to death in the jungle. Under culpable homicide not amounting to murder was the case in a tea garden, in North Lakhimpur. The coolies of the tea garden went to the Manager, Mr. Raymond Driver to demand arrear wages. The Manager refused to comply with their demands and at this the coolies threatened to complain to the Police Station at North Lakhimpur. Single-handed, the Manager, Mr. Driver, rushed at the assembled coolies and severely beat up their
their Leader with a stick, who later succumbed to his injuries. The accused Manager admitted the assault and was committed to the High Court. He was sentenced to 15 months' rigorous imprisonment.

**Prescribed Tests for Police Action.**

The 'Resolution' on the Report on the Police Administration in Assam for the year 1880 by the Chief Commissioner of Assam adopted the following four tests for adjudging the results of Police action with regard to crime:

1. The percentage of convictions to the total number of cases enquired into by the Police.
2. The percentage of convictions to cases actually disposed of during the year.
3. The percentage of convictions to persons whose cases have been finally disposed of.
4. The percentage of convictions to arrests by the police 'sou motu' in cases decided.

Thus, during 1880 the average percentage of convictions in cases investigated by the Police 'sou motu' was 36.5 for the whole Province, and in cases investigated by order of the Magistrate without previous information to the Police it was 23.5. Compared with the respective percentages for the year 1879, the proportion of convictions to cases investigated was found to have improved considerably in 1880. The second test of percentage of cases in which conviction was obtained to the total number of cases decided could not be applied for want of necessary particulars. Although the Police Administrative Report 1880
1880 mentioned the total number of cases decided as 5,243 in which a conviction was obtained, the figures were considered fallacious by the Chief Commissioner since it included a considerable number of cases in which complaint had been made direct to the Magistrate, and the cases had been tried and brought to a conclusion without the intervention of the Police. In the third test, namely the percentage of persons convicted to persons tried, in cases sent up by the police 'sou Motu' the percentage for the whole Province was 73'4, and in cases investigated by order of the Magistrate 65'3. The respective percentages for 1879 were 75'6 and 38'2. Thus, when the proportion of persons convicted to persons tried fell by 2'2 percent in cases investigated by the Police 'sou motu', there was much improvement in the cases investigated by order of the Magistrate. The superior direction exercised by the Magistrates had thus obviously helped improve matters. The combined percentage of 72'7 in this respect for the whole Province compared favourably with similar percentages in other Provinces at the time. Thus, for both Oudh and the North Western Provinces this average combined percentage was 78'13, and if nuisance cases were excluded, it was 73'6. In neighbouring Bengal it was 64. The fourth test, namely the proportion of convictions to arrests by the Police 'sou motu' gave the average percentage for the entire Province at 68'3 in 1880 compared with 70'8 in 1879. Thus both in respect of percentage of persons convicted to persons tried in cases sent up by the Police 'sou motu' and the percentage of convictions to arrests by the police 'sou motu', there was
there was a decline in 1880, although it was only slight. As a combined result of all these four tests based on the study of statistics for individual districts the Chief Commissioner was of the opinion that the detection of crime had been most satisfactory in Lakhimpur and Goalpara districts. But there was no evidence that success in detection had been due to the intervention and sagacity of the Police or the character of the people concerned, whose simplicity and veracity made the punishment of crime an easy matter. The Chief Commissioner desired that a return should be devised showing cases in which the police detected an apprehended the offender separately from the cases in which the plaintiff himself had apprehended or named the accused to the Police, to whom the offender instantly admitted his guilt. On the whole while there was a general improvement in the number of crimes committed which received punishment, a decline was noticed in the discretion by the Police in arresting and sending up persons for trial.

The Rate of Criminality 1881:

Major W.J. Williamson proceeded on furlough on 10th June 1881 and he was succeeded by Mr. T.J. Murray C.S. as officiating Inspector General of Police. The annual Police Administration Report for 1881 was therefore written by Mr. Murray. According to him the order of criminality of the several plains districts according to the proportion of true cases of cognizable crime reported to area was as follows: 

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The order of criminality of the plains districts according to the proportion of true cases of cognizable crime reported to population was as follows:

<table>
<thead>
<tr>
<th>District</th>
<th>True crime per square mile</th>
</tr>
</thead>
<tbody>
<tr>
<td>Goalpara</td>
<td>1 to 1219</td>
</tr>
<tr>
<td>Lakhimpur</td>
<td>1 to 989</td>
</tr>
<tr>
<td>Kamrup</td>
<td>1 to 642</td>
</tr>
<tr>
<td>Darrang</td>
<td>1 to 482</td>
</tr>
<tr>
<td>Cachar</td>
<td>1 to 388</td>
</tr>
<tr>
<td>Nowgong</td>
<td>1 to 367</td>
</tr>
<tr>
<td>Sibsagar</td>
<td>1 to 265</td>
</tr>
<tr>
<td>Sylhet</td>
<td></td>
</tr>
</tbody>
</table>

Thus, judging from the incidence of true cognizable crime per square mile, Goalpara district had the least crime, whereas according to the population test, Kamrup was the least criminal district. Judging from the actual position of criminality in the districts, however, as known to administrators, Mr. Murray felt that the first test was more true to the real
real circumstances. Thus Goalpara was undoubtedly the district in which there was least crime during 1881, whereas Sylhet was the most criminal district. This was borne out by the figures of total cases reported as well as the cases found true. The number of cases reported and true cases was the least among all plains districts in Assam in 1881 at 721 and 451 respectively. On the other hand, the number of cases reported as well as true cases was the highest in Sylhet at 4,466 and 3,067 respectively. Mr. Murray was certain that the true crime to area test was more reliable and therefore more correct.

Murray's Test for Police Action.

Mr. Murray next turned his attention to the question of efficiency of Police action regarding crime, as pointed out by the Chief Commissioner of Assam in the 'Resolution' on the Police Administration Report for 1880. He first studied the measure of success attained by the police in dealing with different types of serious crimes. Basing his arguments on available statistics, Mr. Murray showed that looking at the percentage of convictions to true cases, the police were more successful in 1881 in dealing with Rioting, Culpable Homicide, Grievous Hurt, Lurking House-trespass, Cattle-Theft, Criminal Trespass and Arms Act cases than in 1880. Police action was, however, less successful as regards Aggravated Hurt, Kidnapping or Abduction, Mischief to Animals, and Habitually Receiving Stolen property. But better than the percentage of convictions to true cases was the list of considering the Percentage of connections of cases finally disposed of. According to this test the Police were fairly successful in dealing with
with Rioting, Culpable, Homicide, Grievous Hurt, Aggravated Hurt, Dacoity, Robbery, Hurt, Receiving Stolen property, Excise case, nuisance cases and cases under the Arms Act.
The Police were less successful in dealing with rape, midnight exercise, or abduction, mischief to animals, wrongful restraint and confinement, murder, lurking house-trespass or house-breaking, criminal trespass and vagrancy and had characters.

After giving the results shown by the above two tests, Mr. Murray next turned to the four tests prescribed by the Chief Commissioner (in the 'Resolution' on the Police Administration Report for the year 1880). According to the first test regarding the percentage of convictions to the total number of cases enquired into by the Police (a) 'Summu' and (b) by the order of the Magistrates, it appeared that the proportion of convictions to cases investigated by order of the Magistrate without previous information having been given to the Police had decreased compared with the previous years. The decrease could be noticed in all districts except Sibsagar and Cachar where the results were better than in 1880. According to the second test, namely the proportion of convictions to cases decided, it appeared that the percentage of convictions to cases decided during 1881 was higher than the percentage of the previous years by 16.9 percent. The percentage was fairly high in all the districts excepting Kamrup. Considered by the test, therefore the situation had improved compared with the previous years.

The third test, namely the proportion of persons convicted to persons tried was then applied. Although the proportion
proportion of persons convicted to persons tried had increased by '7 percent in the cases investigated by the Police 'sou motu', it had declined considerably in cases investigated by order of the Magistrates. In sibsagar, Darrang, Cachar and Lakhimpur districts, in cases investigated by Police 'sou motu' the percentage of persons convicted to the persons actually tried compared favourably with the corresponding percentage for the preceding year. In Lakhimpur, Goalpara and Sibsagar, in the category of cases investigated by the Police by the order of the Magistrate the percentage of persons convicted to persons actually tried was higher than the previous year. According to the fourth test, namely the proportion of convictions to arrests by the Police 'sou motu', it was seen that of all the plains districts the Police were least successful in dealing with crime in Kamrup during 1881. In his annual report the Deputy Commissioner Kamrup had laid the blame on the new district Supdt. of Police. The Supdt. of Police was, however, defended by the I.G.P. who appointed out that the new Supdt. of Police had taken over late in August and if there was any one to blame really it was the subordinate Police Officials who had let down the young Supdt. of Police placed in charge of a district for the first time.

Mr. Murray finally considered the results of the combined six tests, two of which were devised by him and the other four prescribed by the Chief Commissioner. As a result of all the tests, for the year 1881 Sibsagar Police were the most successful in dealing with crime. In the total six tests,
tests, the District obtained first place 3 times and second place once. Then came Darrang and Lakhimpur, each district obtaining 1st place once, second place twice and third place once. Next came Cachar followed by Goalpara, Nowgong and Sylhet sixth place was thus assigned to Sylhet. However, Mr. Murray noted that considering that nearly half the cases enquired into by the in the entire Province during the year were investigated by the Sylhet Police, the result of the above combined tests was no reflection on the efficiency and zeal of the Police in that district.

During 1882 the Police enquired altogether into 7,732 cases and the great majority of these (6,912) were reported direct to the Police Station and enquiry taken up. Only 784 cases were enquired into by order of the Magistrate without having been first reported to the Police. In 86 cases only the Magistrate ordered enquiry after the Police had refused to take them up, holding them as obviously untrue. In the cases investigated by the Police 'suo Motu' the percentage of cases convicted to true cases was 45.9, and in the category enquired into by order of the Magistrate it was 42.1. Of the 2,532 total convicted cases in 457 cases the Police detected the criminal and brought him to justice without assistance from the aggrieved parties. In 631 cases, on the other hand, the criminal was arrested or remanded by the complainant and confessed his guilt. The Inspector General of Police, Mr. T.J. Murray, C.S., showed that in one case out of every five cases convicted the detection had been
due to the ingenuity of the Police. These figures certainly
did not speak very highly of the detective ability of the
police, but Mr. Murray felt that might compare favourably with
the figures of any other Province in India at that time. 7

Regulation of 1883:

A notable feature of Police Administration during 1883
was the passing of the Regulation which enabled District
Supdts. of Police to try non-cognizable cases, provided the
same had not been investigated by the Police. Powers of the
Magistrate of the Second class were conferred on all the
Dist. Supdts of Police in the plains districts for the pur-
pose. The object of the Regulation was primarily to relieve
the over-worked Magistrates in the Province to a certain ex-
tent and, as the Chief Commissioner humorously remarked in
the 'Resolution' on the Police Administration Report for 1883
to "give Police Officers some occupation for part of the time
which must have heaulyl on their hands."

(Section 4 of the Regulation read as under - "Notwith-
standing anything contained in Section 14 of the V Code of
Criminal Procedure, or in places where the Code is not in
force in Section 6 of the Act V of 1861, ( for the Regulation
of Police) the Chief Commissioner of Assam may confer on any
Police Officer, not below the grade of A.D.S.F. all or any of
the powers conferred or conferrable by or under the Code on a
Magistrate of the First, Second or third class in respect to
non-cognizable cases, provided that a police officer on whom
whom any powers are conferred under this Section should not exercise those powers in any case which may have been investigated by the Police". The Magisterial powers conferred on a police officer could not thus be used in any case investigated by the Police and the practical utility of the Regulation II of 1883 was therefore more or less nil.)

Crime rise in Kamrup and Nowgong, 1887.

