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Involvement of Zamindars and Planters in Criminal Activities in a District of Colonial Bengal:Nadia

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Abstract

Zamindars were an influential landholding class produced by the colonial rule. It was created for the benefit of the colonial rulers. It was a plan of the foreign rulers that this class would uphold the interest of the colonial government in the interior of the Bengal. Zamindars, in the initial stage, were responsible for the control of the criminal activities in the interior. But they failed to do their duty properly. Organized crime like gang robbery, dacoity surged into the rural areas of the Bengal. Widespread of crime had threatened the authority of the infant foreign rulers. In 1793 the government discharged zamindars from their responsibility of police department. But they retained their accountability for reporting crimes commissioned in their respective estates. The zamindars, using the power of crime reporting, played double role. Not only that they were involved various unlawful activities. This paper has tried to show that the zamindas and planters were directly or indirectly involved in all kinds of crime and criminal activities.

Kew words: Zamindar, Nadia, Crime, Bengal, Planter

It was necessary for the consolidation of colonial rule in India, to create a new class of people who would serve the new masters in the interiors of the country. This new class would hold power and authority of the alien rulers in the *mufussils*. It was largely needed due to the shortage of manpower and monetary provision, required for the effective surveillance of the antagonistic elements in the society who might cause trouble to the infant colonial state power. The colonial state was always in a state of fear and short of confidence in its legitimacy to rule. It needed a class that would come forward in support of the Government whenever necessary. This class, who enjoyed great confidence of the ruling groups, played a strikingly double role by availing this opportunity. This class was the *zamindar*, the all-powerful community who actually controlled the rural society. By the regulation of XXII of 1793, the Colonial Government discharged *zamindars* from their responsibility of police department. They had the accountability for reporting various crimes commissioned in their respective estates. This responsibility of crime reporting created a huge opportunity for this class to bargain with the local government institutions of

control and order. And in consequence they established a new order within their estates, contrary to the colonial one. In this way, the *zamindars* prevailed in all situations, irrespective of government rules and regulations. This class, not very infrequently, used to be involved in all kinds of criminality which was their prime duty to prevent. The purpose of this paper is to describe and explain the role played by this class regarding crime and criminality in Nadia district.

This influential class was essentially a British product who enjoyed the fruits of foreign rule. They had advantage in various spheres because of the colonial officer's lack of knowledge of the interior. Lord Cornwallis when re-organizing the police department in 1792, proclaimed that landholders and farmers of land should not, in the future, be considered responsible for robberies committed in their respective estates or farms, unless it was proved that they connived at robbery, received any part of the property stolen or plundered, harboured the offenders, aided, or refused to give effectual assistance to prevent their escape, or omitted to afford every assistance in their power to the officers of the government for their apprehension in either of which cases they would be compelled to make good the value of property stolen or plundered. So that, even if the regulations had been put into effect against the *zamindars*, it would have been merely a matter of calculation with them — a mere question of profit or loss — the balance being petty certainly in favour of the former. William Kay observed that it is not strange that under such regulations the landholders continued to carry on the old trade, and participate largely in the professional emoluments of the dacoits.¹ The *zamindars* were relieved of their police duty and at the same time had been given by the government the responsibility of crime reporting from their respective estates. It meant that though the *zamindars* lost their privilege, a new responsibility was given to them without any kind of legal power. The *zamindars* had little options but to adjust with this new arrangement. The government initiative was, however, not one-sided and harmful to the *zamindars*. They were given a new kind of right, i.e., the ownership of land. Of course, it was a kind of give and take policy on the part of the alien government. The *zamindars* from their point of view fully took advantage of this new right. Their police power had gone but they started to recruit new bands of armed men more dangerous than the policemen. The landlords gradually established their authority within their estates. The village watchmen could do nothing without the *zamindar's* sanction. Police *darogahs* were handicapped without the assistance of the *zamindars*. Court *amlahs* also had close links with them which was extremely harmful to the authority of local administration. If all these points are taken together, it is not illegitimate to infer that in local affairs, the *zamindars* enjoyed an extremely powerful position and the Government machinery, whatever little representation it had in the interior, was far from being omnipotent.

A *zamindar* could baffle the authority in different ways: by not reporting the crime commissioned or by under reporting, by hiding the criminals in their *zamindari* jurisdiction, interfering in the works of the police in apprehending the criminals, by threatening witnesses or by bribing the lower level court officials, by employing criminals for holding

