

# **Crime, Mobility and State-Building in Western India, c. 1850 – 1920**

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The candidate confirms that the work submitted is their own, with the exception of work that has featured in jointly authored publications. Some source material used in chapter 4 has been used in the jointly authored publication: William Gould and Andrew Lunt, 'Labour and Penal Control in the Criminal Tribes 'Industrial' Settlements in Early Twentieth Century Western India', *Studies in History*, 36. 1 (2020), pp. 47-70. The arguments drawn from this material were developed by the author of this thesis alone. The candidate confirms that appropriate credit has been given where reference has been made to the work of others.

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## **Abstract**

This thesis explores the ways in which the British colonial state in India understood perceived groups of collective criminals in the years c. 1850-1920, with a focus upon the Central Provinces and Bombay Presidency. More specifically, it is concerned with the discursive and investigative practices of the colonial state, and the ways in which they influenced understandings of collective crime. This is done through case studies of community identities who officials believed to be engaged in mostly non-violent crimes around movable property, and who were relatively small in number. These identity formations are the Sunnorias, Bhamtas, Chapparbands and Haranshikaris. This thesis relates the growing attention that state actors gave to these marginal 'criminal' communities to wider social, economic, political and structural factors in the second half of the nineteenth century and early-twentieth century; a period broadly categorised in terms of the rationalisation and consolidation of state power.

This thesis presents two core arguments. Firstly, it argues that from the mid-nineteenth century onwards, the discursive practices of the colonial state became increasingly important for their performative value. Colonial knowledge production was therefore about much more than its instrumental value to facilitate rule in the Indian subcontinent. Secondly, it argues that criminal typologies can only be understood when accounting for temporally contingent concerns at the moments when discourses on criminality undergo revision and elaboration. These arguments provide a contrast against the bulk of historiography on criminality in South Asia, which has overemphasised the role of legislation and empire-wide intellectual currents, and neglected considerations of why specific communities emerged in colonial discussions when they did. This thesis proposes that a more nuanced understanding of criminality, and its role in colonial governance, can be achieved through greater attention to more marginal 'criminal' groups and the factors that influenced their representation in colonial discourse.

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## Glossary

<i>Bundela</i>	Politically influential <i>Rajput</i> kinship group in Central and Northern India, which included local kings and princes
<i>chaukidar</i>	A watchman
<i>darbar</i>	Court of an Indian ruler
<i>feri</i>	Annual, roughly nine-month travels around the subcontinent, believed to be done by Chapparbands
<i>hazari</i>	Roll-call conducted to monitor the presence/absence of criminals
<i>Kshatriya</i>	Ritually high caste, which claims kingly and/or martial heritage
<i>Kunbi</i>	Member of one of the rural communities and kinship groups in the central Deccan, primarily cultivators, with links to caste <i>Marathas</i> ; a Marathi byword for a tiller of the soil
<i>mamlatdar</i>	Used chiefly in Bombay Presidency for a chief civil officer of a district
<i>Maratha</i>	Rural elites of the Deccan that claimed links to <i>Kshatriya</i> status, closely tied to <i>Kunbis</i>
<i>Marwari</i>	Mercantile community from Marwar, Rajputana; byword for members engaged in mercantile occupations
<i>mofussil</i>	Regions outside of urban areas; rural tracts; countryside
<i>nujeeb</i>	Armed men used as paramilitary detectives by the Thuggee and Dacoity Department
<i>panchayat</i>	A village or caste council usually composed of elders
<i>patel</i>	Headman of a village

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<i>pace</i>	Small copper coin, roughly 1/64 of a rupee in value
<i>putli</i>	Coin worn as decoration
<i>raja</i>	Hindu king
<i>Rajput</i>	Name for a cluster of caste and kinship groups that derive their descent from Northern India, claim <i>Kshatriya</i> status and historically worked as warriors
<i>rani</i>	Hindu queen
<i>rayat</i>	A farmer and/or cultivator; a peasant
<i>sanad</i>	Official document denoting privileges and/or rights, granted by a government office
<i>taluka</i>	Subdivision of a district
<i>Thug</i>	Person believed to be a member of an organised gang of criminals who robbed and murdered people, famously 'discovered' and suppressed by William Sleeman
<i>Thuggee</i>	The organised system of ritualised robbing and murdering purported to be carried out by <i>Thugs</i>
<i>vakil</i>	Lawyer; solicitor; court representative
<i>zamindar</i>	Landowner who leases land to tenants, intermediary between cultivators and colonial state

## Notes on terminology

This thesis is concerned with the ways in which the colonial state classified Indian subjects according to beliefs that Indians could be part of communities devoted to criminal acts. As a result, it refers throughout to ‘habitual’, ‘collective’ and ‘professional’ criminals, as well as ‘criminal tribes’. For stylistic purposes, this thesis largely eschews using inverted commas for these terms hereon. Crucially, it uses such terminology to specifically reflect colonial understandings of criminality. In line with the insights of studies on criminality mentioned within the following introduction, this thesis views crime and criminalisation as a matter of perspective. It is not a natural or given category, and as demonstrated throughout this thesis, is heavily dependent upon historical contingency. While efforts have been made to refer to specific individuals where possible, as well as their self-declared identities, the nature of the sources means that we are often only presented with identity formations as colonial officials see them. The nature of how suspected criminals encountered colonialism means that when they spoke, they were heard only as criminals and deviants, and that their speech was culled and appropriated to conform to such framings. Their forms of communication and expression fell outside of state-recognised cultural forms such as written literature, instead forming an addendum to criminal profiling and at best, folkloric curiosity.<sup>1</sup> The people referred to as criminals here are only called as such because the sources often starve their subjects of any other identity that we might use instead.

Throughout this thesis, communities of supposed criminals are referred to, particularly the Sunnorias, Bhamtas, Chapparbands and Haranshikaris. These form much of this study’s focus and due to their frequency of mention, are not italicised. This thesis recognises that a community’s identity is not only tenuous and mutable, but conceived of differently by different observers. These community names were used by colonial observers for particular purposes, and as this thesis notes throughout, applied with unwarranted homogeneity. As a result, when this thesis invokes such community identities, it means to specifically refer to how British officials understood them, unless

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<sup>1</sup> Ganesh Devy has reflected upon the relationship between marginalised groups, state recording practices, and history writing. See G. N. Devy, *A Nomad Called Thief: Reflections on Adivasi Silence* (New Delhi: Orient Longman, 2006), especially p. 13; ch. 4.

stated otherwise, although it is not possible to avoid some degree of elision between the act of naming and the reference to actual existing people.

Community names often have many different versions as their spelling was often inconsistent amongst colonial officials. To avoid confusion, this thesis has adopted one particular spelling for each community, except when quotes are used, in attempts to be as consistent as possible for the reader while also remaining as close to the source material as feasible. The place names used in this thesis are contemporary to the period of study and also adopt one particular spelling, favouring less anglicised transliterations of place names (e.g. using Jabalpur instead of Jubbulpore).

## Introduction

Various references have been made to the activities of recognized criminal tribes, and there is little doubt that the future welfare of India and her claim to be regarded as a civilized country depend very largely upon her success in weaning these large bodies of nomads from their hereditary and traditional anti-social occupations. [...] For those who wish to learn in detail of the lives, habits and customs of such tribes, there is no lack of material.<sup>1</sup>

In the 1920s, a former Commissioner of Police for Bombay, S. M. Edwardes, had turned to the practice common amongst long-serving colonial officials of publishing books based upon their experiences. One of his works centred on the types of crime which were purported to take place in India. Throughout, he mentioned the ‘criminal tribe’, a classification which had a very particular purchase. A criminal tribe was believed to be a community that specialised in particular types of illegal activity, and existed almost, if not entirely upon, the proceeds of those crimes. To British officials, collective criminal groups were an established fact of Indian society. Through the collection of ethnographic accounts, handbooks, colonial common sense and special reports on their ‘lives, habits and customs’, colonial knowledge made these groups a reality through its self-reference. Ethnographic handbooks included supposed criminal groups alongside widely recognised sects of *Brahmans*, cultivating communities and mercantile groups.<sup>2</sup> The

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<sup>1</sup> S. M. Edwardes, *Crime in India: A Brief Review of the More Important Offences Included in the Annual Criminal Returns, with Chapters on Prostitution & Miscellaneous Matters* (London: Oxford University Press, 1924), pp. 99-100.

<sup>2</sup> Various scholars have discussed ethnographic works, particularly how these documents have been composed and how they relate to the broader workings of colonial knowledge. See Nicholas B. Dirks, *Castes of Mind: Colonialism and the Making of Modern India* (Princeton, N.J.: Princeton University Press, 2001); Mark Brown, ‘Ethnology and Colonial Administration in Nineteenth-Century British India: The Question of Native Crime and Criminality’, *The British Journal for the History of Science*, 36. 2 (2003), pp. 201-19; C. J. Fuller, ‘Anthropologists and Viceroy: Colonial Knowledge and Policy Making in India, 1871-1911’, *Modern Asian Studies*, 50. 1 (2016), pp. 217-58; Zak Leonard, ‘Colonial Ethnography on India’s North-West Frontier, 1850-1910’, *The Historical Journal*, 59. 1 (2016), pp. 175-96; Christopher Pinney, ‘Colonial Anthropology in the ‘Laboratory of Mankind’’, in *The Raj: India and the British, 1600-1947*, ed.

timing of Edwardes' writings made ideas of collective crime particularly salient for British officials. In the 1920s, recounting and reviewing the state of law and order served as a counterweight to the growing popularity and strength of India's nationalist movement. Ideas of professional criminality inferred that in essence, India was a timeless and perpetually lawless place, caught in an inferior civilisational state that required foreign guidance to remedy. Officials could be reassured of their purpose and legitimacy to rule through the invocation of Indian criminality.

Edwardes' writings presented a totalising picture which glossed over the piecemeal and historically contingent ways in which knowledge about criminals was accumulated, and the ways in which this body of knowledge and its classificatory schema had evolved over a longer period of time. While British writings may have represented group-based criminality as an ahistorical, axiomatic detail of Indian society, British administrators only gradually catalogued such peoples, and required particular contexts in which to do so. 'Criminal tribe' was but a neologism to encompass a wide variety of peoples who at various points were believed to practice illegal acts on a community-wide basis. Before the British called them criminal tribes, they declared them to be professionals, habituals, or referred to them by more specific terms that denoted their perceived affinity for particular 'types' of criminality. Terms like *Thug*, *dacoit*, or simply whatever name officials could unearth through the course of investigations, gave form and cogency to India's complicated social relations. 'Caste', 'class' and 'tribe' were often used indiscriminately to describe them, especially from the mid-nineteenth century onwards. In the 1850s and 1860s, the leader of the infamous Thuggee and Dacoity Department (hereon the T & D Department) – which was originally established specifically to deal with *Thuggee*, an organisation of professional highwaymen – referred to the suspected criminal groups across India as 'wandering tribes'.<sup>3</sup>

The structures, investigative modalities and discursive practices used to deal with collective criminals had been deeply implicated in colonial state-building practices since the early days of British power in the subcontinent. Notions of specific communities and networks inclined towards criminal behaviour had existed since the very inauguration of

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by C. A. Bayly (London: National Portrait Gallery, 1990), pp. 252-63; Gloria Goodwin Raheja, 'Caste, Colonialism, and the Speech of the Colonized: Entextualization and Disciplinary Control in India', *American Ethnologist*, 23. 3 (1996), pp. 494-513; Susan Bayly, 'Caste and 'Race' in the Colonial Ethnography of India', in *The Concept of Race in South Asia*, ed. by Peter Robb (Oxford: Oxford University Press, 1997), pp. 165-218; C. A. Breckenridge and P. van der Veer (eds.), *Orientalism and the Post-Colonial Predicament* (Philadelphia: University of Pennsylvania Press, 1993); Bernard S. Cohn (ed.), *An Anthropologist Among the Historians and Other Essays* (Delhi: Oxford University Press, 1987).

<sup>3</sup> A List of the Wandering and other Predatory Tribes in the habit of infesting the Districts of the Bombay Presidency, with their Occupations, both ostensible and real (dated 26<sup>th</sup> May 1852), 1853, BL, IOR/V/23/331, No. 1G.

the East India Company's judicial initiatives in the subcontinent. Bengal's first *de facto* Governor-General, Warren Hastings, had outlined special provisions in 1772 to deal with 'robbers by profession, and even by birth [who] formed into regular communities'.<sup>4</sup> Such provisions were inseparable from the drastic expansion of Company authority in the late-eighteenth century, as it sought to centralise disparate jurisdictional powers, secure the Company's growing land and trade assets, and separate revenue collection from the exercise of justice to render Indians taxable and 'policeable'.<sup>5</sup> At the same time, these initiatives aimed to establish the Company's right to rule through the monopolisation of revenue extraction and the use of force. Hastings' provisions against collective crime arose at a time when the fledgling British administration still had to compete with local *zamindars*, bandits, and armed mendicants like *Sannyasis* and *fakirs*, who all sought to extract contributions, dues and customary tributes from India's population.<sup>6</sup>

While the elaboration of the East India Company's administration brought increased attention to collective criminality and the particular spaces where it was believed to flourish, ideas of collective criminality pre-dated the establishment of Company power in India. Organised criminal groups, particularly thieves and bandits, had been a regular feature of writings on South Asia for hundreds, if not thousands of years. The works of Hindu poets such as Surdas (1478-1583) demonstrates a pre-British understanding of robbers called 'thags' (a term which the T & D Department drew its name from) who deceived, murdered and plundered their victims, while classical Hindu texts such as the *Vedas*, *Rāmāyana* and *Mahābhārata*, sixteenth-century Hindu poetry, Mughal decrees, early modern European travel logs and European memoirs from the early-nineteenth century all attest to the prominence of organised, 'habitual' criminal groups in the days before British ascendancy in the subcontinent.<sup>7</sup> While the stability and coherence of these conceptions of collective criminality are open to question – especially given their massive temporal and geographical scope – they demonstrate the recurrent, if somewhat intermittent, invocation of collective criminality as a threat to the authority of ruling powers and to the fortunes of merchants and travellers navigating stretches of secluded and difficult terrain.<sup>8</sup> Simply put, issues of robbery, banditry and

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<sup>4</sup> Radhika Singha, 'Providential' Circumstances: The Thuggee Campaign of the 1830s and Legal Innovation', *Modern Asian Studies*, 27. 1 (1993), pp. 83-146 (pp. 84-5).

<sup>5</sup> *Ibid.*, p. 85.

<sup>6</sup> Radhika Singha, *A Despotism of Law: Crime and Justice in Early Colonial India* (Delhi; New York: Oxford University Press, 1998), p. 22.

<sup>7</sup> Kim Wagner, *Thuggee: Banditry and the British in Early Nineteenth-Century India* (Basingstoke: Palgrave Macmillan, 2007), p. 27; Anastasia Piliavsky, 'The "Criminal Tribe" in India before the British', *Comparative Studies in Society and History*, 57. 2 (2015), pp. 323-54 (pp. 329-338).

<sup>8</sup> Piliavsky, 'The "Criminal Tribe" in India before the British', p. 329.

vulnerable communications routes were not a unique feature of British rule from the late-eighteenth century onwards, but a recurrent topic related to political assertion, patronage networks and rights.

Concepts of group-based criminality were therefore clearly not attributable to British rule alone. Indian society and its pre-British regimes were, in many ways, already familiar with such ideas. However, it was under British rule that understandings of collective crime, and various group-based ‘crime’ such as banditry, underwent a significant change in meaning and importance. Unlike preceding rulers, the East India Company in the late-eighteenth century sought to standardise responses to group-based ‘criminal’ acts through legal frameworks. It also laid the groundwork for the inclusion of various other acts beyond theft and banditry to be labelled as collective criminal acts. As this thesis examines in chapter 3, forgery and counterfeiting were inducted into conceptualisations of collective criminality in later years, through concerns that such acts damaged the authority of the colonial state, and undermined its claims to secure private property and credit networks.

The links between state-building practices and moves against collective crime formed a recurrent feature of British rule. Alike Hastings’ reforms in the late-eighteenth century, the 1830s were another key period of energetic legal reform and codification, underscored by a ‘crisis of Indian political economy’ in the form of severe economic and social disruption.<sup>9</sup> Such events led to Indians attempting to return to social and associational systems of the late-eighteenth century that presented an alternative political and cultural structure to that of British rule, and facilitated the dramatic rise of banditry by peripatetic groups.<sup>10</sup> Within this context of state expansion and crisis, the British formed the T & D Department, which gave formal, specialised structure and attention to ‘collective crime’, complete with a specialised force, legal provisions (which often included suspending the clauses of other existing legislation), and punitive practices. In such a context, collective criminality became reclassified as ‘extraordinary’. As Sandria Freitag notes, this meant that collective crime was seen to be directed at, or attempting to weaken, the authority of the state, thus threatening to expose the Raj’s impotence.<sup>11</sup> It therefore called for greater state attention than ‘ordinary’ crime, as the latter was viewed as an individually-based affair that posed little potential threat to rule.

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<sup>9</sup> Sandria B. Freitag, ‘Crime in the Social Order of Colonial North India’, *Modern Asian Studies*, 25. 2 (1991), pp. 227-61 (pp. 232-4); Singha, ‘Providential’ Circumstances’, pp. 84-5; Wagner, *Thuggee: Banditry and the British*.

<sup>10</sup> Freitag, ‘Crime in the Social Order of Colonial North India’, pp. 232-4.

<sup>11</sup> *Ibid*, p. 230.



Through framing collective crime as a greater challenge to British rule, it gained significance well beyond the often localised conditions that it was identified within. Phases of energetic state-building tended to be accompanied by a heightened sense of vulnerability to collective crime and its perceived potential to shatter the foundations of British power in the subcontinent. As chapter 1 of this thesis explores, the Indian Uprising of 1857 and its immediate aftermath followed a similar suit in the mid-nineteenth century. In a sense, ideas of collective criminality were not even about crime or criminality. Such ideas served as a lense to anticipate the unknown potential of a complex social and political fabric on an all-India basis, ill-understood by its foreign rulers. Periods of extensive state-building were so susceptible to concerns over collective criminality as they provoked introspection over what the state could actually do, what its rights and duties were, and whether Indians were capable of calling its bluffs through organised, concerted action.

By 1871, attempts to address collective crime had resulted in the creation of the Criminal Tribes Act (hereon the CTA). This act built upon and elaborated various measures to monitor, control and punish people perceived to be associated with collective criminal acts. For some scholars, this act was a ‘logical conclusion’ of the anti-*thuggee* measures of the 1830s, legal codification in the 1860s, and the rise of an ‘ethnographic state’ from the 1870s onwards.<sup>12</sup> However, it is vital to note that the very question of imposing additional legal measures to deal with collective criminality was deeply intertwined with conditions and developments within particular regions of northern India. Attempts to consolidate the North West Provinces (hereon NWP) and Punjab from the mid-nineteenth century onwards had drawn increasing attention to the difficulties of administering newly-conquered regions, which housed substantial populations of itinerant communities. As Sanjay Nigam has highlighted, these regions had anticipated many of the measures eventually included in the CTA of 1871, utilising informal systems of surveillance, roll-calls, security payments, ticket-of-leave systems, and punishments for violating these measures nearly two decades prior to the passing of the Act.<sup>13</sup>

This thesis looks at the ways in which certain groups of perceived collective criminals garnered increased attention from the colonial state in the years c. 1850-1920.

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<sup>12</sup> Sarah Eleanor Gandee, *The “Criminal Tribe” and Independence: Partition, Decolonisation, and the State in India’s Punjab, 1910s-1980s* (unpublished Ph.D., University of Leeds, 2018), p. 16; Henry Schwarz, *Constructing the Criminal Tribe in Colonial India: Acting like a Thief* (Chichester: Wiley Blackwell, 2010), p. 64.

<sup>13</sup> Sanjay Nigam, ‘Disciplining and Policing the “Criminals by Birth”, Part 1: The Making of a Colonial Stereotype - The Criminal Tribes and Castes of North India’, *Indian Economic & Social History Review*, 27. 2 (1990), pp. 131–64 (pp. 136-7).

It uses the term ‘collective criminals’ to encompass all of the peoples that colonial officials believed to be part of groups that existed upon the proceeds from specific types of crime.<sup>14</sup> Specifically, this thesis looks at the discursive and investigative activities of the colonial state which influenced the composition of colonial knowledge on crime, and how understandings of collective crime were influenced by such processes. This is done through an exploration of communities believed to engage mostly in non-violent crimes around movable property, which have been overlooked in historiography in favour of other types of communities engaged in trading or raiding activities (to be discussed shortly). More broadly speaking, this thesis relates the growing attention that state actors gave to gathering, producing and sharing information on collective crime from the mid-nineteenth century onwards to wider social, economic and political shifts within India during this period. This timeframe was broadly one of the consolidation of colonial power in South Asia. Galvanised by the Indian Uprising of 1857, the colonial state undertook extensive programmes of reform, legal codification and state-building, which fundamentally changed the way in which criminality in India was perceived to relate to the imperatives of colonial governance.

Through this line of investigation, this thesis argues that the production of colonial knowledge became increasingly important from the mid-nineteenth century onwards for its performative value. This argument contrasts against most of the research on collective crime, and more broadly, works on colonial knowledge production, which have overwhelmingly stressed the disciplinary aspects and instrumental potential of colonial knowledge to facilitate colonial rule in the subcontinent. By exploring the relationship between relatively localised concerns over criminality on the one hand, and their links to understandings of smaller collective criminal groups on the other, this thesis demonstrates that producing colonial knowledge was not just about enabling colonial rule, but also served to satisfy colonial understandings of how a colonial power, and its officers, were meant to act.

Each of the case studies in this thesis reflects particular insecurities of the colonial regime. These case studies show that for the colonial state, the main value of identifying collective crime was not so that people could be disciplined and policed – the colonial state demonstrated massive variance in how much they were willing to invest in pursuing

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<sup>14</sup> This term allows us to de-emphasise the importance of the Criminal Tribes Act of 1871 which has largely dominated historiography, an issue I elaborate upon shortly. It also allows us to account for the lengthier intellectual trajectory and developments around ideas of groups of criminals, rather than adhering to the periodisations that the British use. As chapter 1 of this thesis shows, colonial officials felt that there was a cleavage between the pre and post-Uprising eras of policing, which was not as discontinuous as superior officials wanted it to be.

collective criminals, and often chose toleration over suppression.<sup>15</sup> Instead, it was largely about how these very processes of identification interacted with understandings and expectations amongst colonial officials concerning how they thought they were *meant* to act and rule. This argument shifts the focus away from the practical value of knowledge production, and the instrumental value it held in enabling colonial dominance. It stresses the importance of the very processes and investigative modalities towards collective criminality, and the ways in which these practices generated value and meaning for colonial officials. Importantly, it demonstrates that the documentation and discourses that these practices created were not the only things that generated meaning for the colonial regime. It was also that these pieces of colonial knowledge were produced in specific ways, generated and produced in constant dialogue with understandings of how colonial state actors should operate. In other words, performing the state was a key determinant in deciding what sorts of knowledge officials generated, as well as the ways they went about generating it.

This argument contrasts against the bulk of literature around colonial knowledge production, which stresses its instrumental value in relation to the expansion and maintenance of British rule. As Nicholas Dirks states, ‘colonial knowledge both enabled conquest and was produced by it; in certain important ways, knowledge was what colonialism was all about’.<sup>16</sup> For Dirks, in his landmark study of the role of discourses around caste, colonial knowledge production was mainly a technology of rule that enabled India’s subjugation, which was later on commandeered by Indian nationalists to challenge British rule in the subcontinent. In his view, the multivalent and extensive nature of colonial knowledge production – especially concerning the census and ethnographic surveys – produced the ‘ethnographic state’ by the late-nineteenth century, which was driven by the belief that India could be ruled and legitimised through anthropological knowledge.<sup>17</sup> Such a stance positions knowledge as overtly instrumental, gathered for the purpose of political and social control. The growth of ethnographic inquiry, and the glut of anthropological knowledge held by the colonial state towards the late-nineteenth century, is therefore held as a result of a move towards a ‘new kind of imperium’, seeking to secure British power in the wake of the 1857 Uprising.<sup>18</sup>

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<sup>15</sup> Saha has demonstrated similar instances in colonial Burma. In what he terms ‘Bio-politics on a Budget’, he shows how colonial approaches to managing ‘madness’ were ad hoc, constantly mediated by financial constraints, and only given greater attention when the colonial order was seen to be under threat. See Jonathan Saha, ‘Madness and the Making of a Colonial Order in Burma’, *Modern Asian Studies*, 47. 2 (2013), pp. 406-35 (pp. 409-16).

<sup>16</sup> Dirks, *Castes of Mind*, p. 9.

<sup>17</sup> *Ibid*, p. 44.

<sup>18</sup> *Ibid*, pp. 41-3.

Dirks' arguments are in accord with the works of Bernard Cohn, his erstwhile supervisor. For Cohn, knowledge production was about allowing the British to 'classify, categorize, and bound the vast social world that was India so that it could be controlled', which in turn shaped the investigative modalities of British officials charged with producing colonial knowledge on the subcontinent.<sup>19</sup> Crucially, these 'investigative modalities' were defined by Cohn as including how information is 'transformed into usable forms such as published reports, statistical returns, histories, gazetteers, legal codes, and encyclopedias'.<sup>20</sup> Since Cohn claims that the 'knowledge of the history and practices of Indian states was seen as the most valuable form of knowledge on which to build the colonial state', he, like Dirks, emphasises the instrumentality of the knowledge produced, and implicitly situates the methods of colonial investigation as being directed and framed by a will to power.<sup>21</sup>

Similarly, Christopher Bayly has focused upon the role that colonial knowledge played in facilitating European rule over the subcontinent. Drawing our attention to the importance of colonial anxieties over the security of British power, he situates colonial knowledge production as part of official attempts to remedy the British administration's lack of 'indigenous knowledge' and ignorance of the 'wiles of the natives' which could lead to subversion and collusion on the part of the Indian population.<sup>22</sup> If knowledge production served to prevent opposition, then its underlying purpose was much the same as what Dirks and Cohn have argued; a linchpin for holding India firmly under foreign power.