Two districts, namely Kamrup and Nowgong recorded considerable increase in cognizable crime reported either directly to the Magistrate or to the Police (including false cases) during 1887. In Kamrup the number rose from 952 to 1247 cases and in Nowgong from 677 to 1032. The single head of crime recording the largest increase in each district was 'ordinary theft'. The Asstt. Supdt. of Police, Kamrup stated that the increase in his district was mainly due to a larger number of complaints going direct to the Magistrates since it had come to be generally understood that on reference from the Magistrate the Police must take up investigation, which, if approached directly, the Police might otherwise refuse. In fact, people were more prone to approach the Magistrates than the Police. This was especially true in cases which turned out false later on, where knowingly the complainant first went to the Magistrate because he was certain the Police would refuse to register the case on suspicion. The Magistrates were mostly making over cases to the Police for enquiry before properly looking at these themselves. Thus out of 605 cases of theft reported in Kamrup only 151 cases were taken up by the Police.
police 'suo motu'; the remaining 454 were brought to notice by petition to a Magistrate. Similarly of the 258 persons brought before the Courts for trial in Kamrup in theft cases, 157 were brought before the Courts on process from the Magistrate and only 101 persons were arrested by the Police on their own authority. However, in Nowgong the Asstt. Supdt. of Police did not ascribe the increase to the same reasons but put it rather to the greater number of people coming forward to complain due to the growing popularity and accessibility of the administration. In the 'Resolution' in the Report for 1887 the Chief Commissioner of Assam observed that though people were becoming more ready to prefer complaints due to the growing accessibility of the administration a sudden jump of more than 50 percent in reported cognizable crime could not merely be explained on this ground in a long-settled district like Nowgong. In fact, the reasoning advanced by the Asstt. Supdt. of Police had been devoid of any meaning, and on top of that the Deputy Commissioner of the District had come out with another brainwave that the increase might have been due to the health of the people in the District having been better during the year, this giving them ampler leisure to indulge in the luxury of petty litigation. Such reasoning, according to the Chief Commissioner of Assam was simply 'fantastic'. The commissioner of Assam Valley districts was asked to inquire into the state of affairs in Kamrup and Nowgong and to submit an elaborate report. The Chief Commissioner, however, gave due weight to the explanation for increase in reported cognizable crime put forward by the Asstt. Supdt. of Police, Kamrup
Kamrup and observed generally - "The fact that so large a proportion of complaints in cognizable cases in Assam goes direct to the Magistrate instead of the Police has already been adverted to as one requiring explanation. It might be supposed that those who bring false charges would elect to go to the police; but such would not seem to be the case. It is to be feared that Magistrates, as a rule, do not devote sufficient attention to the practice of bringing false criminal charges, and in some districts that practice would almost appear to have developed into recognized custom." The Chief Commissioner also lamented the little attention paid by the Deputy Commissioners in forwarding the annual Police Reports for the districts, although Police Circular No. 7 dated 14th July 1886 issued by the Inspector General of Police under the orders of the Chief Commissioner had clearly pointed out the duty of the Deputy Commissioners in this regard. If the present state of crime and the working of the Civil Police in the Province taken as a whole was unsatisfactory it was partly due to the lack of proper supervision by the Deputy Commissioners as heads of the criminal and police administration of the districts. What was more regrettable was that even the Officiating Commissioner of the Assam Valley districts had passed on these reports received with little or no comments from the Deputy Commissioners without a single remark of his own.

Assessment of Criminal Administration 1888.

The three main features under debate in the Report for the Year 1888 were (a) whether the small proportion of
of cognizable crime reported direct to the police, compared with the large number of cases reported straight to the Magistrates, was a feature peculiar to police administration in Assam; (b) whether there was a general increase in the proportion of cases declared to be false; (c) to what extent there was concealment of crimes and (d) the factors responsible for a deterioration in the results of the trial of cases and persons sent up for trial by the Police.

Taking up the first issue regarding the small proportion of reported cognizable crime which was taken up by the Police *suo motu*, the Inspector General of Police, Mr. H. C. Williams, C.S., quoted the following table showing the comparative position in this regard in various other Provinces -

<table>
<thead>
<tr>
<th>Province</th>
<th>Number of Cognizable offences</th>
<th>Number of cases in which enquiry was held</th>
<th>Number of cases in which enquiry was held under Section 157</th>
<th>Number of cases committed in previous years and brought under enquiry during the year</th>
<th>Percent-age of cases in which enquiry was referred to Police under Section 157</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Bengal</td>
<td>1,03,814</td>
<td>2,586</td>
<td>81,668</td>
<td>78'6</td>
<td></td>
</tr>
<tr>
<td>2. N.W.P. &amp; Oudh</td>
<td>1,91,941</td>
<td>46,953</td>
<td>1,28,698</td>
<td>67'0</td>
<td></td>
</tr>
<tr>
<td>3. Punjab</td>
<td>81,530</td>
<td>1,557</td>
<td>62,364</td>
<td>76'4</td>
<td></td>
</tr>
<tr>
<td>4. Central Province</td>
<td>28,741</td>
<td>5,190</td>
<td>21,120</td>
<td>73'4</td>
<td></td>
</tr>
<tr>
<td>Province</td>
<td>Number of Cognizable offences reported during the year whether taken up by Magistrate direct or by the Police including those committed in previous years and brought under enquiry during the year</td>
<td>Number of cases in cases in which enquiry was referred under Section 157 of Cr. I. C. to cases reported under Sec. 157</td>
<td>Number of licence cases investigated by the Police</td>
<td>Percentage of cases investigated &quot;suo motu&quot; to cases reported</td>
<td></td>
</tr>
<tr>
<td>-------------------------------</td>
<td>-------------------------------------------------------------------------------------------------</td>
<td>-------------------------------------------------------------------------------------------------</td>
<td>-------------------------------------------------</td>
<td>-------------------------------------------------</td>
<td></td>
</tr>
<tr>
<td>5. Bombay</td>
<td>39,082</td>
<td>776</td>
<td>29,892</td>
<td>76.4</td>
<td></td>
</tr>
<tr>
<td>6. Low Burma</td>
<td>33,871</td>
<td>2,619</td>
<td>33,331</td>
<td>98.4</td>
<td></td>
</tr>
<tr>
<td>7. Assam (excluding Hills Districts)</td>
<td>10,693</td>
<td>232</td>
<td>6,740</td>
<td>63.0</td>
<td></td>
</tr>
</tbody>
</table>

Thus, the percentage of cases investigated by the police "suo motu" to cases reported was certainly low compared with the other Provinces, and the only Province with which it compared favourably were the North-Western Provinces and Oudh. According to Mr. Williams, I.G.P., the following factors were mainly responsible for this state of affairs. Firstly, the Police Stations in Assam commanded large areas and were very scattered and in most cases the Police were no nearer to the complainant than the nearest available Magistrate. Under the advice of local revenue officials the petitioner generally put in his petition to a Magistrate instead of going to the
to the Police since, according to tradition, the Magistrate was the 'Hakim' (ruler) and it was also known that he could direct the police to investigate, whereas if directly approached there was likelihood of the Police refusing to take up the cases as being one of a civil nature. On this, the Chief Commissioner observed in the 'Resolution' that there were 100 Police Stations and Out posts in the plains districts, at which crime could be reported, as compared to the 21 stations in the entire Provinces in which Magistrates were posted. The argument, therefore, that due to the unduly large areas commanded by the Police Stations and also the scattered locations of the Police Stations in the majority of cases the complainant was a near to a Magistrate generally as the Police did not hold good on examination. Secondly, the I.G.P. had pointed out that a large number of the superior officers of the Police were Bengalis who were not fully trusted by the local people and this was a reason for going straight to the Magistrate instead. On this the Chief Commissioner of Assam, Mr. Fitzpatrick, commented that undoubtedly there was "a considerable amount of antipathy between the two races" and the I.G.P.'s views appeared to be supported by the District figures which showed that the proportion of cases enquired into 'suo motu' was higher in the predominantly Bengali districts of Sylhet, Cachar and Goalpara than in the districts of the Assam Valley. The third argument advanced by the I.G.P. had stated that except in Goalpara and Sylhet thereafter there were no big Zamindars and consequently all petty cases instead of being settled locally were reported
reported straight to the Magistrate. On this, Dr. Fitzpatrick, the Chief Commissioner, commented that it would follow from this factor that where such Zamindars existed the aggregate amount of reported crime would be smaller; the question, however, was not the volume of the aggregate crime reported but rather the small proportion of it reported straight to the Police. The reasoning advanced by the I.G.P. did not, therefore, hold good on closer examination. On the whole, the only plausible factors to which the existing state of affairs could be ascribed were the distrust of the majority Bengali police officers by the people in the Assam Valley districts (excluding Goalpara) and the local traditions of criminal administration prevalent among the people.

The second issue under debate was the general increase in the proportion of cases declared to be false. The Deputy Commissioner, Sylhet had attributed the increase to the large number of legal practitioners who were not properly qualified and about whose character, there was no proper guarantee to act as 'Mukhtiars' etc. These 'Mukhtiars' were always ready to foster litigation and encourage false charges:-

"We have educated largely at the expense of the State a number of legal practitioners who can scarcely in many cases gain a livelihood, and are but too ready to foster litigation. Our too easy examination tests admit all and secondary to practice as Mukhtiars etc., with no proper guarantee of character. False witnesses to bolster up a false charge are easily and cheaply to be obtained, and by the time a Mukhtiar or his
his tout has coached them up, it is often very difficult to ascertain the true fact so as to clear the way to a conviction for making a false charge. A Magistrate may be fully convinced of the falsity of a case, and the evidence may all the same be insufficient to warrant a conviction. In such cases, where there is any doubt, the Magistrate in my opinion exercises a wise discretion in taking no action. The bad effect of a number of ineffectual prosecutions of this nature cannot be over-estimated.10

The Chief Commissioner concurred with the view expressed by Mr. Stevenson, Deputy Commissioner, Sylhet and added that a number of unlicensed practitioners, hangers-on, were attached to every court, who were allowed under the law and rules then in force to write petitions and give advice to ignorant people. The existence of such persons thrived on encouraging litigation and false charges.11 Proposals were being invited from the District Officers to take up the matter with the Government of India. The Deputy Commissioner, Cachar had pointed out that under a recent ruling of the Calcutta High Court a complainant could not be prosecuted for making false charges or giving false information to the police so long as he did not charge any person by name. Opinion on this issue was divided but the Chief Commissioner thought that in spite of the High Court ruling in the case of a person even indirectly charging another an offence punishable under Section 182 of the Indian Penal Code was made out. After examining the percentage of cases declared false to cases reported and the percentage of cases prosecuted to cases declared as false for
for the four year period 1885 to 1888, the following conclusions emerged:

1. That a large proportion of cases were generally declared to be false.
2. Only in a small proportion of cases declared false prosecutions were instituted against the complainant.
3. The percentages varied from district to district.
4. There was lack of success generally in such cases prosecuted.

It was found that in the three districts namely Sylhet, Goalpara and Kamrup in which the largest proportion of cases reported was declared false, the proportion of prosecutions instituted were also less than in other districts, in the four year period 1885 to 1888. At the same time in Kamrup and Goalpara the proportion of false charges was greater than in any other district in the Province, except Sylhet in 1888. It was evident that there was lack of uniformity in exercising the principle by which cases were judged to be true or false. Considering the small proportion of cases prosecuted, either the cases were wrongly struck off as false or the Magistrates failed to recognise their responsibility regarding the prosecution of complainant who had brought forth false charges.

The third issue discussed in some districts regarding the state of criminal administration in 1888 was deterioration in the result of the trial of cases and persons sent up for trial by the Police in cognizable offences. The worst results were in Nowgong district and the Deputy Commissioner attributed
attributed the large proportion of acquittals to the large number of cases which had to be dismissed owing to the non-appearance of parties and also the withdrawal of complaints in many cases. The Chief Commissioner observed that only summons cases and compoundable cases could be dismissed in the manner described by the Deputy Commissioner, Nowgong and since the majority of the cognizable cases in question were neither summons cases nor compoundable cases it was not clear how the non-appearance of complainants or the withdrawal of complaints would affect the results of trials. The Deputy Commissioner, Sylhet attributed the large number of acquittals due to the inefficiency of the prosecuting staff who had no legal training or experience. The conduct of prosecutions in Magisterial Courts by such Court Sub. Inspectors and Head Constables could not but result in the failure of many good cases:—

"In prosecuting cases we find engaged on behalf of Government a Court Officer who has many other duties to attend to, and who is scarcely perhaps to be blamed if he considers this part of his duty of less importance than other work the performance of which tells much more directly for or against him in his official career. Even the Sadar Court Sub-Inspector has had no legal training, still less the boyish head-constables who are often in charge of a Sub-Divisional Court office. They are thus very ill-fitted to assist the Magistrate, while the accused nearly always has a Mukhtiar, with at least some show of legal education, on his side".12
The Chief Commissioner did not think that the views of the Deputy Commissioner, Sylhet quoted by the Inspector General of Police provided a sufficient apology for failure in the respect and thought that even if it was not possible to provide skilled prosecutions in the inferior courts in the mufassil this factor was hardly relevant since prosecutions failed mostly because the charge was false, or, if true, it had not been properly investigated by the Police and proper evidence not sent up. In the existing circumstances much did not depend on the way a case was conducted in the Court, either by the prosecutor or the Pleader or 'Hukhtiar' for the accused, both of whom conformed more or less to the same standard in legal acumen. In many cases the moment a Magistrate noticed that the case was incomplete or some essential matter of evidence had been overlooked he was forced to throw the responsibility on the Police and dismiss the case instead of acting as required under the provisions of the Criminal Procedure Code, to call up any evidence which was material either for the prosecution or the defence in order to clear up the position and arrive at a correct decision.

