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1895
Judicial (153) Department.

ORDINARY

~~1669~~ Miscellaneous

G.O., No., 1669

Confidential No. 1294

DATED 9th August 95

Papers connected with the
above fo.

[Despatch Abstract.]

Abstract. Papers forwarded to the Agency

BACK PAPERS.

G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.

FURTHER PAPERS.

G.O.	No.	Department.	Date.	G.O.	No.	Department.	Date.

Sydney Estate Manager's Office

No. 878

13th May 1894

From

H. D. Taylor Esq. J. L. L.

Manager,

Sydney Estate.

To

The Agent to the Governor,

Baragpatam

Sir,

I have the honor to report that during my late tour in the Omerkot Thana I received information of the systematic pillaging and extortion under the guise of trade carried out by two wandering gangs consisting respectively of 51 and 53 persons. The people call these gangs Rohillas, a name which they indiscriminately apply to all North countrymen but whether they are Rohillas or the Beluchis gangs which visited the division some five years ago I am unable to say.

2. These people go from village to village and compel the Headman by threat or force to deliver over Government ruppes in exchange for Hyderabad, Nepalese and other uncurrent coin.

3. I received one specific complaint from the ryots of Baragpatam. In this case the Headman and villagers were

beaten until they gave up 30 Government rupees for 200 Hyderabad rupees, the intrinsic value of which certainly did not exceed Rs 15. The villagers made a complaint at once to the Head Constable of Dabgam who called up the man but allowed them to go on the statement of the latter that it was a trading transaction voluntarily entered into by the ryots. The statement of the villagers which I prefer to believe clearly proves that the act amounted to extortion and that they were forced to make the exchange owing to ill treatment and threats.

4. I do not blame the Police: it is I think only to be expected that a Head Constable who may perhaps have only two men available at his station, to decline to interfere with a large gang of formidable badmashas if there is any possible way of avoiding it.

5. The villagers of only one village actually complained to me, but they stated that the same system has been carried out by these gangs in many other villages.

6. I am able of course to do nothing I have issued orders to the Amin of Omertake and Kotpad to warn all ryots to refrain from accepting these valueless and uncurrent coins, and at once to complain if any attempt is made to ill-treat them. If they follow my advice the plea of bona fide trade alleged by these gangs will fall through. I have also reported

reported the matter demi-officially to the Superintendent of Police and in person to the Taluk Magistrate of Nowrangpur.

7. I am aware that the tendency of Government orders in respect of the gangs is to maintain a policy of watchful non-interference and to allow such gangs to go where they like. This policy, so far as the ordinary tracts are concerned, may be right enough but in the Agency the case is different and everything here combines to render the remote villages of the Agency tracts a happy hunting ground wherein these gangs can display the wolf's tooth of extortion under the sheep's clothing of trade.

8. In the plains if they wish to carry out any such nefarious practice they have to deal with a more enlightened people, and have to deal with each individual inhabitant of a village separately. The Arms Act is there in force, and the authorities and means of redress are nearer at hand. The risk is greater and the chance of gain much less in proportion.

9. In the Agency tracts the people are more timid and unaccustomed to the sight of North countrymen whom they all class under the generic term of Bohillas without distinction, meaning thereby people whose trade is plunder. The gangs or small portion of them can here freely display their arms (if they possess them) and have merely to go direct to the headman who is the mouthpiece of all the villagers, in the confident assurance

* All scheduled str.
in the Madras Presy. are exempt
from the operation of prohibition
of arms in the Arms Act -
vide III in page 5 of the
Arms Act Rules.

assurance that if the former is ill treated the rypis under his charge will at once ransom him. They are far removed for the most part from the Police Stations (where as a rule there are seldom more than one or two constables available for duty) and by the time a report is made the plunderers have escaped with their booty.

10. I would therefore request that the general orders passed by Government may be modified as far as the Agency tracts are concerned and that these gangs be prohibited from entering those tracts or at any rate that the headman of each gang be bound over in substantial security (to be deposited beforehand) for his party to be of good behaviour during their passage through such territories, the routes to be followed by them being specifically laid down in advance.

11. I may add - apart from the question of wandering gangs, - that the large increase of Pathan and Rohilla settlers in the Malkanajiri Thana is becoming a serious matter. These have for a long time been settled at Motie in connection with the timber business - but since that they have been gradually spreading all over the Thana, and now there is scarcely an important village or market where one or more of these men have not permanently settled. I think that the Police will bear me out when I say that the greater part of the increase in crime in Malkanajiri is due to the

the facilities existing for disposing of stolen property through the medium of these persons.