Much of the historiography on collective crime has followed along the lines of these claims over the purpose of colonial knowledge. A case in point can be found in the work of Sandria Freitag, who frames knowledge on collective crime as being for the purposes of controlling and disciplining India's numerous itinerant groups.<sup>23</sup> Such views have gone relatively unchallenged in studies of collective criminality, as scholars have embarked upon projects to outline power arrangements and the ways in which the colonial state's disciplinary apparatus branded socially, economically and politically vulnerable groups as collective criminals. Such studies have tended to focus upon larger communities or broad clusters of perceived collective criminals which garnered much more concerted official responses, and so the role of policing is often placed above the

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<sup>19</sup> Bernard Cohn, *Colonialism and its Forms of Knowledge: The British in India* (Princeton, N.J.: Princeton University Press, 1996), pp. 4-5.

<sup>20</sup> *Ibid.*, p. 5.

<sup>21</sup> *Ibid.*

<sup>22</sup> Christopher Bayly, *Empire and Information: Intelligence Gathering and Social Communication in India, 1780-1870* (Cambridge: Cambridge University Press, 1999), p. 6.

<sup>23</sup> Freitag, 'Crime in the Social Order of Colonial North India', p. 243.

role and function of knowledge formation on crime.<sup>24</sup> In such works, the focus falls on what the colonial state actually *did*, without accounting for things that it was not willing to do and why, further maintaining underlying assumptions about knowledge production as a means to colonial domination.

This thesis does not contest the notion that colonial knowledge and its production were quintessential to British attempts to control the subcontinent. Indeed, the production of colonial knowledge, and the ways it interacted with, borrowed from, reinterpreted and often depended upon India's pre-existing and ever-evolving knowledge orders are vital to understanding British rule and its endurance in the subcontinent. Nor does it seek to question the value of delineating how state practices affected India's peoples who felt the brunt of the colonial disciplinary apparatus. Instead, this thesis demonstrates that colonial knowledge production cannot be explained purely in instrumental terms. The case studies in this thesis focus upon particularly small groups, numbering a few thousand individuals at the absolute maximum. Their small size and marginality vis-à-vis larger 'criminal' groups make them intuitive examples of how colonial knowledge produced on them undermines the link between knowledge production and the maintenance of British power.

Much of the knowledge produced by British administrators in India transcended the necessities of colonial domination. For writers such as Dirks, the collection of such seemingly excessive knowledge of little practical usage was the product of a colonial over-commitment to the idea that ethnographic knowledge equalled the potential to dominate the subcontinent.<sup>25</sup> Through such a lens, knowledge that failed to hold a clear instrumental value is regarded as a logical outcome of an administration mistakenly equating the accumulation of knowledge to the accumulation of power and authority. More marginal colonial knowledge which held little actionable content – such as police knowledge on smaller 'criminal' communities contained within this thesis – thus forms an inconvenient development in the colonial knowledge grid, produced for production's sake. It is, however, the very marginality of such colonial knowledge, and its relatively

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<sup>24</sup> Sanjay Nigam treats all of the communities first targeted by the Criminal Tribes Act of 1871 together. See Nigam, 'Disciplining and Policing the "Criminals by Birth", Part 1'; Sanjay Nigam, 'Disciplining and Policing the 'Criminals By Birth', Part 2: The Development of a Disciplinary System, 1871-1900', *Indian Economic Social History Review*, 27. 2 (1990), pp. 257-87. Meena Radhakrishna focuses on itinerant traders in South India, in Meena Radhakrishna, *Dishonoured by History: 'Criminal Tribes' and British Colonial Policy* (New Delhi: Orient Longman, 2008). Anastasia Piliavsky has looked at the network of Indian local security systems that she refers to as the 'indigenous police' across central and northern India, in Anastasia Piliavsky, 'The Moghia Menace, or the Watch Over Watchmen in British India', *Modern Asian Studies*, 47. 3 (2012), pp. 751-77; Schwarz. Schwarz's study in particular focuses more generally upon the category of 'criminal tribe' with little attention to what defined them apart from one another.

<sup>25</sup> Dirks, *Castes of Mind*, ch. 3.

low priority in the eyes of the Government of India, which makes it so intriguing and informative. If knowledge was there to directly contribute to rule, then why did the colonial regime repeatedly produce knowledge inadequate for such purposes time and again, allocating any resources whatsoever into such supposedly fruitless pursuits? This thesis is laden with instances where colonial officials partook in knowledge production that presented little capacity to facilitate control, or actively continued to accumulate forms of knowledge and use methods of investigation which were well-known to be inadequate.

Other scholars have also brought into question the concept that colonial knowledge production was so overwhelmingly about furnishing the regime with the tools to rule. C. J. Fuller has shown how even some of the most renowned and widely-known collections of colonial knowledge – including ethnographic surveys and census information which are central to Dirks’ ‘ethnographic state’ – were often eschewed by high officials when significant policy decisions were being made. What makes Fuller’s findings all the more urgent is that important discussions around the turn of the twentieth century over land policy, political reform and even the Partition of Bengal, involved Denzil Ibbetson and Herbert Risley. These preeminent ethnographers were widely known and regarded for their ethnographic knowledge, and yet they themselves clearly separated their own anthropological expertise from their deliberations and contributions in policy debates at a time when British officials were increasingly alarmed by the growth of Indian nationalism and potential unrest due to economic crisis.<sup>26</sup>

Ricardo Roque and Kim Wagner have further drawn into question the value and purpose of colonial knowledge production by highlighting the complex conditions and pressures that influenced it. As they have highlighted, European colonialism was not a hegemonic structure that lacked space for subversion and vulnerability, nor was the knowledge produced by it defined by a clear-cut landscape of power-knowledge dynamics. Instead, they demonstrate that colonial knowledge is a ‘fissured political and emotional terrain’, and that if scholarship seeks to acquire deeper understandings of colonialism as a historical process, it must transcend notions of simplistic positivism and reductionist approaches which treat implicit colonialist biases as limitations to a source’s value.<sup>27</sup> Like Fuller, they also draw our attention to the failure of various forms of colonial knowledge to assist the colonial state in ruling the subcontinent. The limited circulation and use of some colonial texts, coupled with those conducive of panic responses in times

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<sup>26</sup> Fuller, ‘Anthropologists and Viceroy’s’.

<sup>27</sup> Ricardo Roque and Kim A. Wagner, ‘Introduction: Engaging Colonial Knowledge’, in *Engaging Colonial Knowledge: Reading European Archives in World History*, ed. by Ricardo Roque and Kim A. Wagner (London: Palgrave Macmillan, 2011), pp. 1-32 (pp. 9-10).

of crisis, were effectively counter-productive to colonial rule, demanding that scholars think twice before assuming that knowledge production was always underlaid by instrumental functionality.<sup>28</sup>

Clearly then, scholarship needs to transcend these explanations of the role and purpose of colonial knowledge outlined by Dirks, Cohn and Bayly. As we see throughout this thesis, the production of colonial knowledge often failed to facilitate control over India's itinerant peoples. Officials were not blind to this. For instance, as we see in chapter 1, the NWP's police aspired to replicate aspects of the T & D Department, even when they were well-aware that its information grid and punitive activities repeatedly failed to achieve the arrests and kinds of knowledge that officials so desired. In chapters 2 and 3, officials continually struggled to grapple with who and what Bhamtas and Chapparbands were, pursuing methods of inquiry that were fundamentally ill-suited to dealing with these perceived groups. Police still attempted to establish methods to identify Bhamtas, when colonial knowledge declared that these people were purported to be masters of disguise and concealment. With Chapparbands, police unwaveringly believed that these 'criminals' carried items and garments that were hallmarks of criminality, despite the near-total failure to ever find such objects. Clearly then, colonial knowledge's primary function in these instances was not to enable control. Control may have been an aspiration, or indeed, an expected outcome, and yet the results failed to bring faulty, imperfect, and often counter-productive knowledge producing methods into question.

With these limitations in mind, we can view colonial knowledge as heavily performative. Officials involved in dealing with collective crime applied rigid ethnographic taxonomies and outmoded investigative approaches played out decades earlier in the T & D Department, as well as entertained beliefs in links between physical objects and Indian bodies, because there was an underlying assumption that the methods were the ones they were *meant* to use. The smaller communities focused upon in this study are particularly demonstrative of this. The marginality of these groups in colonial documentation, and their relatively low priority in the eyes of the Government of India, served to further emphasise the role of particular ways of gathering knowledge in generating understandings of broader Indian society. By extension, knowledge on collective criminality stabilised the broader colonial order within the subcontinent.

In acknowledging the 'fissured political and emotional terrain' of colonial discourses, and the importance of the physical, material encounters and bodily practices that influenced them, this thesis also presents the parallel argument that the

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<sup>28</sup> Ibid, p. 9.

development of concepts of collective criminality, and their resultant criminal typologies, were the product of contingency.<sup>29</sup> Criminal typologies were forged, elaborated, and changed when at particular moments in time, concepts of collective crime came together with a myriad of other factors that allowed colonial officials to make sense of their own experiences in the subcontinent. The particular forms of identification and their timing were thus dependent upon context and its interaction with the particular structures of the colonial state and the material realities that influenced its encounters with colonised peoples. Implicit here is the idea that criminal typologies were not stable. They could change drastically over time, even losing traits that were once considered core, defining features of a particular community. They were affected by discussions amongst colonial officials, encounters and dialogues with colonised peoples, spatial elements, administrative change and other factors that contoured the quotidian experiences of state actors.

At the same time, this thesis acknowledges the role of colonial racial and class prejudices in producing criminality, and the links these had to British attitudes in the metropole and wider empire. Other scholars have highlighted how ideas of criminality in the metropole had such resonance in the legislation of late-nineteenth century India.<sup>30</sup> Yet, specific criminal typologies and their features were not pre-ordained in India by a teleological process that reigned from above, or which radiated out of the metropole. Nor were they the product of arbitrary processes of selection by district officials. Their very mutability is demonstrative of this. Criminal typologies cannot be explained with sole recourse to larger and more ever-present themes like race, class and political economy. The intellectual currents of empire determined broader, general ideological imperatives, but the more specific typologies explored in this thesis were much more immediately dependent upon localised chains of events and context.

This thesis provides several important interventions in the study of criminality and the disciplinary activities of the colonial state. It demonstrates the inefficiencies and shortcomings of the colonial state's capacity to actually investigate and police perceived instances of collective crime. Scholarship around the Criminal Tribes Act tends to stress the scope and provisions of the Act, rather than looking at how the state went about investigating and deciding what it was actually willing to do.<sup>31</sup> By paying attention to the ways in which state actors investigated instances of collective crime, this thesis shows

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<sup>29</sup> Ibid.

<sup>30</sup> Anand A. Yang, 'Dangerous Castes and Tribes: The Criminal Tribes Act and the Magahiya Doms of Northeast India', in *Crime and Criminality in British India*, ed. by Anand A. Yang (Arizona: University of Arizona Press, 1985), pp. 108-27; Radhakrishna, ch. 1.

<sup>31</sup> This is particularly the case in Nigam, 'Disciplining and Policing the "Criminals by Birth", Part 1'; Radhakrishna; Schwarz.



that these shortcomings were essential to the construction of criminal typologies. What the state did not find, or could not find, was just as important as what they could, and often ‘facts’ were discounted in favour of what colonial officials *believed* to fit their understandings. As a result, this thesis avoids trying to uncover the ‘truth’ of what was happening within the communities themselves. The concern here is more about what was happening within the state, how they dealt with what they found, and how the blanks of colonial knowledge were filled in by the processes of colonial sense-making.

As previously noted, the CTA of 1871 formalised and built upon the disciplinary measures and investigative modalities of earlier efforts to deal with instances of collective crime, particularly the state-building and legislative pushes of the late-eighteenth century and 1830s. The CTA of 1871 has served as a key point of reference and departure in studies on collective criminality. It emerged out of the context of the colonial state’s vigorous legislative activity of the 1860s-1870s and pressure from Punjab and the North-Western Provinces for legal powers to use against itinerant peoples.<sup>32</sup> It formally recognised certain identities as criminal and set out the state’s powers to deal with them as such, which ultimately sanctioned extensive police powers to register, monitor and coerce perceived criminal groups.<sup>33</sup> Consequently, it has featured prominently in various studies of crime and criminality in late-nineteenth and early-twentieth century India.<sup>34</sup> However, the Act’s role in policing has been over-determined. Its use as a departure point for studies on criminality has furthered notions that its provisions were ‘exceptional’. In fact, the CTA was largely a legal ratification of existing practices by colonial officials on the ground. This point will be expanded upon later, as it is apparent throughout this thesis that the act did little to fundamentally change the approaches and ideas of officials within the state’s coercive apparatus. This is not to say that the passing of the CTA did not in any way influence approaches to criminality. The point is that this thesis does not consider the act’s passing to be particularly *decisive* in determining the criminalisation of groups in the nineteenth century, as much of its measures already existed in similar forms and unofficial, quasi- or semi-legal capacities before the act was passed. This is particularly evident in the case studies of Bhamtas and coining gangs in this thesis, who were temporally close to the passing of the CTA. The perception and policing of these groups were not based upon their legal recognition at the highest echelons of the state

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<sup>32</sup> Radhika Singha, ‘Punished by Surveillance: Policing ‘Dangerousness’ in Colonial India, 1872-1918’, *Modern Asian Studies*, 49. 2 (2015), pp. 241-69; Radhakrishna, pp. 26-9.

<sup>33</sup> Nigam, ‘Disciplining and Policing the “Criminals by Birth”, Part 1’.

<sup>34</sup> See Freitag, ‘Crime in the Social Order of Colonial North India’; Andrew Major, ‘State and Criminal Tribes in Colonial Punjab: Surveillance, Control and Reclamation of the “Dangerous Classes”’, *Modern Asian Studies*, 33. 3 (1999), pp. 657-88; Nigam, ‘Disciplining and Policing the “Criminals by Birth”, Part 1’; Schwarz.

bureaucracy, but defined by the coalescence of everyday state practices, structural factors and encounters between the coloniser and the colonised.

The importance of decentring the CTA from our understandings of collective crime is partially down to the regional conditions which galvanised its creation. In particular, its production was heavily associated with developments in Punjab, the North-West Frontier Provinces (NWFP), and the western reaches of the NWP. After the British victory in the Second Anglo-Sikh War of 1849, massive amounts of additional land in Punjab fell under British administration, along with numerous nomadic pastoralist communities who held strong links to the recently-defeated Punjab military structure. Groups such as Minas, which were eventually brought under the CTA, became subject to various pacification and sedentarisation measures, including confinement to specific locales, fines, jail time, and even attempts to incorporate them into the colonial military structure.<sup>35</sup> The elaboration of legal measures to control collective criminality was thus deeply implicated in the desire to control newly-administered regions, and to avoid widespread disorder from groups who had lost a key source of their livelihoods and socio-political capital.

The ability of north Indian administrators to generate wider discussions over legislation to deal with collective crime was partially down to the substantial influence of Punjab's administration. It had acquired a reputation for cheap, fair and generally better governance than other regions of India, made possible through its particular strain of paternalistic rule.<sup>36</sup> Such a reputation allowed this 'Punjab school' of administrators to hold particularly pronounced influence over understandings of collective criminality well beyond its own formal administrative boundaries. The Punjab school's attempts to identify potentially disruptive people apart from law-abiding subjects gave influence to the concept that the former were, in Andrew Major's words, 'a race apart', and likely to be 'aboriginal' in their origins.<sup>37</sup> Punjab's cadre of administrators had been heavily influenced by conditions within regions adjacent to Punjab. Many of them had held earlier posts in the NWFP; a region which had long struggled to deal with highly mobile and often militaristic *Pathan* and *Baluchi* communities. The 'non-regulation' status of Punjab meant that its administrators had scope to flout legal and administrative norms in 'regulation' districts, and to apply practices and attitudes from experiences in NWFP to Punjab.<sup>38</sup> Additionally, perceived disorder in Punjab was linked to the *Thugs* through

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<sup>35</sup> Mark Brown, 'Crime, Liberalism and Empire: Governing the Mina Tribe of Northern India', *Social & Legal Studies*, 13.2 (2004), pp. 191–218.

<sup>36</sup> Major, 'State and Criminal Tribes in Colonial Punjab', pp. 659-60.

<sup>37</sup> *Ibid*, pp. 662-3.

<sup>38</sup> *Ibid*, p. 664.

the writings of the T & D Department's infamous director, William Sleeman, who linked communities in Punjab to instances of criminality in Cawnpore and other areas in the western reaches of NWP.<sup>39</sup>

The centrality of the CTA of 1871 to historiography on crime therefore situates understandings of criminality within a framework that heavily draws upon state practices and intellectual traditions of north and northwestern India. While this is acknowledged to some degree by studies which note the opposition of Bombay, Madras and other regions to the act, they stop short of exploring in greater detail how these regions experienced and engaged with collective crime differently.<sup>40</sup> By exploring the experiences of other provinces and presidencies such as Bombay, this study situates understandings of collective criminality, and of the CTA itself, within broader histories and state-building initiatives. Unlike much of north India, Bombay Presidency's experiences with collective criminality in the late-nineteenth century cannot be accounted for in terms of responses to large-scale geopolitical expansion and the challenges brought about by the pressures and demands of managing widespread social disruption exacerbated by military conquest. Moving away from the CTA, and northern India, thus allows us to view the development and understanding of collective crime in conditions that turn our attention to more quotidian state practices.

## **The setting**

This study is based in the western, central and northern parts of the Deccan plateau, and so it is primarily concerned with the inland districts of the Bombay Presidency and the Central Provinces. While the Bombay Presidency gradually became associated with industrial growth and its links to ports on the western coast, the Central Provinces was understood as a place of high migration and mobility. British observers noted how this latter region had long been subject to regular waves of immigration from surrounding regions, as well as serving as a transitory region for people attempting to cross the subcontinent from one side to the other.<sup>41</sup> For their own purposes, colonial officials viewed the Central Provinces and its surrounding environs in regard to its importance for communication networks, large forests which housed a considerable 'tribal'

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<sup>39</sup> Ibid, pp. 664-5.

<sup>40</sup> See Nigam, 'Disciplining and Policing the 'Criminals By Birth', Part 1', p. 149. Meena Radhakrishna highlights the different social conditions that affected certain 'criminal' groups, however does not elaborate in much detail on the broader experiences of the Madras presidency in dealing with collective crime. See Radhakrishna, ch. 1.

<sup>41</sup> W. S. Meyer, R. Burn, H. H. Risley and C. J. Sutherland, *Imperial Gazetteer of India, Vol. X, Central Provinces to Coompta* (Oxford: Clarendon Press, 1908), pp. 25-6.

population, and the bountiful agrarian tracts in the Nerbudda Valley and Nagpur-Berar region for wheat and cotton respectively.<sup>42</sup> Bombay Presidency and the Central Provinces have been largely neglected in the historiography on criminality – which will be discussed in further detail shortly. Additionally, both have peculiar relationships to concepts of collective criminality. Bombay claimed to not need the CTA when it was first applied in 1871, while the Central Provinces avoided it despite the region's lengthy history of engaging with itinerant people viewed as disruptive and criminal. The juxtaposition between Bombay's earlier resistance to the CTA and its strong relationship with criminal tribe reform settlements in the early-twentieth century form a stark and curious contrast.

To lesser and varying degrees, this thesis delves into areas adjacent to these regions, particularly the Native States of Central India and Hyderabad, and the Jhansi Division of the NWP. The diversity of regions discussed in this thesis reflects key issues relating to conceptions of collective crime. The relationship between British and Native State territories, questions of jurisdiction between different British lands, attempts to establish where suspected collective criminals were from and where they travelled to, and the political and cultural makeup of Indian society all bore upon how criminality was interpreted and located across the subcontinent. In such a sense, physical space and its relation to the colonial administration played an important role in how criminality was defined in this period. At the same time, British administrative borders failed to reflect the ways in which these regions interconnected for Indian subjects, a theme which frequently echoes throughout this thesis. For example, the Jhansi District may have formally been part of the NWP administration, however its political and cultural links with the Central Provinces and Native States of Central India persisted, forming a crucial aspect of how criminality in the region was understood by colonial officials.

Mostly then, this thesis is rooted within the Bombay Presidency and Central Provinces. The British gained control of what was to become Bombay City in 1661, when the Portuguese gave a small collection of islands off the west coast to Charles II as part of the dowry for marrying Catherine of Braganza. The rest of the Bombay Presidency was largely gained through the gradual erosion of Mughal power in the Deccan, and Maratha Confederacy power in western and central India. In 1818, British forces defeated the administrative head of the Maratha Confederacy Peshwa Bajirao II, and with his fall, they

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<sup>42</sup> On railways and communications in the Central Provinces and beyond, see Ian Kerr, *Building the Railways of the Raj, 1850-1900* (New York: Oxford University Press, 1997). On the agrarian history of this region see Crispin N. Bates, 'Regional Dependence and Rural Development in Central India: The Pivotal Role of Migrant Labour', *Modern Asian Studies*, 19. 3 (1985), pp. 573-92.

acquired administrative authority over much of what was to be the Bombay Presidency.<sup>43</sup> Under British authority, the Presidency gradually became known as the industrial powerhouse of the subcontinent.<sup>44</sup> Bombay City began to challenge, and eventually eclipse, the commercial and trading power of the nearby port of Surat through its dealings in cotton, opium and tea.<sup>45</sup> By the 1920s, Bombay City alone handled about two-fifths of the total value of India's trade and was connected by extensive railway, road and telegraph links, marking it as India's leading commercial centre.<sup>46</sup>

Much of the Central Provinces fell under British power around the same time as the Bombay Presidency. Concerned with the growth of British influence in the subcontinent, many of the Maratha Confederacy princes in the central and northern Deccan threw in their lot with Bajirao II. Upon his defeat, the British annexed much of these Maratha lands to recoup the costs of their wars against the Maratha Confederacy, as well as to gain a physical foothold between the Central Indian states of Gwalior, Indore and Nagpur.<sup>47</sup> The lands in this region directly administered by the British became known as the Saugor and Nerbudda Territories, while the remaining independent kingdoms in the region were dominated by the influence of British political residents.<sup>48</sup> The Central Provinces was formed in 1861 out of the Saugor and Nerbudda Territories, Chhattisgarh, and the formerly independent Native State of Nagpur, the lattermost being acquired through the Doctrine of Lapse in 1853.<sup>49</sup> The establishment of a new, separate province was justified on the grounds that these lands were too far from the hubs of British authority to be effectively administered at distance.<sup>50</sup>

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<sup>43</sup> Meyer, Burn, Risley and Sutherland, *Imperial Gazetteer, Vol. VIII, Berhampore to Bombay*, pp. 291-4.

<sup>44</sup> For studies on the Bombay Presidency's economic role and its commercial networks, see Kate Boehme, *Commercial Networks and the Making of a Colonial Bourgeoisie in Western India, 1845-1870* (unpublished Ph.D., University of Cambridge, 2016); Kate Boehme, 'Smuggling India: Deconstructing Western India's Illicit Export Trade, 1818-1870,' *Journal of the Royal Asiatic Society*, 25. 4, (2015), pp. 685-704; Preeti Chopra, *A Joint Enterprise: Indian Elites and the Making of British Bombay* (Minneapolis: University of Minnesota Press, 2011). For key studies on the agrarian history of this region which was deeply implicated in credit networks, see David Hall-Matthews, *Peasants, Famine and the State in Colonial Western India* (Basingstoke: Palgrave Macmillan, 2005); I. J. Catanach, *Rural Credit in Western India 1875-1930: Rural Credit and the Co-operative Movement in the Bombay Presidency* (Berkeley: University of California Press, 1970).

<sup>45</sup> Rajnarayan Chandavarkar, *The Origins of Industrial Capitalism in India: Business Strategies and the Working Classes in Bombay, 1900-1940* (Cambridge: Cambridge University Press, 1994), pp. 21-2.

<sup>46</sup> *Ibid.*, pp. 23-5.

<sup>47</sup> D. E. U. Baker, *Colonialism in an Indian Hinterland: The Central Provinces, 1820-1920* (Delhi: Oxford University Press, 1993), p. 2.

<sup>48</sup> *Ibid.*, p. 3.

<sup>49</sup> Meyer, Burn, Risley and Sutherland, *Imperial Gazetteer, Vol. X, Central Provinces to Coompta*, p. 17.