local authority and intimidating *ryots*. This was a phenomenon that prevailed throughout Bengal. They hardly aided the local authorities in discovering crimes or criminals. The Magistrate of Nadia district once commented “in no one instances have I known of an offence being discovered or offender apprehended by the means of the *zamindars*, *tallokdars* or other description of landholders.” He further wrote, “many warrants with list of offenders who have eluded the pursuit of justice, have been issued from this office to the landholders under the provisions contained in section 9, Regulation 3 of 1812, but expect in acknowledging the receipts of such papers, no other notice is taken off by the landholders”.² Another Magistrate during his tour in the interior of the district came to know that 33 cases of burglaries had occurred in a single village within a few months but none of which had been reported to the police, though each case was communicated to the landholders of that place.³ This allegation of non-cooperation of the *zamindars* and landholders with the local authorities continued throughout the period. The landholders had the ability to defy the local administration and they could influence others to do it. The landholders used to interfere with the report of crime sent by the *chowkidars*. “The arbitrary powers exercised by the native *zamindars*, they especially interfere with *chowkidars* in the execution of their duties and make them report any heinous offence to them before giving the *thanah* and if it happen to be a case which they wish to get hushed up they do all they can to prevent anything being brought to light” observed another Magistrate of a later period.⁴ Actually power and influence of the *zamindars* was first noticed by D.J. Mcneille in his report on the village watch in 1866. He said “it is the utter inability of the public authorities to secure the co-operation of the people in the administration of law. But it is in great part owing to the operation of a power which is established throughout the land with a firmer root in the minds and habits of the peoples than the whole authority of government. This is the power of landholders and their agents, whose reign, silently acquiesced in, extends to every house in every village of the country, and whose influence is used in support of or in antagonism to the law, just as may appear to be most advantageous to their interests.”⁵

Landholding pattern in Nadia changed entirely once the Permanent Settlement Act was introduced. Within a few years the estates of Nadia Raj were sold to the new purchasers due to inability of paying rent by the Raj. The new purchasers were overwhelmingly the speculators from Calcutta. Initially they found it difficult to take possession of their newly purchased lands. Gradually they appointed agents for managing the estates. They distributed their lands to those who had given the promise of highest returns. In this way, a group of middlemen came into being. Through them, the landholders gradually succeeded in establishing their hold over the *ryots*. They learnt the strategy and tactics of subduing the errant *ryots*, repressed the opposition in effecting their own authority within their *zamindari* jurisdiction on the one hand and lowered the power and prestige of the district administration, on the other. As a consequence, the landholders’ actions rendered the local administration defunct and made them powerful in the eyes of the common people. At the same time the British experiments with the traditional socio-economic and administrative system produced lots of opportunities for the people who had the knowledge and skills to

turn it in their favour. The rule of law, for example, was such that very few people knew its positive sides but it was boon for a wily person who could use it in his favour by identifying its lacunae. This knowledge gap, regarding the rule of law, between the subaltern and rural respectable class, had limited the utility value of the alien rule. The *zamindars* used it fully in their own ways and troubled, covertly and overtly, the local crime control institution. These tactics and strategies of the landholders were conspicuously reflected in matters related to the criminal administration.

In the initial stage, the new purchasers of lands in this district had found it difficult to take possession of lands. It is evident from the petition of the landholders to the magistrate of Nadia in 1797: “we, the under mentioned *talukdars* of the Mustajir of *Perguna* Rajepoor humbly represent, that having in the year 1194 B.S. purchased at the sale, the villages Barriparrah, Talberrah, Pearpoor, Neggur Benkah, Gubradangah, Shardipoor, Hossinpoor, the deeds of sale of which are in our possession, we received possession on the terms of the former proprietor and have never failed in liquidating the Public Revenues that on the beginning of the month of Chitye 1203 B.S. Khoshihal Biswas, an inhabitant of Khaatdeh, in the said *Perguna* together with Guzzer Biswas an inhabitant of Shampoore and Moocheeram Gose of Gopaulpoor and Nayan Khan of Begumpoor, and Bolanaut Phadar of the same place and Gower Biswas an inhabitant of Athigang in conjunction, with a number of men armed with spears, matchlocks and also Noor Mahamed Sirdar and Looti Sirdar with many other men of bad character, amounting nearly to seven hundred; assembled between the date abovementioned and the 14th of the present *Sanwan* took possession of forty villages as per under written statement. The *Juma* of which amount to rupees 19747, where they daily use, every mode of oppression to extract money, and collect the revenue, that they seized and made off with upwards of Rupees 300 in ready money which was deposited in the *cutchery* at Turrup Madhi, that on the 11th instant they seized and carried off the properties of the *reyitts* in the village of Nehal in Barreparrah and having disposed us your petition collect the Revenues on their own account.”⁶ This was a temporary and an exceptional incident. Gradually the landlords gained supremacy over the peasants. The *Zamindars* employed local men of bad character to enforce their authority in the estates they purchased in the public auction. And it seems to have produced an excellent result for the landholders. All the powerful persons of bad character entered the pay roll of the landholders and with the help of these persons they asserted their power and influence in the interior. It badly damaged the effectiveness of the district administration and the reputation of the colonial rulers in laying the foundation of the rule of law in Bengal.