On the question as to what extent crime was concealed, the observations of the Commissioner Assam Valley districts threw an interesting light on the existing state of Goalpara district which had always been the least criminal district in the Province :-
"Goalpara, though second of the Assam Valley Districts in point of population, has always been conspicuously the least criminal district in the plains portion of the Province. It has little more than one-fourth of the criminality of Lakhimpur. The chief explanation, of course, is that it has no imported coolies, no foreigners over whom the social sanctions which operate in Native society exert little or no pressure. Another cause, however, which I have found reason to think operates here in keeping down reported crime is that the populated (i.e. permanently-settled) portion of the district is a Zamindari tract, with a large class of Zamindari 'amla', mouzadars, tohsildars, etc. in the villages who hush up crime and dispose of cases privately without troubling the Police. I have also met with several cases during my short experience as judge in this Division, where the members of Chowkidari Panchayats have been accused of extorting blackmail by threat of reporting cases to the Police".13

Percentage of 'Suo Motu' Cases:

The percentage of cases investigated by the police 'suo motu' to total cases reported continued to be low in 1889 and the Officiating Inspector General of Police Mr. J.J.S Driberg found that this low percentage was mainly due to Kamrup, Nowgong and Sibsagar districts where the number of cases reported direct to the Magistrate was always large. On the other hand the percentage was always high in Cachar, Goalpara and Lakhimpur districts, especially the last two in which the suitable percentage was higher than in any other Province excepting Burma.

Various factors such as the local traditions and the prestige
prestige of the Police, the accessibility and the means of communications were responsible for this. Thus, people had quicker access to the police owing to the railway in Lakhimpur district and it was also not an uncommon practice for the people of that district to use the telegraph for reporting serious crime to the police. The percentage of cases investigated by the Police 'suomotu' to cases reported was 81.1 for the year 1889, in Goalpara it was 80.8 and in Cachar 72.2. All these compared favourably with the available percentage for the year 1888 for Bengal (76.8), Punjab (71.1) and Bombay (79.9) and Lower Burma which was the highest (98.1). Assam was let down mainly by Nowgong and Sibsagar (46.1) and (47.0) and with the addition of Kamrup (56.7) the average for the Province was brought down to 62.1 for the year 1889. Both the D.C. and the S.P. Sibsagar had a lot to say on this. According to the District Supdt. of Police, Sibsagar, out of the four police stations then in the districts three were located at the Sub-Divisional Headquarters and the fourth was only ten miles away from Sibsagar. The Police and the Magistrates were thus equally accessible to the people so far as the distance from the countryside was concerned. If the complainant ever entertained any doubt as to whether he should go to the Magistrate or the Police, the petition-writers were there to take care of that doubt. Even otherwise, since the livelihood of the petition-writers depended on this, they were mostly responsible for canvassing in favour of presenting a petition to the Magistrate. The people of Assam were comparatively better off than people in Bengal, and could afford to spend money on petition
petition-writers, pleaders and frivolous litigation in support of their real or fabricated grievances. The Deputy Commissioner Sibsagar also remarked that the people of Assam well off and whenever a complaint was there they preferred to have a pleader in the first instance. Having been close to seat of power of the Ahom Kings in the past, the people of the district did not like a mere police enquiry and generally wanted the Magistrate to deal directly with the matter - "As the people can easily afford to pay for petition's stamps, summonses, etc., they go in the first instance to the Magistrate".

The proportion of cases investigated by the Police 'suo motu' to the total number of cases reported continued to be low during 1890 and the percentage for the entire Province fell from 82.1 in 1889 to 60.1 in 1890. Sylhet, Kamrup, Morigong and Sibsagar it came to light that generally there was a good deal of delay in taking up enquiries in cases reported direct to the Police and there were a number of instances in which the complainants were sent away without recording even the complaint. As regards the prosecution of false cases, although the Provincial percentage of cases prosecuted to cases declared false increased the number of prosecution undertaken in certain districts was very inadequate. The percentages of convictions to arrests, conviction to persons brought to trial, and cases ending in conviction to case decided were unduly low in Goalpara, Darrang and Lakhimpur Districts. It seemed that in Lakhimpur out of every ten persons arrested by the Police by order of a Magistrate only one was convicted. This was due to inadequate precautionary enquiries by the Magistrates.
Magistrates before issuing processes. Some improvement was noted in Cachar, Goalpara, Kamrup and Sibsager in 1891 with regard to the cases investigated by the police 'suo motu'. With regard to the improvement in Sibsager district, the Deputy Commissioner wrote: "The increased in cases enquired into 'suo motu' is creditable to the police, specially when the temptations to discourage information in an over worked district are considered". 

Out of the total 9,272 cases reported to the Police in 1891, the police refused enquiry under Section 157 Cr.P.C. in 301 cases only or in 3.1 percent cases only. Since the policy of the administration in those days was encourage the more frequent use of Section 157 Cr. P.C. in order to avoid wasting of time and energy on criminal cases, the meagre use of the direction granted under the law to refuse police enquiry was noted as a matter of much concern. The Asstt. Supdt. of Police Kamrup in whose district the number of cases refused enquiry was the lowest, explained that it was difficult for the police to elicit facts from the complainants without taking up local enquiry, and as a result of such enquiries the percentage of cases not enquired into the cases reported to the police fell. The Inspector General of Police, Mr. Driberg, held this explanation to be absurd since there was no reason why an S.I or an H.O. could not examine a complainant thoroughly and make up their mind, before taking up the enquiry. The large number of cases later returned as non-cognizable, or as mistake of law or facts, or as being of a civil nature could be summarily rejected at the very beginning if the complainant had been thoroughly examined. The Police were accordingly instructed to make use of Section 187 Cr. P.C. more freely.
Due to persistent efforts by the superior police officers, the Provincial percentage of the cases investigated by the Police "suo motu" to the total cases reported at last staged a revival in 1882 and rose to 638 compared with 60'6 for 1891. The improvement was noticeable in all the districts excepting Cachar, Kamrup and Sylhet. Regarding Kamrup, the Inspector General of Police wrote - "Kamrup has always been a great offender, and though cases are now taken up with much greater readiness than was formerly the case, people still seem to prefer appealing to the Magistrates in the first instance." 15 No specific explanations were available for Cachar and Sylhet. The Inspector General of Police was cautious in noting the increase in the Provincial percentage which despite of the improvement all round, had taken place in his opinion mainly because the year 1892 had been a particularly good year for Excise and Opium cases, all of which had been taken up by the police 'suo motu'. But the situation pertaining to the exercise of the discretion granted, by Section 157 Cr.P.C. remained more or less the same. It had been proposed in the previous year that it could be better if the Police had clear-cut instructions about the category of cases in which to refuse enquiry. A five-rupee limit had been proposed in certain classes of case where the police would straight-way refuse enquiry in case falling below that limit of loss. This was, however, not agreed to by the Chief Commissioner of Assam 16 on the principle that the matter was essentially one in which no hard and fast rule could be laid down. Some improvement was noticed in the prosecution of false cases in 1893. Khali Hills shown the
the most brilliant result out of all the districts in this respect, in out of 15 cases declared false prosecutions having been instituted against 23 persons, and resulting in the conviction of all these persons. Maha Hills and Kamrup came next, followed by Cachar, where, although prosecutions were launched in greater number of cases and there was an increase in the number of persons prosecuted there was on the whole a decrease in the number of persons convicted. The District Supdt. of Police, Cachar explained that this was mainly due to certain Magistrates requiring a stronger proof of an accused person's guilt than others. In Sylhet, although a smaller number were sent up for trial in false cases the redeeming feature was the greater number of convictions. The difficulty experienced in Sibagar was the 'want of finality' in the courts due to which months sometimes passed between the submission of the police form and the conclusion of the prosecution by the court concerned. As a compensation to accused persons on the dismissal by the courts of cases proved to be false or vexatious Rs. 603 were granted to Kamrup, Lakhimpur and Nowgong districts during 1893. The average proportion of true cases to the population of the Province during 1893 was 1 to 481. The crime population ratio was the highest in the Khasi Hills and Garo Hills, while it was lowest at 1 to 271 in Lakhimpur district, which was thus the most criminal district at that time.

Introduction of Scientific Investigation.

In the absence of the present day finger-print system of identification of convicted offenders the stress in those days
days was on Anthropometry. An Officer by the name of Mr. Stuart was placed on special duty for the purpose of giving instruction in anthropometry and this officer was reported to have visited all districts excepting the Naga and Garo Hills during 1894 and 1895 for instructing all English-knowing police officers in the use of anthropometry instruments. The full complement of instruments, which had not been supplied to some districts in 1894, was supplied fully in 1895 to all districts as well as important substantial headquarters. The anthropometric system, although still in infancy in the Province, had already started working as can be seen from the following number of convicted prisoners measured in each district during 1895.\textsuperscript{17}

<table>
<thead>
<tr>
<th>District</th>
<th>Number</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sylhet</td>
<td>270</td>
</tr>
<tr>
<td>Goalpara</td>
<td>21</td>
</tr>
<tr>
<td>Kamrup</td>
<td>3</td>
</tr>
<tr>
<td>Darrang</td>
<td>21</td>
</tr>
<tr>
<td>Lakhimpur</td>
<td>17</td>
</tr>
<tr>
<td>Cachar</td>
<td>25</td>
</tr>
<tr>
<td>Nowgong</td>
<td>17</td>
</tr>
</tbody>
</table>

The Police had been made responsible everywhere for measuring all under-trial as well as convicted persons. The Jails were also instructed that no prisoner should be released before his measurements had been fully taken. By the end of 1895 there were 156 roll-cards in the Central office at Shillong. However, the lack of any skilled measurers to go round and visit each jail to test the work of the district officers, as in Bengal, was noted as a serious handicap since the success of the system depended mainly on the accuracy with which
which the measurements and identifying marks were recorded. The first success, claimed by the system was in Kamrup in 1893 when in a certain case owing to the anthropometric measurements and records a man under trial was proved to have five previous convictions all of which had been in other districts. Another successful case was reported from Barrang during the year where a man named Bolodeb Missir, who was under trial in a theft case at Mangaldoi, was measured and his roll-card sent to Bengal. Immediate intimation was received by telegraph from the Bengal Officer that the man was a noted Barwar with five previous convictions. It was revealed on further interrogation that he had come to Assam with several other Barwars (a criminal tribe from U.P.). As a result of the information supplied by him 25 more Barwars were arrested and measured. Fifteen of them were traced in the Bengal Anthropometry Office and their case histories were sent to the Dist. Supdt. of Police. A telegram was then sent to the District Supdt. of Police, Gonda to send a constable to identify the Barwars. The Constable sent from Gonda identified the 15 Barwars traced by the Bengal Office and also the remaining ones. The Constable was reported to have been greeted and cautioned by the Barwars as an old friend the moment he entered the Jail since the same constable had been dealing with the Gonda Barwars for the last twelve years and knew most of them. The Barwars then confessed to everything and it was found that the details now truthfully furnished by them tallied with the details supplied by the Bengal Anthropometric Office. This was the first gang case of inter-Provincial criminals successfully
successfully resolved by the application of anthropometry in Assam.