<sup>50</sup> *Ibid.*

In regard to studies on crime and criminality in the nineteenth century, both of these regions have received scant attention. Much of the history of Bombay Presidency has been elucidated through analyses of politics, caste and community identity, its industrial and economic roles, and urban development, particularly in Bombay City.<sup>51</sup> What little work exists on criminality in Bombay tends to focus on the early-twentieth century, particularly the post-war era.<sup>52</sup> While studies of crime in Bombay Presidency have been scarce, this region has provided valuable insights into the disciplinary and coercive actions of the colonial state through other avenues. Its industrial cities have allowed for detailed studies of plague and disease measures.<sup>53</sup> It is perhaps more surprising that the Central Provinces has also largely eluded scholarly attention in the study of crime, especially since this region has particularly potent associations with ideas of collective crime, itineracy and migration during the British era. Studies on this region have instead largely focused upon caste and community politics and economic productivity, particularly in regard to questions around to what extent British rule led to de-industrialisation and impoverishment.<sup>54</sup> Most of our knowledge on criminality in this

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<sup>51</sup> For studies focused upon the city of Bombay, see Prashant Kidambi, *The Making of an Indian Metropolis: Colonial Governance and Public Culture in Bombay, 1890-1920* (Hampshire: Ashgate, 2007); Amita Bhide, *City Produced: Urban Development, Violence, and Spatial Justice in Mumbai* (Mumbai: Tata Institute of Social Sciences, 2014); Colin McFarlane, 'Governing the Contaminated City: Infrastructure and Sanitation in Colonial and Post-Colonial Bombay', *International Journal of Urban and Regional Research*, 32. 2 (2008), pp. 415-35; Amar Farooqui, 'Urban Development in a Colonial Situation: Early Nineteenth Century Bombay', *Economic and Political Weekly*, 31. 40 (1996), pp. 2746-59. On caste and community identity in western India, see Rosalind O'Hanlon, *Caste, Conflict, and Ideology: Mahatma Jotirao Phule and Low-Caste Protest in Nineteenth-Century Western India* (Cambridge: Cambridge University Press, 1986); Suryakant Waghmore, *Civility Against Caste: Dalit Politics and Citizenship in Western India* (New Delhi: Sage Publications, 2013); Prachi Deshpande, *Creative Past: Historical Memory and Identity in Western India, 1700-1960* (New York: Columbia University Press, 2007); Prachi Deshpande, 'Caste as Maratha: Social Categories, Colonial Policy and Identity in Early Twentieth-Century Maharashtra' *The Indian Economic & Social History Review*, 41. 1 (2004), pp. 7-32; Philip Constable, 'The Marginalization of a Dalit Martial Race in Late Nineteenth- and Early Twentieth-Century Western India' *The Journal of Asian Studies*, 60. 2 (2001), pp. 439-78; Raminder Kaur, *Performative Politics and the Cultures of Hinduism: Public Uses of Religion in Western India* (New Delhi: Permanent Black, 2003); Veena Naregal, *Language, Politics, Elites and the Public Sphere: Western India Under Colonialism* (New Delhi: Permanent Black, 2001).

<sup>52</sup> See Rajnarayan Chandavarkar, *Imperial Power and Popular Politics: Class, Resistance and the State in India, c. 1850-1950* (Cambridge: Cambridge University Press 1998), ch. 6; Rachel J. Tolen, 'Colonizing and Transforming the Criminal Tribesman: The Salvation Army in British India', *American Ethnologist*, 18. 1 (1991), pp. 106-25.

<sup>53</sup> Aditya Sarkar, 'The Tie That Snapped: Bubonic Plague and Mill Labour in Bombay, 1896-1898', *International Review of Social History*, 59. 2 (2014), pp. 181-214; David Arnold, *Colonizing the Body: State Medicine and Epidemic Disease in Nineteenth-Century India* (Berkeley: University of California Press, 1993); I. J. Catanach, "'Who Are Your Leaders?' Plague, The Raj and the 'Communities' in Bombay, 1896-1901", in Peter Robb (ed.), *Society and Ideology: Essays in South Asian History Presented to Prof. K.A. Ballhatchet* (Oxford: Oxford University Press, 1993), pp. 196-221.

<sup>54</sup> While the Central Provinces and Central India are often mentioned in passing, studies that make these regions central to their analyses are relatively scarce. Notable studies include Ezra D. Rashkow, 'Making Subaltern Shikaris: Histories of the Hunted in Colonial Central India', *South*

region comes from studies of *Thuggee*, while a few other articles have linked criminality to the region's wider context of political struggle and role as a thoroughfare for itinerant communities.<sup>55</sup>

## Crime and criminality

Scholarly interest in criminal tribes mainly emerged in the 1980s and 1990s, as part of wider efforts to understand the functioning of colonial penal and disciplinary practices. Key to this was Anand Yang's edited volume, *Crime and Criminality in British India*. Informed by both Marxist and non-Marxist social historians, and particularly French labour historian Michelle Perrot – a contemporary of Michel Foucault – this work highlighted the centrality of ruling class prejudices to definitions of crime and criminal behaviour. For Yang, crime was sociological, as defining it inherently invoked the 'assumptions and self-images of the ruler'. Therefore, the underlying biases of lawmakers and its enforcers, political elites, and the bourgeoisie, must form a crucial aspect of analyses of crime.<sup>56</sup> Alongside crime, broader disciplinary aspects of the colonial state

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*Asian History and Culture*, 5. 3 (2014), pp. 292-313; Peter Harnetty, 'Deindustrialization' Revisited: The Handloom Weavers of the Central Provinces of India, c. 1800-1947', *Modern Asian Studies*, 25. 3 (1991), pp. 455-510; David Baker, 'State Policy, the Market Economy, and Tribal Decline: The Central Provinces, 1861-1920', *The Indian Economic and Social History Review*, 28. 4 (1991), pp. 341-70; Fiona Groenhout, 'The History of the Indian Princely States: Bringing the Puppets Back onto Centre Stage', *History Compass*, 4. 4 (2006), pp. 629-44; Bates, 'Regional Dependence and Rural Development'; Crispin N. Bates, 'Race, Caste and Tribe in Central India: The Early Origins of Indian Anthropometry', in *The Concept of Race in South Asia*, ed. by Peter Robb (Delhi: Oxford University Press, 1995), pp. 219-59; Alfred Gell, 'Exalting the King and Obstructing the State: A Political Interpretation of Royal Ritual in Bastar District, Central India', *The Journal of the Royal Anthropological Institute*, 3. 3 (1997), pp. 433-50; M. Rangarajan, *Fencing the Forest: Conservation and Ecological Change in India's Central Provinces, 1860-1914* (Oxford: Oxford University Press, 1999). More dated studies include Josef Haekel, 'Some Aspects of the Social Life of the Bhilala in Central India', *Ethnology*, 2. 2 (1963), pp. 190-206; Adrian C. Mayer, *Caste & Kinship in Central India: A Village and its Region* (Berkeley: University of California Press, 1960).

<sup>55</sup> On *Thuggee* and crime in the first half of the nineteenth century, see Wagner, *Thuggee: Banditry and the British*. On itinerant groups engaged in criminal behaviour, see Nitin Sinha, 'Mobility, Control and Criminality in Early Colonial India, 1760s-1850s', *The Indian Economic & Social History Review*, 45. 1 (2008), pp. 1-33. Other works have shown how banditry throughout nineteenth-century Central India was tied to cultural and political struggles amongst regional elites. See Malavika Kasturi, 'Rajput Lineages, Banditry and the Colonial State in Nineteenth-Century 'British' Bundelkhand', *Studies in History*, 15. 1 (1999), pp. 75-108; Troy Downs, 'Rajput *Dakaiti* and *Bhumeawati* in Jaunpur: The Career of *Dakait* Leader Sangram Singh, 1857-1867', *South Asia: Journal of South Asian Studies*, 25. 1 (2002), pp. 21-48. Social reform movements against *sati* – the self-immolation of Hindu widows on their husbands' funeral pyres – are also linked to understandings of criminality and society in the northern Deccan. See Andrea Major, *Sovereignty and Social Reform in India: British Colonialism and the Campaign against Sati, 1830-1860* (Abingdon: Routledge, 2010).

<sup>56</sup> Anand A. Yang, 'Issues and Themes in the Study of Historical Crime and Criminality: Passages to the Social History of British India', in *Crime and Criminality in British India*, ed. by Anand A. Yang (Arizona: University of Arizona Press, 1985), pp. 1-25 (pp. 2; 10).

came under scholarly interrogation, such as the police, responses to epidemic diseases, ethnographic categorisation practices, and other affiliated processes where the colonial state sought to establish bodies of disciplinary knowledge.<sup>57</sup> In recent years, historiography on criminal tribes has experienced a resurgence. The topic has begun to be analysed in relation to gender, frontier studies, citizenship, and its connection to precolonial state practices.<sup>58</sup>

Much of the scholarship on criminal tribes engages with debates over identifying the origins of the ‘criminal tribe’ concept. Some scholars have pointed specifically to the role of the colonial state as the source. Yang, in his study of *Magahiya Doms*, pointed to the links between the British metropole’s Habitual Criminals Act of 1869, while Sanjay Nigam couched his understanding within the knowledge systems of the colonial state, which had severed Indians from their contexts to render them as ahistorical ‘colonial stereotype[s]’.<sup>59</sup> Such analyses were heavily influenced by the postmodernist Edward Said, whose landmark work *Orientalism* drew greater attention to the ways in which colonial understandings of Indian society were related to how colonial officials viewed themselves.<sup>60</sup> Even as late as 2010, Henry Schwarz’s monograph emphasised the imposed nature of the criminal tribe categorisation. His book, *Constructing the Criminal Tribe in Colonial India*, and particularly his chapter on how to ‘make’ a *Thug*, clearly emphasises the transformative role of the colonial state. For Schwarz, the British combined ‘fantastic exaggeration, and mundane specificity with the most outlandish extensions of ahistorical argument’ to construct Indian peoples into communities of professional criminals.<sup>61</sup> Whether through an importation of British prejudices from the metropole, or a product of the information-gathering activities of the colonial state, these

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<sup>57</sup> Key studies include David Arnold, *Police Power and Colonial Rule: Madras, 1859-1947* (Delhi: Oxford University Press, 1986); Arnold, *Colonizing the Body*; Freitag, ‘Crime in the Social Order of Colonial North India’; Cohn (ed.), *An Anthropologist Among the Historians*; Dirks, *Castes of Mind*.

<sup>58</sup> Dakxin Bajrange, Sarah Gandee and William Gould, ‘Settling the citizen, Settling the Nomad: “Habitual Offenders”, Rebellion, and Civic Consciousness in Western India, 1938-1952’, *Modern Asian Studies*, 54. 2 (2020), pp. 337-83; Piliavsky, ‘The “Criminal Tribe” in India before the British’; Jessica Hinchy, ‘Gender, Family, and the Policing of the ‘Criminal Tribes’ in Nineteenth-Century North India’, *Modern Asian Studies*, 54. 5 (2020), pp. 1669-1711; Sarah Gandee, ‘Criminalizing the Criminal Tribe: Partition, Borders, and the State in India’s Punjab, 1947-55’, *Comparative Studies of South Asia, Africa and the Middle East*, 38. 3 (2018), pp. 557-72; Anastasia Piliavsky, ‘Borders without Borderlands: On the Social Reproduction of State Demarcation in Rajasthan’, in *Borderland Lives in Northern South Asia*, ed. by David N. Gellner (London: Duke University Press, 2013), pp. 24-46.

<sup>59</sup> Yang, ‘Dangerous Castes and Tribes’, in *Crime and Criminality in British India*, ed. by Yang, pp. 112-4; Sanjay Nigam, ‘Disciplining and Policing the “Criminals by Birth”, Part 1’, p. 131.

<sup>60</sup> Edward Said, *Orientalism* (London: Routledge & Kegan Paul, 1978).

<sup>61</sup> Schwarz, p. 48.



above works identify the concept of the criminal tribe by its artificiality and foreignness to the subcontinent.

In contrast, there are various studies that emphasise the importance of socio-economic factors in relation to understandings of group-based criminality. Nitin Sinha's work situates the colonial state's perceptions of collective criminality within the context of political and economic dislocation. Trauma to the economic and political interests of itinerant groups in the subcontinent, and their links to the military market and logistical circuits, resulted in the British viewing certain people as agents of subversion and unrest – key characteristics of later understandings of collective criminals. Importantly, Sinha points to the complex identities of itinerant peoples. The same people who provided logistical support to British armies conducted other long-distance trade activities, shifted loyalties, and exerted their own rights over the localities they travelled through which were often tantamount to petty theft and looting.<sup>62</sup> Meena Radhakrishna has provided a nuanced middle-ground between socio-economic explanations and the role of British-determined identity construction. Her work has shown how British policies destroyed the livelihoods of bulk goods traders in Madras Presidency through forest control, monopolisation of the salt trade, and the elaboration of infrastructure. As a result, communities like *Koravas* could no longer continue their trade practices sustainably, resulting in many becoming impoverished, and partaking in petty criminal activity.<sup>63</sup> Andrew Major has demonstrated a similar trajectory in the Punjab, where pastoralists turned to theft for reasons of poverty, oppression or opportunism.<sup>64</sup>

These approaches have drawn attention to the way in which the nature of the colonial encounter sculpted British understandings of the subcontinent in a 'historically layered encounter'.<sup>65</sup> Through such a lens, criminal tribes and other classificatory schema can be understood as the products of both coloniser and colonised, as well as the particular context of cultural engagement and interchange that colonial occupation presented. Scholars have shown that the colonial encounter was intellectually porous and varied, as different British officials underwent widely varying experiences and drew heavily upon Indian actors and sources.<sup>66</sup> There are also numerous examples of how Indians could influence the thinking of British officials. As Sadhana Naithani has shown,

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<sup>62</sup> Sinha, 'Mobility, Control and Criminality'.

<sup>63</sup> Radhakrishna, pp. 6-9.

<sup>64</sup> Major, 'State and Criminal Tribes in Colonial Punjab', pp. 660-2.

<sup>65</sup> Ann Laura Stoler, 'Rethinking Colonial Categories: European Communities and the Boundaries of Rule', *Comparative Studies in Society and History*, 31. 1 (1989), pp. 134-61 (p. 135).

<sup>66</sup> Bayly, *Empire and Information*; Phillip B. Wagoner, 'Precolonial Intellectuals and the Production of Colonial Knowledge', *Comparative Studies in Society and History*, 45. 4 (2003), pp. 783-814. For an example specifically related to criminality, see Wagner, *Thuggee: Banditry and the British*.

the NWP's premier ethnographer, William Crooke, was heavily dependent upon Pandit Chaube for his own ethnographical and folkloric studies, which were widely distributed and carried great authority amongst colonial officials.<sup>67</sup> Clearly, if figures like Chaube were active participants in the information-gathering activities of the state – as opposed to mere cogs turned by the whims of British officials – then explanations of collective criminality must acknowledge a degree of active participation by Indians. While Chaube represented the contributions of socially privileged Indian actors, Kim Wagner draws our attention to Indian voices in more restricted settings. Interviews of *Thugs* show that within the oppressive power arrangements of custody, interviews and deposition, Indians still left imprints of their own agency as they spoke freely of omens, goddess-worship and differences between different social groupings. While the British were intrigued by, and assigned disproportionate importance to such details, Indians in turn were influenced by British fixations on such topics.<sup>68</sup> Discourses on criminality must therefore be understood as a composite project between coloniser and colonised, developed through multiple layers of interpretation and contribution.

As conceptions of collective criminals were a particular product of the colonial encounter fuelled by both coloniser and colonised, scholars began to devote attention to the role of precolonial knowledge formations and their influence upon British colonialism. Wagner has argued that the idea of a cult of murderous, religious *Thugs* emerged from British distortions of an existing phenomenon of highway robbery. A variety of names and terms that the British associated with *Thugs* in fact pre-dated British rule in the subcontinent, and had at times been used in very similar ways at least as far back as the reign of Aurangzeb.<sup>69</sup> Norbert Peabody has shown that not only did the census in India pre-date the British by some two-hundred years, but that the British modelled their own early censuses on precolonial ones. While much of historiography has credited the British with the 'invention' of – or at least fixation on – caste enumeration in technologies of rule like the census, Peabody has shown that the precolonial census was very caste-aware, and so 'colonial discourses often built upon indigenous ones in ways that inflected local politics about which the British initially were only dimly aware'.<sup>70</sup> More recently, Anastasia Piliavsky has shown that the idea of professional criminal groups existed in India before the British. Her example of *Kanjars*

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<sup>67</sup> Sadhana Naithani, *In Quest of Indian Folktales: Pandit Ram Gharib Chaube and William Crooke* (Indianapolis: Indiana University Press, 2006).

<sup>68</sup> Wagner, *Thuggee: Banditry and the British*, p. 19.

<sup>69</sup> *Ibid.*, pp. 19; 29-31.

<sup>70</sup> Norbert Peabody, 'Cents, Sense, Census: Human Inventories in Late Precolonial and Early Colonial India', *Comparative Studies in Society and History*, 43. 4 (2001), pp. 819-50 (pp. 819-23). On the idea that the British 'invented' the importance of caste to governance, see Dirks, *Castes of Mind*; Ronald B. Inden, *Imagining India* (London: C. Hurst, 2000).

from northern India is related to early modern, medieval, and even ancient Indian texts that point towards ideas of communities of robbers who were purported to possess many of the traits that collective criminals had under the British: beyond the pale of settled society, linked to jungles and other periphery spaces, and partaking in a ‘wandering’ lifestyle.<sup>71</sup> Both Piliavsky and Wagner have demonstrated the idea of thieving gangs pre-dating British rule in the subcontinent, however Piliavsky’s work attempts to frame ideas of collective criminality within a much lengthier time frame. While important in highlighting that Indians were just as capable as the British of coming up with their own group-based prejudices and classifications, Piliavsky’s article collapses the complexity of understandings of crime as a phenomena. While it is ostensibly about the criminal tribe idea throughout history, what it is actually about is the idea of communal robbers. The vertical analysis of the argument not only ignores the experiences of different communities, but presents a stability of understandings of criminality across time. As this thesis shows throughout, criminal typologies were reframed and re-interpreted in relation to changing state imperatives, pointing towards a much greater degree of mutability.

This thesis contributes to this particular historiographical field in four ways. Firstly, historians have neglected the colonial ‘selection process’, or in other words, why particular communities were declared criminal while others escaped the colonial purview. This issue permeates even the most comprehensive works that focus upon particular communities. For example, Meena Radhakrishna’s study of three branches of the large *Korava* community in the Madras Presidency shows how the loss of their trading professions related to their branding as criminals, but stops short of exploring what differentiated these people from other traders, or a more thorough investigation of the conditions that originally made them suspect to official eyes.<sup>72</sup> By avoiding engagement with the colonial selection process, scholarship largely neglects to adequately address and account for the historical contingency of ideas of criminality.<sup>73</sup>

The selection process is important because this ordering of information on India’s criminality was just as important to the colonial regime, if not more so, than the actual policing of collective criminals in the Raj era. The colonial state’s low-budget, often half-hearted, and mostly piecemeal moves against collective crime speak to its relatively low priority. Collective criminality in the late-nineteenth century was largely background

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<sup>71</sup> Piliavsky, ‘The “Criminal Tribe” in India before the British’, pp. 329-32.

<sup>72</sup> Radhakrishna, ch. 1.

<sup>73</sup> There are a few notable exceptions to this which engage with how colonial officials navigated who was, and was not, to be viewed as collective criminals worthy of concerted state attention. See Wagner, *Thuggee: Banditry and the British*; Sinha, ‘Mobility, Control and Criminality’.

noise to higher-level colonial officials; it happened, it was ever-present in some form, somewhere, and yet failed to invoke a response nearing the calibre of the anti-*Thuggee* campaign of the 1830s. As this thesis shows, nothing could quite convince officials that perceived collective crime was truly under control. This was inherently linked to which communities were selected for criminalisation.

Secondly, and intimately related to the above point, the CTA has been used as a key departure point in relevant literature. This effectively puts the cart before the horse. As noted above, the CTA provided a legal framework that formally declared people as members of collective criminal communities, as well as established legally recognised measures to monitor and police them.<sup>74</sup> The historiographical attention given to this piece of legislation has led to its role being over-determined, and has contributed towards an inaccurate image of a strong and able state. In Sanjay Nigam's articles for example, the centrality of the CTA results in him overlooking the differences in how various communities brought under the act were understood. Instead, he stresses the plans and scope of the act itself.<sup>75</sup> Without exploring the intricacies of a community's criminalisation, our insights in later years under the CTA are severely curtailed. As this thesis will show throughout, and especially in chapter 4 addressing Bombay's reform settlements, the way communities were repeatedly encountered and interacted with by the colonial state had immense bearing upon how their identities were framed and understood in later years, which was vital in determining how they were treated by officials. Recent work by Sarah Gandee has identified similar trends in the post-colonial state, where the 'criminal tribe' category remained influential well after its legal abolition.<sup>76</sup> This thesis serves to demonstrate that while criminalisation was highly adaptable to the overarching imperatives of the colonial state, the genealogy of knowledge on criminality was not infinitely flexible, but contained by its own assumptions. Ultimately, the overstatement of the CTA paints it as a much more monumental change than it actually was, and presents a greater sense of discontinuity between the early and late-nineteenth centuries in the colonial state's approach towards collective criminals than colonial sources substantiate.

Even if writers do not take the CTA as their key departure point, the passing of the Act and its surrounding debates in 1870-71 are still situated as a particular watershed moment in colonial approaches to criminality. As will be seen throughout this thesis, the CTA did not really provide a 'framework for dealing with threats' in the guise of criminal

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<sup>74</sup> See p. 6 of this introduction.

<sup>75</sup> This is particularly evident in his second article, Nigam, 'Disciplining and Policing the 'Criminals By Birth', Part 2'.

<sup>76</sup> Gandee, *The "Criminal Tribe" and Independence*.

activity on a quotidian basis, as Mark Brown claims.<sup>77</sup> Ultimately, it legally enshrined much of what already happened day to day. Police, collectors and other lower-level officials already had ways and means of dealing with what they perceived to be collective crime, and constantly elaborated and negotiated their methods. While the CTA may have provided formal recourse to registering groups of people as criminal tribes, such mechanisms were in many ways largely irrelevant in the late-nineteenth century. With or without the act, state actors continued to pursue and repress perceived instances of collective criminality. A key example in this thesis can be found in chapter 2 concerning Bhamtas. Calls for them to be formally declared a criminal tribe were initially rejected outright, yet railway policemen understood, investigated and policed them as a collective criminal group regardless. The policing of Bhamtas did not hinge upon the CTA, nor did it drastically change course when the act was turned down. In such a case, calls for the CTA formed a single element within a much longer and entrenched set of disciplinary practices, rather than a defining feature of them. In chapter 1, Sunnorias were brought under the CTA after over a decade of being targeted by the NWP police and political agents of Central India. Their inclusion under the act served to retroactively acknowledge these pre-existing coercive practices, rather than fundamentally re-frame them.

At the same time, emphasising the CTA ignores the variance with which it was applied. Not only did different regions receive it at different times, but they accepted or rejected it for different reasons. In 1871, the act was initially only applied to Punjab, the NWP and Oudh, after their provincial governments had approached the Government of India for specific legislation. Bengal, the Central Provinces, and the Madras and Bombay Presidencies opposed it. They stood united in their concerns that the CTA would simply slow down the process through which suspects could become law-abiding subjects, since the act provided scope only for the oppression of criminals and not their 'reclamation'.<sup>78</sup> Different regions were well-aware that itineracy was not an undifferentiated practice across India. Madras' interior was heavily dependent upon pack traders who were considered prone to criminality. Targeting them through the CTA was believed by the Madras Government to pose a risk to the stability of the countryside and push pack traders further towards criminality.<sup>79</sup> Bombay and Madras both argued that they did not need the help of the CTA to manage their supposed criminal communities, with Bombay in particular claiming that the bill was simply too oppressive and harsh to be suitable for the Presidency.<sup>80</sup>

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<sup>77</sup> Mark Brown, *Penal Power and Colonial Rule* (Abington: Routledge, 2014), pp. 3-4.

<sup>78</sup> Nigam, 'Disciplining and Policing the 'Criminals By Birth', Part 1', p. 148.

<sup>79</sup> Radhakrishna, pp. 28-31.

<sup>80</sup> Nigam, 'Disciplining and Policing the 'Criminals By Birth', Part 1', p. 149.

The third issue this thesis addresses with current historiography is that insights from studies on crime in the early and mid-nineteenth centuries have fallen by the wayside towards the late-nineteenth century and beyond. As Tom Lloyd and Kim Wagner have highlighted, colonial discourse was strongly self-referential when discussing collective criminality.<sup>81</sup> However, this is seldom accounted for in studies on criminal tribes in the late-nineteenth and early-twentieth century, as they largely eschew exploring how community identities changed with time. Even very recent works such as Jessica Hinchy's article on gender and family in North India's criminal tribes sidesteps interrogating the contingency of community identities. Her article features Sunnorias prominently, but depends upon colonial descriptions of them without situating them within the context in which these descriptions emerged and depended upon.<sup>82</sup>

The irony is that such a neglect of the processes and context of criminalisation serve to reproduce colonial typologies, when writings on so-called criminals are ostensibly part of a wider move to recover the history of these peoples.<sup>83</sup> As Bajrange, Gandee and Gould have highlighted, descriptions of communities were not entirely colonial 'inventions', but 'obscured fluid, nuanced and inconvenient realities which rendered them clumsy bureaucratic devices'.<sup>84</sup> As this thesis shows, the realities being obscured were directly dependent upon the local and wider context in which criminalisation took place, and so the details that were dismissed due to inconvenience, or formed part of the 'clumsy' nature of criminal typologies, cannot be divorced from the processes of codifying people as criminal. If we are to look beyond colonial typologies and gain greater insight into who these people *really were* per se, then greater attention needs to be paid to the moments when information gathering or re-orienting undergoes proliferation between different levels of the colonial administration.

Fourthly, this thesis broadens the range of social identities and criminal acts perceived to be 'collective' in nature. Existing studies of collective criminals in the late-nineteenth century and beyond have tended to focus upon particular types of criminals. On the one hand, there are the economically disenfranchised; former traders and socially inferior peoples whose criminality could be linked to their economic situation. Their criminality was experienced by the state mainly through petty property crimes, which could be understood through notions of impoverishment and broader economic changes

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<sup>81</sup> Tom Lloyd, 'Liminal 'Criminals': Re-thinking Historiographies of, and through, the "Thuggee" Phenomenon', *History Compass*, 5. 2 (2007), pp. 362-74; Wagner, *Thuggee: Banditry and the British*, especially chs. 8 and 9.