Shawee

(sd) H. D. Taylor

Manager

(True Copy)

Amidath
for Agent to the Governor

W. W. G.

Copied H. D. S.
compd. S. B.

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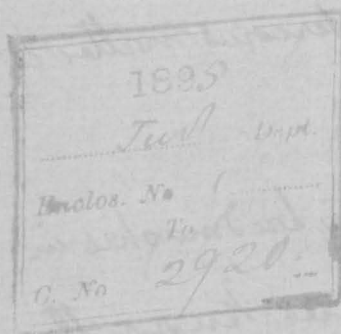
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Chief Police Officer

JUDICIAL DEPARTMENT.

In a letter from the Agent to the Governor - Vizaga-
patam to the Chief Secretary to Government No. 662
dated 12.6.1895

ENCLOSURE No. 1 Letter from
Mr Taylor



District Police Officer

20 August 1894.

No: 47

From

D. B. Thomas Esq^r,

Assistant Superintendent of Police,

Bijapur District

To

The Agent to the Governor,

Vizagapatam District

through the Superintendent of Police

Bijapur District

Sir,

With reference to your letter No. 61104 dated
5th June 1894 (reply to which was delayed for a
while to await some further information regarding two of
the Pathans in Malkana (referred to) I have the
honor to reply that Mr Taylor's remarks that the
increasing number of Pathan settlers in the Malkana-
giri Taluk is becoming a serious matter is, if anything,
understating the case.

2. The number of Pathan badmashes in Malkana
is yearly increasing. I have known the Taluk for
over four years and I should say that the number of
these men is now more than double of what it was
three years ago. The majority of them live at Motu

and

and the extreme south of the Taluk and ostensibly work in the timber trade there under a rich man of their own caste named Roshah Khan. The man is now moderately respectable but was I believe absolutely destitute when he first came to Alotia. He made his money by receiving stolen property.

The majority of the Pathans living at Alotia call themselves his "servants." Many of these men undoubtedly live by crime - but they commit very little active crime in Mysore their scene of operations being Chitna and Sadavari.

They are all connected with, and visit, a "Zemadar" at Masulipatam who got into trouble once at Anshawar but though they have been arrested and searched on their way to and from Masulipatam nothing compromising has ever been discovered on them. In fact the only time that any serious crime has been proved against any of the Alotia Pathans was about three years ago when two of them, both calling themselves Roshah Khan's servants were convicted of a big dacoity somewhere in the Sadavari District.

3. The worst character in the Taluk after the Alotia man is one Moulvie Pathan of Damapada. Two years ago this man undoubtedly harboured a gang of notorious budmashs and the crime in that part of

of the Taluk was doubled in a year. We eventually broke up the gang but were unable to secure a conviction against Moulvie Pathan, owing, I think to bad law on the part of the Malkanajiri Sub. Magistrate who acquitted him on the ground that he was a wealthy man and of good character!

4. There are Pathans in Malkanajiri, Luma, Savinda, palli, Dampada, Lalni, Poding and most of the villages in Malkanajiri. The people are very much afraid of them and are afraid of laying complaints against them. They are budmashs to a man: and the more numerous they become the more dangerous they will be. The law appears to protect persons of this kind and it is difficult for Police to do anything except watch them.

I would suggest, if permitted, that any one of them entering the Taluk should only be allowed to do so on giving heavy securities for good behaviour. They are all destitute when they enter the Taluk or very nearly so.

Shaver

(Sd) Percy Thomas.

Assistant Superintendent of Police

(True Copy)

Alumina

for Ag. Agent to the Government

Alumina

Copied H. S.
Camp 203.

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CONSTITUTIONAL HISTORY

The Constitution of the United States is the supreme law of the land. It is the foundation of the government and the rights of the people. It is the basis of the federal system and the separation of powers. It is the source of the authority of the government and the courts. It is the guarantee of the rights of the individual and the protection of the public interest.

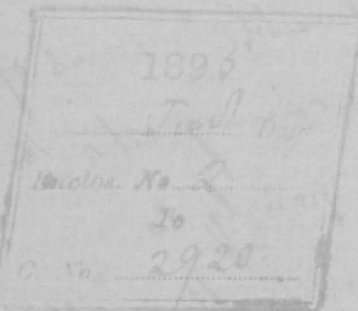
THE CONSTITUTION

JUDICIAL DEPARTMENT.

In a letter from the Agent to the Governor Vizagapatam to the Chief Secretary to Government No. 642 dated 12-6-1895

ENCLOSURE No. Two

Letter from Asstt. Secy of Police Mysore Dist



[V. C. P. 22-10-94-100.]