It would be wrong to consider the landholders a united force. They were most often engaged in various disputes among themselves. Their actions and activities regularly troubled the magistrate and police. The cause of contention was mostly the boundary of land which kept the *thana darogahs* busy. The *darogah* of Kotechandpore reported in 1806 how the battle between two landholders, Ramnarayan Ghosal and Jugal Kishen Nundy kept him so busy that he could not pay attention to other disputes of his *thana* jurisdiction. Both the parties accused each other of assault, theft and highway robbery. The *ryots*, as a result of

the battle between the two farmers, were oppressed and thrown into difficulty. The above-mentioned *darogah*, in another report dated on 5 September 1806, wrote that the people belonging to Ramnarayan and Jugal Kishen Nundy, were continually fighting, and disputing at the *cutchery* of Shubnagar, and some persons were being killed, and others wounded. Ramnarayan gathered 150 armed men and were about to take possession of the *cutchery* at Shubnagar by violent means. The servants of Jugal kishen also assembled a body of men to repel them. In this circumstance the burkandazes and peadahs refused to go into the *mofussil*, stating that, 'to the parties having collected a large force, consisting of persons of bad character, they may perform such acts as they think fit.'⁷ The Magistrate of this district, Mr. H. Shakespeare reported in 1812 that in Nadia there are many spots which have been, for years, the cause of contention and constant breaches of peace. Magistrates' valuable time was incessantly occupied with these disputes. The usual mode of proceedings appears to have been to send out *Nigarbans* and *Amins* on the petition of parties. This, according to the Magistrate, was a "clumsy contrivance, instead of having the desired effect has greatly contributed to foment the disturbances, and to increase the business of both the civil and criminal court."⁸ One of the earliest affrays, that broke out between the two landholders, was over the possession of a *perguna* namely Delliapore. According to the Magistrate's report this affray was of most serious complexion. The combatants were chiefly hired dacoits headed by notorious sirdars. The offenders were secured from justice by the *zamindars* and the real circumstances attending this affray was studiously concealed from the Magistrate of Nadia and Jessore, who were constantly misled by the fallacious reports furnished by the police officers. The Magistrate further reported that these two cases occupied his attention for 14 successive days. In this time, the names of villages and tanks had been entirely changed and the witnesses so well tutored that it was difficult to discover the truth by the magistrate. In course of disputes between these two families, they naturally encroached upon their neighbors. The Rajah of Nadia, who possessed some bits of lands in this quarter and the *zamindar* of Nurnagar *perguna*, were compelled to take up arms in their own defence. Thus this part of the district had experienced a constant state of anarchy and confusion. Gope Mohon, one of the parties in this dispute, candidly acknowledged before the magistrate that he had entertained Sirdar dacoits for the purpose of fighting but pleaded that it was necessary for defending himself against the aggression of the Patni family who had set the example previously.⁹

The local administration's dealing with the criminality of landlords was clearly different from the Central Government's attitude towards the criminality of landlords. When the local authorities advocated strong actions against the landlords for their involvement in crime, the central authority was quite indifferent regarding the same. The central government's priority was to collect revenue smoothly from the interior and as long as it was going on satisfactorily, the landlord's criminal behaviour was tolerable. On the other hand, the local administration's concern was more to maintain the law and order situation in the district. This was, of course, not very clear in the government documents but hints of possibility were there because successive magistrates reported about the crime of the landlords and

also recommended steps to be taken for preventing the landlords from being involved in criminality. But in this regard the response of the central authority was somewhat slow and opposite. The passing of new law and the relief of the *zamindars* from reporting crime was always outside the purview of the central government. The following case study would suffice to evince the validity of this claim. J. B. Brown, the session judge of Nadia, reported a list of 31 cases preferred by various persons against the powerful Palchowdhurys of Ranaghat in 1841. All the cases were criminal in nature and filed between the years 1822 and 1841. Bulk of the allegations against Palchowdhurys was forcibly keeping of the ryots at their house for extorting money. Out of 31 cases, only one was dismissed for want of proof and in another the prosecutor was punished for having preferred false complaint. According to Mr. Brown, in all those cases which had been struck off the file, on account of the default of the prosecutors or in those which had been adjusted by *Razeenama* by intimidation or payment of money or grant of land or some other means, on the part of Palchowdhurys. He also opined that 1/16 of the sufferers were prosecuted by the said *zamindars*. The reason was that such charges were difficult to prove on account of the power of the *zamindar*. If anything was done contrary to their interests or views, they did not hesitate in procuring the commission with a crime which they themselves never appeared in. If anyone dared to come forward as a prosecutor or witness against them, they would destroy their houses and females of their families were abused in public and carried off in unknown places. Mr. Brown further wrote “they are scourge to the part of the country where they reside...from their great wealth they are able to stop most mouths, they can always obtain proof for any allegation they may set up and, their information is so good that, it would be impossible for a magistrate to take them unaware...and I should not wonder if they were to get information of the dispatch of this letter even before it leaves the station.”¹⁰ In such a situation, therefore, what should have been done by the district administration? Mr. Brown suggested that Palchowdhurys’ illegal and oppressive acts would be stopped if a joint magistrate was stationed at Ranaghat and his *cutchery* erected in front of Palchowdhurys residence.¹¹ The superintendent of police also acknowledged that some of the members of that family were quarrelsome and litigious in nature. They were frequently at variance with their tenants and neighbours and up to 1840 were rather notorious in the encouragement and ordering of tumultuous assemblages of *lathials*, ending in affrays. In 1839 in a serious case the agents of that family were arrested and convicted and since then they were quiet and had not disturbed the peace of the district.¹²

But his suggestions were outrightly rejected by the superior authorities. “The government considers it is unnecessary to depute a special officer to Ranaghat” wrote the deputy secretary to the Government of Bengal, Judicial Department, on 23 February, 1841.¹³ The Superintendent of Police also wrote to Mr. Halliday, the Secretary Government of Bengal “I have heard rumours relative to the conduct of the Chowdree family similar to those alluded to by the Session Judge.... But they have been more quiet and not disturbed the peace of the district.....I certainly do not think there is occasion for extra judicial proceeding.”¹⁴ The Superintendent of Police even remarked that the statement made by the