<sup>82</sup> Hinchy, 'Gender, Family, and the Policing of the 'Criminal Tribes'', pp. 1674-6.

<sup>83</sup> Radhakrishna, ch. 6; Devy, particularly chs. 4-6; P. Kerim Friedman, 'From Thugs to Victims: Dakxin Bajrange Chhara's Cinema of Justice', *Visual Anthropology*, 24. 4 (2011), pp. 364-83.

<sup>84</sup> Bajrange, Gandee and Gould, 'Settling the Citizen, Settling the Nomad', pp. 337-83.

in the subcontinent. On the other hand are the raider-protectors; people involved in violent actions against property or people, and whose criminality was detected through raids and violence.<sup>85</sup> They account for a significant, but far from composite picture of the peoples branded collective criminals.

The community identities focused upon in this thesis are the Sunnorias, Bhamtas, Chapparbands, and to a lesser extent, the Haranshikaris. Sunnorias were depicted by colonial officials as highly mobile thieves from Central India, and while they appear to be related to raider-protector politics, their criminalisation was framed outside of these systems of Indian precolonial policing.<sup>86</sup> Bhamtas were also perceived to be a community of thieves, however they were heavily related by colonial officials to thefts on railway property. Chapparbands were believed to be professional coin forgers, who travelled across India to trick subjects into exchanging their legitimate coins for manufactured imitations. Bhamtas and Chapparbands represent particular blind spots in the collection of typologies explored in historiography. The formers' socially affluent appearance conflicted against the socially inferior connotations of theft which they were accused of, while the latter were framed in relation to British concerns over bullion circulation. The Haranshikaris were framed as 'primitive' hunters and forest produce gatherers, believed to partake in various petty crimes against property. The relationship between hunting communities and understandings of criminality have begun to receive more specific attention, however the contextual shifts that renegotiated their identities have received limited interrogation.<sup>87</sup>

The communities used in this thesis' case studies disrupt understandings of criminalisation in the Raj era. Explorations of the economically disenfranchised and raider-protectors has suggested a much greater rhythm to the processes of identifying criminalisation than was actually the case. As this thesis shows, understandings of collective criminality were about more than supplanting precolonial policing networks and the perceived relation between crime and scarcity. Such understandings required the coalescence of a myriad of factors to make ideas of collective criminals fit the narratives of colonial officials, filtered through the particular knowledge-producing capacities of the colonial state's information order and the ruptures inherent in the colonial encounter.

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<sup>85</sup> One of the most comprehensive discussions of a disenfranchised trader community is in Radhakrishna's *Dishonoured by History*. For a discussion of the raider-protector system and its importance in local politics, see Piliavsky, 'The Moghia Menace'.

<sup>86</sup> A new article has drawn attention to the links of Sunnorias to non-violent acts that formed part of local-level Indian politics and patronage networks, related to the system of robber-retainers. See Hinchy, 'Gender, Family, and the Policing of the 'Criminal Tribes''.

<sup>87</sup> Varun Sharma, 'Pardhi Criminality in Postcolonial Chhattisgarh – of Tigers, Tribals and Misfits', *Studies in History*, 36. 1 (2020), pp. 98-120; Rashkow, 'Making Subaltern Shikaris'.

As a result, this thesis highlights the importance of quotidian realities of colonial rule on a local level in the development of discourses on collective crime.

Ultimately, this thesis proposes that a more nuanced understanding of criminality can be achieved by paying greater attention to where and when knowledge around certain communities is renegotiated, and the ways in which specific contextual factors imprint upon, and help to frame such identities. Such an approach serves to address the above issues with historiography on criminality. It helps to bridge the gap between studies on the pre- and post-Uprising era as the process of revising criminal identities invoked older understandings of criminality. This allows the CTA to be de-centred from historiographical understandings of criminality, by demonstrating the ways in which criminal identities were the result of gradual, unstable and inconsistent processes, much like the CTA itself. The marginal communities featured in this thesis serve to further aid in seeing beyond the ‘spectacular’ claims of colonial governance. Arguably, the colonial concerns refracted through the criminal typologies in this thesis are relatively banal. Whether a person gained wealth through ‘legitimate’ means or not, or if people were being swindled by low-quality fake coins; such (often localised) instances hardly strike one as momentous, especially when compared to the violent and often murderous charges levied against *Thugs* in the early-nineteenth century. However, this thesis’ case studies show that the generation of criminal typologies was a quotidian aspect of colonial governance constitutive of the colonial order more widely.

## **The colonial state**

As ‘crime’ was ambiguous and intrinsically tied to the sensibilities of the ruling elite and their interests, it is necessary to consider the nature of the colonial state that exercised the power to classify and criminalise. While it has been highlighted that the phenomenon of professional criminality was not a uniquely colonial phenomenon, it was under the British that such notions achieved explicit enshrinement in law and were woven into the workings of the colonial penal system.<sup>88</sup> As a result, much of the scholarship on collective crime has approached the topic through law and the penal system.<sup>89</sup> Within these works, the identification and policing of collective criminals are seen as activities of pacification and control. The role of law here was to effectively conduct what John and Jean Comaroff

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<sup>88</sup> Piliavsky, ‘The “Criminal Tribe” in India before the British’.

<sup>89</sup> See Singha, ‘Punished by Surveillance’; Singha, ‘Providential’ Circumstances’; Radhakrishna, particularly chapters 1 and 2; Piliavsky, ‘The “Criminal Tribe” in India before the British’; Nigam, ‘Disciplining and Policing the ‘Criminals By Birth’, Part 1’; Nigam, ‘Disciplining and Policing the ‘Criminals By Birth’, Part 2’; Lloyd, ‘Liminal ‘Criminals’, pp. 363-4; Brown, ‘Crime, Liberalism and Empire’, pp. 191–218.



call 'lawfare', where legal measures were used to impose a sense of order through a type of violence rendered 'legible, legal and legitimate by its own sovereign word'.<sup>90</sup> As Mark Condos has elaborated, lawfare has not only provided a legitimating guise for extreme violence under colonial rule, but could also relegate people to zones where legal rights and norms ceased to exist.<sup>91</sup> With a fixation upon the CTA, anti-*Thuggee* legislation, and other legal tools specifically with collective crime in mind, these studies serve to partially reify the arguments of colonial officials about the 'exceptional' nature of collective crime. British officials continually stressed the exceptionality of collective crime when they felt a need for greater powers to deal with it, violating the legal norms that were established throughout the bulk of British-ruled India. The focus upon legislation forwards conceptions of the colonial state as a law-abiding and highly rationalised entity with clearly demarked institutional function and form.

This thesis largely avoids discussions of legislation as legal frameworks were often secondary considerations to approaching perceived instances of collective crime, and were not the primary determinant of how collective crime was perceived of and policed on the ground. Formalised legal provisions were but one tool in the arsenal of colonial officials when broaching the issue of collective criminality, and accompanied more informal, *ad hoc* approaches to investigating and interpreting perceived collective crime. Officials could circumvent the use of particular legislation that specifically regarded so-called criminal tribes simply because legislation like the CTA proved to be 'a difficult Act to work'.<sup>92</sup> Since laws did not strictly govern the behaviour of state actors towards collective crime, this study takes the view that the importance of the law fluctuated between different individuals, official rankings and tiers of the administration.<sup>93</sup> For many mid- and lower-level state actors, legislation proved to be mostly guidelines and *post factum* considerations rather than strict determinants of investigative procedures and policing behaviours.

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<sup>90</sup> John L. Comaroff, 'Colonialism, Culture, and the Law: A foreword', *Law and Social Inquiry*, 26. 2 (2001), pp. 305-14 (pp. 306-7).

<sup>91</sup> Mark Condos, 'Licence to Kill: The Murderous Outrages Act and the Rule of Law in Colonial India, 1867-1925', *Modern Asian Studies*, 50. 2 (2016), pp. 479-517 (pp. 488-9).

<sup>92</sup> C. Hudson to the Chief Secretary to Government, Revenue Dept, 'Deputation of Mr. O. H. B. Starte, Assistant Collector, Bijapur in connection with the Settlement of the Criminal Tribes in the Bijapur District' (dated 13<sup>th</sup> May 1909), in *Deputation of Mr. O. H. B. Starte, Assistant Collector, Bijapur in connection with the Settlement of the Criminal Tribes in the Bijapur District*, Judicial Dept, Vol. 85, File No. 1920, 1909, Judicial Dept, MSA, p. M243.

<sup>93</sup> As Jonathan Saha and William Gould have shown, corruption was vital to the functioning of the everyday state. Bounds between state and society, and between different institutions, were often amorphous or ambiguous, which provided the opportunity for cases of misconduct and corruption to arise. See Jonathan Saha, *Law, Disorder and the Colonial State: Corruption in Burma c. 1900* (Basingstoke: Palgrave Macmillan, 2013); William Gould, *Bureaucracy, Community and Influence in India: Society and the State, 1930s-1960s* (London: Routledge, 2010).

If discussions of law are generally inadequate for this study in their regard for what is official or not, then a much more fruitful way of framing the colonial state can be found in Taylor Sherman's work. Her concept of the 'coercive network' denotes the myriad practices and institutions that interwove to exert punitive power.<sup>94</sup> Such an analytical frame allows us to accommodate a broad range of formal institutions and informal networks, state and non-state actors, as well as less overtly disciplinary and punitive practices. While collective crime heavily involved the police and T & D Department, it is vital to locate collectors, commissioners, co-opted village officials and others with less overtly disciplinary duties who formed vital nodes within the colonial power grid, and were essential to the management of collective crime. As shown throughout this thesis, co-opted Indian precolonial institutions, informal police measures, Indian kings, and even peasants played important roles in influencing the coercive apparatus of the Raj.

Framing the colonial state through networks between individuals and institutions draws scholarly attention away from institutional histories and towards much more complex interpretations of colonial India. Traditionally, much of the work on late-nineteenth century colonialism has overstated the omnipotence of the colonial state through the study of its taxonomic, medical and disciplinary activities, its attempts to dominate space and micromanage the environment, and the gradually increasing powers pitted against collective criminals.<sup>95</sup> By centring her analysis on how networks of power were comprised and exercised, Sherman argues that the colonial state and its power was characterised by vulnerabilities, fluidity and tensions.<sup>96</sup>

While Sherman's work sets the stage for how we define the extent and interconnectivity of the colonial power grid, other scholars have diverted more attention to looking at exactly how the colonial state functioned on an everyday basis through subordinate officialdom. In his study of the Burma Delta in the late-nineteenth century, Jonathan Saha has shown that lower-level officials had considerable scope to abuse their authority. Such findings demonstrate how the everyday state was characterised by dysfunction and interpersonal conflicts, and that subordinate officials were not simply 'cogs' in a machine, but able to turn the metaphorical cogs themselves.<sup>97</sup> Erin Giuliani has shown similar trends in the Bengal police, as they instituted informal measures which were eventually formally adopted by the province's constabulary.<sup>98</sup> Such findings

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<sup>94</sup> Taylor C. Sherman, *State Violence and Punishment in India* (London: Routledge, 2010), ch. 1.

<sup>95</sup> For an outline of these works, see *ibid*, p. 2.

<sup>96</sup> *Ibid*, p. 1.

<sup>97</sup> Saha, *Law, Disorder and the Colonial State*, pp. 7; 63.

<sup>98</sup> Erin M. Giuliani, 'Strangers in the Village? Colonial Policing in Rural Bengal, 1861-1892', *Modern Asian Studies*, 49. 5 (2015), pp. 1378-404 (p. 1382).

support Taylor Sherman's observations about the broader colonial legal system. Shortcomings and frustrations with the criminal justice system resulted in the coercive network being loosely knit, vulnerable, negotiated and occasionally irrational, constituted more by everyday actions than discrete institutions.<sup>99</sup> Analyses of lower-level state actors shatter the notion that the colonial state can be accurately characterised by clear power projection from the top, flowing uncontested through legal, formalised and clearly identifiable paths. In reality, the form and function of the colonial state were the product of complex, multi-directional and fluctuating power relations.

### **Anxiety**

This thesis builds upon works about colonial panic and anxiety, a line of inquiry which has sought to explain the relationship between the seemingly disproportionate responses of the colonial state on one hand, and the modes of governance which facilitate them. Within the context of South Asia, Christopher Bayly's concept of the 'information panic' is particularly important. For him, information panics were the result of limitations of colonial knowledge formations, and were particularly marked in the nineteenth century. As this period saw the creation and consolidation of 'knowledgeable institutions' like the army, political services, revenue administration, police force, and legal and educational establishments, Bayly argues that these failed to mesh with older intelligence communities which maintained their utility and legitimacy within Indian society, often well beyond British cognisance. This produced a 'zone of ignorance' between the intelligence forms of coloniser and colonised, where imagined conspiracy plots of all kinds, as well as 'stereotypes of Thugs, criminal guilds, religious fanatics and well-poisoners' flourished in colonial records.<sup>100</sup> It was within this collapse of the colonial information order that British officials perceived threat, produced documentation on it, and sought to organise a concerted response. The relationship between colonial knowledge and its periphery leads Bayly to state that 'the margins of policing were [...] the nursery of practical orientalism where the social Other was discovered', and thus a key site where ideas of criminality emerged.<sup>101</sup>

While Bayly draws attention to the margins and peripheries of colonial power as places where the colonial information order was seen to be particularly fragile, very little attention has been given to what makes something a 'margin' or 'periphery' of the colonial information order. As a result, his concept of the information panic does not

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<sup>99</sup> Sherman, *State Violence and Punishment*, p. 5.

<sup>100</sup> Bayly, *Empire and Information*, pp. 141-3.

<sup>101</sup> *Ibid*, p. 171.

interrogate in any detail why a particular place could become a concern, even if it had long been considered a site where colonial knowledge was weak, and does not address why it took so long for officials to act upon long-standing concerns in such places. This is a subject that will be addressed specifically in chapter 1 of this thesis. Ultimately, the British did not know a lot of things about India, and the subcontinent was full of sites where British power could be perceived as particularly thin or vulnerable. This thesis shows that the margins and peripheries of the information order could move, be re-defined, and were framed by the changing concerns of the state more than anything else.

Recently, David Arnold has also considered why it took colonial officials so long to act upon their anxiety-producing, long-standing concerns. He shows that there were marked concerns over organised poisoner gangs throughout the mid and late-nineteenth century, yet it was not until the 1890s and 1900s that the Government of India was brought into more concerted action. For him, the explanation lies not only in a failure of the colonial 'information order' at a margin or periphery as suggested by Bayly, but also in the political fear of state intervention. Since poisoning did not appear to be a sustained, major threat to British rule, intervention presented a potential for negative consequences which did not justify the risks.<sup>102</sup> Political fears relating to state intervention are evident in this thesis. Intervention with Sunnorias threatened to aggravate Native States. Chapparbands were related to indigenous markets and religious notions which the state was particularly hesitant to interfere with, given the post-Uprising context. In the case of the Bhamtas, the colonial state ran into the risk of arresting 'legitimate' wealthy Indians by mistake. As with concerns over poisoning, the collective criminals within this thesis only garnered more concerted attention when the potential ramifications of intervention were outweighed by a seemingly worse alternative scenario.

While Bayly's work relates the uncertainty and insecurity of governments through periodic convulsions, scholars have moved towards assessing the relationship between anxiety and colonial rule on a more long-term basis. Kim Wagner has argued that colonial panics and anxieties, as conceptual frameworks, stand in the same relation to each other as event and structure. By viewing panics as ephemeral, yet recurrent episodes within a long-term pattern of systematic anxieties, he argues that intelligence failure in British India, and the resultant panics, were not so much about a breakdown of the British information order or unreliable information, but instead nurtured by structural anxieties and the received wisdom of colonial knowledge.<sup>103</sup> Mark Condos has also

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<sup>102</sup> David Arnold, 'The Poison Panics of British India', in *Anxieties, Fear and Panic in Colonial Settings: Empires on the Verge of a Nervous Breakdown*, ed. by Harald Fischer-Tiné (Basingstoke: Palgrave Macmillan, 2017), pp. 49-71 (pp. 63-4).

<sup>103</sup> Kim Wagner, 'Treading Upon Fires': The 'Mutiny'-Motif and Colonial Anxieties in British India', *Past and Present*, 218 (2013), pp. 159-97 (pp. 160-1).

pointed towards the importance of long-standing anxiety and insecurity, viewing violence and disciplinary measures as expressions of colonial weakness and vulnerability, rather than strength. As he points out, the British experience in India was mediated by enduring feelings of insecurity, within which he locates the violent and authoritarian tendencies of the colonial state.<sup>104</sup> Condos' study has emerged as part of a growing body of literature that has sought to understand draconian acts of violence and legally-backed oppression within wider patterns of colonial rule. Kim Wagner's recent monograph has shown how the notorious massacre of Indians at Jallianwala Bagh in 1919 had potent roots in the Uprising of 1857, as the threat it had presented to British power reverberated for decades in the minds of colonial officials.<sup>105</sup> In contrast to these studies, this thesis presents an exploration of more mundane, everyday events that expose the structural violence of the colonial state. While it features extensive discussion of special reports, it couches their eruption within the daily practices of policing, administration, and state-building initiatives.

Studies on colonial anxiety have located the disproportionate responses of colonial authorities within the contradiction between the privileged position of white Europeans and their minority status within a colony, resulting in excessive responses to perceived threats to maintain their own status.<sup>106</sup> For our purposes, these structured racial hierarchies reframe what can be perceived as an area or topic of concern to colonial officials. Racial hierarchies that depicted non-white populations as 'primitive' and 'savage' facilitated a situation where a threat to white prestige did not need to be 'real' or based in ontological fact, but merely widely accepted as possible or 'true' by the colonisers.<sup>107</sup> Indeed, as Ann Laura Stoler has demonstrated, what was perceived as 'true' and accepted as the most appropriate narrative for officialdom was shaped by implicit perceptions and fears of the colonised. In her exploration of a brutal murder of a planter's family in late-nineteenth century Dutch Sumatra, she shows how officials discounted explanations that couched the murders within a context of everyday violence and

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<sup>104</sup> Mark Condos, *The Insecurity State: Punjab and the Making of Colonial Power in British India* (Cambridge: Cambridge University Press, 2017), p. 3.

<sup>105</sup> Kim Wagner, *Amritsar 1919: An Empire of Fear and the Making of a Massacre* (London: Yale University Press, 2019), pp. 1-3. Other works of his also highlight the influence the Uprising had upon colonial oppression and understandings of the subcontinent. See also Wagner, "Treading Upon Fires"; Kim Wagner, *The Great Fear of 1857: Rumours Conspiracies and the Making of the Indian Uprising* (Oxfordshire: Peter Lang Ltd, 2010).

<sup>106</sup> Michael Vann, 'Fear and Loathing in French Hanoi: Colonial White Images and Imaginings of "Native" Violence', in *The French Colonial Mind: Violence, Military Encounters, and Colonialism*, 2 vols., ed. by Martin Thomas (Lincoln, NE: University of Nebraska Press, 2011), vol. 2, pp. 52-76 (p. 52).

<sup>107</sup> Michael Taussig, *Shamanism, Colonialism, and the Wild Man: A Study in Terror and Healing* (Chicago: University of Chicago Press, 1987), pp. 125-33.

personal vendetta perpetuated by European settlers. The credibility of narratives was therefore dependent upon racialised understandings of colonised subjects.<sup>108</sup>

The role of colonial ‘anxiety’ in this thesis is somewhat inconsistent, as it cannot be used to account for all communities that it focuses upon. Chapter 1 reveals a clear link between criminalisation and colonial anxiety in the case of the Sunnorias, whose identification and policing were intimately related to the perceived vulnerabilities of the colonial state in the wake of the 1857 Uprising. However, chapters 2 and 3 present much more banal concerns of the state. Petty theft and the tenacity of currency were hardly concerns unique of the British Raj, nor did they necessarily relate to violent upheaval. The criminalisation of the Bhamtas and Chapparbands in chapters 2 and 3 can be better explained in relation to systemic, low-level state insecurities and state-building projects, rather than any pressing ‘anxiety’. This thesis therefore shows that the concept of collective criminality had considerable utility. It could be wielded at particular times of perceived vulnerability to allay anxieties over threats of overthrow, and also be used as part of broader attempts to stabilise the state’s social, economic and political orders. The elaboration of knowledge on collective criminals did not necessarily require any overt source of anxiety. Unlike other studies which link pervasive state insecurities to fears of potential violence, this thesis shows that knowledge on collective crime formed a vital part of social ordering as a broader aspect of state-building processes.<sup>109</sup>

## **The police**

Intrinsic to this study is a consideration of the colonial police forces, as their importance in detecting and understanding crime is central to this thesis. Crucially, they were one of the key nexuses between the colonial state and Indian society. Police investigations and the reporting of criminal activity allowed virtually any member of Indian society to reach the ear of the colonial state to some degree. As we see in chapter 2, cases of train theft were imparted face-to-face with train police. In chapter 3, peasants fed their testimony through the village authorities that had been co-opted into the informal structure of rural policing.

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<sup>108</sup> Ann Laura Stoler, ‘“In Cold Blood”: Hierarchies of Credibility and the Politics of Colonial Narratives’, *Representations*, 30 Special Issue: Imperial Fantasies and Postcolonial Histories (1992), pp. 151-89 (pp. 161-68).

<sup>109</sup> Gautam Chakravarty, *The Indian Mutiny and the British Imagination* (Cambridge: Cambridge University Press, 2004); Barbara English, ‘The Kanpur Massacres in India and the Revolt of 1857’, *Past and Present*, 142 (1994), pp. 169-78; Wagner, *Amritsar 1919*, prologue.

Interest in the Indian police as a topic of study emerged with particular strength in the 1970s, and overwhelmingly concerned two particular themes; the ways and logic behind the working of the police, and how strong or weak the colonial state was. The two most comprehensive works at this time were penned by former Indian policemen, which either supported the idea that the police were noble enforcers of a *Pax Britannica*, or argued that the police were charged with the honourable goal of imposing law and order which became corrupted and side-tracked.<sup>110</sup>

By the mid-1980s, David Arnold's study on the Madras police force provided important correctives. He argued that notions of side-tracking presented false divisions between goals of controlling crime and the political functions of the police, claiming they cannot be cloven neatly apart from one another, and that police 'order' was punctuated with corruption, brutality and abuse of power and authority.<sup>111</sup> While Arnold's work provided crucial degrees of separation between the Indian police and those who write about it, his work was, like those of the Indian policemen he critiqued, largely an institutional history. Successive works such as those by Rajnarayan Chandavarkar highlight how attempts to assess the strength and impact of the police through such approaches ultimately result in contradiction, confusion, and images of a uniform and rationalised force.<sup>112</sup> The police have been represented as a symbol of both British hegemony over the subcontinent, and of its ineptitude and vulnerability, leading Chandavarkar to advocate a focus upon 'everyday policing' to provide a more representative picture of the role that police played in South Asian life.<sup>113</sup> Chandavarkar's own work demonstrated how police forces became embedded within local power networks, influencing and being influenced by patterns of local dominance, and operating with a considerable degree of autonomy from their own internal structure of command.<sup>114</sup> He highlighted that the search for crime produced categories of offenses and criminalised patterns of behaviour, however there is little attention given to this process in and of itself, and the way in which flows of information from these embedded networks of patronage influenced understandings of criminality.<sup>115</sup>

Thus while the study of policemen has gradually honed in from more broader colonial imperatives and structural factors to their positions in systems of patronage,

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<sup>110</sup> Percival Joseph Griffiths, *To Guard My People: The History of the Indian Police* (London: Benn, 1971); Anandswarup Gupta, *The Police in British India, 1861-1947* (New Delhi: Concept, 1979).

<sup>111</sup> Arnold, *Police Power and Colonial Rule*, pp. 2-3.

<sup>112</sup> Chandavarkar, *Imperial Power and Popular Politics*, pp. 180-1.

<sup>113</sup> *Ibid.*

<sup>114</sup> *Ibid.*

<sup>115</sup> *Ibid.*, p. 182.

caste and communal networks, there has been a dearth of attention on the roles of investigations and reporting, and how the information these processes produced flowed and was negotiated throughout different tiers of the colonial government. Some scholars have looked much more closely at the flow of information and intelligence, however these studies have focused upon the advent of formalised intelligence services at the turn of the twentieth century, specifically in relation to attempts to monitor and police nationalist and revolutionary actions within Bengal.<sup>116</sup> These particular studies fall into discussions about the efficiency and accuracy of intelligence-gathering endeavours and thus mimic arguments about state strength and weakness, diverting attention away from how information was actually being used and interpreted. This thesis shows how the investigations done by police, and the knowledge available to them, influenced their understandings of collective crime. It also shows how different administrative tiers of the colonial regime influenced understandings of criminality. Chapters 1, 3 and 4 show how the relationship between quotidian policing practices and all-India governmental concerns were continually implicated in how collective crime was understood.