**Introduction of the Finger-Print System.**

Mr. E.G. McCabe who took over as Inspector General of Police, Assam, from Mr. J.J-S. Driberg, mentioned in the course of the Report for the year 1896 that the system of identifying criminals by application of anthropometry was still in an infant stage in the Province. By now some 1407 roll-cards had been made and the identity of 36 criminals, 34 of whom belonged to an Inter-Provincial gang of Barwars, had been established by the use of anthropometry. Mr. McCabe was of the opinion that still better results could have been obtained if trained officers had been available for taking measurements. The appointment of one skilled measurer had already been sanctioned and the Inspector General of Police had consented to make the services of an expert available for this post. However, Mr. McCabe pointed out that during his visit to Calcutta he had found that anthropometry was being substituted by the system of identification by finger impressions and the I.G.P., Bengal, Mr. Henry, had been so courteous as to explain this new and more reliable system to him personally. The system of classification of finger-prints had been worked out by Mr. Henry himself and the finger impressions properly characterised as 'self-signatures' were found to be free from many errors of transcription and observation which necessitated the suspicion by skilled measurers in anthropometry. The new system was easier in practice and could be worked by any
any person or ordinary intelligence, whether educated or not. Mr. McCable pointed out that he was in favour of introducing this new and easier system in Assam, although even if put into practice the system would have to run side by side with anthropometry till such time as its success was evident from practical results and it could completely replace anthropometry.

CRIME SURVEY 1898 - 1904:

The crime survey for the period 1898-1904 is interesting from the point of view of vagrancy and bad character cases. In 1898 the total number of such true cases had been 164, which was a big decrease compared with the 224 true cases in the previous year. Of these 164 cases sent up, 140 cases were decided by the courts and 79 ultimately ended in conviction. Sylhet district alone had rendered a decline of 74 cases compared with the previous year and regarding the unfavourable results the Dist. Supdt. of Police had observed that so long as such cases were not tried in the village of the accused, acquittals would be large. The comparatively smaller number of prosecutions launched in Cachar were also explained due to the difficulty in getting people to come forward and give evidence in bad livelihood cases in the courts. The total number of vagrancy and bad character cases further declined to 154 in the following year and the Inspector General of Police exported his District Supdts. of Police in the Report for 1899 to launch a greater number of bad livelihood cases, since these served as a very effective check on crimes generally. But it was admitted that unless and until such cases were tried in the village of the
of the accused large acquittals must follow as the villagers were generally unwilling to attend the courts to give evidence in such cases. Even when the institution of bad livelihood cases had reached the peak figures in Sylhet in 1897, owing mainly to the action by the Police against a large number of Manipuri Muslims in the jurisdiction of Kamalganj outpost of the Maulvi Bazar Sub-Division, the results of conviction had not been as favourable as expected and the Deputy Commissioner had lamented that the Magistrates were not trained to deal with crime and to break up nests of thieves - 'Our Magistrates are not trained to deal with crime. They don't know how to try bad livelihood cases, and do not appreciate the necessity of prompt trial. Nevertheless, such success as has been attained by the police has had a marked effect in diminishing serious crime against property and in breaking up nests of thieves. Due to the exhortations by the Inspector General of Police, Mr. A.W. Davis, I.C.S., in the Report for the year 1898, further decline in the institution of bad livelihood cases was at last arrested and in the following year 156 such proceedings were launched. But the results of the cases remained as bad as ever and of the 156 cases in the 1900, 114 were decided by the Courts, out of which only 61 ended in convictions. During 1901 even the institution of such cases went down very considerably since only 111 cases were taken up out of which only 54 ended in conviction. In the next year 128 cases were instituted out of which only 48 ended in conviction. Although 16 cases were instituted and by the police in Goalpara district under the bad livelihood sections of law all of them ended in acquittal and
and in 12 cases specifically instituted under Dhubri Sub-division not a single case was found to have been tried locally by the Magistrates inspite of having requested to do so by the Police. The Deputy Commissioner, Goalpara, however, put the blame equally on the police as well as the Magistracy for such a deplorable state of affairs existing in the district - "The failure to obtain a single conviction in the bad livelihood is neither creditable to the police who sent them up, nor to the Magistrates who did not try them locally". Matters with regard to vagrancy and bad livelihood cases improved somewhat in 1903 when 142 cases were taken up during the year and half of these, 71, ended in conviction. The I.G.P., Mr. Davis, expressed relief at the greater activity in this respect in all the districts and the fact that the efforts of the police had not been unaccompanied by good results since the number of burglaries, thefts, robberies and dacoities had shown a decrease in comparison with the former years. There was certainly no better way of checking crimes against property than by prompt action under the preventive law and strict surveillance of bad characters. The depression since 1897 was finally over in the year 1904 when 194 cases were taken up under bead vagrancy and bad characters.

The exhortations of the I.G.P., Mr. Davis, had finally paid dividends and compared with the acute decline in 1901 when only 111 cases were taken up it was certainly a big stride in preventive police activity. Of these 194 cases in 1904, 95 were reported to have been instituted in Sylhet district, 32
32 in Kamrup against 4 only in 1903, and 18 in Lakhimpur District against 5 only in 1903. Goalpara, Nowgong and Darrang also showed increase. Sibsagar, and Garo Hills were the only district where a comparative decrease was recorded, but in the overall position for the Province, this was more than made up by the good results in other districts. 155 out of these 194 cases were tried during the year and 108 or 69.7 percent ended in conviction. Three hundred and eighty persons were brought to trial, of whom 173 or 45.5 percent were convicted. Considered individually, however, the percentage of conviction of persons was not good in Sylhet and the I.G.P., Mr. Davis remarked that it would have been much better but for "the absurdly high standard of evidence insisted on by one Magistrate in the said Sub-Division".

Only 45 cases were locally enquired into by the Magistrates in that district despite clear orders of the Government about holding local enquiries.

THE PROVINCE OF EASTERN BENGAL AND ASSAM 1905

The new Province of Eastern Bengal and Assam came into being in 1905. According to the Police Administration Report for Eastern Bengal and Assam for the year 1905, a grand total of 63,000 cognizable cases was reported during the year, of which 15,903 were reported direct to the Magistrates and 47,097 were reported to the police. Compared with the previous year, increase occurred in all the classes of offences. The number of true cases during the year was 50,252. Of the cases reported to the police 33.2 percent were investigated. The percentage of police cases ending in conviction to cases decided
decided was 82.5 against 68.8 in 1904. All the Divisions excepting Chittagong and Dacca, returned more than 80 percent convictions.

The percentage of cases investigated to the total number of cognizable cases reported fell from 77% to 70% in Rangpur, 93% to 80% in Sylhet, 95% to 88% in the Khasi Hills and from 92% to 86% in Nowgong. There was very little change in Naga Hills, Darrang and Lakhimpur. Of the total number of cases reported enquiry was refused in 17 percent cases. According to the District Magistrate of Rangpur refusals by the police to investigate under Section 157 Cr. P.C. was much too common in his district. Even when the property stolen was not petty in the burglary cases the police refused to investigate in order to evade the trouble of enquiry. However, according to the Superintendent of Police, Rangpur, the large number of such refusals by the police was owing to the increased number of the thefts and burglaries reported during the year. He did not agree with the District Magistrate that refusals to investigate were too common. The Superintendent of Police, Sylhet was in favour of a wider use of the discretion granted by law under Section 157 Cr. P.C.

Against 72,725 total cognizable cases pending from before and reported in 1905 there were 83,660 cases pending at the beginning of the year and reported during 1906. This increase by 10,935 cases could not be attributed to any special factor but since it was the usual feature to have a greater incidence of thefts and crime against property in years when the food
food prices were high, in the year 1906 when according to prevalent standards of cost of living the prices had been phenomenally high the matter was left to rest at that. The largest increase was in the cases reported direct to the police. This increase occurred chiefly in burglaries and thefts. In the 58,691 cases reported directly to the police investigation was taken up in 44,515 cases. Although there was a decrease in the percentage of cases investigated, in the percentage of cases sent up for trial to the total number of investigate there was an increase. The reason assigned for this was the fact that in a greater number of trivial cases or cases of an uncertain nature the police did not take up the investigation and, on the other hand, the police took up the case only if there was 75 percent certainty that it would be possible to submit charge sheet in the case. Thus in the year under review it was confirmed that the police abstained from investigating a large number of cases of burglary and theft in which enquiry was generally fruitless. In the Khasi & Jaintia Hills as many as 80 percent of the investigated cases were sent up for trial.

Comparison Between Assam and Eastern Bengal.

The results in Assam were generally far better than in the districts of Eastern Bengal. The reason for this was twofold. In the first place, in Eastern Bengal there was a rural reporting agency in the person of the Chowkidar, who often compelled a complainant to come to the police even though the latter had no wish to have his case investigated. In Assam, on the other hand, the Chowkidari system did not exist and whatever information was laid before the police was only beca-
because the complainant himself wished it so and was fully prepared to cooperate with the police in all respects. 24 Thus, in Tippera in Eastern Bengal in 64 percent of the cases reported to the police the accused was not known. In Slbsagar in Assam, on the other hand, the accused was unknown in 49 percent cases only reported to the police or sent to the police for enquiry by the Magistrate. The second factor responsible for the higher percentage of cases sent up for trial in Assam was the near absence of professional crime excepting Sylhet district. Thus, the total number of burglaries in all the districts of Assam (excluding Sylhet) during 1906 was 1012 only; whereas in the Mymensing district alone in Eastern Bengal the number of burglaries reported was 3,907 11 25

If the percentage of cases sent up for trial to the total investigated was higher in Assam than in Eastern Bengal, amusingly enough the percentage of cases returned as false to the total investigated was also comparatively higher in Assam. 26 This percentage for the Assam Valley districts was 17°7 in 1905 and 17°5 in 1906; in the Surma Valley and the hill districts it was 19°4 and 15°7 respectively. Compared with this, the percentage for Dacca Division was 10°3 only in 1906, and for Chittagong and Rajshahi divisions 12°1 and 11°5 respectively. The reason ascribed for this greater percentage of false cases in Assam was the alleged tendency in Assam on the part of the complainants to use the police improperly to compass their private ends, and the argument was advanced that this was yet another reason why the police should abstain from investigating a larger number of cases in Assam. However, in para 36 of his
his report on police administration for the year 1906 Mr. Bonham Carter, the Inspector General of Police, had admitted that the higher percentage of cases sent up for trial in Assam was chiefly attributable to the fact that in Eastern Bengal the Chowkidar, who very often acted in consultation with the Panchayats, was the reporting agency, whereas in Assam the majority of the cases were reported to the police by the complainant himself, who not only named the accused in many instances but was also preferred to cooperate with the investigation in all respects. There is scarcely any doubt, therefore, from these conflicting statements in one and the same report, that the object of citing statistics in support of the higher percentage of false cases in Assam was primarily to induce the police officers in Assam to abstain from investigating too large a number of cases and thus to save a few precious pencees for the 'Baj' by economizing on a social service agency like the police.


A notable feature of the year 1906 was the sanctioning of the Criminal Investigation Department and the Finger Print Bureau by the Government on 18th January, 1906. The work of taking over files and finger-print slips for the 14 transferred districts of Eastern Bengal was completed by April and the C.I.D., initially consisted of one Personal Assistant, 5 Inspectors, 8 Sub-Inspectors and 10 Constables. In December 5 Head Constables were also appointed. The first important case brought to trial by the C.I.D. was the 'Malubal Khan Gang Case' which had been initiated by the Bengal C.I.D. against a gang of river dacoits which had infested Sylhet and other districts of
of Eastern Bengal for nearly 50 years. 33 Members of the gang were convicted, 9 to life imprisonment and the rest from 3 to 10 years' rigorous imprisonment. About 50 other members of this gang were proceeded against under Section 110 Criminal Procedure Code and ordered to give security. Another important case in which further progress was made by the C.I.D. was the murder in April, 1893 of Mr. Cockburn, Manager of Balladhan tea estate in Cachar. Six more persons were sent up for trial in that case and conviction obtained for all from the Sessions judge. However, the High Court acquitted all of them on appeal.

The existing staff of the C.I.D. was further strengthened by 10 Inspectors, 2 Sub-Inspectors, 7 Head Constables and 10 Constables during 1907. Among the important cases handled by C.I.D. were the 'Lakhin Mal's Gang Case' of Binajpur. Seven members of this gang of burglars and dacoites were arrested and sent up for trial, six of whom were convicted. In another gang of burglars and thieves, seven persons were arrested and the leader of the gang confessed to 27 thefts and burglaries, while another member confessed 24. An interesting case handled by the C.I.D. related to robbery and attempted murder committed by a pseudo 'Haji' and a 'Maloom' (religious Muslim epithets) on a Mecca pilgrimage. A Sheikh proceeding on pilgrimage to Mecca was robbed of his money by these men and pushed into the river after tying an earthen pot filled with water round his neck. As the pot became untied, the Sheikh escaped. Both the accused were sentenced to 10 years' and 7 years' rigorous imprisonment each. The C.I.D. also conducted investigation into the shooting of Mr. B.C. Allen, I.C.S., who was shot in the back on the railway platform at Goalando.
The newly set up Finger Print Bureau, the strength of which was increased by two Sub-Inspectors during the year, handled 1600 references during 1907, 286 of which were received from outside the Province. Previous convictions were traced in 7.8 percent cases, as against 8.4 percent during 1906.