Session Judge, is 'an exaggeration of the exercise of power' which a *zamindar* had over the *ryots*.¹⁵ These observations of the superior officials indicate that they did not feel urgency to accept the recommendation of the local authority unless the landlord's activities seriously threatened the power and prestige of the alien rulers. Two reasons may have contributed for such observations. Firstly, the cost related for setting up a new establishment and secondly, it was difficult to prove cases instituted against the landlords. They were big fish to be caught by the administration. A landlord could employ the best lawyer for his defense in the court. They had wealth and power which always played a crucial role in the realm of the court of law. So it needed redoubled efforts on the part of the criminal administration to prove the guiltiness of the *zamindars*. And it was always uncertain to convict a landlord due to lack of investigative character of the initial British crime control wings of the administration. And without conviction, the apprehension of a *zamindar*, being a respectable and wealthy man, was always embarrassing to the criminal administration. So the police and magistrate were very alert and careful before arresting a *zamindar*. In this context the policy adopted for apprehending ordinary criminals and *zamindars* were explicitly different. An ordinary person of a lower order of the society could be arrested any time or according to the wishes of the police and magistrate.¹⁶ A person absent from his house at night or some strangers coming to his house or a man leading a good life without sufficient income was always under the surveillance of the police. A *zamindar* had and could maintain a hidden life of activity but the same was crime for an ordinary poor people. It was not important for the authority to know how a landlord earned so much wealth and money but a lay man earning something in cash or kind should have to make public. In case of a poor man's criminality the law was strict, administration even stricter and the police ever ready to capture a petty thief. In case of a *zamindar* the police was lax, authority reluctant, law not enforceable. This difference in the treatment of respectable *zamindars* and the common people made the rule of law a mockery. This differentiation, however, suited for keeping the imperial interest intact.

The Superintendent's observation and the rejection of Session Judge's report regarding Palchowdhurys abusive and oppressive conduct had neither logic nor was it supported by facts. There were plenty of examples of their misdeeds. The Palchowdhurys, earlier known as the Patni family, were engaged in salt trading and made great fortune out of it.¹⁷ They became one of the largest and wealthiest *zamindars* of not only in this district but also of Bengal. In the first decade of the nineteenth century, they were involved in a long and regularly pitched battle with the Gopee Mohon Thakur of Calcutta over the possession of the lands in the perguna Dalliapore. They were one of the turbulent and oppressive *zamindars'* families in Bengal.¹⁸ The influence of the Palchowdhurys was particularly detrimental to the proper control of the police and administration of justice.¹⁹ They were guilty of vast oppression and caused many disturbances but still escaped punishment. They lived in a way as if no law existed; their *zamindari*s were the place of refuge for those who wished to evade the process of the court or who had been under penalties of the law.²⁰ Whenever the Palchowdhurys, were concerned in any dispute about lands which happened

frequently, they always collected large bands of fighting men to gain their ends by force and intimidation. Their *cutcheries* were the great hot-bed from which gangs of dacoits issued.²¹ They had the ability to suppress all evidences as “most of the principal Amlah are *Taloqdars* in their *zumindarees* will not act ... against their wishes or interests in cases in court.”²² In the second half of 1841, a *darogah* was removed from his post for evident collusion with the Palchowdhurys family.²³ Their proximity with the police provided them an access to the official means of coercion. In one such instance, Jay Chandra Palchowdhury purchased, in *benami*, a few estates in districts of Burdwan and Hooghly. Soon thereafter, he tried to eject the *patnidars* by violence from their holdings. This was an occasion for much bloodshed and affray. Understandably, therefore, the *zamindar* needed the police *darogah*'s support for the dual purpose of helping him with men and subsequent cover up. In this particular instance, the *patnidars* were strong enough to assemble their own *lathials* to oppose *Palchowdhury*'s men. The fight commenced by firing rockets and shooting arrows, and lasted altogether three hours. The superintendent of police admitted that the police *darogah* of Ryna had information about the gathering of *Palchowdhury*'s men who were drawn from his *Nadia lathials*, but took no notice of it, and even after affray was tardy in his movements. He further commented: “the disputes between the parties had been notorious, and if the *darogah* had done his duty the assemblage of attacking party would have been known to the officiating magistrate and thereby prevented.”²⁴ The most allegations of cruelty, confining people illegally and other illegal proceedings were against Neal Kamal Palchowdhury, Jay Gopal Palchowdhury, Iswar Chandra Palchowdhury and Umesh Chandra Palchowdhury.²⁵