Much of the scholarship that specifically concerns the dynamics of the police have also tended to neglect how policing functioned in rural tracts. The colonial metropolises of Bombay, Calcutta and Madras loom largely in our understandings of the police as scholars have looked into concerns over public order that emerged in the latest decades of the nineteenth century and beyond.<sup>117</sup> Arnold's landmark study on the Madras Presidency devotes a chapter to rural conditions, however his preoccupation is with the general character of rural policing, the overarching colonial structure, and how these fold into debates about the strength and failures of the colonial coercive grid.<sup>118</sup> Thus while he elucidates the principles of salutary neglect towards the countryside, there is little space given to how these very conditions influenced understandings of crime. Indeed, his discussions of policing rural tracts focus primarily upon rebellion and violent crime – events which invoked the most disproportionate and punitive state responses – and which often led to discussions amongst officials about the perceived weakness of their intelligence grid.<sup>119</sup> Only more recently have attempts been made to correct these oversights in scholarship. Erin Giuliani's exploration of rural policing in late-nineteenth

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<sup>116</sup> Michael Silvestri, 'The Thrill of 'Simply Dressing Up': The Indian Police, Disguise, and Intelligence Work in Colonial India', *Journal of Colonialism and Colonial History*, 2. 2 (2001); R. J. Poplewell, *Intelligence and Imperial Defense: British Intelligence and the Defense of the Indian Empire, 1904-1924* (London: F. Cass, 1995).

<sup>117</sup> See Chandavarkar, *Imperial Power and Popular Politics*; Arnold, *Police Power and Colonial Rule*; Silvestri, 'The Thrill of 'Simply Dressing Up''; Kidambi, *The Making of an Indian Metropolis*; Arun Mukherjee, *Crime and Public Disorder in Colonial Bengal: 1861-1912* (Calcutta: K. P. Bagchi and Co., 1995).

<sup>118</sup> Arnold, *Police Power and Colonial Rule*, ch. 4.

<sup>119</sup> Ibid.



century Bengal has shown how the aloof and neglectful attitude of colonial governance towards policing rural areas was challenged from within the policing structure itself. While earlier writers on the police stress the imperial vision and provisions for the policing apparatus, Giuliani shows how the formal activities and structuring of the police could be influenced from below, as officials ratified informal practices that policemen had adopted to remedy shortcomings in rural policing practices.<sup>120</sup>

This thesis shows how the structure and functioning of police forces fed into broader understandings of collective criminality in India. As chapter 1 shows, the attempts of NWP policemen to integrate approaches of the T & D Department factored into much wider understandings of criminality near the Central Indian Native States. Similarly, the information received by police in chapters 2 and 3 were vital to how officials understood notions of railway theft and coin swindling. Most of the policing discussed within this thesis is firmly rooted in rural tracts. The peripheral zones of the Jhansi district in NWP, the Central Indian Native States, and the *mofussil* areas of the Central Provinces and Bijapur which this thesis explores, are firmly situated outside of the bastions of colonial power. However, studying collective crime in these spaces reveals that their distance from colonial powerbases did not make them inconsequential in interpreting and framing criminality in India. Police actions in the *mofussil* were important in interpreting and framing notions of collective criminality and the Indian social order more broadly, and were not merely subject to interpretations from above.

## Sources

The materials for this thesis are in their very essence colonial, drawing mainly upon official government sources. Given the importance of western India and the Deccan plateau to this thesis, the Maharashtra State Archives in Mumbai have been indispensable and are at the very heart of this study. The National Archives of India provides valuable insights into the T & D Department, and the role of political agents within the coercive network in the immediate aftermath of the Uprising. The papers of the India Office at the British Library in London have proven a rich supply of annual and summary reports. These sources have been augmented by a myriad of publications, both official and non-official.

The sources in this thesis are overwhelmingly concerned with imperial interests, where the glimpses we get of the speech of the colonised are often curated and contorted

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<sup>120</sup> Giuliani, 'Strangers in the Village?', pp. 1396-7.

to align with the demands of colonial governance. It is, however, this very process of curating that we are concerned with. It was by such processes that marginalised groups were inducted into the colonial archives, bound to narrow definitions and classifications according to colonial imperatives. The very group names invoked in this thesis' case studies were known to officials and imprinted into archives specifically because concerns over state interests were intimately tied to understandings of criminality. As Chandavarkar has observed, the operation of the police and the criminal justice system served to define and create 'crime'. In his words, 'the more conscientiously the police set out to abolish crime, the more likely it was to both become aware of it, generate fresh categories of offences and criminalize old patterns of behaviour'.<sup>121</sup> Thus, the criminalised people presented by archives were deprived of the complexities of their own identities, as every aspect of them was discarded, or made to relate, to the state's conception of criminality.

Various writers have discussed at length the limitations of using colonial archives and the ways in which their power arrangements impact upon their utility as sources.<sup>122</sup> Antoinette Burton has highlighted how archives themselves are sites of contestation with the power to shape how and whose history is written through their creation and interpretive application.<sup>123</sup> The nature of how and why our sources were produced, and the very limitations of colonial sources make any elucidation of who collective criminals 'truly' were an extremely difficult task. As a result, this thesis has largely avoided making definitive statements about exactly who collective criminals 'truly' were, or attempting to argue the degree of accuracy in official representations.

The understandings of the communities discussed throughout this thesis are held to be results of produced knowledge and not an accurate reflection of Indian society. In some cases, such as with the Bhamtas, it becomes apparent that this term became a byword for people who, in British eyes, should not have appeared as socially affluent as

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<sup>121</sup> Chandavarkar, *Imperial Power and Popular Politics*, p. 182.

<sup>122</sup> For discussions on the very nature of the archive, and how its underlying function and form influences its use in scholarship, see Gyanendra Pandey, ed., *Unarchived Histories: The 'mad' and the 'trifling' in the Colonial and Postcolonial World* (Oxon; New York: Routledge, 2013); Joan Schwartz and Terry Cook, 'Archives, Records, and Power: The Making of Modern Memory', *Archival Science*, 2 (2002), pp. 1-19; Ann Laura Stoler, 'Colonial Archives and the Arts of Governance', *Archival Science*, 2 (2002), pp. 87-109; Foucault, *The Archaeology of Knowledge*, translated by Smith; Jacques Derrida, *Archive Fever: A Freudian Impression*, translated by Eric Prenowitz (Chicago and London: University of Chicago Press, 1995); Antoinette Burton, 'Introduction: Archive Fever, Archive Stories', in *Archive Stories: Facts, Fictions, and the Writing of History*, ed. by Antoinette Burton (Durham, NC: Duke University Press, 2006); Ann Laura Stoler, *Along the Archival Grain: Epistemic Anxieties and Colonial Common Sense* (Princeton, NJ: Princeton University Press, 2010); Ricardo Roque and Kim A. Wagner (eds), *Engaging Colonial Knowledge: Reading European Archives in World History* (London: Palgrave Macmillan, 2012).

<sup>123</sup> Burton, 'Introduction: Archive Fever, Archive Stories', in *Archive Stories*, ed. by Burton.

they did. Taking a cue from Ann Laura Stoler, this thesis approaches archives ‘not as sites of knowledge retrieval, but of knowledge production’, and so the community formations the sources present are regarded as products of the power arrangements of the colonial coercive network rather than accurate representation.<sup>124</sup>

It is vital that a somewhat contradictory detail of this thesis is addressed here. This thesis uses community names like Bhamtas as descriptors, despite regarding such terms as produced, imperfect and inaccurate colonial knowledge categorisations. This thesis holds no desire to ratify these categories, and likewise has no interest in contesting anyone’s criminality, lest it serve to aid the greater aim of analysing colonial conceptions of crime. Community names, as found in colonial sources, are used throughout this thesis (although with care) specifically to refer to what they meant to colonial officials who engaged with such ideas. While British officials may have acquired terms such as ‘Sunnoria’, ‘Bhamta’ and ‘Chapparband’ from Indians, the nature of the colonial information order meant that these names were to acquire lives of their own within colonial documentation. These community names became defined by colonial officials according to overarching colonial imperatives, institutional concerns and general biases of the colonial regime, rather than in relation to the perspectives and knowledge of the very peoples associated ascribed to them.

The case studies covered in this thesis are of relatively minor criminal communities. Numerically, they were small. To the minds of colonial officials however, their numbers belied the impact that they were perceived to have upon Indian society. Like many communities perceived as professionally criminal, communities in this thesis were perceived by officials to travel extensively throughout India on a regular basis. The criminalisation of such communities could be seen as having relatively little consequence in isolation, especially when the colonial regime were so loathe to commit any significant resources to things that did not immediately threaten to crumble British power. However, when taken together, small communities, often marginal even in colonial documentation, reveal the importance of the very processes of knowledge production. Whatever paltry resources were spared by the state to deal with the communities in this thesis, the production of knowledge on collective criminality stresses the role of how these communities were approached, framed and codified, rather than how they were to actually be policed. Indeed, by codifying and rendering collective crime knowable, it justified a lack of further intervention by providing a sort of metric to measure the threat a particular group was seen to pose.

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<sup>124</sup> Stoler, ‘Colonial Archives and the Arts of Governance’, p. 87.

Such marginal groups thus provide fertile ground for the study of ‘minor’ history. As Stoler highlights, such histories are far from trivial, nor are they ‘iconic, mere microcosms of events played out elsewhere on a larger central stage’.<sup>125</sup> Instead, they are examples of ‘structures of feeling and force that in “major” history might be otherwise displaced’.<sup>126</sup> Attempts to understand collective criminals had little place in the ‘major’ histories of the Raj’s maintenance of law and order specifically because the contextual, incoherent and piecemeal nature of knowledge production and policing of such groups threatened the stability of colonial claims to authority and mastery. They were thus relegated mainly to lower-level policing initiatives and form a concern and product of the quotidian, everyday state.

Producing a criminal typology was an act of not only making sense of the peoples and goings-on in the subcontinent. By their very evocation and elaboration, the colonial state strove to claim particular rights. Resultingly, this thesis argues that colonial documents on collective criminals were also justifications and inscriptions of the rights to interfere with the everyday workings of Indian society, which were supposedly meant to be beyond the purview of an aloof state structure. Producing knowledge on collective criminals tended to emerge in contexts where the British perceived their ability to control and assert certain claims as tenuous. Thus, investigations into the Sunnorias in the 1860s were not just about rendering mobile people legible and controllable, but also sought to re-affirm British territorial sovereignty in the delicate post-Uprising order. Ideas of Bhamtas and Chapparbands reflected concerns over the vulnerability of the colonial state to financial loss, which was refracted through racialised and class-based understandings of criminality. In such a sense, the criminalisation of collective, ‘professional criminals’ was less about controlling their purported behaviours. Instead, it was more about the Raj claiming the authority, knowledge and legitimate right to secure and perpetuate its own interests for the good of a colonised other, when its own demonstrations of power were characterised by inconsistent and fleeting bursts of activity.

## **Chapter breakdown**

This thesis is composed of four case studies, which fall in rough chronological order. The first three chapters each take a particular criminal typology to explore why the colonial state became sensitive to particular understandings of crime at particular times, and how official concerns manifested in the elaboration of these typologies. Broadly speaking,

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<sup>125</sup> Stoler, *Along the Archival Grain*, p. 7.

<sup>126</sup> *Ibid.*

they are concerned with how contingent factors and particular investigative modalities drove and influenced understandings of criminality, which in turn rendered Indians as knowable, potentially governable aspects of Indian society. The types of crimes dealt with differ from the trader-raider peoples that most studies on criminality in India concern. The main crimes in this thesis are framed by colonial sources as being about the security of private property and wealth. The fourth chapter considers how criminal typologies were undermined and re-written in the early-twentieth century, as the state sought to reform so-called criminal tribes into productive settled workers as an alternative to incarceration.

Chapter 1 focuses on the Sunnorias, who increasingly drew the attention of colonial officials in the decades after the Indian Uprising of 1857.<sup>127</sup> Colonial officials came to believe that Sunnorias were a fraternity of thieves who travelled long distances to steal valuable items from shops, stalls, and Indian subjects, which they then took back to their homes in Central India to dispose of. The first few sections of this chapter shows how in the years before the Uprising, officials became aware of the term ‘Sunnoria’ in the context of the re-configuration of the T & D Department. In the aftermath of the ‘defeat’ of *Thuggee*, stranglers and *dacoits* were replaced by poisoners, child-snatchers and various forms of thieves as the Department drifted increasingly towards policing non-violent criminals. The rest of the chapter shows how the increased concern with Sunnorias in the post-Uprising years was intimately related to the Uprising itself. Fears of Sunnorias were deeply interlinked with colonial anxieties over the security of the subcontinent, as officials sought to safeguard the communications pathways essential to British power. These anxieties combined with administrative changes and the renegotiation of relations with Native States. The colonial administration curtailed its aggressive expansionism and scaled back the powers of the T & D Department to diffuse the perceived threat of future unrest from Native States. At the same time, as the colonial administration sought to reform policing structures within British-ruled territories, British officers intentionally modelled their approach to Sunnorias upon the T & D Department of old. This chapter straddles the gap between the pre- and post-Uprising eras, demonstrating that while the Uprising certainly catalysed efforts to transform the regime’s approach to collective crime, it was heavily dependent upon concepts and

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<sup>127</sup> The events of 1857 have been represented by various different terms, notably the ‘Mutiny’ by the British, and an ‘Indian War of Independence’ by Indian nationalist writer V. D. Savarkar. However, the former suggests a particular legitimacy to British authority over the subcontinent which this thesis does not subscribe to, and the latter’s nationalistic charge points towards a unity of purpose amongst Indian belligerents. This thesis uses ‘Uprising’ as it is one of the more neutral terms available, which accommodates the widespread unrest as well as the complex and varied reasons for the events of 1857. On shifts in how the Uprising has been represented through time, see Clare Anderson, *The Indian Uprising of 1857-58: Prisons, Prisoners and Rebellion* (London: Anthem Press, 2007).

disciplinary approaches nurtured in the pre-Uprising years and the ways in which administrative change interacted with them.

Building upon the theme of concerns over the security of communication methods discussed in chapter 1, chapter 2 explores how the colonial state came to conceive of a community of professional railway thieves known as the Bhamtas. They were believed to be found mainly in the Deccan, particularly the Poona District, disguising themselves as members of wealthy and socially superior groups in order to steal from train passengers. It argues that concerns over Bhamtas were the result of how railway property was understood, the structuring and activities of the railway police, and the ways in which the colonial order sought to define 'legitimate' and 'illegitimate' wealth apart. This all took place within a broader context of caste acculturation in the Deccan. The chapter begins by laying out what Bhamtas were understood to be. It then explores structural factors, particularly how the railway police themselves were structured, and how railway property was considered particularly vulnerable to instances of theft. This is followed by an exploration of the ways in which the actions of railway police, railway passengers, and informers fed into ideas of collective theft. The final section contextualises these processes within the Deccan's backdrop of caste acculturation and identity flux as debates over caste became increasingly visible.

Chapter 3 looks at how anxieties over the stability of colonial coffers resulted in increased efforts to monitor the state of coinage in India, which resulted in growing concern over the production of false coins. This ultimately resulted in the elaboration of a habitual coiner identity, whose members were believed to travel from the district of Bijapur (Vijayapura in modern-day Karnataka) to all parts of India, in order to manufacture false coins, and scam people into swapping these forgeries for legitimate British silver rupees. Like chapter 2, chapter 3 demonstrates how localised events were read differently depending upon the sorts of information being received by the colonial regime, as well as broader contextual factors. The criminalisation of coining took place within a context of global silver depreciation, which affected the British-backed silver rupee in India. Complaints from Indians, and the course of colonial investigations played a vital role in cementing and refining a habitual coiner typology in clear contradiction to the actual findings and experienced opinions of many police officials. Colonial policing practices and knowledge production resulted in a criminal typology that took on a life of its own, inducing the very conditions that ratified and self-fulfilled ideas of habitual coiners, and allowed concerns over the stability of currency to manifest in a readily identifiable, geographically confined group.

The first three chapters are broadly concerned with the mid- to late-nineteenth century, and explore how colonial knowledge of crime was produced and adapted by the

ways in which the colonial state interacted with Indian society, as well as the ways in which overarching concerns of the colonial state were made to relate to localised events. Inherent in this is a consideration of how purported criminals were believed to affect, and relate to the rest of India's society and population. Chapter 4 builds upon these lines of inquiry by examining how the Bombay Presidency approached establishing reform settlements for collective criminals in the early-twentieth century. It argues that pre-existing understandings of different criminal groups, as well as the practicalities of establishing these settlements, were key in determining what sorts of labour that settlement inmates were given access to. It explores the ways in which criminal groups were reinterpreted to frame criminals as objects of rural productivity and discipline, and how such processes built upon and re-configured the knowledge of the more coercive aspects of the colonial apparatus. Key to this was a fundamental shift in how the state related to the subjects they sought to reform. Officials delegated through the existing headmen, emphasised the *panchayat* as a key unit of community organisation, and applied fiscal values to different types of criminality and labour productivity to reconcile them with rural structures of governance.

## Chapter 1 – State-building and the ‘dust-bin of official records’: the re-discovery of the Sunnorias, c.1850s-1860s<sup>1</sup>

In 1867, the General-Superintendent of the T & D Department Charles Hervey was mid-way through his annual tours of India’s Native States, when he received a letter asking for information on criminal communities.<sup>2</sup> The request had come from the police in the Central Provinces, who were trying to learn more about a group they had arrested under suspicion of theft. Under duress, the group had claimed that they were Sunnorias.<sup>3</sup>

The idea of the Sunnorias community was old news to Hervey, and as far as he was concerned, it should also have been to the Indian police forces. His irritation over the ignorance of police to their existence was clearly demonstrated in his personal diary:

*17<sup>th</sup> August [1867]. – A letter from the Police, telling me of the arrest at Nagpore of “a large gang of Sunnóreahts,” from the Tehree district in Bendlekund, and inquiring where any account might be found of the wandering tribes of India. – seems to regard this capture as a first revelation as to this race of born thieves, and of their thievish habits! Alas for my printed “List of the Wandering Tribes,” circulated so long back as 1852, and our published reports concerning these very Sunnóreahts!*<sup>4</sup>

Hervey’s derision towards the Central Provinces police forces lay in administrative changes that had taken place in previous years. Back in the 1840s, when the word ‘Sunnoria’ first reached the ears of Hervey and his colleagues, it was his department’s

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<sup>1</sup> ‘Pigeon-holing – relegation to the dust-bin of official records – prevails, it is plain.’ This is how Charles Hervey, General-Superintendent for the T & D Department, explained the lack of knowledge of ‘wandering tribes’ amongst policemen in India. See Charles Hervey, *Some Records of Crime (Being the Diary of a Year, Official and Particular, of an Officer of the Thuggee and Dacoitie Police) Volume 2* (London: Sampson, Low, Marston & Company, 1892), p. 263.

<sup>2</sup> While this agency had various names at various points, and has a complex institutional history, for simplicity and consistency it will be referred to throughout this chapter as the ‘T & D Department’ or ‘the Department’ for stylistic reasons. On the origins and growth of the Department, see Wagner, *Thuggee: Banditry and the British*.

<sup>3</sup> The term ‘Sunnorias’ will be used in place of all variants of the name for the sake of consistency, as colonial sources provide a multitude of spellings.

<sup>4</sup> Hervey, *Some Records of Crime, Vol. 2*, pp. 262-3, Hervey’s italics.



duty to detect and police groups of collective criminals across India. By the 1860s however, when the Nagpur police wrote to him, the situation had changed. Shifts in the structure of the coercive apparatus meant that it was now the district police forces that had been tasked with overseeing incidents of collective crime in their charges, while the T & D Department were ordered to merely collect and collate information on such groups. For this information, the Department had become increasingly dependent upon district police. The extensive powers of the T & D Department to investigate and pursue collective criminals of their own volition had been severely curtailed and subjugated to district-level structures, which Hervey clearly felt were inadequate for the purpose.

The recent elaboration of district police duties meant that the Central Provinces police experienced the concept of the Sunnorias community as a relatively new phenomenon. Other police forces across India were also getting to grips with their duties to deal with perceived issues of collective crime in their charges. Intermittent encounters with Sunnorias and their supposed kindred groups were being reported across northern India by other district forces. The police of the NWP had also been in touch regarding Sunnorias, leading Hervey to state that:

Parties of [Sunnorias], and of a kindred people called *Dhunojee Brahmins* in Guzerat, and *Thug Bhats* in Serohi and other parts of Rajpootana, continue to be seized at intervals in different parts of the country, and on such occasions reports are submitted of their habits and peculiarities as though their existence as organized depredators was only then first known. [...] The arrest of some Sunnorias Brahmins at Nagpoor and at Kaira in Guzerat in 1867, [and] the arrest of Sunnorias from time to time in the districts of the North-West Provinces, [...] combine to confirm the previous experience that till such thieves by profession should be declared liable on conviction on the general charge, [...] society could never hope to be relieved from their depredations.<sup>5</sup>

The handing over of policing powers to the districts had fundamentally altered the way in which the colonial regime engaged with concepts of collective criminality. Under the T & D Department, collective crime was something that was all-India in scope. Hervey and his colleagues understood groups like the Sunnorias as one of many communities believed to travel across India for the purposes of committing crime, and as such were

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<sup>5</sup> *Report of the Operations of the Thuggee and Dacoitie Department in Native States, from the Abolition of its Executive Agency in British Territory to the End of the Year 1868* (Calcutta: Foreign Department Press, 1872), BL, IOR/V/27/161/5, pp. 66-7.

considered part of a vast criminal underworld, featuring groups that operated in some degree of cohesion with one another.<sup>6</sup> Such views tapped into the heritage of the T & D Department, where its establishment and investigations in the 1830s-1850s was framed within colonial imperatives to subjugate and administer massive amounts of recently conquered lands.

Within the post-Uprising coercive apparatus however, perceived collective criminals were being reported increasingly through district-level forces. This partly reflected structural changes that sought to frame areas of governance around the district. It also demonstrated the differing concerns and priorities of the T & D Department and district officials, who conceived of collective crime in different geographical frames of reference. For the police of the NWP and Central Provinces, Sunnorias were less a single node in a massive network of all-Indian criminality, and instead a localised law and order issue emanating from the Central Indian Native States bordering their own charges. The very ways in which collective crime was encountered, documented and understood, was therefore intrinsically tied to colonial attempts to reform and affirm power in the post-Uprising order.

The differences between how the T & D Department and district officials understood collective criminality also produced changes in the way that different group identities were constructed within official circles. Hervey's list of wandering tribes – the very document he criticised the Central Provinces police's ignorance of – took no special note of Sunnorias. Indeed, his entry on them bore little distinction against the other communities listed. Entry number ten in his list was of the *Oothaee Geerees*, which was a supposed alias for the Sunnorias, carried the following description:

10. Gunttee Chors [who] are called also Ochlees. They are the "Oothaee Geerees" of Hindostan, and by us would be called pickpockets and shoplifters. They are permanently located in certain villages and districts, but periodically sally forth, attended by their wives and children, on their pilfering trade, and frequent bazars, fairs, and other crowded assemblages, wherein they dexterously contrive to cut off pockets, snatch away ornaments from women and children, carry off cloth and other goods exposed for sale in shops and stalls. They practise by day,

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<sup>6</sup> Such views stemmed from the investigations conducted in pursuit of the *Thugs*, which revealed numerous terms that T & D officials believed to be the names of collective criminal groups. On the T & D Department's understandings of a criminal underworld, see Wagner, *Thuggee: Banditry and the British*, ch. 8.

and do not rob at night, or on the highway. Originally those of the Deccan are stated to have sprung from the Wuddurs.<sup>7</sup>

Such limited descriptions sat alongside other names of criminal groups, all as brief and vague as one another. Such entries usually ranged between a mere thirty to a hundred words each. Descriptions tended to fixate upon a group's 'real' criminal occupations as well as whatever 'ostensible' occupation they were supposedly using to conceal their actual pursuits. Within the T & D Department's all-India scope, Sunnorias were of no special concern, and mostly undifferentiated from a multitude of other mobile communities. When the districts began to speak of them, this community identity was elaborated and made more distinguishable from the others in Hervey's list.

Reframed through the districts, the idea of Sunnorias received a different response from the higher echelons of colonial officialdom. In the 1850s, the T & D Department's reports on Sunnorias were not enough to galvanise much attention from higher officials. A decade later, when the Central Provinces police reported their discovery of Sunnoria gangs at Nagpur, the Government of India directed that 'no exertions should be spared to suppress this fraternity of born thieves'.<sup>8</sup> Within the districts, the term 'Sunnoria' gained significance through the experiences of local administrative practices. By 1870, officials saw them as 'at the head [...] of the inferior criminal tribes'; as one of the most problematic 'criminal' communities in India.<sup>9</sup>

The shift in approaches towards Sunnorias between the 1850s and immediate decade after the Uprising was deeply intertwined with changes to the post-Uprising colonial state, and in particular its coercive network. Using colonial depictions of Sunnorias, this chapter explores how these changes related to understandings of collective crime in central and northern India. It explores how colonial understandings of collective theft formed and changed, and how geographical, territorial, and institutional factors influenced such understandings. Key to this analysis is the immediate decade after the Uprising of 1857. This event and the following decade is

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<sup>7</sup> A List of the Wandering and other Predatory Tribes in the habit of infesting the Districts of the Bombay Presidency, with their Occupations, both ostensible and real (dated 26<sup>th</sup> May 1852), 1853, BL, IOR/V/23/331, No. 1G, p. 82. *Oothae Geerees* was also considered an alias for Sunnorias by political agents and district police, including Kincaid who is discussed later in this chapter.

<sup>8</sup> *Report of the Operations of the Thuggee and Dacoitie Department in Native States, from the Abolition of its Executive Agency in British Territory to the End of the Year 1868* (Calcutta: Foreign Department Press, 1872), BL, IOR/V/27/161/5, p. 68.