The executive staff of the C.I.D. in 1908 consisted of 16 Inspectors, 8 Sub-Inspectors, 12 Head Constables and 20 Constables. Due to increased work in the Special Branch of the C.I.D., Mr. J. Roddis, Superintendent of Police, was posted on special duty in the Special Branch. A notable gang case dealt with by the C.I.D. was the 'Abdul Khalek's gang case' of Manikganj, Dacca, in which of the total gang of 16 members 8 were sent up for trial and convicted. 25 theft and burglaries were traced to this gang. The receiver of this gang happened to be a sum of great wealth and social status and he too was sent up for trial and convicted. The C.I.D. also investigated 4 dacoities committed by political extremists belonging to the educated class, the purpose of the dacoities being to obtain funds to carry on the agitation against Government. In all these dacoities the culprits were armed with guns and revolvers which they used freely. It was the beginning of the Independence Movement.

Assessment of Criminal Administration : 1911.

The Inspector General of Police, Mr. R.B. Hughes-Buller, I.O.S., went into some details about the question whether there had been any definite increase in the criminality of the Province in his report for the year 1911. After careful analysis
analysis he was of the opinion that criminality had certainly not increased but the higher returns of reported crime were being brought about by the introduction of the improved administrative arrangements leading to better reporting of crime and greater supervision by Gazetted Officers. This became clear if one analysed the circumstances in the Districts where there had been the largest increase in crime. Thus, in Sylhet, Rampur and Rajshah, the gazetted staff had been doubled or trebled during the year. In Pabna, of course, the increase in crime was mainly due to the influx of outsiders for the bridge construction work. But in the other 3 districts where no such explanation existed it was a fact that improved supervision was leading to better reporting and recording of crime. In a certain sub-division there had been an annual increase of 200 cognizable cases with the posting of a Sub-divisional Police Officer, The Superintendent of Police of Mymensingh, Rajshahi and Dacca had confirmed this experience. The number of bad livelihood proceedings also always went up with the posting of a gazetted police Officer to a Sub-Division. The real decline in criminality then gradually began. Special drives to unearth crime also yielded results; and about the one such drive launched by Supdt. of Police, Sylhet, his successor wrote: "Mr. Moors, now Officiating Deputy Inspector General of Police, in his second half-yearly inspections of 1910 commented severely on concealment of crime at most Police Stations and Outposts, and moreover every officer knows that in the last few years Government and the higher authorities have insisted on more strenuous work and efficiency in this province. We has to go back to 1901 before
before we find figures approaching these, although in the meantime 42 and 43 percent of refusals have not been unknown. In 1911 refusals went up to 50.8 percent; 810 cases were investigated as against 546 in 1910; it cannot therefore be said that refusals meant shirking heard work. I have experienced the some causes for increased figures in Dinajpur in 1906, in Dacca in 1906-7, and also previously in other heavy districts of the Lower Provinces. Better reporting was thus the truth behind the rising crime statistics, excepting when the influx of outsider population led to an increase in crime or when a large number of cases of trespass arising out of land disputes were brought to a head by the settlement operations in a district. How the position regarding crime rise compared with the conditions generally in this respect ing the rest of India may be seen from the analysis contained in the article entitled "The Future Attitude Toward Crime" published in the Criminal Investigation and Law Digest, February, 1912. The author, George W. Kashew, wrote - "In our peculiar field of criminology, criminal law reform, we are apt to think of the forward movement of which we are a part as the result of a definite humanitarian impulse of recent birth, or perhaps of the scientific spirit which has in some ways becomes the keynote of the time in which we live." Ever since the last Police Commission (1902-3) all the provinces had been showing increase in crime year after year. Generally, this crime rise was attributed to improved registration, wider use of Section 157(b) of the Cr.P.O., increase in the number of Police Stations and Outposts and the gradual increase in the cadre of superior officers.
officers which enabled supervision of the work of the subordinate ranks of the police in greater detail. But the crime rise all over India was real and could not be wholly assigned to better reporting only - "The nature of crimes and criminals now is different from what it was years ago and in fact when a great advance has been made in all branches of science it is no wonder that the criminals have also made considerable advance in their nefarious profession. The old measures are now unsuited to the present day criminals". 32

While the administrators were trying to go deep into crime causation and interesting debates were taking place over various factors, the partition of Bengal was annulled in 1912 and Assam once again reverted to its old existence as a separate province. It is a matter of conjecture how the crime scene would have developed, and what its overall pattern would have been, had Assam continued its existence with East Bengal. The volume of heinous crime would certainly have been greater and it might have affected the evolution of the Rural Police System in the Assam Valley. However, conditions were not to remain very different in separate Assam in view of the heavy influx of Muslim immigrants into many districts during the twenties and the consequent impact on the law and order situation,
In the opening year of the new Province of Assam, which came into being with effect from 1st April, 1912, the total volume of reported cognizable crime was 17,270 cases, out of which 10,606 were reported direct to the Police and 6,664 were reported to the Magistrates. The number of cases being reported direct to the Police was said to be on the increase while the number of Magistrate's cases was steadily decreasing. The question of remand engaged the attention of the authorities during the year. Although the percentage of cases decided by the Courts at the first two hearings increased from 37.2 in 1911 to 45.1 in 1912, a general tendency was noticeable among the Magistrates in certain districts like Lakhimpur and Kamrup not to punish the defaulting witnesses, who failed to turn up at a hearing, severely enough. The Supdt. of Police, Lakhimpur, Mr. Luffman, reported that he had heard bitter complaints many times from tea planters and others as to the number of time they had to attend courts without their evidence being taken. The numerous remands were considerably adding to the difficulties of investigation as witnesses were reluctant to disclose the facts within their knowledge showing that by doing so they would have undertaken many unnecessary and inconvenient journeys to the Magistrate's Court. The numerous remands also cost a lot of money to the Govt. by way of witnesses expenses. The Inspector General of Police Lt. Col. A. E. Woods, pointed out that if such a state of affairs existed the Police were also equally to blame for sending up incomplete charge-sheets.
chargesheets which resulted in unnecessary adjournments. But this latter malady could be corrected if the Magistrates took pains to bring instances of the record to the notice of the Superintendent of Police.

ASSAM C.I.D.

The staff of the Criminal Investigation Department for the new separate Province of Assam consisted of 2 Inspectors, 2 Head Constables and 3 Constables only. In spite of the acute shortage of staff the C.I.D. was reported to have been singularly successful during the year in the detection of a daring decoy in Sylhet in which tea garden money amounting to Rs. 15,000 had been looted. The entire gang was sent up by the efforts of the C.I.D. and nine members of the gang were sentenced to terms of imprisonment ranging from 7 to 10 years. As a result of the efforts of the C.I.D. a gang of professional river pirates was traced in Sylhet district and a proclamation was issued by the Provincial Govt. declaring all members of the tribe living in Assam as a criminal tribe under Section 3 of the criminal Tribes Act of 1911. Thirty-eight members of the gang were henceforth required to register themselves under Section 4 of the Act and to report themselves to the Police at stated intervals under Section 10 of the Act. This was the first instance when either the Old Criminal Tribes Act of 1871 or the new Act of 1911 were applied in Assam.

The posts of a Superintendent of Police and a Deputy Supdt. of Police were sanctioned for Criminal Investigation
Investigation Department during 1914 and Mr. Shuttleworth look over as the first S.P., C.I.D., in October, 1914. One Inspector and one Constable were also entertained temporarily during the year. The majority of the staff continued to be employed on the Maulavi Bazar Bomb case and other enquiries of quasi-political nature. In the criminal field the histories of certain wandering gangs of criminals such as Brojo-bashis, Kichaks and Rewachis were collected and published by the Department. A gang of coiners and another Duna Swindlers was also successfully prosecuted in Sylhet. The Provincial Finer Print Bureau received 1346 search slips during the year, of which 892 came from the Assam Districts. In 37% per cent cases previous conviction were at tried. The general decrease in the total number of tried cases was ascribed to a very large number of references received from the Criminal Investigation Department of Bengal regarding members of criminal tribes who had been registered in Bengal under the Criminal Tribes Act, 1911. Since the registration slips concerning such persons had not been sent to Assam for record in the Provincial Finer Print Bureau, much difficulty was experienced in tracing them. The services of Finger Print Experts were requisitioned in 18 criminal cases by the Courts in Assam during the year, as also in 3 Civil cases and 25 miscellaneous cases. In Kamrup, Sylhet and Khasi and Jaintia Hills the Court offices and Jails were visited four times each by the Finger Print Experts in course of the year, while the Sub-divisional court offices at Karimganj, Maulavi Bazar, Habiganj and Sunamganj were inspected once in the year by an
by an expert. As regards re-conviction the number rose to 337 during 1914 compared with 221 in 1913, the main increase being in the number of persons reconvicted in offences against property.

CRIME RISE - 1915-17.

The total volume of cognizable crime reported remained almost static in 1915 compared with 1914 at about 19½ thousand cases. The percentage of cases brought to trial was 36'1 of which 78'9 per cent ended in conviction. This spoke fairly well of the standard of investigation but there is little doubt that only such cases were generally sent up for trial about which there was maximum certainty of conviction.

The total volume of cognizable crime reported finally crossed the 20 thousand mark in 1916, when in all 20,576 cases were reported to the Police as well as to the Magistrates. The number of cases reported direct to the Police, which had been rendering a steady increase for the past few years, was nearly double the number of cases reported to the Magistrates. This was a healthy trend and it showed that the public was reposing more confidence in the quality of Police investigation as well as the integrity of the sub-ordinate officials at the than level. The Report for the year 1916 noted that the increase in Assam Valley districts had been owing to the influx of outsider criminal gangs such as the Karwal Nuts and the Brojobashis, some number of which were prosecuted and convicted in Kamrup for substantive offences as well as bad livelihood, The dearness of foodgrains
foodgrains due to floods and the opening of new investigating centres were also responsible for increased reporting of serious crime against property. In the Surma Valley Division abnormal floods in the past two years had attributed to high price of foodgrains and this in turn was supposed to be below the greater volume of serious crime against property. Of all the cognizable cases reported direct to the Magistrates the provincial average of cases referred to the Police for enquiry was 7.5. In the Assam Valley districts, particularly Darrang and Sibsagar, this percentage had gone up considerably in 1916 and the Commissioner Assam Valley Districts remarked "I regret to see that the number of cases instituted before Magistrates and referred to the Police has been on the increase. Sometimes these references are the result of complaints being recorded in a perfunctory manner by Magistrates". The observation was quite justified since only 31 per cent of the cases referred to the Police for enquiry by the Magistrates could be sent up for trial after investigation. At the same time the number of non-cognizable cases in which police were employed for enquiry by the Magistrates rose from 372 in 1915 to 404 in 1916. The biggest increase in this respect was recorded in the Lakhimpur District.

In the next year the total volume of Cognizable crime reported crossed the 21 thousand mark, the highest ever on record. As in the previous year the proportion of cases reported directly to the Police was nearly double of the number reported direct to the Magistrates. This was a
was a healthy trend and spoke well in favour of the public prestige of the Police. The incidence of crime against property went up in all the plains district excepting Kamrup and Sylhet. Although no proper analysis of the rise in crime figures was done it was attributed generally to economic pressure caused by the abnormal rise in the price of foodstuffs and cloth. Gauchar, for instance, suffered from an outbreak of burglaries during 1917. The system of winning landowners in cases of apprehended riots was reported to have continued to pay good dividends in Sulhet and Gauchar, although considered for the entire Province there was a slight increase in rioting cases in 1917. Including those pending from the previous year there were 514 proceedings under Section 107 Cr. P.C. and 281 persons were bound down to prevent breaches of peace. The action under Section 106 Cr. P.C. was also satisfactory and the liberal use of the preventive Seco. of the law was found to have been useful in averting breaches of the peace. In view of the "hut" (Bazaar) looting cases in Goalpara district, a much more frequent use was made of W Section 17 of the Police Act, 1861 and consequently 31 villages were appointed as special Head Constables and another 199 as Special Constables to keep the peace and preserve law and order in different localities. Inquiries were also carried out in the Goalpara District to institute a gang case against Kerwal Nites who had fled their settlement at Saidpur in the Rangpur District in Bengal and were committing crimes in Goalpara District. However, the gang case had to be dropped since the gang were proceeded against under the Criminal Tribes Act in Rangpur itself. But another gang of thieves known
known as Brihaspati's gang was successfully prosecuted for bad livelihood under Section 110 Cr. P.C. in Kamrup. Subsequently, this gang was proclaimed as Criminal Tribe under the Criminal Tribes Act, 1911. Sylhet suffered outbreak of river dacoities during the year. A run-away criminal Tribe to be known as 'Gains' from Tipperah District in Bengal were found to be responsible and by the close of the year 1917 quite a few members of the gang had been put under arrest. The Criminal Investigation Department dealt with 71 cases during 1917 and as a result of its action 49 cases with 188 persons were sent up for trial, 157 cases were convicted. The standard of investigation of the C.I.D. was thus considerably higher than the general average of 56 per cent convictions out of the total cases sent up for trial.