The authorities in the Fort William rather took a compromising attitude towards the landlords in dealing with their criminality. They suggested to the magistrates repeatedly to negotiate with the *zamindars* and thus extract their co-operation in keeping peace in the district. This was successfully applied in this district by the magistrate John Elliot in the year 1809-1810.²⁶ With the co-operation of the landlords and their agents, the district administration collected information about the noted dacoits and their associates and also captured numerous robbers. But this was a very temporary phenomenon. *Zamindars*' indirect and even direct involvement with the lawbreakers was a continuous and open secret matter. The government realized the need for a law which might ensure the assistance of the landholders in controlling crime. Therefore, on the recommendation of the *Nizamat Adalat*, the Governor General in Council enacted the Regulation in 1810. The preamble of this Regulation very categorically ordered the *zamindars* that they had to act in regard to crime in accordance with law. Apart from the non-cooperation, another matter which had to be dealt with by the district administration was the frequent battle between the *zamindars* which broke out for various reasons. This was called by different names like affray, riot, battle but the problem was the same. *Nadia* was infamous for such open violent offence. This battle frequently ended with the loss of life. Loss of life was not a problem to the foreign administration; the real problem was that such open violence was considered a defiance of the magistrate's authority. To deal with this kind of offence the government

passed the Act IV in the year 1840. This act was not very effective for which it was intended. So the government again in 1848 brought about a law to deal with affray crime.

In spite of the above regulations, a *zamindar* family of this district who went on troubling the district administration very frequently was the Nakashipara *zamindars*. Nakashipara was situated 18 miles north-west of Krishnagar, 16 miles east of Katwa and 30 miles south of Karimpore. These *zamindars* were truly one of the largest families who held a big estate in Nadia and neighbouring districts. They paid the government rupees 11600 as revenue for their estates in Nadia district alone and their Nakasipara estate in which they resided, paid the amount of rupees 6045-10 as *Juma*, according to the report of the Commissioner of the Nadia Division.²⁷ They were the descendants of the Rajput and their forefathers were the *Jemadars* of the Nadia Raj. They had gradually acquired large landed property in Nadia and neighbouring districts. They recruited a large band of *lathials* from the *Gowala* caste. The failure of the successive district magistrates to prevent them from being involved in various crimes had been disappointingly revealed in the remark of the commissioner of Nadia division who said "...there is...abundant proof that good magistrates backed by the advice of experienced Superintendent of Police have been fairly beaten, in their attempts at bringing this influential family to justice."²⁸ This success was, according to the commissioner, due to their 'ability to buy off the relevant evidence of independent witness including police officials'. They possessed absolute control over their tenants for miles around. They had 1000 armed men of *lathials*.²⁹ They had the ability to collect 400 to 500 such men within few hours and could dispense them instantly. The results of this illegal assemblage of men were frequent affrays with murder and wounding, plunder and general oppressions on the neighboring peasantry, robberies on travelers in water and land and highway robberies and burglaries.³⁰ The commissioner of the suppression of *dacoity* reported that half of the absconded dacoits in Nadia were in the pay of Keshab Chunder Roy as *lathials*.³¹ The local government repeatedly reported the problem of controlling the landlords. "The repeated failure of our prosecutions has the necessary effect of emboldening men of means and local influence like these *baboos* to act in defiance of the police authorities", observed by the Commissioner of the Nadia Division.³²

But the dealing of administration with Palchowdhurys and Nakashipara *zamindars* was markedly different. *Zamindars* of Nakashipara were also very oppressive, routinely involved in affrays and riots, frequently attacked and burnt rival *zamindar*'s villages and intimidated *ryots*. But they seemed to have crossed their limit when they attacked a band of police force engaged for investigating an affray that occurred inside the house of the said *zamindars*. In this affray, gun was fired, bricks were pelted and several persons were wounded. The *zamindars* tried to hush up the incident and the deputy magistrate of Katwa, Mr. Hewitt under whose jurisdiction Nakashipara was situated, for some time was unable to gather any concrete evidence of that affray. Moreover, the deputy magistrate was threatened by the armed men of the *zamindars* which compelled him to retreat.³³ It enraged the authority and the superintendent of police ordered the magistrate Elliot to take over the case himself from the deputy magistrate. He appointed the Kotwali *darogah*, Girish Chandra

Bose, for investigating and collecting evidences of that event.³⁴ But the *darogah* too was attacked by armed men while he was investigating the case in Nakashipara. The determination shown by the administration for collecting evidence in this case was remarkable. The Magistrate permitted a year to the *darogah* to collect evidences. Such initiative and determination on the part of the administration was absent in case of the Palchowdhurys though they were also guilty of numerous cases. The reason was that all allegations and cases instituted against the Palchowdhurys were by the *ryots* but Nakashipara *zamindar*'s actions and activities were considered a direct attack on the government authority. Therefore this had to be dealt with vigour and determination. This was an audacious attack on the police' perceived by the authority.³⁵ Since that attack on the police force, the government initiated a multipronged attack on the *zamindars*. Every village of that *zamindari* was searched by a large police force in presence of *zamindars* and even their houses were not spared.³⁶ Since then the power, prestige and glory of the Nakashipara *zamindars* waned.³⁷