<sup>9</sup> Fendall Currie, *The Indian Code of Criminal Procedure, Fifth Edition, viz., The Code of Criminal Procedure, Act X. 1872; together with the Alterations and Additions made by Act XI. 1874. With Rulings of all the High Courts in India, and the Chief Courts in the Punjaub, Oudh, and the Central Provinces* (London: John Flack & Co., 1874), p. 324.

crucial for contextualising and explaining shifts in how collective criminal identities were understood and treated through official chains of correspondence. The changes to the coercive apparatus within this period foreground other chapters in this thesis by demonstrating how the duties, localities and investigative modalities of different officials imprinted upon understandings of criminality in the subcontinent. Ultimately, this chapter argues that the tensions produced through administrative reforms fuelled the elaboration of colonial understandings of collective crime. On the one hand, the post-Uprising order was characterised by desires to reform and better secure British power in the subcontinent, while on the other hand, desires to secure British authority could not be sated. While the disturbances of the Uprising instilled a deep insecurity in the colonial regime, measures to address this insecurity had to be constantly tempered against a desire to avoid further inspiring vitriol from within both the Native States and British territories.

This chapter looks at various moments that formed key touchstones in colonial understandings of Sunnorias, which demonstrate how this identity formation was defined in relation to state institutions and their shifting agendas. It begins by looking at the actions of Charles Hervey and the T & D Department in the late 1840s and 1850s. This was a period in which the T & D Department was undergoing a shift towards focusing upon nonviolent groups. As Hervey composed his list of 'wandering tribes' in this period, the Department's pursuit of *dacoits* and murderers was gradually being supplanted by investigations into suspected incidences of theft without (intentionally) lethal components. This section is followed by a consideration of the role of the Indian Uprising. The scale, rapidity, and the sheer unexpectedness of the unrest in 1857 was an essential factor in galvanising the colonial regime to commit to extensive changes to the administrative structure of the subcontinent. It is an essential facet in understanding why the idea of Sunnorias gained greater significance for both district-level and superior colonial officials compared to when Hervey composed his list.

The remaining sections of this chapter focus upon the ways in which the post-Uprising colonial state engaged with and understood the idea of the Sunnoria community through the reformed coercive order. It analyses the mobilisation and duties of political agents and policemen to investigate and control perceived issues of collective criminality, and the ways in which understandings of collective crime related to British concerns over the security of their power and authority in the post-Uprising political landscape. Key to this was the role of administrative boundaries. Political agents, the NWP police, and the T & D Department all understood the idea of Sunnorias in direct relation to their respective priorities. Colonial efforts to re-configure the coercive apparatus of the subcontinent, the expansion of administrative boundaries, and various state-building

activities, all played essential roles in sculpting why and how the Sunnoria identity was effectively re-discovered and re-interpreted by the colonial regime in the 1860s.

Within the context of reform and administrative expansion, this chapter argues that colonial understandings of collective criminality – and indeed criminality in general – were subject to the ways in which different geographical regions, political orders and social groupings were perceived to relate to one another. The role of *relational* understandings of Indian society demonstrate the importance of identifying and codifying criminality for colonial law and order. Knowledge on Sunnorias was used to frame ‘lawful’ British rule and territory apart from that of ‘anarchic’, ‘corrupt’ Native States, at a point in time when the colonial state was attempting to reaffirm and refine its grasp on the subcontinent. Writings on Sunnoria criminality thus served to offset the colonial state’s unwillingness to wield more overtly disciplinary power, which could threaten the delicate status quo with Central Indian Native States.

Focusing upon the impact of administrative changes and relational understandings of crime allows for this chapter to build upon historiography concerned with the role of anxiety in colonial governance. For Christopher Bayly, the peripheries of colonial power were particularly important in perpetuating colonial anxieties, viewing them as the nurseries of colonial panic.<sup>10</sup> This chapter highlights the ways in which the very ‘peripheries’ that fed colonial anxieties were defined by the way in which they related to the structures of colonial governance. The Central Indian Native States had always been peripheral in geographical and administrative terms, as a place where British power had always been particularly weak and ephemeral. The processes of identifying and understanding collective criminality were integral to how the colonial regime grappled with its own conception of sovereignty in and around Central India, especially when officials characterised this region through notions of disorder, anarchy, and its relation to the 1857 Uprising. It was in this post-Uprising order that this very same region became a ‘nursery’ of colonial anxieties, specifically because the relation this region had with British conceptions of law and order had shifted. In other words, an information panic did not take place just because a place was peripheral in a geographical or administrative sense. It happened when a periphery gained a particular relational significance within the larger colonial order.

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<sup>10</sup> Bayly, *Empire and Information*, pp. 171; 173-76; 316. Mark Condos and Kim Wagner have further nuanced Bayly’s concept by situating colonial ‘panics’ in recurrent, long-term patterns of state behaviour as a result of structural anxieties and a pervasive sense of insecurity. See Condos, *The Insecurity State*, especially introduction; Wagner, “Treading Upon Fires”.

Particularly important to the post-Uprising order were wider processes of territorialisation, which was highlighted by security concerns and the reform of the coercive apparatus in the wake of 1857. As Daniel Haines has shown in his study of agrarian policy and frontiers in 1850s-1900s Sindh, concerns over borders and frontiers sensitised colonial officials to the lands beyond them.<sup>11</sup> R. B. J. Walker has also highlighted how state structures seek to distinguish their territorial outsides in order to generate a political order within.<sup>12</sup> If territorialisation produced and expressed sovereignty and authority, then colonial constructions of the Sunnoria identity demonstrated concerns over their fragility. Colonial wisdom held that Sunnorias were a group that moved frequently between British-owned areas around Central India and bordering Indian-ruled Native States, and thus continually challenged the distinctions, stability and separation of political ordering on either side of these borders.

This related to the ways in which colonial subjects served as a vector for claims of jurisdictional authority. One of the key ways that officials identified Sunnorias was through the belief that they were entering British territories and robbing colonial subjects. Concerns over thieving gangs weaving between British and Native State borders were thus intimately related to how Indians were perceived to relate to different lands and political orders, and channelled through British pretensions to secure the property of their subjects. The British response to perceived Sunnoria thieving activities – pursuing them into the Native States, investigating Native State *durbars*, and attempting to restrict their movement through police coercion in British territories – served to territorialise British rule in its own districts, and fundamentally change the way that the political elites of Native States interacted with its peoples and patronage networks. The result of these efforts was to generate the political order *within* British territories by reinforcing ideas of the political order *beyond* its bounds. In such a framework, the Native States were associated with perceptions of corrupt, criminal and defective indigenous rule that the British saw themselves as supplanting and improving upon. Attempting to control Sunnorias contributed towards the construction of a secure, ‘lawful’ British political order within British territory which served as a ‘civilised’ example and contrast against lawless Native States.

The key role played by the Uprising and the colonial state’s subsequent state-building and reformative activities draws attention to the transformative effect that the colonial state had upon community identities. It is important here to state that colonial

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<sup>11</sup> Daniel Haines, ‘Constructing State Power: Internal and External Frontiers in Colonial North India, 1850s-1900s’, *Environmental History*, 20. 4 (2015), pp. 645-70 (p. 656).

<sup>12</sup> R. B. J. Walker, *Inside/Outside: International Relations as Political Theory* (Cambridge: Cambridge University Press, 1993), especially the introduction.

officials did not ‘invent’ the idea that there were people who travelled over India in order to deprive people of their property. Indeed, the Sunnorias were part of extensive patronage networks pre-dating colonial rule in the subcontinent, playing an integral role in the way Native States exhibited their authority.<sup>13</sup> As we see later in this chapter, Native State elites did not deny that Sunnorias had long been part of their jurisdictions and patronage networks, but instead contested colonial beliefs over the meaning of these connections. The point here is that shifts within the colonial state did not simply result in the ‘construction’ or ‘imagination’ of new communities out of thin air.<sup>14</sup> Instead, it made pre-existing community identities mean different things to the colonial state, and become more or less important, based on how they were seen to relate to the colonial order. Sunnorias were understood with specific regard and relation to the ways in which the post-Uprising state sought to assert itself.

Concerns over Sunnorias thus figured into broader colonial attempts to establish law and order, where it was not the only community to take on a greater significance and different meaning in the post-Uprising order. As Anastasia Piliavsky has shown, colonial officials were attempting to systematically change networks of indigenous governance in the immediate decade after the Uprising.<sup>15</sup> As she has argued since, many groups identified by the British as ‘criminal’ not only had a precolonial existence, but were also addressed by Native States historically as implicated in criminal activity.<sup>16</sup> Thus while understandings of such communities were informed in some new ways by colonialism, they were also addressed by Native States as a specific form of identity. Within Piliavsky’s analysis, there has been a neglect of how more localised understandings of people and places sculpted colonial law and order initiatives. By looking at the Sunnorias and how they were engaged and understood, this chapter draws out how the context and conditions of colonial encounters framed specific communities in colonial discourse.

Focusing on understandings of a particular area draws our attention to how Sunnorias and their homelands were understood over a longer period of time. Here, we

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<sup>13</sup> See Hinchy, ‘Gender, Family, and the Policing of the ‘Criminal Tribes’.

<sup>14</sup> Historically, numerous works have stressed the role of the colonial state in the ‘construction’ and ‘imagination’ of Indian identities; an approach which often overlooks and marginalises the roles of Indian actors and knowledge exchange between coloniser and colonised. Key works that emphasise the construction of Indian identities by the colonial state include Mrinalini Sinha, *Colonial Masculinity: The ‘Manly Englishman’ and the ‘Effeminate Bengali’ in the Late Nineteenth Century* (Manchester: Manchester University Press, 1995); Dirks, *Castes of Mind*; Inden, *Imagining India*. Works that have stressed the ways in which officials drew upon pre-colonial knowledge include Wagoner, ‘Precolonial Intellectuals’; Raf Gelders, ‘Genealogy of Colonial Discourse: Hindu Tradition and the Limits of European Representation’, *Comparative Studies in Society and History*, 51. 3 (2009), pp. 563-89; Wagner, *Thuggee: Banditry and the British*; Breckenridge and van der Veer (eds.), *Orientalism and the Postcolonial Predicament*.

<sup>15</sup> Piliavsky, ‘The Moghia Menace’, p. 751.

<sup>16</sup> Piliavsky, ‘The “Criminal Tribe” in India before the British’, pp. 324-5.

draw upon Nitin Sinha's work on understandings of itineracy and criminality in the 1760s-1850s. He argues that checking the mobility of communities was not only a factor in establishing British control in India, but that such activities played a role in shaping notions of criminality.<sup>17</sup> Sunnorias were no exception. They were 'discovered' in the 1840s by the T & D Department as a result of information provided by *dacoit* and *Thug* informers, demonstrating how the 'selection of tribes and castes [...] had also to do with the history of how crime was perceived in the preceding decades.'<sup>18</sup> Searching the Native States for Sunnorias served to delineate and define them specifically as a criminal community in a region historically associated with collective crime and lawlessness. In the context of post-Uprising Central India, as British power sought to consolidate itself further, older understandings of Sunnorias were built upon, which led to them being seen as particularly problematic. Eventually, Sunnorias were one of the first four communities to be brought under the notorious Criminal Tribes Act of 1871 in the NWP, along with *Bawarias*, *Aherias* and *Harburahs*.<sup>19</sup>

By investigating how broader understandings of places and peoples influenced the views of the colonial state, such considerations urge us to take a closer look at the years that Sunnorias were originally 'discovered' by the colonial state in the 1840s-50s – before the Uprising – as well as the 1860s when the state more actively pursued them. This approach allows us to address two issues. On the one hand, it allows us to gain insights into the ways in which the Uprising of 1857 influenced the colonial state. As Kim Wagner has highlighted, historiography widely acknowledges the immense impact 1857 had upon the British in India, yet the 'enduring legacy of fear' it resulted in has remained largely unexplored.<sup>20</sup>

On the other hand, while our analysis focuses mainly upon the immediate post-Uprising years, our insights from Sinha lead us to draw upon what the colonial state knew about Sunnorias in the immediate pre-Uprising years. It is argued here that reforms to the coercive apparatus of the subcontinent carried a great degree of continuity with pre-Uprising modes of British-led policing. The reform of the police in post-Uprising years integrated many aspects of the T & D Department, both in how the district police were to be structured, and in how these officers themselves imagined solutions to perceived problems of crime. Thus as the Government of India attempted to cleave the T & D Department from the British districts in the newly-reformed coercive apparatus, its

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<sup>17</sup> Sinha, 'Mobility, Control and Criminality', p. 3.

<sup>18</sup> *Ibid.*

<sup>19</sup> Sanjay Nigam has highlighted how the regime sought to sedentarise such communities and employ them in 'honest' industries as a remedy to their supposed criminal propensities. See Nigam, 'Disciplining and Policing the 'Criminals By Birth', Part 2', p. 260; ch. 4 of this thesis.

<sup>20</sup> Wagner, "Treading Upon Fires", p. 160.



legacy remained alive and well in the newly reformed police. When looking at ideas of collective crime, the Uprising and its fallout need to be considered not only in terms of change, but also with regard to the vast degree of continuity, and the ways in which the colonial state and its officials reanimated and re-interpreted older knowledge into the post-Uprising order. The influence of the T & D Department on the reformed NWP police encouraged a continuity of investigative modalities which affirmed understandings of how to manage collective crime.

### 1.1 Habitual crime and violence in the pre-Uprising years

The concept of communities socialised to criminality, and its members being professional robbers or plunderers, had an extensive history. It was deeply intertwined with the inauguration of Company judicial initiatives in the late-eighteenth century, as Lord Hastings pushed towards more uniform procedures, jurisdictional centralisation, and the separation of revenue and justice exercises.<sup>21</sup> As Radhika Singha has argued, this led to bizarre contradictions. Hastings' push for uniform procedure was off-set by special provisions to punish families and entire villages related to accused *dacoits*, justified on the logic that communities of criminals were external to the norms of settled society, thus forfeiting rights to treatment under regular procedure.<sup>22</sup>

Similar notions were to recur in the early-nineteenth century, in the context of the political dislocation and trauma caused by the dissolution of Maratha power within western, central and north-western India, and the subsequent conquest of these regions by the British. Central India was the theatre of struggles against *Pindaris*. These were bands of military auxiliaries who had previously served the Maratha Confederacy, and their continued attempts to exercise authority in the region were represented by the colonial regime as part of a 'predatory system'.<sup>23</sup> By the 1830s, colonial authority had been mobilised against the *Thugs*. Colonial officials believed them to be members of a religiously motivated fraternity who murdered travellers out on the roads and then looted their belongings.<sup>24</sup> William Sleeman, the T & D Department's leader, used his capabilities as a self-publicist to position himself as an essential authority on collective crime. This allowed him to take advantage of the prevailing rhetoric of authoritarian reform in the 1830s, which made the colonial regime receptive to incorporating the

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<sup>21</sup> Singha, 'Providential' Circumstances', p. 85.

<sup>22</sup> Ibid.

<sup>23</sup> Ibid, pp. 92-3.

<sup>24</sup> For an in-depth study of *Thuggee*, see Wagner, *Thuggee: Banditry and the British*.

destruction of *Thuggee* into its imperial mission.<sup>25</sup> Criminalising segments of Indian society, and viewing these segments as parts of ‘systems’, was tied into the way in which the colonial state envisioned itself as the paramount power.<sup>26</sup> In this vision, British paramountcy entailed ideas of a benevolent, enlightened legislator, and the ‘systematisation’ of collective crime facilitated the idea that it was the responsibility of a civilised government to provide a ‘counter-system’ for the good of its subjects.<sup>27</sup>

Through the pursuit of such groups, the T & D Department had emerged in the 1830s as specialists in dealing with itinerant criminals who engaged in violent crime. *Thugs*, *Pindaris* and *dacoits* were the more immediate concerns of the Department, and were all accused of partaking in criminal activities involving extreme violence and a threat to life. Later years saw the elaboration of the T & D Department’s list of target communities, adding variations of *Thugs* such as *Megpunna Thugs* and *Dathura-Thugs*, and itinerant groups such as *Jogis*.<sup>28</sup> The violent and potentially lethal characterisations of these groups reflected the residual warring and political instability of the post-Confederacy order, as British authorities attempted to subjugate and assert authority over large swathes of recently-conquered territories in central, western and northern India. This context of political upheaval and violence had imprinted upon the capacities and operating modalities of the T & D Department in various ways. It acquired support and extensive powers to act independently of the legal norms within regulation territories by arguing that *Thugs* were not merely thieves, but murderous ones.<sup>29</sup> As a result, *Thuggee* stood not only for India’s lack of civilisation in the form of a disregard for property rights and idolatrous superstition, but savage violence which reached its apogee in religiously sanctioned murder.<sup>30</sup>

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<sup>25</sup> Ibid, pp. 7-8.

<sup>26</sup> Singha, ‘Providential’ Circumstances’, p. 88.

<sup>27</sup> Ibid, pp. 88-9.

<sup>28</sup> Megpunna-thugs were supposedly kidnappers who murdered the parents of their target, jogis were believed to partake mainly in swindling and poisoning, while dathura-thugs were meant to steal from people they stupefied with dathura extracts. See Wagner, *Thuggee: Banditry and the British*, p. 215. Interestingly, David Arnold shows that while poisoning by dathura was typified as a separate category of collective crime, its lethality was highly contentious. Additionally, it was never clear if people were being accidentally or intentionally poisoned by dathura, as even British authorities debated amongst themselves if dathura-thugs even existed. See Arnold, ‘The Poison Panics of British India’, in *Anxieties, Fear and Panic*, ed. by Fischer-Tiné.

<sup>29</sup> As Uday Chandra has highlighted, there was an intimate link between the demarcation of space as ‘non-regulation’ spaces that were not ruled by the laws or regulations of the main Presidency territories, and the perception of non-regulation spaces as illegible and at odds with colonial visions of a civilised, well-ordered agrarian society. See Uday Chandra, ‘Liberalism and Its Other: The Politics of Primitivism in Colonial and Postcolonial Indian Law’, *Law & Society Review*, 47. 1 (2013), pp. 135-68 (p. 142).

<sup>30</sup> W. H. Sleeman, *Ramaseena, or a vocabulary of the peculiar language used by the Thugs, with an introduction and appendix, descriptive of the system pursued by that fraternity and of*

By the mid-1840s, many of the Department's initial targets were claimed to have been suppressed. *Thuggee* had been declared defeated, while most of the *Pindaris* and *dacoits* had been scattered by sporadic military pacification campaigns and the Department's own actions. This resulted in a shift towards more non-violent groups, who were identified partially through informants and depositions acquired through the pursuit of *Thugs* and *dacoits*. Bombay Presidency's famous administrator Arthur Crawford reflected years later on how the T & D Department had 'devoted some years of patient labour to the classification of Bamptias, Oochlias, Kaikaris, Katkaris [and numerous other thieving groups] all of whom preyed upon hapless villages, some openly, some under the cloak of an ostensible occupation'.<sup>31</sup> The role of *Thug* approvers in providing these group names demonstrated the prominent and long-lasting influence of the T & D Department over colonial understandings of crime throughout India.<sup>32</sup>

As the T & D Department's namesake threats diminished, it was through the pursuit and policing of their associated communities and social structures that the future of the Department was envisioned. No longer able to draw state support and resources by stressing the peculiar threat of *Thuggee* itself, Sleeman pointed towards the dangers posed by the remnants of the information order that the *Thugs* had been forcibly extracted from. He declared that constant 'vigilance' and 'no hasty reduction' in the T & D Department were essential for preventing the revitalisation of 'old Thug Associations'.<sup>33</sup> In such a view, the *Thugs* were the product of unchecked criminality, and British 'vigilance' the antidote to its resurgence.

In reframing the Department's purpose and relevance, Sleeman drew upon his position as an authority on collective crime and his publishing talents once more. In 1848, he submitted a lengthy report to the Government of India on *Budhuks* – and various other supposed *dacoit* and thieving communities – which presented an image of a massive criminal underworld well beyond the scope of the *Thugs* a decade or so before.<sup>34</sup> In this report, one of the first mentions of the Sunnorias can be found. They were listed as one of the many hereditary thieving communities confronted by the T & D Department as they canvassed lands formerly under the sovereignty of the Maratha Confederacy and *Rajputs*. Descriptions of Sunnorias were, at this point, easily

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*the measures which have been adopted by the Supreme Government of India for its suppression* (Calcutta: Military Orphan Press, 1836), p. i.

<sup>31</sup> T. C. Arthur (Arthur Travers Crawford), *Reminiscences of an Indian Police Official* (London: Sampson Low, 1894), p. 173.

<sup>32</sup> *Ibid.*

<sup>33</sup> W. H. Sleeman, *Report on the Budhak alias Bagree Dacoits and other Gang Robbers by Hereditary Profession* (Calcutta: Bengal Military Orphan Press, 1849), pp. 2-3.

<sup>34</sup> *Budhuks* were itinerant peoples who lived near forested areas, were hunters, and had previously been mobilised in the military forces of Indian power holders. See *ibid.*, pp. 1-3.

overlooked. They were mentioned but a mere handful of times and featured no particularly distinguishing features to cleave them from the mass of other supposed criminal communities that peppered Sleeman's report. He had listed them as one of many 'gangs of this class of offenders' believed to travel away from home to steal. *Dhunojee Brahmins* in Gujarat, *Oudeeas* in the Cawnpore and Fatehpur districts, *Thoree Naeks* and *Moogeas* in Rajputana, *Cashmeeries* and *Affghans* in the Punjab, and many more, were seen to be equitable to the Sunnorias through common criminal behaviours. Such accounts show a clear geographical focus on peoples travelling to and from the west, north and central regions of India; regions that had only recently been acquired by British military efforts.<sup>35</sup> As Sleeman revealed, it was usually when these communities were in 'the distant districts', or 'on their way home through the British territories which intervene[d]' that such peoples were being identified and arrested.<sup>36</sup> Lack of evidence and a distrust of Native State local authorities to adequately prosecute such peoples were given as reasons why itinerant thieves were so worrying to Sleeman. He could not punish them without citing a specific offence, and as a result, believed they were 'increasing with the increase of wealth [of the country], and the disposition to display it, arising from the protection which industry and property now every where enjoy, under our paramount rule.'<sup>37</sup>

Scepticism over the intentions and efficacy of Native State governments was tied to colonial understandings of their own rule against that of the Indian kings they had superseded. As Hervey stated:

The many facilities for plundering that offered [sic] under former rulers caused theft and rapine to become inherent in [wandering tribes'] disposition[s] [...] These facilities were the consequence of the peculiar constitution of the society of the *permanent* inhabitants of the land,- whose attention was so much taken up in aggrandisement and aggression, in local feuds, or in serving the Chiefs of whom they might at the time be the partisans, that there could not exist among them any general league for the suppression of persons who [...] were able to take advantage of the general consternation and apathy that ensued.<sup>38</sup>

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<sup>35</sup> Ibid, pp. 324-33.

<sup>36</sup> Ibid, pp. 325-6.

<sup>37</sup> Ibid, p. 326.

<sup>38</sup> Reports on and list of the Wandering Tribes of the Bombay Presidency, 1858, BL, IOR/V/23/331, No. 1D [n.s.], p. 156. Document's italics.

Such a view situated perceived problems of law and order as a product of the misgovernance and self-interest of Indian kings, contrasted against British pretensions towards a more utilitarian and enlightened style of rule. The shift of focus from violent to non-violent collective criminals was thus partially the product of the view that India was under transition between these two modes of rule. British beliefs in murderous thieves and roaming gang robbers were related to the concept that Indian rulers had failed to take measures to instil law and order, where violent robbery figured as a logical occurrence if less violent crimes like petty theft and cheating were allowed to continue unpunished.

Whatever anxieties Sleeman attempted to play upon, ideas of these lesser criminal organisations were not enough to galvanise the Government of India in the same way that the *Thugs* and earlier *dacoits* had. Without the context of the volatile post-Maratha Confederacy order, and numerous armed and violent bands roaming relatively unchecked, officials doubted the threat Sleeman's new generation of collective criminals posed. This was also partly down to the nature of the communities being discussed. Many of these new targets had tenuous links to the idea of *Thuggee* at best, and their lethality was less of a given. In his memoirs, the Commissioner Arthur Crawford noted his own scepticism over the existence of *Thuggee* by poisoning, and recalled how Philip Meadows Taylor, author of the famous *Confessions of a Thug*, shared his doubts. Instead, Crawford pointed towards the use of poisons more generally within India rather than by organised gangs of poisoners, which highlighted contestation over to what extent perceived behaviours could be declared to represent homogenous criminal community practices.<sup>39</sup>

Adding to this was that the Government of India's priorities had shifted. It was only a few years after Sleeman's *Budhuk* report that his successor, Charles Hervey, was tasked by the Bombay Government with collecting information on the 'vagrant tribes infesting the Southern Muratha Country' with a view to 'withdraw them from such a state of wildness, and to make them members of a general community of settled and peaceful occupations.'<sup>40</sup> While the government's requests were encouraged by the all-India scope of an itinerant underworld presented in Sleeman's report, attempts to settle itinerant peoples were inherently bound up with attempts by the colonial regime to exercise their influence over these areas, and making these lands remunerative. Settling people entailed their subjugation by land revenue, and the exercise of rights to draw tax. In the aftermath of lengthy and expensive pacification campaigns, maximising revenue extraction served the purpose of refilling colonial coffers and, as Daniel Haines reminds

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<sup>39</sup> Arthur, *Reminiscences*, pp. 83-4.