CRIME DECREASE : 1918.

After two years of a high ride around the 21 thousand mark the total volume of cognizable crime reported, recorded a sudden drop by more than 3 thousand cases in 1918 and only 18 thousand cases were reported to the police as well as the Magistrates in that year. The decrease was specially noticeable in offenses against property. A number of District Superintendents of Police attributed this overall decrease to the exceptionally good harvest of crop in the winter of 1917-18 as well as the outbreaks influenza throughout the Province which had put a natural check on the activities of the criminals. Successful prosecution of certain notorious gangs under preventive Sections of the law was also supposed to have helped significantly. In the opinion of the Deputy Commissioner by
by far the most criminal district then in Assam, Sylhet, in which incidence of serious crime had gone down by 23 per cent the following factors were mainly responsible for the overall decrease. 12

1) Better preventive work by the Police.
2) Successful prosecution of two notorious gangs of criminals.
3) Effective action by the magistracy.
4) Recruitment for military service which had relieved economic stress generally and also attracted certain active criminals to join the Labour Corps.

OPERATION OF CRIMINAL TRIBES ACT (1911) AND PREVENTIVE LAW.

In order to bring some criminal gangs under the operation of the criminal Tribes Act of 1911, the Criminal Investigation Department was reported to have undertaken several enquiries in 1919 with a view to collecting incriminating evidence. But no action could be instituted till the end of the year. But the C.I.D. took keen interest in making use of the preventive sections of the law and aided by its assistance a large number of proceedings were successful in the districts. In the 399 proceedings submitted under Section 107 Cr. P.C. some 293 persons were bound down to keep the peace, while the number of those bound down under section 106 Cr. P.C. was 196. The number of true coining cases rose from 9 in 1918 to 20 during the year. Sixteen of these cases were sent up for trial and ultimately 12 persons were convic-
convicted. Totally, the C.I.D. dealt with 58 cases during the year. The Finger Print Bureau received 1360 search slips, but the Bureau could trace previous convictions in 8.23 per cent cases only, as compared with nearly 10 per cent in the previous year. The total number of Finger Print Slips on record with the Bureau stood at 30,839 at the close of the year. In respect of serious crime the significant feature of the year 1919 was the increase by more than two thousand cases of reported cognizable crime, much of which was reported to have resulted from the increase in thefts and burglaries in all districts excepting Sibsagar. Nearly half the increase occurred in Sylhet. As usual, this wave of crime against property was ascribed to the high prices and the greater influx of outsider population mainly belonging to the labour class.

There was supposed to have been an unprecedented increase in the cost of living and the price of rice was reported to have risen suddenly to an average of Rs 10/- per maund, with little or no local stocks. However, the Police in Sylhet claimed to have foreseen the situation and as a result of the vigorous preventive action taken by it a large number of habitual criminals were bound down in advance. The Superintendent of Police estimated theft had this not been done there would probably have been a three-fold increase in crime against property. The stolen property was recovered to cases in which property had been stolen rose from 28.52 to 30.00, the percentage of the value of stolen property recovered to that stolen fell from 19.00 in 1919 to 16.57 in 1920.
Compared with 36 decoity cases in 1920 there were 59 such cases in 1921. The increase was mainly in the Sylhet and Goalpara districts. It was felt that the criminal gangs had been able to indulge in decoities without fear of impunity owing to the Police everywhere being preoccupied with the political agitation in the form of the country-wide Non-cooperation Movement. Surveillance over active Criminals had become lax and the Police were also reported to be receiving less co-operation from the Public in detecting crime. As a result evidence was not easily forthcoming, and with the courts still insisting on a high standard of evidence a number of cases failed in trial. The extremely low percentage of convictions in decoity cases was thus not due to the poor standard of investigation by the Police; on the one hand, the Police were heavily burdened with law and order duties in connection with the political agitation, and on the other hand ready assistance from the public, a factor so essential to successful investigation, was now much less readily forthcoming than before. Special instructions had to be issued in the course of the year on preventive measures to be taken to check the outbreaks of decoities. In the Goalpara District it was found that most of the decoities had occurred in the non-Police "Khas Mahals" and it was felt that unless and until police Stations were opened at Gosaigaon and Kokrajbar it would be difficult to control this form of crime. Financial considerations, however, prevented the opening of these Police Stations during the year. For the entire province 180 persons had been sent up for trial in the 27 decoity cases charge-
charge-shotted; out of these 56 persons were convicted in 12 cases only. In 19 decoity cases property had been stolen worth more than 23 thousand rupees, and the stolen property valuing about two and half thousand rupees were recovered in 23 cases only. The percentage of stolen property recovered in decoity cases was thus 10’47 only. In 11 robbery cases the percentage was as high as 79’85, while in cases of theft in connection with the recovery of stolen property it was 72’62. In all types of cognizable cases involving property stolen and recovered the results were by far the poorest in decoity cases. The situation did not improve in the following year and compared with 54 true cases of decoity in 1921 the number of such cases rose to 80 in 1922. Only eighteen cases with 84 persons could not be sent up for trial and of these finally 8 cases with 29 persons were convicted. The biggest relative increase was in Sylhet where the number of true decoity cases more than doubled. Goalpara District also recorded a considerable increase. As the political situation finally calmed down in the latter half of 1922, the energies of the Police and the Criminal investigation Department were decided towards checking the decoity menace. An Inspector of the C.I.D. was deputed to Sylhet solely for the purpose. He worked in conjunction with another Inspector deputed from the Bengal C.I.D. and as a result of their joint efforts a large number of border criminals active in the adjoining areas of Tippura and Sylhet were successfully prosecuted under Section 110 Criminal Procedure Code. As a result of this deterrent action the number decoities was reported to have gone down in Sylhet District.
Another Inspector of the C.I.D. was deputed to the Goalpara District and the large number of bad livelihood proceedings undertaken. This were also reported to have yielded good results. It was hoped that the opening of proposed Police Stations at Kokrajhar and Gosaigaon in the "Khas Mahals" of Goalpara District would eradicate the evil from the District. The preventive Sections of law were indeed very extensively used in 1922. The number of proceedings instituted under Section 107 Cr. P.C. was 722 and finally 626 persons were bound down. Another 244 persons were bound down under Section 106 Cr. P.C.

**THE C.I.D. MANUAL : 1923.**

An important landmark in the sphere of criminal administration in the Province was the completion and publication finally of the C.I.D. Manual in the course of the year. The C.I.D. under Mr. W.J. Ballentine dealt with 39 cases compared with 21 cases only in the preceding year, when its attention had been mostly preoccupied with political cases. The most significant of its achievements during the year was the completion of the enquiry against a gang of currency note forgers, 52 of whom were sent up for trial. Among other things, an officer was specially deputed to enquire into the systematic pilferage of tea in transit from the tea gardens in the Assam Valley, while at the request of the Postal Department an enquiry was taken up into a number of cases of theft or abstraction from issued letter. In 1924 it was noticed that dealing in forged currency notes was turning into a growing
growing form of serious crime. The police were experiencing difficulty in bringing such persons to justice because the law required it to be proved that the accused had used the note knowing that fully well that it was forged. It became difficult to prove this deliberate intention in the Court and a great deal of reliance had to be placed on circumstantial evidence and attendant circumstances. In one case, which was sent up for trial by the Badarpur Railway Police there was evidence to show that the accused who had tendered a forged five rupee note to a Railway booking clerk had run away as soon as the note was discovered to be a forged one by the booking clerk and when the latter tried to detain him in that connection. The conduct of the accused in running was obviously in favour of the presumption that he had guilty knowledge and he was committed to Sessions on this score by the Lower Court. The Court of Sessions, however, acquitted the accused on the ground that such a conduct could also be due to nervousness caused when the Railway Booking clerk had tried to detain him, and was not necessarily inconsistent with innocence. The accused was thus entitled to the benefit of doubt, although it was well-known to be common practice for those dealing in forged currency to ask charge for a forged note at a Railway Station and the large amount of base coin and counterfeit notes detected in Railway earnings were there to support the existence of such a practice. But apart from cases of this nature the Police were also experiencing difficulties even in such cases where clumsy hand-made forged notes were attempted to be passed on. In a case
case sent up from Barpeta although the inference was strongly in favour of the guilty knowledge of the accused he was acquitted by the Court of Sessions on the grounds that he might have been careless in not knowing what he was carrying. The I.C.P., Mr. W.C.M. Dundas, remarked in his Report for 1924 - "The Police can do no more than send up cases with all available facts. It is for the Courts to exercise a wise discretion in discriminating guilt and protecting the great mass of the public against criminals of this class. It also not in frequently happens that a professional utterer having passed a forged note, the victim as soon as he is aware of the forgery forthwith seeks to pass it on to cover the loss which be otherwise and would incur. This form of dishonesty calls for some deterrent action as, until it is brought home to the public that two wrongs do not make a right, the business of uttering will not only continue unchecked but even receive a stimulus." Even in cases where the Police were successful in obtaining a conviction, the inadequacy of the punishments meted out was flaring. Thus, in one case in Tezpur the accused had been sentenced to a fine of Rs.2-8 and one day's rigorous imprisonment. In the following year the notorious note-forgery conspiracy case of Sylhet, in which a large number of persons belonging to Mymensingh and Sylhet districts had been sent up for trial, ended in the acquittal of 48 accused and conviction of 3 accused only.

The C.I.D. was reported have been engaged in important enquiries throughout 1926. An Inspector was employed throughout the year for enquiries under the Criminal Tribes Act 1911
1911 against gangs of criminals engaged in decoities and other serious offences against property on the boundaries of Sylhet, Tipperah and Mymensingh. He was successful in drawing up a report against a large number of border criminals. Another Officer was similarly engaged on the Goalpara side against a gang of border criminals from Bengal, responsible for as many as 16 decoities in Goalpara in 1924 and 1925. A third officer carried out joint enquiries with the Mymensingh Police against a gang dealing in forged currency notes; he also, incidentally, detected a river decoity committed by the members of a criminal gang. The Criminal Investigation Department by now consisted of three branches - viz. the Finger Print Bureau, the Special Branch and the General Crime Branch. The Finger Print Bureau received 1184 search slip reference in 1926 and previous convictions were traced in 9.37 per cent cases. The General Crime Branch consisted of an office section and a field section. The Office section was responsible for the collection, collection and distribution of information relating to crime and criminals on the provincial as well as inter-provincial level. The information together with legal notice of a general notice was conveyed to all districts and the O.I.P.s of other provinces through the "Criminal Intelligence Gazette" published weekly by the section. The Field Section acted as auxiliary to the District and Police undertook investigation of intricate and inter-district or inter-provincial type of criminal cases. The Special Branch was responsible for the collection and dissemination of political intelligence. Aided by its three bran-
branches, the Criminal Investigation Department thus served as a broadcasting agency as well as an instrument for the investigation of intricate and important cases. Requisitions for the service of officers of the Department were received very frequently but it was impossible to comply with many in view of the paucity of staff. Much of the usefulness of the Department was being thus restricted for lack of proper staff. In addition to the numerous other enquiries of an important notice, the C.I.D. dealt with 64 cases of crime in 1926, out of which 11 were of murder, 6 of dacoity, 3 of theft of arms and ammunitions, 27 of other theft and burglary involving organised gangs, and 7 of criminal breach of trust.