The connivance of *zamindars* with the criminals and people of bad character was not only a perception of colonial administrators but this was real and well documented. Overwhelming evidences against the *zamindar*'s involvement in criminality were found in the confessions of the dacoits who became approvers. Almost all the dacoits who had been questioned by the authorities regarding their linkage with the landlords, confessed that the landlords and their agents knew about their criminality and never asked them to abstain from being involved in unlawful activities. The *zamindars*' connivance with the activities of dacoits had some reasons. It was inevitable considering the circumstances, for a *zamindar* had to appoint the men of character who could assist at the time of crisis. One of the major reasons for frequent affrays was the dispute over the ownership of lands. The *zamindars* had hardly any trust on the competency of the court settlement in this regard and this was expressed by a *zamindar* very clearly that 'Land is not of fathers but of *lathis*.' They had more faith on the capability of their own band of private militia than the colonial court of law. They took utmost care of their men. Harish Ghose Gowala was very carefully protected by the *zamindars* of Nakashipara and he was even employed in the female apartment for avoiding detection by the police.³⁸ Another dacoit Bishtu Ghose complained to his masters that the local *darogah* was harassing him. The *zamindar* sent a list containing Bishtu's name as an employee of him to the *thana* so the *thana* people would stop to harass him.³⁹ These instances provide ample proof of clear non-cooperation from the *zamindars* with the local authority. Such action often demoralized the local officials as it was openly acknowledged by the Commissioner of the Nadia Division in his letter to the secretary of the Government of Bengal on 10 December, 1856. A. Grote, the Commissioner wrote "... the moral effect on the district executive ...is the actual boil...the police fell themselves systematically baffled by those whom they are expected to control."⁴⁰

The landlords made a mockery of the system of justice by further resorting to perjury and forgery. The Calcutta Review, observed in 1860 "the courts are infested by a swarm of professional witnesses who gain their daily bread by perjury.....sometimes they are

retained in the regular service of wealthy suborners who, having estates in several *zillahs*, can, by moving them from one jurisdiction to another, keep them fresh for use.”⁴¹ The police report for the year 1842 describes sub-ordination of perjury by Umesh Chandra Roy and his brother, Bhagawan Roy, *zamindar* of Santipore against one Dashu Pramanick, to whom the first was heavily indebted and owed a grudge for not making up two cases of illegal imprisonment. The case failed and the perjurer was punished but the instigator *zamindar* escaped punishment. The report concludes: “In fact, from Rajah down to the lowest *talukdar* with very few honourable exceptions, no *zumeendar* in Lower Provinces would hesitate at subornation of perjury to procure his own ends. It is one of their modes of attack and defence to which apparently, they attach no moral delinquency.”⁴² Even the Supreme Court was not immune from this kind of influence. Joychand Palchowdhury was under summons of arrest from the Supreme Court on a charge of illegal imprisonment in his house. When the bailiff approached him in Calcutta, his followers told him that the *Baboo* had the capacity to purchase the three men involved with the service of the Supreme Court.⁴³

The *zamindars* began to recruit *lathials* to control the rural society. The *lathials* not only preserved the easily recognizable prestige and power in locality but also performed more effective functions as well. Such functions included helping their principals in taking physical possession of a troublesome estate, participating in intra-family affrays and land disputes, as well in occasionally forcing the recalcitrant *ryots* to pay up arrears or agree to enhancements. In due course the *lathial* system became fairly widespread throughout Bengal. The *lathials* were recruited from the disbanded militia of the erstwhile chiefs, up-country men in search of employment in the lower provinces, evicted peasants and men from the *Gowala* caste. The Nadia district had one of the largest concentrations of *Gowalas* in Bengal proper. The *Gowalas* of this district as *lathials* ready for hire by any *zamindar* or planter who would pay them.⁴⁴ The Gope-gowalas had an undoubted martial background and were counted upon as the most accomplished wielders of *lathi* and *sarki*. They offered their services to the *zaminders* and later on to the planters according to inducements held out to them.⁴⁵ Thus in the confession of Bishtu Ghose, a *Gowala* by caste, taken on 14 June 1855 by J R Ward, the commissioner for the suppression of *Dacoity*, it was stated that one day he was introduced to Harish Ghose, alias Galakata. The later told him that one Ishan Babu, a co-sharer of the *zamindari* of Nakashipara was collecting *lathials* for an imminent intra-family affray and that “strong and stout men were being engaged for 7 and 8 rupees a month.” Bishtu was duly engaged by Ishan Babu on a monthly wage of Rs.7 and 1.1/2anna for ‘*khoraki*’ whenever he was to leave the *cutchery* for a row. In reply to a question Bishtu stated that the *zamindars* knew their *lathials* committed *dacoity*. “If we said 7 or 8 rupees was not enough pay, they replied they would give on more, and we must get where we can. The *zamindari amlah* all knew very well we commit *dacoity*. The *zamindars* never prevent us, because we fight for them and they cannot do without us. If they prevented our going about, we would not stay in their service.”⁴⁶ Girish Chandra Bose, who was a *darogah* in various *thanas* of Nadia district, gave a similar picture in his memoir. Bose narrated that the

zamindars in general organized sizeable bands of *lathials* and *sarkiwalas* and did not grudge paying them well. Notorious jailbirds were appointed sirdars of such bands. The district officials were not unaware about the policy of engagement of *lathials* in the affrays. They also recommended for stern action against the errant *zamindars*. After a bloody affray in this district, the commissioner of Nadia Division warned the government of serious consequences attending the prevailing system among the *zamindars* of employing armed men and bad character for purpose of violence.” He suggested measures like subjecting the *zamindars* to the charge of attending the entertainment of extra police force rendered necessary by what he called their ‘refractory conduct’ and registration of *zamindars’* retainers.⁴⁷