<sup>40</sup> Reports on and list of the Wandering Tribes of the Bombay Presidency, 1858, BL, IOR/V/23/331, No. 1D [n.s.], p. 155.

us, went hand-in-hand with the extension of state control into areas where it was perceived to be insufficient.<sup>41</sup>

Control over the ‘Southern Muratha Country’ was relatively recent. The Bombay Presidency, unlike Bengal, had no permanent settlement under *zamindari* structures, and lacked the degree of consolidation of British power and governance that Plassey had won in eastern India a century before. While Hervey believed that ‘the spread of civilisation, and through it, the absorption of the land’, would eventually make wandering lifestyles ‘precarious, and reduce [...] wanderings into trespasses’, British control of the lands of the Bombay Presidency, and the territories that were to become the Central Provinces, was at this point simply too new. Not enough time had elapsed to spread ‘civilisation’ in official minds, and British administrative power had not been entrenched deeply enough to overwrite ‘the many facilities for plundering [offered] under former rulers’. While the old ‘state of things has passed away [...] the same facility for plundering [was still] stated to exist’.<sup>42</sup> The relatively recent gaining of immense lands in central, western, southern and northern India drew into sharp relief the contrast between how much land the British could claim sovereignty over, and the degree of administrative control that could actually be effected.

The fragility and ephemeral nature of British influence in these lands impacted upon how colonial officials understood collective theft on the ground. In his memoirs, Arthur Crawford reflected upon how in the late 1850s, he had conducted ‘rough-and-ready inquir[ies]’ in the Bombay Presidency *mofussil* as his travels brought him into contact with local-level conditions. In one case, he stumbled upon a dispute between *Marathas* and *Kaikaris* at an encampment on the outskirts of a village.<sup>43</sup> Armed with the presumption that the latter were a group of inveterate collective thieves – as ordained by the fact that they had been declared collective thieves by *Thug* informers – Crawford sided with the local *Marathas*. The *Kaikaris* were searched, had their valuables duly declared the proceeds of theft, and seized. Curiously, none of this ‘stolen’ property was actually reported missing by the villagers Crawford had sided with.<sup>44</sup> It was beyond his comprehension that *Kaikaris* could possibly generate any form of legitimate credit or

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<sup>41</sup> Haines, ‘Constructing State Power’, p. 645.

<sup>42</sup> Reports on and list of the Wandering Tribes of the Bombay Presidency, 1858, BL, IOR/V/23/331, No. 1D [n.s.], p. 156.

<sup>43</sup> As Crawford was transferred to Ratnagiri district on the west coast of the Presidency in the late 1850s, we are here assuming that his *Recollections* work here refers to experiences before his relocation. For more on Crawford’s career, especially the Crawford corruption case, see Knut Aukland, ‘Connecting British and Indian, Elite and Subaltern: Arthur Crawford and Corruption in the Later Nineteenth Century Western India’, *South Asian History and Culture*, 4. 3 (2013), pp. 314-35.

<sup>44</sup> Arthur, *Reminiscences*, p. 178.

wealth. Another instance furnished by Crawford depicted a story of his camp being pilfered while travelling between Satara and Kholapur. Upon discovering the theft, Crawford assumed the ‘Oochlias’ (like Hervey he considered this name interchangeable with ‘Bhamtas’, an identity grouping discussed in depth in the following chapter) were responsible for the entire affair. This assumption was based merely on the fact that Crawford believed his camp was ‘within hail of one of these “Oochlia” villages’. The next day, he had visited this village and found no evidence, nor any of his belongings, and yet the certainty of the village’s guilt remained.<sup>45</sup>

As the T & D Department encountered what they believed to be Sunnorias in the 1840s-50s, both the Department and the Government of India saw little incentive to pursue them with any concerted effort. Hervey made no mention of them being violent, nor engaged in *dacoity*. Major Harris, the Superintendent of Chanderi, provided one of the earliest detailed and substantial reports of them in 1851, while serving in Central India. His reports and inquiries were the result of attempts to trace the robbery of a British subject in Calcutta, and by following this lead, the investigating officer heard tales of numerous other thefts in British territory, accredited to Sunnorias.<sup>46</sup> His writings confirmed the non-violent character of the Sunnorias, as well as the involvement of Native State polities in their distribution and occupations.<sup>47</sup> His recommendations for their suppression were that it should be done mainly through the Native States rather than colonial state actors. He suggested that Native State *durbars* be made to ‘suppress’ Sunnorias, while his superior, the Agent Governor General of Central India, suggested ‘a severe lecture [be] read to [the Native States]; and that Tehree and Banpoor on this occasion be fined [...] for the reparation of the injury done to the British subjects who have suffered from the exploits of their Sunoreah subjects.’<sup>48</sup> With a consensus on Sunnorias having a non-violent character, and their origins located outside of British territory, it was decided to let sleeping dogs lie for the time being, after Sleeman decided that there was little to gain from utilising the T & D Department against them.<sup>49</sup> The robbery of a British subject in British territory may have offended British claims to authority within their own legal jurisdictions, yet it lacked a deeper threat to British sovereignty and the security of British lives experienced in the heyday of *Thuggee*.<sup>50</sup>

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<sup>45</sup> Ibid, pp. 181-4.

<sup>46</sup> Reports of the “Oothaegeeras” or the Sunoreahs of the Tehree, Dutteah, Shahgurh, and Chundeyree, or Banpoor States, 1852, BL, IOR/V/23/117, Vol. 2, Pt. 10, No. 51, p. 221.

<sup>47</sup> Ibid.

<sup>48</sup> Ibid, pp. 221; 225.

<sup>49</sup> Further Correspondence Respecting the Practices of the Sunoreahs or Oothaegeeras, a Class of Professional Thieves, c. 1851-52, BL, IOR/E/4/813, pp. 1505-7.

<sup>50</sup> A broader discussion of how sovereignty was changing in the first half of the nineteenth century is beyond the scope of this thesis. However, questions over the sovereignty of Native

At the same time, without a risk to life and limb, such people often never made it far enough up the legal system to reach a judicial decision on their guilt. The very desire to avoid lengthy inquiries in culturally unfamiliar lands where authority ran thin, meant that guilt was established through rumour and common sense understandings of Indian society, as noted with Crawford's inquiries above. As Kim Wagner has highlighted, circumstantial evidence was particularly useful for this. Accused *Thugs* were convicted based on colonial presumption and approver testimony alone when circumstantial evidence was not at hand.<sup>51</sup>

Ideas of Sunnoria thieves in the pre-Uprising years were cultivated through the changing imperatives of the colonial state and the social and political instability ensuing from the collapse of the Maratha Confederacy. They were seen to be but one of many groups that reflected dichotomies between British pretensions to impartial, utilitarian rule and the notions of law and order that underpinned them, contrasted against anarchic, self-interested and unstable states of affairs seen to prevail under the conditions of the rule of Indians. The shift in focus from violent to non-violent forms of collective crime reflected the transition from one state of affairs to the other. It mirrored the gradual extension of British authority over the lands acquired from their Maratha Confederacy rivals, and the growing confidence of the colonial state in these regions. Concerns over people perceived to be part of thieving communities in this period were more about the settlement of land and processes of economic extraction, rather than a threat to law and order. Colonial officials were relatively content to relegate the perceived problem of collective theft to Native States governments, guided by the interference of British residents and agents. So long as they were seen to be contained within Native States, collective thieves failed to mobilise concerted efforts from the colonial coercive apparatus.

## 1.2 The role of the Uprising

In the wake of the Uprising of 1857, colonial attitudes towards the phenomenon of collective theft shifted. It challenged the complacency of colonial officials over their influence and authority within the subcontinent, which heightened concerns over the relationship between British and non-British ruled lands. The Uprising led to a reaffirming of the distinction between British and Indian-ruled lands, as well as a greater

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States and the legitimacy of British interference in them was subject to heated debate in the 1820s-1830s, coupled with increasing criticism of Indian 'misgovernance'. See Major, *Sovereignty and Social Reform in India*, especially the introduction.

<sup>51</sup> Wagner, *Thuggee: Banditry and the British*, p. 214.



attention to violations of the jurisdictional borders between the two. Collective thieves figured into this specifically because they were believed to regularly disregard jurisdictional distinctions in pursuit of thieving targets, continually challenging and blurring territorial and jurisdictional authority. The redrawing and formalisation of political distinctions between British-ruled lands and the Native States thus provides a crucial reason for why colonial officials took much greater interest in itinerant collective thieves in the post-Uprising years.

This change in attitudes was intimately tied to the reasons that the Uprising had occurred in the first place. The East India Company had presided over a political order which had continually disregarded and interfered with the authority of Indian rulers, their modes of governance, and their cultural sensibilities. It is beyond the scope and purpose of this study to recount the complexities of the Uprising itself. A wealth of studies explore these intricacies in detail.<sup>52</sup> The most immediately important factor for this present study is that the Uprising resulted in the colonial government curtailing its aggressive policies of expansion. The Uprising had brought into sharp relief the dangers that annexation and extensive encroachment posed to British authority within the subcontinent, resulting in a reconsideration of how far colonial officials could overtly interfere with territories guaranteed under their own notions of paramountcy.

Reducing direct interference in Native States was aimed to reduce the risk of future unrest. At the same time however, British officials acknowledged that the very threat of interference carried immense utility, which had been demonstrated in the pre-Uprising years. In the 1850s, when Harris investigated Central India and produced the first report on Sunnorias, the potential for British intervention made for compliant Native State governments. When Harris approached the *Raja* of Banpur and *Rani* of Tehri on the premise that they received stolen property from Sunnorias, their replies included requests for guidance and orders, professions of friendship and loyalty, and acknowledgements of British authority; clear attempts to remove themselves from personal responsibility for the Sunnorias, and abate the potential for greater British interference and accusations of misrule.<sup>53</sup> Anastasia Piliavsky notes that some Indian rulers even seemed to enthusiastically welcome the T & D Department's interference in their political affairs as a way of counterbalancing the power of bands of robber-retainers

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<sup>52</sup> Out of the massive historiography on the Uprising, key works and reviews include Peter Robb, 'On the Rebellion of 1857: A Brief History of an Idea', *Economic and Political Weekly*, 42. 19 (2007), pp. 1696-702; Biswamoy Pati, *The 1857 Rebellion* (New Delhi: Oxford University Press, 2011); Wagner, *The Great Fear of 1857*; Chakravarty, *The Indian Mutiny and the British Imagination*; also the series of works by Crispin N. Bates et al (eds.), *Mutiny at the Margins: New Perspectives on the Indian Uprising of 1857*, 7 vols. (New Delhi: Sage, 2013-17).

<sup>53</sup> Reports of the "Oothaegeeras" or the Sunoreahs of the Tehree, Dutteah, Shahgurh, and Chundeyree, or Banpoor States, 1852, BL, IOR/V/23/117, Vol. 2, Pt. 10, No. 51, p. 227.

who could threaten their own authority.<sup>54</sup> However, while British interference could occasionally serve the interests of Native State rulers, it was no doubt intertwined with the fear that resisting British impositions and appearing uncooperative was risky, particularly in the immediate pre-Uprising years when British expansion was particularly aggressive. While Banpur and Tehri were eventually absorbed under the Doctrine of Lapse, cooperation was prudent for them in that it allowed them to avoid accusations of misrule that eventually ended kingdoms like Awadh.<sup>55</sup>

While colonial officials had used the charge of misrule as a key avenue to facilitate expansion and influence, the more tentative approach to Native States in the post-Uprising era meant that misrule critiques were used mainly as a disciplinary measure alone. Such accusations held their value in coercing and influencing modes of governance which, in turn, buttressed ideas of British governance as enlightened. Charles Hervey of the T & D Department recalled how Sir John Lawrence attended *durbars* in the 1860s to remind the rajas of their obligations of loyalty and good governance.<sup>56</sup> He used such occasions himself to ‘remind’ Indian rulers of their obligations to deal with ‘professional plunderers’ and carry out interviews to keep informed on these groups.<sup>57</sup> The regular tours Hervey went on through the Native States in post-Uprising years – referred to briefly in the opening of this chapter – were specifically to hold the sword of Damocles over Indian rulers.<sup>58</sup>

While British officials in the post-Uprising era used similar excuses for showing their faces at *durbars* and bending the ears of Indian attendees, these actions were accompanied by attempts to alleviate any concern Native States had that expansion was on the horizon. Eager to reassure *rajahs* that the violence of the Uprising was not merely a precursor to more aggressive expansion, Lord Canning distributed *sanads* in 1860. Such documents confirmed the recognition of succession rights which had so thoroughly been disregarded under the Doctrine of Lapse. British observers noted the importance of these documents to their recipients, with one observer remarking that no honour ‘was received by the princes of India with so much enthusiasm as the issue of the eight score of Sanads of adoption or succession [under Lord Canning]’.<sup>59</sup> While it is highly doubtful

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<sup>54</sup> Piliavsky, ‘The Moghia Menace’, p. 761.

<sup>55</sup> Matthew Stubbings, ‘British Conservatism and the Indian Revolt: The Annexation of Awadh and the Consequences of Liberal Empire, 1856–1858’, *Journal of British Studies*, 55. 4 (2016), pp. 728–49 (p. 730). Though, of course, neither Tehri or Banpur escaped the Doctrine of Lapse.

<sup>56</sup> Hervey, *Some Records of Crime, Vol 1*, pp. 7–9.

<sup>57</sup> *Ibid.*, pp. 17–8.

<sup>58</sup> See both volumes of Hervey, *Some Records of Crime* for detailed accounts of an average year for him, involving touring and intimidating Native State rulers.

<sup>59</sup> William Lee-Warner, *The Protected Princes of India* (London: Macmillan and Co., 1894), pp. 155–6.

that Native State *durbars* took the British at their word, the twin policies of continuing to monitor Native State courts while also attempting to allay their concerns demonstrates the more tentative nature of relations between British and Native State officials in the post-Uprising era. This relationship bore heavily upon the scope for interference that the coercive network was expected to have towards Native States affairs.

Even before the distribution of *sanads*, officials were clearly conscious of upsetting *rajās*, while also attempting to keep them under watch. In 1859, Tehri's *rajā* died with no legitimate blood-related heir. Despite a clear opportunity to exercise the Doctrine of Lapse, the British instead opted to grant Tehri to the *rajā*'s illegitimate son. The *sanad* which formalised the event included the caveat that it was granted 'on condition of good behaviour and of service, military and political, in time of danger and disturbance'.<sup>60</sup> By the time that T & D Department officials were roaming into Tehri in the 1860s, searching for Sunnorias and attempting to identify those willing to inform on them, there was always the spectre of the revocation of sovereign rights for failure to comply with British inquiries, with the *sanads* forming a legally encoded point of reference.

Despite colonial attempts to make their interference appear more inert, Native States were clearly sceptical of British intentions. Hervey noted in 1868 how Native States still perceived the presence of T & D Department officials, and their very attempts to diffuse fears of expansion, as potential forerunners to greater intrusion.<sup>61</sup> The anxieties of Native State elites made clear that they took the caveats of *sanads* very seriously. Indian rulers were no doubt aware of the continuity of the use of 'misrule' clauses in *sanads* as a way of extending British influence into Native States. As Lord Canning made clear, *sanads* offered no protection to Native States if they were charged with misrule in the form of 'serious abuses [...] as may threaten any part of the Country with anarchy or disturbance', nor from temporarily seizing control of a Native State if there was 'sufficient reason'.<sup>62</sup> In light of the past, such scepticism by Indian elites was healthy. Historically, the British had shown little hesitance in flouting their policies of non-intervention towards Native States if they suspected 'misgovernance' or potential instability. Political agents posted at Indian-ruled capitals were often prone to interfering in politics, questions of revenue extraction, law and order problems, and any other issues which could affect the amount of tribute that the British would receive.<sup>63</sup> British pursuits

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<sup>60</sup> Ibid, p. 157.

<sup>61</sup> *Report of the Operations of the Thuggee and Dacoitie Department in Native States, from the Abolition of its Executive Agency in British Territory to the End of the Year 1868* (Calcutta: Foreign Department Press, 1872), BL, IOR/V/27/161/5, p. 57.

<sup>62</sup> Lee-Warner, *The Protected Princes of India*, pp. 156-7.

<sup>63</sup> Major, *Sovereignty and Social Reform in India*, p. 43.

of Sunnorias kept open the possibility of an accusation of disturbance when they were perceived as Native States subjects who travelled with no respect for territorial boundaries, and could target British subjects for theft.

Changes to how Native States were to be interacted with formed but one response to the Uprising, and one way in which the colonial authorities expressed anxieties over threats to their power. Caution over interference with Native States went hand-in-hand with broader institutional changes to the coercive apparatus of the subcontinent. This had implications not only for lands directly administered by the British, but also for the way that law and order was understood and administered on an all-India basis. Key to this was the reform of the police in India, as well as a reframing of the T & D Department's role in the coercive apparatus. Reforming the police in India had been considered for decades, however the Uprising gave a sense of immediacy to it in wider attempts to extend British control more firmly throughout the subcontinent.<sup>64</sup> These particular reforms are discussed later in this chapter. The mention of these changes at present highlights the relationship between general policy changes to prevent further unrest.

The reform of the police and, in relation to this, the re-purposing of the T & D Department, which we will discuss shortly, were themselves projects imprinted with post-Uprising safeguards. David Arnold has highlighted how the Indian police forces and their provincially-based development had the advantage of diminishing fears of a police 'Mutiny', as well as allowing the police forces to tailor their work towards their respective provinces.<sup>65</sup> This was tied to the fact that the local police in places like Meerut – areas perceived by colonial authorities as epicentres of the Uprising – had joined rebelling crowds and mutinous soldiers.<sup>66</sup> As part of wider efforts to appear less overtly oppressive to Indian subjects, armaments within the reformed police were also to be kept to the bare minimum needed to conduct duties of crowd dispersal and riot control.<sup>67</sup> Provincial policing structures allowed for police forces to cater to the specific conditions of their provinces, and disarmament aligned police towards more 'civil' models of policing, however the bottom line was that these measures limited the threat posed by potential disloyalty from within the coercive apparatus itself, as well as any disquiet from Indian subjects.<sup>68</sup>

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<sup>64</sup> David Arnold, *Police Power and Colonial Rule*, p. 7.

<sup>65</sup> *Ibid*, p. 5.

<sup>66</sup> Wagner, *The Great Fear of 1857*, pp. 146-7.

<sup>67</sup> David Omissi, *The Sepoy and the Raj: The Indian Army 1860-1940* (Basingstoke: Palgrave Macmillan, 1994), p. 194.

<sup>68</sup> Arnold, *Police Power and Colonial Rule*, p. 5.

Concerns over potential police rebellions were also linked to a more general sensitivity within the colonial state towards popular uprisings. Colonel Hervey, in his personal diary, noted how the Ambela Campaign of 1863 triggered panic of another Uprising. Pashtun frontier tribes were in open conflict with the colonial state and had successfully held the Ambela Pass against British assaults, resulting in British officers being hastily assembled from the provinces. Hervey remarked that ‘the feeling in the provinces was, ‘the Mutiny was on again somewhere!’.<sup>69</sup>

Within the anxieties of the post-Uprising state, communications methods were of particular concern. Their importance had been emphasised in 1857 for the movement of troops, information and supplies. Indian fighters were also well-aware of this, and had frequently prioritised their disruption in 1857. Calcutta’s railway heads in Raniganj and the telegraph lines at Barrackpore, Meerut, Delhi and Agra were attacked early on in the Uprising, and telegraph offices became a regular priority target elsewhere as the Uprising spread.<sup>70</sup> While the intricate *dak* (postal system) predated British power in the subcontinent, its heavy utilisation by the British, and the roles of post offices as telegraph nodes, made it a target for Indian forces in the Uprising.<sup>71</sup> Disruption and destruction of communications methods had, as a result, acquired an association with the spread of the Uprising itself.<sup>72</sup> Telegraph lines, *dak* posts and railway infrastructure tended to coalesce and follow the same routes, and it was heavily in the extension and improvement of these routes that the security of colonial power was imagined.<sup>73</sup>

Even with their limited scope by the outbreak of the Indian Uprising, railways were used heavily for troop and equipment movement, and so the military utility of them had been to some extent tried and tested. While railways were expected to supersede other communications systems, the Uprising had demonstrated exactly how dependent British power was upon the security of communications networks. Hervey’s diary from 1867 demonstrated how the T & D Department spent considerable portions of its resources attempting to deal with attacks on mail caravans in Rajputana and Central India.<sup>74</sup> When he heard of the completion of the line between Jabalpur and Allahabad, towards Calcutta, he remarked that ‘we may bid adieu to any more *dak* traveling in those directions.’<sup>75</sup> It was a bid of farewell to a weakness in communications that seriously, and

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<sup>69</sup> Hervey, *Some Records of Crime*, Vol. 1, pp. 13-4.

<sup>70</sup> Wagner, *The Great Fear of 1857*, pp. 132-3.

<sup>71</sup> *Ibid*, p. 149.

<sup>72</sup> *Ibid*, pp. 45-56.

<sup>73</sup> For a detailed list of dates of when stretches of railway lines were opened and where, see *History of Indian Railways, Constructed and in Progress, Corrected up to 31<sup>st</sup> March, 1918* (Simla: Government Central Press, 1919).

<sup>74</sup> See both volumes of Charles Hervey, *Some Records of Crime*.

<sup>75</sup> Hervey, *Some Records of Crime*, Vol. 2, p. 28.

rather suddenly, exposed the fragility of colonial power in the subcontinent a decade before.

The impact of the Uprising forms vital context to understand the emergence of concerns about Sunnorias in the immediate post-Uprising years. Central to this was the changing relationship between Native States and the colonial state, which was deeply implicated with the reform of colonial authority along district lines. Reforms gave more standardised, rationalised and bureaucratically framed distinctions between the political orders of the coloniser and colonised, which also served as a context to frame ideas about criminality. Such distinctions also served to locate and relate sites of particular vulnerability for the colonial order to collective criminality, which will be discussed in the following sections of this chapter.

### **1.3 Sunnorias and the coercive network in the post-Uprising years**

The Uprising had led to a curtailing of expansionist policies, a desire to strengthen colonial power within the subcontinent, and a general feeling of how fragile colonial domination of the subcontinent was. It was within this context that ideas of Sunnorias re-emerged as a concern for colonial authorities. The pacification of the Uprising, and its residual actors who roamed and hid from British-led forces within India's interior, had distracted colonial authorities for years. As the late 1860s approached – when Nagpur's police discovered its own band of supposed Sunnorias, and earned Hervey's resentment – colonial attempts to secure the subcontinent were reaching milestones in their level of completion.

The remainder of this chapter analyses how the post-Uprising state re-engaged with ideas of Sunnorias. It considers the ways in which the colonial policies of both maintaining a watch over potential sources of unrest in their directly administered lands and the Native states on one hand, and a more conciliatory approach to Indian rulers on the other, influenced the very ways that perceptions of collective crime were understood. It looks at how the discovery of Sunnorias bands in and around Central India intertwined with attempts by the post-Uprising state to affirm and secure its authority and sovereignty. The discovery of a suspected band of Sunnorias at Nagpur which opened this chapter, and the subsequent search for information on this community, resulted in a much broader response than in pre-Uprising years. District police became increasingly implicated in the processes of dealing with instances of collective crime. The T & D Department and the political agents in the Native States who were traditionally attached

to it, unleashed a new wave of inquiries in Native States which had to be mediated by a more conciliatory approach. Government of India orders that ‘no exertions should be spared to suppress this fraternity of born thieves’ reflected a dramatic shift in the perceived level of threat that Sunnorias posed to the colonial order, which was complicated by the contradictory desire to avoid raising tensions with Indian rulers.<sup>76</sup>

### 1.3.1 Kincaid and the *darbar* of Tehri

As mentioned earlier in this chapter, it was already understood by British officials that the Sunnorias were residents of the states comprising the Central India Agency. Colonial wisdom held that their heartlands were specifically in Tehri, Bundelkhand, and its westerly neighbouring region of British Bundelkhand. In 1867, as Nagpur’s police sought information to comprehend their encounter with people believed to be Sunnorias, the political agents in Central India answered their call. A political agent to Bundelkhand, William Kincaid, visited the *darbar* of Tehri to conduct inquiries and traced Sunnoria gangs according to names furnished by Indians arrested at Nagpur, after which he produced a relatively lengthy report.<sup>77</sup> His document demonstrates how Sunnorias were understood through anxieties over the security of railways, and the understanding of the Native States as a source of threat to the colonial political order within British territories. Kincaid’s report, and the way he gathered the information within it, provided an understanding of Sunnorias that merged existing knowledge on them with underlying colonial anxieties in the post-Uprising years. His writings reveal fears over the activities of Native States whose expectations of British interference had to be carefully managed, and concerns about the vulnerability of railway lines to forms of use and abuse that damaged British interests.

The enduring anxiety over the potential for unrest was communicated through the peculiar composition of Kincaid’s report. The first section of it was a history of the region and the Sunnorias. Such sections would have had the express purpose of filling in the police and other officials on exactly who the Sunnorias were, however they also fed into broader understandings of Central India as a volatile region. By understanding Tehri as part of the possessions of the *Rajput* house of Orchha – a clan that was part of the *Bundela Rajputs* which dominated most of Central India – continuity was established

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<sup>76</sup> *Report of the Operations of the Thuggee and Dacoitie Department in Native States, from the Abolition of its Executive Agency in British Territory to the End of the Year 1868* (Calcutta: Foreign Department Press, 1872), BL, IOR/V/27/161/5, p. 68.

<sup>77</sup> Headmen were named by the ‘Nagpoor informer’. See Note about Sunnorias, famous dacoits, Thuggee and Dacoity Department Transfer List, D1, 12, 1867, NAOI, p. 14.

between the 1867 arrests at Nagpur and British military experiences in the previous decade.<sup>78</sup> The *Bundelas* had featured particularly prominently in their involvement in concealing and supporting *dacoits* in the immediate aftermath of the Uprising, which took years to finally suppress. By attaching Sunnorias to the *Bundela*-dominated Tehri political elite, Sunnorias became aligned with the recent history of the region and its political order which the British considered incompatible with notions of proper law and order. The fact that Sunnorias were seen to disregard and cross territorial – and therefore jurisdictional – boundaries, situated Indian political power within British jurisdiction, and thus outside of its legitimate bounds.