**Comparison of Conviction Percentage with Other Provinces:**

The comparative position regarding results of investigation in Police cases vis-a-vis other provinces was as follows in 1926 and 1927.44

<table>
<thead>
<tr>
<th>Provinces</th>
<th>Percentage of cases convicted to cases tried</th>
<th>Percentage of persons convicted in Police cases persons tried</th>
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<tr>
<td>Bihar and Orissa</td>
<td>87.4</td>
<td>69.2</td>
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<td>1926</td>
<td></td>
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<tr>
<td>Madras 1926</td>
<td>94.2</td>
<td>88.0</td>
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<td>Bengal 1926</td>
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<td>Punjab 1926</td>
<td>76.1</td>
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<tr>
<td>Assam 1926</td>
<td>88.7</td>
<td>68.8</td>
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<td>1927</td>
<td>86.5</td>
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</tbody>
</table>
The percentages of conviction thus compared favourably with those of other provinces at the time, although a deterioration was noticed generally in 1927 in the result of sessions cases, the reason probably being that a sessions case was usually tried two to three months after its commitment and the delay eroded away vital evidence. But the overall detective ability of the Police in view of the I.G.P., V.C.M. Dundas, had still a long way to go - "There are marked exceptions, but in general the detective ability of the investigating staff is reported on as fair at the best, and almost non-existent at the worst". But it was not so much the lack of detective qualities in the existing staff as the complete absence of facilities in scientific training which were lamentable. The latent qualities in the investigating staff were seldom developed or improved; it was by sheer luck that a recruit Sub-Inspector turned out to have a flair for detective work later in his career. Many Circle Inspectors were in charge of jurisdictions much too large for efficient supervision and scarcely any of them could find the time to impart instruction to their subordinates. As a result the professional knowledge of the investigating staff was meagre and not many of them were interested in improving the quality of their work. The Governor-in-Council agreed with the comments of the I.G.P. and in the Resolution on the Report for 1927 conveyed - "There is truth in his criticism that the province is getting the police force it pays for and that no real improvement can be expected without an increase in strength and pay and better methods of training.................."
The Governor in Council commends these remarks of the Inspector General to those who may be disposed to condemn the shortcomings of the Police without realizing the limitations under which the force has to work. In 6,734 cases in 1928 property was found to have been stolen. Of these, thefts in conjunction with breaking house trespass or house breaking in which property was stolen amounted to Rs. 3,460 cases; and other such thefts to 2,768 cases. Out of the 3,460 cases of theft in conjunction with breaking house trespass or house breaking in which property was found to have been stolen, the number of cases in which property was recovered was 824 only. The value of property stolen in such cases was estimated at nearly 3 lakhs 90 thousand, whereas that of the property recovered was only a little over Rs. 43 thousand. No doubt the usual practice by the complainants everywhere to inflate the value of the stolen goods must have been responsible for the high estimates entered in the first information reports, but even then on the whole, for all category of cases, including other thefts, in which property was found to have been stolen the percentage of the value of property recovered to the value of property stolen came to 19.69 only.

INTRODUCTION OF "MODUS OPERANDI" SYSTEM:

The total volume of cognizable cases, reported direct to the Police as well instituted in the Courts, increased by nearly three thousand cases from 19,674 in 1930 to 22,589 in 1931. The increase was mainly in serious offences against person and property or against property only and minor offen-
offences against property in Sylhet and Nowgong districts. Certain districts like Kamrup, Darrang, Sibsagar and Goalpara in fact recorded an overall decrease. The prevalent economic distress was reported to be mainly responsible for the increase in burglary cases. The "modus operandi" system of investigation had been newly introduced, and though still in an experimental stage it was hoped that its application would soon improve the situation vis-a-vis serious crime against property. However, the I.G.P., Mr. T.R.M. O'Callaghan, I.P. lamented that during his inspection of many Police Stations in course of the year he had found that the Departmental circular which introduced the "modus operandi" system of investigation was not being paid sufficient attention by the Superintendents of Police and the lower ranks of supervisory officers. The prescribed form "A" was found to be mostly carelessly written and that too at the thana and not at the place of occurrence. Obviously, the scientific system of investigation did not appeal much to the average Indian investigating officer, but it was for the supervisory ranks of the Police to see that proper interest was taken. The investigating officers tended generally to start with a fixed suspicion against the local surveillers instead of scientifically adding from the available "Modus operandi" data and then applying themselves to the case with an open mind. Better means of communication enabled the expert burglars to travel long distances to the scene of crime. The recent arrest of eight members of the Dewanganj gang of Mymensingh in Goalpara was an eye opener. The leader of the gang confessed to having
having previously committed three burglaries at Gauripur and later also one at Gauhati as an interlude. Burglary was responsible for about 50 percent of the total serious crime and in most cases the burglars were expert thieves who operated in well organised gangs over long distances. So to trace a particular gang its method and mode of operating, the techniques employed, that is the "Modus operandi" had to be scientifically studied for successful detection. These active gangs, all hailing from the Karimganj Subdivision of the Sylhet district, were declared to be criminal tribes in 1931 under the Criminal Tribes Act, 1924. These were known as Sheikh Johir's gang, "Sayan" gang and the "BokoI Bajnis" gang. How helpful scientific investigation was revealed in the detection of a decoity case under Kamalganj P.S. in Sylhet. As the decoits began to break open the door the inmates of the house offered resistance with "daos" in hand. In the ensuing fight the thumb of one of the decoits was chopped off and some others were injured. The thumb was found by the Police at the place of occurrence. The investigating Officer took an impression of the thumb and sent it to the Shillong Finger Print Bureau, which traced it as being of a Manipuri's surveille named Bhoman Singh. The accused was arrested and his confession resulted in founding up many members of the gang of decoits, 24 of whom were sent up for trial and 15 later committed to the Court of Sessions.

The stress on the "modus operandi" system of investigation was thought by many as resulting in unnecessary increase
in unnecessary increase in work for its hard-pressed investigating staff. It was pointed out in 1933 that the maintenance records involved an extra demand on the time of the staff, the available number of which was barely sufficient after the retrenchments of 1931-32. It was also pointed out by certain quarters that the methods of operation of most of the criminals in Assam were simple and to enter any house in Assam did not require much ingenuity on the part of the criminal. The I.S.P., Mr. O'Callaghan, did not agree with these views and upheld the utility of the newly introduced 'Modus operandi' system of investigation. However, the Police administrators of the day at the district level were more found of generalised legal action which simplified the work and as such instead of giving more time to following scientific methods of investigation greater energy was devoted to applying a generalized legislation like the Criminal Tribes Act, 1924 the grand slam action under which could outlaw whole communities and save the Police the botheration of following up individual cases. 125 prosecutions were instituted under this Act in 1933 in addition to the registration of a gang of 16 members known as the "Rampur Gang" under Sorhag P.S. in Kamrup. 82 of these prosecutions ended in conviction. 25 were pending at the close of the year and 18 ended in acquittal. The action against Criminal Tribes gangs (C.T.Gangs) was most severe in the Lakhimpur District, where 2 special patrols, each consisting of one A.S.I. and 4 Constables, were sanctioned during the year. In the following year 5 more gangs with 78 persons were brought under the operation of the Criminal
Criminal Tribes Act. The total number of gangs registered in the province, including two wondering gangs, under the Criminal Tribes Act by the end of 1934 was 37 and the number of persons registered totalled at 539. One hundred and nineteen persons were sent up for trial under the Act during 1934 of whom 21 were convicted for offences under the Indian Penal Code and 73 for breaches of rules under the Criminal Tribes Act. In 96 cases during the year registered members of the gangs were suspected but could not be sent up for trial owing to lack of evidence. It was felt that results could have been better but for the lack of requisite watching staff. The judiciary also tended to be lenient in awarding sentences for breaches of the Act. Village headmen, watchmen "Gaonburas" the owners and occupiers of land and their agents were alleged to be not fully conscious of their responsibilities and liabilities under Section 26 & 27 of the Criminal Tribes Act, 1924.

Although theoretical stress continued to be placed on scientific investigation and the application of the "Modus operandi" system in detecting crime against property, in practice the working of the Criminal Tribes Act continued to dominate the crime scene. Another 4 gangs with 86 persons are registered in 1935 and by the end of the year the total gangs and persons registered under the Act totalled 51 in the province came to 41 and 625 respectively. 148 registered members were sent up for trial during 1935, of whom 24 were convicted for offences under the Indian Penal Code, 82 for breaches of rules under the Criminal Tribes Act and 23 were bound down.
down under the preventive Sections of the Criminal Procedure Code. However, it was felt that no consistent policy was being followed in regulating the punishments awarded under the final provisions of the Criminal Tribes Act. This was all the more important since the registered members of a "Criminal tribe" were generally proved criminals and if they got away lightly from the courts they could have no sufficient respect left for the law. Experience in crime control had shown that the incidence of crime in particular localities varied with the degree of restrictions imposed upon the members of gangs declared "Criminal Tribes". Very often nominal sentences or small fines were being imposed on members having previous convictions as well. In a certain case a member having a previous conviction under the Criminal Tribes Act had been sentenced to a fine of Rs. 1/- only. In several cases where the accused persons had two previous convictions they had been fined Rs. 15 to 30 only. A case was on record where having three previous convictions under the Act the accused had been fined Rs. 30/- only. But the best illustration of the liberality of the courts was the case in which the accused having 7 previous convictions under the Act had been sentenced to only 3 months' rigorous imprisonment. These features posed a serious difficulty in administering the Act. However, in view of the improvement in the general standard of investigation there was an all-round decrease in the number of burglary cases. From 5518 in 1934 and 5,208 in 1935, the number of true cases of burglary came down to 4,969 in 1936. The decrease was most marked in Sylhet and Kamrup dist-
Districts. But on the other hand there was an unprecedented increase by 226 true cases in Sibsagar district. The reason advanced was that the public was being encouraged to accept cases with a view to increasing their confidence in the Police. The percentage of conviction also fell from 24'10 in 1935 to 18'38 and to this there was no ready explanation excepting that the standard of investigation in crime against property had perhaps deteriorated in that district. In the meantime, the Police continued to enjoy everywhere the wholesale powers under the Criminal Tribes Act and by the end of 1936, 40 gangs with 661 persons had been registered under the Act. However, surveillance over the registered numbers were reported to be unsatisfactory and the existing rural agencies like the Chowkidars and the 'Gaonburas' were found to be generally ineffective in enforcing restrictions on movement.

SURVEY OF CRIME RATE 1932-38.

The total number of cognizable cases reported to the Police and instituted in Courts was 23,269 for the year 1938. Out of these 16,570 were found to be true cases. The following graph shows the position of true cognizable crime for the period 1932-38.

TRUE COGNIZABLE CRIME.
It would be seen that the upward trend beginning in 1934 reached the peak in 1935 and then gradually subsided to the figures for 1938.

This was not a little due to the contribution of crime having political bearings such as terrorist activities, arrests and prosecutions in connection with political agitation, cases in connection with the dissemination and possession of seditious literature, vigorous enforcement of the Arms Act, not to speak of the combined effects of economic depression and political unrest which resulted in widespread labour unrest and the general attitude of defiance of authority and disregard of law during the period. The constitutional reforms introduced by the Govt. of India Act, 1935, which were put into effect in the following year, the holding of elections in early 1937 and the formation of a popular Ministry, provided a relief from the increasing political extremism and had a salutary effect on the general crime situation in the province.

Industrial strikes and labour unrest raised their head again in 1935 with the strike by employees of the Assam Oil Company at Digboi and Tinsukia, the strike in sympathy by the employees of the Steaker Company in Lakhimpur District and widespread labour unrest in the Tea Gardens in Lakhimpur, Nowgong, Sibsagar, Cachar and Sylhet districts. Tea garden labourers were suspected in as many as 529 cases during 1936 and some 365 cases with 594 tea garden labourers were sent up for trial against 356 such cases and 508 persons in the
in the preceding year. Of these 244 cases and 369 persons in the preceding year. As a result of industrial strikes and labour unrest the volume of true cognizable crime (including true Magistrate's cases) increased from 16,570 in 1938 to 18,461 in 1939 and the graphic crime curve crossed the eighteen thousand mark for the first time since 1932. The total number of cognizable cases reported direct to the Police as well as instituted in the Courts now became 25,321 against 23,269 in 1938.