The so-called cordial relations existed between the *zamindars* and the planters, in the early period of the Company’s rule, however, did not last long. In fact, even in the initial phase there were instances of conflicts which the more respectable section of the landlords and planters sought to contain within manageable limits. The indigo boom of 1823-1830 led to a spectacular expansion of native enterprise in indigo. In this district 140 native planters were recorded by the resident of Kumarkhali in 1824. It brought in its trail patent conflicts between native landlord-planters and European planters.⁴⁸ By 1830, the indigo boom was followed by a slump and the native factories which had mushroomed over the preceding three years disappeared as suddenly as they had sprouted in Nadia.⁴⁹ Police reports from around 1838 began to make references to such conflicts. Once the planters were entrenched in the countryside, the *zamindars* sensed the danger of a rival political and economic influence in the *mofussil*. The *zamindar’s* local authority was threatened by the planters’ proximity to white officials while the formation of their own political association gave them a collective strength. This, together with economic challenge in the form of control over the *ryots*, over crop-dictation to primary producers, money lending and landholding gradually created unbridgeable gulf between the two. While the broader implications of this relationship lie outside the scope of the present study, the almost regular affrays created some real problem for the district administration and police. As the battle-lines began to be drawn, both sides started to recruit *lathials* at hectic pace. The Riot Act or Act IV of 1840 was passed with a view to tackle affrays which were becoming all too frequent. But the ever increasing evidences of affrays clearly indicate that this did not have any significant impact. Most of the reports of affrays came from Jessore and Nadia.

The *zamindars* were engaged in all types of criminality ranging from harbouring and sheltering notorious criminals to kidnapping and murder and *dacoity*. In Nadia district, respectable tenants, men of character, education and property were apprehended as dacoits, committed for trial, and had lingered many months, several of them whole year, in confinement, before they were tried and acquitted by the court of circuit.”⁵⁰ Umesh Chunder Roy, popularly known as Moti Babu was involved in such acts. In 1845, an escaped convict criminal, Amir Shaikh was apprehended from his house. When Amir was arrested the *zamindar* tried to bribe the *darogah* for his release. Amir was staying for 25 days in the house of Moti Babu and he paid rupees 70 for his stay.⁵¹ The superintendent of police

remarked in his report for the year 1848 “ it is no[t] uncommon practice with *zemindars* to instigate charges of murder against those whom they dislike or with whom they have a difference.”⁵² For example, Moti Lal Ghose brought a charge in the Santipore subdivision against Rajchunder Roy, Babu Nabin Ghose and others of that place, of having murdered or caused the murder of his brother Madhusodhan Ghose. But Umesh Chunder Roy alias Moti Babu, the *zamindar* of that place reported the murder after eleven days of its occurrence. The reason, according to the superintendent of police, was to procure the charge against his cousin and others, with whom he had enmity for long.⁵³ Moti Babu even tried to establish his influence over the local magistrate. He gave land to the deputy magistrate of Santipore for building his house with the intention of purchasing his service. After Mr. Law, the deputy magistrate, arrested some of his *lathials* for affray and privately deposed in a case, Roy took umbrage and brought a case against Law for holding land without lease.⁵⁴ Palchowdhurys of Ranaghat regularly picked up *ryots* and people considered enemies and kept them in durance in their private prison. Keshob chunder Roy of Nakashipara himself actively participated in the plunder of villages.⁵⁵ Jibon Sirdar, who committed many daring *dacoities* in Nadia and Jessore district, was well connected with the local *zamindars*. The Magistrate of Jessore discovered that Jiban was appointed by several *zamindars* and *talukdars* of Jessore and Nadia as head *chowkidars* of their large towns and markets. The *zamindars*' agents were careful enough, however, to omit his name in the list dispatched to the local *thana*.⁵⁶ Monohar Ghose and Kuber Ghose had been *lathials* in the pay of Tarak Roy, a Nadia *zamindar*. Tarak Roy once assembled a large body of armed men to fight against Mahesh Roy, his brother and shareholder in the estate.⁵⁷

Planters were also not far away from their involvement in such activities. In the second half of 1838, a case of affray with homicide was reported in which 300 persons were concerned. In this affray Mr. Oram, an indigo planter, was concerned. He had also been involved in an affray on 3 May of 1838 and ‘seems determined to take the law into his own hands.’⁵⁸ The planters maintained large number of *lathials*. Haro Sirdar, the leader of the all dacoit gangs who operated in the Suksagar thana area, was employed by several indigo planters of Nadia.⁵⁹ Kuber Ghose, a dacoit of Nadia Gowala Gang, was in the employment of Tommy sahib, a planter of Moheshgunge.⁶⁰ Girish Chandra Bose also observed the oppressions of the agents of the indigo planters in the interior.⁶¹ Baikuntha Majumdar of Mahatpore in this district was one such manager of P. Smith, an indigo planter, had a gang of dacoits in his command.⁶² It is evident from the confessions of the Nadia Gowala Gang members that Baikuntha Majumdar was well connected with this gang. He patronized and sheltered many of the members of the said gang and regularly received the property plundered by them.⁶³ Baikuntha actively participated in a river *dacoity* on a passenger boat to the south of the Swarupganj in Nadia and was personally present in the river *dacoity* in Kalinuggur under *thana* Hatra.⁶⁴ His complicity with the dacoits was detected by J. R. Ward, Commissioner for the Suppression of *Dacoity* in Bengal, and was subsequently arrested by Girish Chandra Bose, *darogah* of Krishnagar thana.⁶⁵ Mr. Smith tried hard to get bail for Baikuntha, but failed to obtain the same.⁶⁶ Dacoits had frequently obtained