F. D. No. 642
Agency.

CURRENT NO. 2920
VIZAGAPATAM GOVERNOR'S AGENT'S OFFICE,
Dated 12 June 1895

From

R. Morris
F. D. A. O. WOLFE-MURRAY Esq^r

Ag. Agent to the Governor,
Vizagapatam District.

To

THE HONORABLE W. J. P. P. P. S.
Chief Secretary to Government,
Judicial Department,
Madras.

Sir,

I have the honor to report that in the middle of May 1894 Mr Taylor, Manager Mysore Estate brought to notice that the Pathans, Baluchis and Bohillas population in the Malkana-jori Taluk was largely increasing and that the increase in crime in the said Taluk was chiefly due to the facilities existing for disposing of stolen property through the medium of these persons. The Divisional Magistrate and the Superintendent of Police Mysore were consulted and it was then arranged that the provisions of Section 109 of the Code of Criminal Procedure should be employed against any fresh persons of that class entering the Taluk, and without ostensible means of livelihood. Almost all the Pathans coming into the Mysore division are destitute or very nearly so.

2. I understand that they terrorise the native population. A favourite means of making money is

* Security for good behaviour from vagrants & suspected persons.

to compel the villagers to give under pain of beating and ill-treatment Government Rupees in exchange for Hyderabad and other uncirculated coin at the rate of thirty Government rupees for twenty Hyderabad rupees. Another method is for a gang to seize the headman of a village and threaten to beat him unless the villagers ransom him. The people are so timid that they will lodge no complainants with the Police or Magistracy. I enclose a copy of a letter from Mr Taylor dated 13th May 1894 No. 848 which illustrates their practices and also a copy of letter No. 47 dated 23rd August 1894 from Mr Thomas Assistant Superintendent of Police Bangalore which led to the passing of the order referred to above.

3. Were the provisions of Act III of 1864 in force in the Agency, it would be possible to have these Pathans and Baluchis who usually arrive in gangs deported beyond British India. But as it is not, Section 109 of the Criminal Procedure Code is the only provision of law that can be employed against them when once they are in the Agency Tracts. I would therefore suggest that the Government of India be addressed to extend the Act to the scheduled tracts of Vizagapatam.

4. I understand that a fresh gang has just arrived in the Malkajgiri Taluk. The Special Assistant Agent is proceeding against them under the Criminal Procedure Code.

5. In this connection, I beg to state that Mr Benjamin

a leading timber merchant of Mote, tells me that these gangs of foreigners who have been giving trouble are not allowed by the Hyderabad Police to pass through the dominions of His Highness the Nizam, and that in consequence they find their way into this District through the Central Provinces. I would suggest therefore that the Chief Commissioners of these Provinces may be addressed to ascertain whether it is the case that there are gangs of this class traversing the Central Provinces and that he be asked to put Act III of 1864 in force against them.

I have the honor to be,

Sir,

Your Most Obedient Servant,

Almond
for Agent to the Governor.

Almond

Copied M.C.B.
Compd S.B.

3. Act III of 1884 is in force in the Central Provinces & the Chief Commissioner might perhaps be addressed on the subject, though there will not be so much need to do so if 'Ludia' extends to Act & the scheduled districts of Nagpur.

It is certainly a much more powerful
 & copious for suppressing the misdeeds
 of these gangs than Chapter VIII of the
 Cr. P.C. under sec. 3. the local Govt.
 can order any foreigner to remove
 himself from British India by any or
 by a specified route, under sec. 2 the
 onus of proving that such person is
 not a foreigner lies on himself. -
 The Govt. of India in 1879 issued a
 resolution specially dealing with
 these gangs of foreigners (vide P.O. of
 2 July 1879 No. 1552); & after a
 long preamble discussing the various
 methods of dealing with them adopted
 by the several local Govts., the Govt.
 of India issued definite instructions
 vide para 53 of the resolution at p. 53
 of the P.O. .

The S.P. of Police in issuing the
 circular of in the linked file quoted
 instruction no. 14 & para 54 latimitted
 nos 3 & 13, which it is submitted
 are of equal importance. Except in
 the Scheduled districts it is possible
 to deport these gangs - & Supts of
 Police would be strengthened by being
 authorized to send troublesome gangs
 to that they will be deported on
 default of good conduct. Please see P.O.
 25/7/95 25/10/95

Pathan Gangs in the Vizagapatam
 Agency tracts

FOR ORDERS.

M.H.

Resubmitted to M.
 with marginal return
 signed.

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Returned for Signature.

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