A new feature of the crime scene was the increasing number of communal clashes between Hindus and Muslims. Parliamentary democracy had been introduced by the Government of India Act 1935 and the Hindu and Muslim votes had become divided in the elections held in early 1937. The popular Ministry in Assam was formed by the Muslim leader Sir Md. Sadullah in collaboration with the non-Congress tribal and non-tribal members and reserved European seats in the provisional Assembly. In 1938 there were two serious clashes in Sylhet and Hailakandi between the local Hindus and Muslims. The clash in Sylhet Town on 4th October, 1938 occurred on the day of the "Bejoya Dasami" over the question of playing music before a mosque. Several persons were injured in the ensuing clash and 21 cases were reported to the Police by members of both communities. The clash at Hailakandi on 7th July, 1938, occurred on the day of "Fera Rath Jatra" festival and was again over playing music before mosques. Two Police and 3 direct cases were instituted. Five cases of communal riots were reported during 1939. Three
Three out of the four cases reported from Sylhet occurred during the "Duga Puja" festival. One case occurred in Sibsagar during the 'Dol Jatra Festival'. In the following year, 1940 five cases of communal rioting were reported from Habiganj in Sylhet. All the cases occurred during the celebration of the "Maharram" and "Saraswati Puja" festival. A case pertaining to the defilement of the image of a Hindu deity occurred at Beanibazar in Karimganj Sub-division. Kamrup District also had one case of communal fracas on the immersion day of the "Durga Puja" festival at Barpeta. Two cases of rioting were taken up, but as the culprits could not be identified both the cases were submitted in final reports.

Comparative Analysis: 1940

The following table shows the comparative results of investigation and trials in Assam and certain other provinces during 1939 and 1940.

<table>
<thead>
<tr>
<th>Province</th>
<th>Percentage of cases investigated by police</th>
<th>% of Police cases ending in conviction to person convicted in Police cases</th>
<th>% of persons cases decided by trial.</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Bengal (1939)</td>
<td>81.76</td>
<td>83.09</td>
<td>62.88</td>
</tr>
<tr>
<td>2. Bombay (1939)</td>
<td>77.67</td>
<td>89.56</td>
<td>60.64</td>
</tr>
<tr>
<td>3. U.P. (1939)</td>
<td>77.71</td>
<td>82.24</td>
<td>62.03</td>
</tr>
<tr>
<td>4. Bihar (1939)</td>
<td>89.09</td>
<td>80.02</td>
<td>58.87</td>
</tr>
<tr>
<td>5. Madras (1939)</td>
<td>80.50</td>
<td>76.06</td>
<td>60.14</td>
</tr>
<tr>
<td>6. Punjab (1939)</td>
<td>84.78</td>
<td>67.65</td>
<td>48.19</td>
</tr>
</tbody>
</table>
It would be seen that the percentage of cases investigated by the Police "Suo Moto" in Assam was second to Bihar only in 1939. The percentage obtaining in 1940 also retained the same distinction. The percentage of Police cases ending in conviction to cases decided by trial also compared well with other provinces in 1939 as well as 1940; the same applied to the percentage of persons convicted in Police cases to the person tried by the Court.

### INCREASE IN CRIME RATE DURING WORLD WAR II

The war years 1941-44 were a period of great stress as well as a unprecedented expansion for the Police. In 1941-42 the victorious Japanese armies over ran the entire south-east Asia and Burma by the middle of 1942 they were knocking at the gates of Assam, concentrated in a two pronged drive at Imphal and Kohima. The fall of Burma brought out a huge exodus of refugees. The 1942 Bengal famine created
created another problem and the Police had to man numerous
check-gates to ward off the victims of Bengal famine from
entering Assam, where war panic and the influx of Burmese
refugees together with the intentional planting of enemy
agents and saboteurs to cut off the military lines of commu-
nication had created conditions of near chaos. To cap the
things, the Congress started its "Quit India" movement in
1942 which took a violent shape during and after August
that year. In spite of enormous expansion in the police set
up, the hands of the Police were fully occupied in dealing
with the gigantic refugee problem on two fronts, checking
activities of agent saboteurs and dealing with the political
agitation, which soon degenerated into widespread arson and
attacks on Govt. property in Kamrup, Sibsagar, Nowgong, Dary
rang and Sylhet districts. The situation in Nowgong District
could be restored only after combined military and Police op-
erations. The "Quit India" movement waned in early 1943,
but cases of sabotage on the railway and road communication
continue to occur for some more time. As regards conven-
tional crime there was not much change, excepting that the hands
of the Police being full with other activities it was scarce-
ly possible to devote much attention to routine type of inci-
dence of crime. Crime under some of the serious heads showed a slight increase in 1941, the gross number of cases dealt with by the Police in 1942 was a little higher than in 1941, and in 1943 it was officially admitted that the number of cases reported to both Police and the Magistrates had increased in all classes, particularly in burglaries and
and thefts and under the special laws in force owing to the economic distress and war conditions. With the preoccupati-
on of the investigating staff with other matters the results of prosecutions had admittedly deteriorated.

In 1944 the Japanese attempted the invasion of India through Assam in all seriousness but failed. It was a period of great stress as the war pressure mounted and the hands of the Police were fully occupied with multifarious types of war duties. The enemy stepped up sabotage of railways and vital installations and enemy propaganda was at its peak. The investigating staff in the districts was burdened with the whole gamut of problems generated by the advent of armed forces on a large scale; the British, the Chinese, the Americans, but especially the last, whose carefree mode of living caused many breaches of law in their relationship with the local population everywhere. Military personnel were involved in a number of criminal cases during the year. Out of 47 cases of highway robbery 26 cases were committed by kilitary sepoys and another 5 by the Rail force constables. In 3 dacoity cases in Lakhimpur district and another 3 dacco-
ities in the Goalpara district military personnel were found involved. Four out of these six dacoities were cases of typ-
ical house dacoities. As regards murder, 13 military person-
nel were concerned in 12 cases, in all of which killing had been done wantonly by opening fire on some minor provocation. The Sub-Divisional Officer of Karimganj and the Divisional Forest Officer, Sylhet were assaulted by a Viceroy’s Commiss-
ioned Officer (J.C.O.) of the Army accompanied by some militar
military sepoys. The also assaulted one Sub-Inspector of Police and two constables. Twenty-one Military personnel were sent up for trial in this case and 15 were ultimately convicted. As a result of war conditions and the preoccupation of both the investigating staff as well as the Magistrates in other duties the percentages of cases convicted and of persons convicted declined. There was increase in cases under the Defence of India Rules, for holding meetings without permission and contravening censorship regulations. The number of cases for profiteering, hoarding and other offences under the Special Ordinances in force also increased.

POST WAR LAWTEENESS.

The War ended in 1945 and the gradual return of the police to their normal duties, a process by no means easy considering the mess left over by the War, started with that. The effects of the War generally on criminal administration had been two-fold. In the first place, with the preoccupation of the police and the Magistracy with war time duties delays in investigation and the disposal of cases by Magistrates had grown. The hold of the Police in the criminals had slackened and the one result of this in Assam was the great increase in burglaries. Added to that was the retrenchment of outsider labour employed on various projects during the war and personnel discharged from the armed forces and temporary formations. After consuming whatever savings they had made during the war such people often turned to crime for livelihood. Against 4,560 true cases of burglary in 1944 there were 5,129 such
such cases in 1945 - on increase by nearly six hundred. Out of these as many as 4,458 cases remained undetected. The other effect the war had on the state of criminal administrations was that the expansion in the supervisory superior ranks had been but little compared with the enormous expansion in the subordinate ranks of the Police Force. Consequently there was a serious fall in the number of cases supervised by gazetted police officers compared with the pre-war days. The expanded force was hardly capable of proving its full utility in the absence of the proper guidance and leadership from a wholly inadequate superior cadre of officers. The 4,721 strong Civil Police was being led by one I.G.P., one D.I.G.(C.I.D), 12 S.P.s, 11 Asstt. S.P.s and 14 Deputy Superintendents of Police only.

The unsettled conditions resulting from the war and the prevailing atmosphere of a spirit of lawlessness resulted in a nearly 20 percent rise in the incidence of true cognizable crime during 1946. The end of war meant the end of opportunities to make money, legitimately or illegitimately, but though the war had ended the preoccupation with materialistic pursuits everywhere persisted. The large number of discharged personnel and outsider unemployed population soon became a menace. The wholesale cheap disposal of huge American war stocks made it easy to obtain arms, vehicles and there parts from the American dumps. This gave a fillip to smuggling activities. Compared with 32,617 cases of cognizable crime reported to the Police and instituted before the
before the Magistrates in 1945, the total volume of cognizable crime amounted to 36,742 in 1946, an increase by more than four thousand cases. However, the one consoling factor was that a great part of this increase was attributable to the large scale evictions undertaken after the war in connection with the Government's Land Settlement Policy and numerous breaches of supply Department's control Orders. It was hoped that with the passing of the post-war transitional phase much of the prevailing lawlessness would disappear and the crime position would soon stabilize. A notable step taken in 1946 was the creation of the Anti-Corruption Branch in response to the general feeling that corruption had become all too rampant and needed to be put down by a serious effort if the post-war social and bureaucratic climate was to be restored to its normal health. The Anti-Corruption Branch was to work under the direct orders of the Home Department.


With Independence and partition the major portion of the Sylhet district excepting part of the Karimganj Sub-division, that is areas within the jurisdiction of Patharkandi, Ratabari, Badarpur Police Stations and a portion of the Karimganj Police Station, was transferred to East Pakistan from 15th August, 1947. The loss of the major part of by far the most criminal and difficult in Assam, particularly the populous Sub-Divisions of Sylhet, Habiganj, Sunamgaj and MaulviBazar, naturally affected the crime position. The portion of the Karimganj Sub-division falling into India was tagged
tagged on to Cachar and this resulted in considerably inflating the crime figures for that district. Whereas there was an overall decrease of 6,613 cognizable cases reported to the police and instituted before Magistrates as a result of the separation of Sylhet, the total volume of cognizable crime in Cachar increased by 1463 cases. In fact, the entire crime pattern in Cachar underwent a change by the inclusion of the major portion of the Karimganj Sub-Division falling into India; true cases of rioting rose from 38 in 1946 to 70 in 1947, true murder cases more than doubled from 7 to 16 and true cases of dacoity, robbery and theft all doubled; the figures for burglary rose from 443 true cases in 1946 to 717 in 1947. For Cachar, indeed, it was a somewhat criminal legacy left behind after partition by its neighbouring district of Sylhet.
1. Letter No. 4219 dated 1st December, 1875 from the Secretary to the Chief Commissioner of Assam to the Secretary to the Govt. of India, Home Department.


3. Annual Report on the Police Administration of the Province of Assam, 1876.


6. Extract from the Proceedings of the Chief Commissioner of Assam in the Judicial Department No. 1728 dated Shillong, the 22nd December, 1881.


10. Annual Report on the Police Administration of the Province of Assam, 1887.


15. Ibid.
16. Extract from the Proceedings of the Chief Commissioner of Assam in the General Department, No. 2825-J, dated Shillong, the 7th May, 1891.


24. See 'Rural Police - 1905 to 1911'.


27. 'Working of the Criminal Investigation Department' - Annual Report, 1907.


31. The Illustrated Criminal Investigation and the Law Digest, 15th February, 1912.

32. Ibid.
34. See the Assam Code, 1915.
35. See the Eastern Bengal and Assam Code 1907, Vol. 1.
36. Ibid.
39. See counterfeiting in India by G.L. Hart.
40. 'Counterfeiting in India' by G.L. Hurt.
41. Annual Police Administration Reform - 1924.
42. See the Manual of Criminal Classes operating in Bengal, 1916.
43. See the "List of Active Decoits Gangs in Bengal-1925".
45. Ibid.
47. See the Detection of Burglary In India by W.A. Gener, Calcutta - 1920.
48. Police Department - Circular No. 6 C.P. dated 2nd December, 1929.
49. "Brief Histories of the Decoity cases in the Province of Assam" Assam Govt. Press, Shillong 1933.
50. Annual Police Administration report 1933.
51. The criminal Tribes Act (VI) of 1924.
52. Crime Graph attached the Annual Police Administration Report 1938.
53. See "Political Crime - 1905 to 1947".
54. Ibid.


57. Ibid, 1939

58. Ibid, 1940

59. Prevention and Detection of Crime - Extract from Section VI of the Annual Police Administration Report, 1940.

60. See "District Police - 1912 to 1947".

61. See "Political Crime - 1905 to 1947"


63. See "District Police - 1912 to 1947.