service and protection from the native subordinates attached to the indigo concerns. One Esan Sarkar, the dewan of Shikarpur indigo factory, had close ties with the dacoits.⁶⁷ Indigo planters were not less oppressive than the *zamindars*. In spite of the oppressive nature of the planters, the killing of planters in the hands of the *ryots* was very rare. One such event took place in Nadia in 1807 in which a planter, Mr. Arnott was murdered by the enraged villagers.⁶⁸ According to the magistrate's report, Mr. Arnott had given advances and entered into a contract with some boatmen for the purpose of crossing the indigo plants. Mr. Arnott sent a man to bring these boatmen to him. The man returned and reported to Arnott that they have refused to come. On the following morning he sent three to four persons to bring these boatmen. These persons returned and stated that the boatmen had refused to come. They also reported that the villagers had resisted and beaten them. Naturally Arnott was enraged by this disobedience and in the evening he himself with 15 armed men, went to the village and took his station close to the village. Then he ordered his people to go and bring the boatmen to him. These people went in different directions in the village to execute his order. One of the parties seized one of the boatmen and was bringing him towards Arnott. At that time the villagers collected themselves from all sides with *sattirs* (large sticks) in great numbers amounting to 150 and fell upon Arnott and murdered him. This version of the incident was collected from the men of Mr. Arnot and it is quite different from the one made by the villagers to the magistrate. One of the villagers stated that Mr. Arnott's people entered the village and had begun to search every village house. Villagers objected to this. Consequently they returned and made false report. Arnott, by this time landed that village with 60 men and his men began to plunder the houses; and seized and bound every person they met. Mr. Arnott fired his gun and killed a person named Magnaut. After that incident villagers murdered Mr. Arnott and one of his servants. Besides, one of the villagers was dead, another severely wounded.⁶⁹ The Magistrate himself acknowledged that these two versions were so different that it was impossible to give more detailed account of this affray. He stated, however, that it is evident Mr. Arnott was beaten to death. It is also evident that Arnott wounded a villager by his gun and caused his death.⁷⁰

Even two planters used to be engaged in affray through their servants and caused great problems for the district magistrate to maintain law and order. European planters were no better than their native counterparts when their interests were hurt, in creating chaos and riot like situations in the interior. The Magistrate reported in 1821 that Mr. C R Blunt of the Shikarpur Concern residing in Nadia district, and Mr. J. Thomson of the Faridpur Concern residing in Murshidabad district caused many riots in this district which consumed valuable times of the magistrate to settle the dispute prevailing between them.⁷¹ The Nadia district was full of indigo planters who were always ready and willing to encourage affrays, observed the police report of the first six months of 1838.⁷² The district administration found more difficulties in dealing with affrays in which Europeans were concerned. The reason was the legal hindrance. The planters were beyond any kind of control of the district magistrate or court. They were under the jurisdiction of the Supreme Court for their actions in the interior. W. H. Martin, the officiating magistrate of Nadia, replied to a question asked

by members of the police committee in 1837 that he found difficulties in dealing with Europeans concerned in the affrays. Even in serious cases the Europeans got lighter or no punishment at all. Martin further said “I do not recollect an instance, in which a European has been convicted in the Supreme Court, for an offence of that kind committed in the *Mofussil*.”⁷³ In cases like these the district administration was helpless and solely depended on the advice of the superior authorities. The inability of taking actions against the errant planters by the district authorities made local administration effeminate. This incident may be a scattered event but in this way the planters contributed to the creating of lawlessness which prevailed in the interior.

The landlords of every kind acted as the super power in their respective estates. It is indicative of the weakness of colonial local institution of administration which dealt with criminality. The local administration was helpless and painfully depended on the co-operation of the landlords for imposing its authority in the interior. The weakness of local administration was so clear that it repeatedly urged the superior authority for aid and assistance for containing the illegal behavior of landlords. Frankly speaking, landlords like Palchowdhurys of Ranaghat and Singhroys of Nakashipara were more powerful and influential than the actual rulers of the district. People also had more fear and faith on the landlords rather than on the government agencies of criminal administration like police and court. Not only the native landlords but also the indigo planters whom some officials regarded as the boon for Nadia district, were powerful enough to contain the power and authority of the magistrate. They were successful in their attempt to create their own sort of justice in dealing with rural populace and here the local units of the colonial state entirely failed. Apart from the undermining of the effectiveness of the local government, they were involved in every act of criminality. Their proximity with law enforcers and court officials made them unparallel at least in criminal administration. At the same time, the *zamindars'* actions and works could not be equated with the resistance against the colonial rule. Their aim was limited. The landholders of various types were only concerned to keep their local interests and influences intact.

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