The ways in which Kincaid conducted his inquiries and the ever-present threat of British intervention served to further his inquiries, while also expressing a continual distrust of Native States. It was clear that the *darbar* members measured their words carefully, and projected an image of amenability. Kincaid specifically mentioned that the *darbar* had been forthcoming with information in response to his queries and denied that they had ever been anything but helpful in previous years, which had made the British not look with ‘too keen a scrutiny into the history of the past’.<sup>79</sup> Such pressure on the *darbar* directly influenced how Kincaid understood the Sunnorias. Appearing as eager to please and facilitate British inquiries, the *darbar* rounded up as many people as they could fitting the Sunnoria descriptions provided by the ‘Nagpoor informer’, resulting in a handful of these people immediately coming forward to offer to give evidence.<sup>80</sup> These people were destined to be informers, to travel across the subcontinent with British officials to identify Sunnoria members and their ‘haunts’.

Within this context of mutual distrust between British officials and the *darbar*, and the coercive power affected by his presence, Kincaid’s chief concern shines throughout the document; the distribution of Sunnorias throughout India. Particularly important to this was the role that railways were envisioned to play in the Sunnorias’ activities. As mentioned throughout this chapter, ideas of Sunnorias travelling immense distances around India were not new concepts. However, Kincaid specifically understood them in relation to rail travel, and envisioned this form of technology as essential to their control and suppression. The men who had been rounded up by the *darbar*, and offered themselves as informants, were specifically to be dispatched to ‘the Depots of stolen property, and haunts of the Sonorias, along the lines of Railway to Calcutta and

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<sup>78</sup> Ibid, p. 5.

<sup>79</sup> Ibid, p. 8.

<sup>80</sup> Note about Sunnorias, famous dacoits, Thuggee and Dacoity Department Transfer List, D1, 12, 1867, NAOI, pp. 38-9.



Bombay'.<sup>81</sup> These were to be placed under Hervey's control in order to pursue Sunnorias throughout both British and Native State lands.

Kincaid's report was peppered with references to railway travel, demonstrating its centrality to his understanding of Sunnoria movements. He summarised this relationship by stating that:

it is worthy of remark that most of them [the depots] are on the great lines of Railway, indeed the Sonorias would appear to have taken the utmost advantage of the Railway, to transport themselves to distant places, and extend their operations, the mode of travelling itself being a means of largely increasing their profits, there being probably hardly a station on the line, of any note, where Sonorias are not constantly plying their trade. The question naturally arises, can this be so successfully prosecuted without the knowledge of the Railway Police or Native officials?<sup>82</sup>

Not only were trains understood to facilitate the Sunnorias' pre-Uprising activities as shoplifters and pickpockets, but railway property also became sites for predation. The assumption that all significant stations were likely to fall victim to Sunnoria activities expressed a broader concern over Indians coming into contact with, and using, assets vital to the maintenance of colonial power.<sup>83</sup> A deposition in the final pages of the report told of a gang of supposed Sunnorias who, fearing arrest by the British, stayed away from Tehri and intended to acquire employment on the railway lines.<sup>84</sup> The specific reference to communications networks thus reframed the labour activities of suspects to align with underlying presumptions of their criminality. Other things that alarmed Kincaid included the ability of deponents to give accurate accounts of how much railway fare it cost to travel a certain distance. Some knew the exact fare costs of all the major stations between Allahabad and Calcutta.<sup>85</sup> As Kincaid viewed his suspects as criminals, their extensive knowledge of infrastructure was read as evidence of how far a criminal fraternity had compromised and exploited colonial assets for their own ends.

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<sup>81</sup> Ibid, pp. 39-40; 45.

<sup>82</sup> Ibid, p. 30.

<sup>83</sup> This topic of railway property itself as a site of vulnerability and criminal potential is discussed further in the following chapter concerning Bhamta railway thieves.

<sup>84</sup> Note about Sunnorias, famous dacoits, Thuggee and Dacoity Department Transfer List, D1, 12, 1867, NAOI, Second Deposition.

<sup>85</sup> Ibid, pp. 30-1.

The concern over criminal Indians acquiring work on the railways tapped into a long-standing and ambivalent relationship colonial authorities held towards migratory labour. Itinerant workers were often regarded as untrustworthy and over time, their forms of labour were seen to be increasingly related to criminality. Earth-workers, for example, were believed to rob and burgle. Officials believed their stone-cutting work allowed them access to buildings where they could gather information on the homes of their soon-to-be victims.<sup>86</sup> On the other hand, officials acknowledged the importance of migratory work, particularly earth-working, upon which ‘modern civilized life’, and improving infrastructure, ‘largely depend[ed]’.<sup>87</sup> Interestingly, the gang seeking railway employment had been arrested around Jhassinghat, where a railway bridge was currently under construction; an event providing many migratory workers with opportunities for employment. As Alexander Bubb highlights, migratory workers were generally favoured as recruits for railway construction as their labour regime was ‘circulating’. This contrasted against the labour patterns of locally-based, sedentarised labourers, who were often deeply intertwined with agrarian production rhythms and could be pulled away from state-directed projects at inconvenient moments.<sup>88</sup> As the Jhassinghat gang became seen as Sunnorias, the relationship between criminality and their claims to labour was affirmed.

Compounding this was that work on the railways was also believed to bring embarrassing European elements into close contact with the Indian population. While not mentioned specifically by Kincaid, railway construction had a strong association with working class Europeans and the threats to British prestige that their presence brought. Many Europeans acquired work building India’s railways as plate-layers, fitters, fireman and other occupations, as such work was deemed skilled and thus unsuitable for the bulk of India’s population. At the same time, these Europeans quickly acquired a reputation for drunkenness, brutality, petty criminality and the mistreatment of Indians.<sup>89</sup> In the post-Uprising order, as the rift between coloniser and colonised was increasingly characterised by what Chatterjee calls the ‘rule of colonial difference’, anxieties over the potential prestige damage caused by these Europeans sharpened.<sup>90</sup> Anxieties over mobile Indian labour on railways thus coalesced with concerns over the maintenance of

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<sup>86</sup> Ian Kerr, ‘On the Move: Circulating Labor in Pre-Colonial, Colonial, and Post-Colonial India’, *International Review of Social History*, 51. 12 (2006), pp. 85-109 (pp. 98-9).

<sup>87</sup> *Ibid.*, p. 101.

<sup>88</sup> Alexander Bubb, ‘Class, Cotton, and ‘Woddaries’: A Scandinavian Railway Contractor in Western India, 1860-69’, *Modern Asian Studies*, 51. 5 (2017), pp. 1369-93 (pp. 1386-7).

<sup>89</sup> Harald Fischer-Tiné, ‘Britain’s Other Civilising Mission: Class Prejudice, European ‘Loaferism’ and the Workhouse-System in Colonial India’, *The Indian Economic & Social History Review*, 42. 3 (2005), pp. 295-338 (p. 307).

<sup>90</sup> Partha Chatterjee, *The Nation and its Fragments: Colonial and Postcolonial Histories* (Princeton, N. J.: Princeton University Press, 1993), pp. 16-32.

racial prestige and its relationship to the technology that justified such presumptions, as events and places where the ‘worst’ traits of the British and Indian population could encounter one another. As Harald Fischer-Tiné highlights, the potential for Europeans to contact ‘dangerous’ segments of the Indian population were framed by officials as opportunities for serious moral and physical contamination.<sup>91</sup>

As Kincaid saw railways as essential to Sunnoria criminality, railways also became a key reference point with which to understand the travel and kinship patterns amongst Sunnorias. Kincaid remarked how:

In Bombay the chief depot is stated as at the village Mosara (sic?) not far from the Rail [...] at the house of an old Resident Sonoria of Bombay whose family was originally from Tehree, named Soohajee Britaree [sic?], a Brahmin. Bhorgaan, another Sonoria, lives with Soohajee [...] there are 4 or 5 gangs from here in Bombay at present.<sup>92</sup>

While Sunnorias were seen to have relatives and associates all over the subcontinent, the fixation upon the railways drew attention to specific locales, and repurposed what they meant. The commissioners, political agency officials and higher government authorities that Kincaid’s report was bound for would view Soohajee’s house as an *entrepôt* of sorts in a criminal enterprise, devoid of any other value through its rendering as part of a streamlined system of criminal activity.

While Kincaid framed Sunnoria-owned buildings as accessories to crime, his report hinted throughout that the suspects he was investigating were part of long-standing and complex patterns of movement, which fed into much lengthier and richer histories of migration and social ties across the subcontinent. Kincaid mentioned a bizarre case of a suspect known as Goseedall, who had travelled by road from Tehri to his home in Bombay, ailing from a tumour that was at least half a maund in weight.<sup>93</sup> Such examples sat discordantly with Kincaid’s narrative of their movements via railway travel; Goseedall had actively chosen to avoid this method of transport. No explanation for this was given, and the report merely stated that Goseedall’s ability to traverse such distances under his condition was proof of the strength of the Sunnoria’s ‘calling to

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<sup>91</sup> Fischer-Tiné, ‘Britain’s Other Civilising Mission’, p. 311.

<sup>92</sup> Note about Sunnorias, famous dacoits, Thuggee and Dacoity Department Transfer List, D1, 12, 1867, NAOI, pp. 28-9.

<sup>93</sup> Ibid, pp. 41-2. A maund is roughly 37 kilograms.

commit crime'.<sup>94</sup> As we see in Nitin Sinha's work on mobility and crime in the 1760s-1850s, networks of mobility facilitated colonial understandings of crime in India as something that operated at a systematised, pan-Indian level that worked to dissolve local specificities. In his words, 'mobility not only came under surveillance when crime was 'detected' or 'proved'. Rather, it was an 'integral part of the discourse through which colonial state understood criminality in India'.<sup>95</sup>

The centrality of railways to Kincaid's report owed a lot to the specific time that his report was conducted. The report, dated November 1867, came a mere six months after the completion of a junction at Jabalpur, which finally allowed for uninterrupted railway travel between Bombay, Calcutta and Delhi.<sup>96</sup> The mid-late 1860s was the time at which the line through the Central Provinces was being completed, as the opening dates of the line from Nimar in the west of the Central Provinces, to Jabalpur in the centre-north, were all between February 1868 and March 1870.<sup>97</sup> If we take Ian Kerr's estimation that a mile of railway line took roughly 2.5 years to complete, then various segments of the railway skirting Central India were in different stages of completion when Kincaid wrote, and seemingly being visited by one of the very communities that the colonial state were increasingly wary of, and perceived as being intricately tied to the political influence of Indian rulers.<sup>98</sup>

The use of railway travel as a key reference point for Sunnoria identity contrasted against earlier reports. One of the earliest reports of them in 1851 was written by the aforementioned Major Harris, Superintendent of Chanderi. Like Kincaid, he referred to 'depots' of Sunnorias in the times before railways scarred India's lands, and thus understood such depots differently. However, Harris provided a much richer image of the social and cultural life of Sunnorias. He reported that they had specifically referred to being fed by 'alms' at the hands of the raja of Burdwan near Calcutta.<sup>99</sup> A garden near Murshidabad, on the banks of the river Hooghly was another popular spot for Sunnorias, as the owner distributed alms to travellers daily.<sup>100</sup>

Harris' writings also depicted much broader social connections possessed by the Sunnorias. While Kincaid fixated upon the links between Sunnorias themselves and their links to the internal political fabric of Native States, Harris spoke of people outside of

<sup>94</sup> Ibid.

<sup>95</sup> Sinha, 'Mobility, Control and Criminality', p. 14.

<sup>96</sup> Hervey, *Some Records of Crime*, Vol. 2, p. 28; *History of Indian Railways*, pp. 64-8.

<sup>97</sup> *History of Indian Railways*, pp. 64-8.

<sup>98</sup> Kerr, *Building the Railways of the Raj*, p. 41.

<sup>99</sup> Reports of the "Oothaegeeras" or the Sunoreahs of the Tehree, Dutteah, Shahgurh, and Chundeyree, or Banpoor States, 1852, BL, IOR/V/23/117, Vol. 2, Pt. 10, No. 51, p. 224.

<sup>100</sup> Ibid, p. 225.

this structure such as an Indian known as ‘Tewarey purdasee’, who had established a *mohulla* visited by Sunnorias:<sup>101</sup>

Though he and the family have resided at Rajmehal for three or four generations, his ancestors were of the Oorcha or Tehree States. On this account the Sunoreahs of Tehree, being considered to be fellow countrymen, he permits them to occupy houses in his “mohulla” [...] not only does Tewarey himself purchase all their spoils, but there is not a resident in the mohulla, be he bunneah or be he Musselman, that does not purchase from them! A nest of receivers of stolen goods!<sup>102</sup>

Such comments demonstrate the value placed by some Indian social orders on social – over territorial – assets, which contrasted against British fixations on territorial rigidity defined by borders that delineated administrative and jurisdictional reach.<sup>103</sup> In the post-Uprising order, as the colonial state increasingly sought to distinguish its own authority and the lines that defined it, questions of jurisdiction and influence became more salient. Kincaid’s 1867 report fixated much more doggedly on how thieving communities penetrated into sovereign British territories – propping up ‘corrupt’ Indian polities in the process – specifically due to this difference in emphasis. Lacking formal legal jurisdiction in the Native States meant British authority in Central India ran particularly thin, especially now the T & D Department’s intrusive character had been scaled back and officials were to tread lightly around anxious *rajās* – a topic to be discussed in detail shortly. While Kincaid’s reading of Sunnorias stressed the patronage of Indian polities to root their criminality in Native States, Harris gave a more horizontal and complex view of them that embedded Sunnorias in complex networks across various social and religious boundaries, engaging even with trading communities, and harkening back to times when borders between British and Indian territories had not seemed so vital.

Ultimately, Kincaid’s report much more firmly rooted Sunnorias geographically into the Native States, turning their social and cultural links and patterns into purely

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<sup>101</sup> A *mohulla* is an area of a town or village, often defined by its association with a particular community.

<sup>102</sup> Reports of the “Oothaegeeras” or the Sunoreahs of the Tehree, Dutteah, Shahgurh, and Chundeyree, or Banpoor States, 1852, BL, IOR/V/23/117, Vol. 2, Pt. 10, No. 51, p. 225.

<sup>103</sup> Understandings of how Indian polities valued land and social ties differently to the colonial state are noted in Piliavsky, ‘The Moghia Menace’, p. 772, and throughout Nicholas B. Dirks, *The Hollow Crown: Ethnohistory of an Indian Kingdom* (Ann Arbor: University of Michigan Press, 1993).

criminal ventures. Links between Native State politics and ‘criminal’ groups served to criminalise Indian modes of political assertion, where the main point of contention was that these networks were traversing British territories and affecting British assets. In this understanding, trains formed a key mode of contact between Central India and the rest of the subcontinent. By focusing on the railways in his inquiries, and coercing the *darbar* of Tehri into cooperation, Kincaid merely evidenced his own underlying concerns; that a cornerstone of colonial power in India was being actively used by criminals to further perpetuate acts understood as artefacts of the pre-Uprising era and outmoded, ‘corrupt’ regimes before British ascension in the west and central zones of India.

Dalhousie’s famous minute of 1850 demonstrated the advantages believed to be brought by railway travel, common within official thinking in the second half of the nineteenth-century:

Immeasurable are the political advantages to be derived from a system of internal communications which would admit the full intelligence of every event being transmitted to the Government under all circumstances, at a speed exceeding five-fold its present rate; and would enable the Government to bring the main bulk of its military strength to bear upon every point [...] Great tracts are teeming with produce which they cannot dispose of [...] Ships from every part of the world crowd our ports in search for produce which we have or could obtain from the interior.<sup>104</sup>

To Kincaid, trains not only gave such opportunities for economic prosperity and military security, but could also facilitate their antitheses of theft and lawlessness. The railways were supposedly providing Sunnorias with a variety of benefits; faster and greater mobility, ready access to depots to stash and dispose of loot, and links to supposedly corrupt agents in the colonial order. His report re-conditioned the relationship that Sunnorias held with their long-standing patterns of movement with the rest of India, distancing them from their historical connections and re-centring them within anxieties over further unrest emanating from Native States. In such a light, railways were seen to have enabled and transformed the kinds of mobile crime believed to be pervasive in India.

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<sup>104</sup> Quoted in Manu Goswami, *Producing India: From Colonial Economy to National Space* (London: Chicago University Press, 2004), p. 50.

His writings form stark contrast to Harris' early report. Within the post-Uprising order and its sensitisation towards formal divisions between British territories and those of Native States, Kincaid conceived of Sunnorias in ways that sharpened the distinctions between the two. Harris' lack of concern with such distinctions was not simply about the fact that railways had yet to appear in India when he wrote his report. It was because when he was writing, ideas of Sunnorias were mostly fixated upon a general disapproval of Indian modes of social and political function. No Uprising had yet shook the foundations of colonial confidence so deeply, nor had the aggressive and overtly imposing features of colonial acquisition practices been so strongly linked to the potential end of British influence in the subcontinent. It was within the post-Uprising colonial order, its curtailing of complacent aggression, and its gearing of institutions to view Indian trans-regional links with increasing scepticism, that Sunnorias became defined and elaborated into narrow understandings of criminality. Such a context allowed for the structures of communication and mobility to be depicted as particularly vulnerable sites in the colonial power structure.

### **1.3.2 Reforming the coercive apparatus**

Kincaid's inquiries above show how the Uprising transformed understandings of collective criminality. Anxieties over the security of colonial power worked as a framework within which criminals were understood, which depended upon how the colonial state understood the limits of its own power. Intimately related to shifting understandings of the threat posed by collective criminality was the restructuring of the colonial state which took place in the post-Uprising years. The expansion of the colonial state – both in the form of confiscated lands in and around the Uprising, and in the extension and reworking of the colonial administration – played a key role in shaping how Sunnorias were engaged with and understood, and influenced engagements between coloniser and colonised.

This section of the chapter discusses how changes to the structuring of the coercive network impacted upon how Sunnorias were encountered and understood by the colonial state, specifically through the NWP police and the T & D Department. Both of these organisations were restructured in the wake of the Uprising, in line with colonial imperatives to enhance their reach and grasp over British-administered territories while curtailing more overt intervention within the affairs of Native States. While Kincaid's inquiries revealed broader concerns about the security of British power in the subcontinent, district policemen and the T & D Department engaged with the idea of Sunnorias differently. Both of these organisations were attempting to grapple with

changes to their structuring and duties in the post-Uprising order. The scaling back of the T & D Department's powers on the one hand, and the elaboration of the district police on the other, informed the ways that these branches of the coercive network understood ideas of collective criminality.

Historically, the T & D Department had been a particularly coercive aspect of British influence within Central India and beyond. In the pursuit of *Thugs* and *dacoits*, they had long enjoyed the ability to travel extensively throughout India to pursue leads provided by informers. In the reformed coercive apparatus however, the T & D Department was to be scaled back. Its powers in British territory were to be limited to an intelligence authority, while its power over Native States was to be curtailed to a more supervisory and advisory role. As in the case of political agents in Native States, 'advice' entailed its own forms of coercion, however this change was an important distinction away from the T & D Department's previous abilities to conduct investigations on its own terms. The removal of the Department's influence within British territories was framed as part of progression from a relatively lawless India to the *Pax Britannica* of British rule. As part of a wider move towards administrative rationalisation and a unitary policing structure throughout British India, it was reasoned that with the newly reformed district police forces, a specialised agency devoted specifically to policing collective criminals would not be required. The T & D Department was seen to have paved the way for more formalised policing structures, without which 'it would have been impossible then to trace and check the more serious class of crimes' across British India.<sup>105</sup> These 'more serious' crimes were now seen as manageable by ordinary policemen; 'there seems little reason to doubt that the ordinary mode of procedure would now be found adequate for the adjudication of that class of offences of which the T & D Department took special cognizance.'<sup>106</sup> Such a move carried important qualifications. The resolution of 1863 – which limited the T & D Department's power – specifically outlined that it was its role as an *executive* agency in British territory that was to be ended; it was to continue watching Native States and interacting with the districts over issues of collective crime. This increased emphasis on an information-providing and a supervisory role within the coercive network foreshadowed the Department's transformation into the Criminal Investigation Department nearly half a century later.<sup>107</sup>

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<sup>105</sup> Bombay Government Resolution regarding the abolition of the Department as a special agency in British Territory, Thuggee and Dacoity Department Transfer List, B3, 1, 1864, NAOI.

<sup>106</sup> *Ibid.*

<sup>107</sup> For a discussion on the relationship between the T & D Department and its gradual transformation into an intelligence agency, see Popplewell, *Intelligence and Imperial Defence*, especially chs. 1-3.



In order to effect this transition, the Department was deprived of certain privileges and capacities to act independently. The resolution of 1863 outlined these changes as follows: the T & D Department establishments within British territories were to be placed directly under the control of local governments; the *nujeeb* establishments and men on guard duty were to be discharged with gratuity or absorbed into the reformed district police forces; European officers with other substantive appointments were to have their gratuities from the T & D Department stopped; the approver and informer establishments were to be placed under the local Inspector Generals of Police and ‘absorbed as far as possible into the Police, and all *must be embodied in the local police expenditure*’; ‘Old, worn out men are to be returned to the General Superintendent at Jubbulpore’; and ‘the usual intelligence reports of crimes are to be continued to be made under the orders of the local Government to the General Superintendent [of the T & D Department], but he is not to exercise any authority over the local Police’.<sup>108</sup>

Some of these measures were specifically concerned with more clearly defining the duties of the T & D Department and reformed police apart and outlining their new roles within the coercive apparatus. The removal of guardsmen and *nujeebs* – armed men used as detectives – deprived the T & D Department of their military tinges within British territories, effectively curbing its ability to physically police without the aid and cooperation of district authorities.<sup>109</sup> Stopping gratuities aimed to more clearly separate the Department from collectors, political agents and other posts that had traditionally been overlaid onto T & D Department duties.<sup>110</sup> Making sure that everything was accounted for in police budgets was an attempt to keep a closer eye upon the extent of approver and informer networks.

Depriving the T & D Department of its authority over its system of approvers and informers, forbidding the exercise of authority over local police forces, and the purging

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<sup>108</sup> Bombay Government Resolution regarding the abolition of the Department as a special agency in British Territory, Thuggee and Dacoity Department Transfer List, B3, 1, 1864, NAOI. Document’s italics.

<sup>109</sup> Henry Yule, *Hobson-Jobson: A glossary of Colloquial Anglo-Indian Words and Phrases, and of Kindred Terms, Etymological, Historical, Geographical and Discursive*. New ed. edited by William Crooke, B.A. (London: J. Murray, 1903), pp. 631-2. *Nujeebs* were noted in this glossary as being ‘a kind of militia under the British’, soldiers under the Native State authorities, ‘men of good family’, or as a direct Hindi translation, ‘noble’. Their armaments of matchlock and sabre are noted across different definitions of them. When being discussed within T & D Department reports, it seems that they are a form of armed pseudo-police detective. See *Report of the Operations of the Thuggee and Dacoity Department in Native States, from the Abolition of its Executive Agency in British Territory to the End of the Year 1868* (Calcutta: Foreign Department Press, 1872), BL, IOR/V/27/161/5, p. 74.

<sup>110</sup> F. C. Smith and William Sleeman – both key to the creation of the T & D Department – were Agents of Saugor and Nerbudda, and Saugor respectively. Lord Bentick had believed ‘that there [was] an obvious advantage in leaving the measures to be taken by an officer already holding and exercising the functions of a responsible situation’. See Wagner, *Thuggee: Banditry and the British*, pp. 209-10.

of ‘old, worn out men’ aimed to cleanse linkages to the days of *Thuggee* and *dacoity*, and re-iterate the intelligence-gathering role envisioned for the Department’s future. As the loss of approvers reduced the intelligence grid of the T & D Department, the expulsion of ‘old, worn out men’ was a means to cleanse the information order in the districts. By age alone, such men were associated with *Thugs* and other groups seen to belong to a bygone era in how India was to be policed, and the description of these men as ‘superannuated’ spoke to the physical limitations of elderly men being able to travel with officers to pursue leads.<sup>111</sup> Some changes were much more contentious. A particular point of friction was the placing of approvers and informers under local police. While this signalled the formal handover of responsibility for policing collective criminals to the district police, it also deprived the T & D Department of a key asset in its strategies for crime detection. It thus came as no surprise that Hervey strongly disapproved of such a change.<sup>112</sup> As we have seen earlier in this chapter, the movement and social networks of ‘criminal’ communities defied the rigid territorial borders that British sovereignty and administration were mapped by. District police were heavily bound by these very parameters, and thus the T & D Department held that it was still much more capable of dealing with collective crime. Such pretensions were the result of the Department’s previous freedom to traverse the subcontinent, which sat uneasily with drives towards a bounded, unitary police structure. Governmental attempts to neatly compartmentalise different coercive institutions along territorially-defined units stood in contrast to the realities of Indian society which could not be neatly mapped into a clean British-Native State dichotomy.

While the T & D Department had its wings clipped in British-administered lands, much of its information order remained to a large degree intact. Some aspects were simply transplanted into the districts and re-configured across the newly formalised divisions between the districts and T & D Department. The absorption of a portion of approvers and informers into the districts kept alive traditions of how collective crime was to be investigated and pursued. Reports on collective crime were also to continue, albeit with an important tweak. It was now the responsibility of district police forces to provide details to the T & D Department, and so such reports continued by relying to a much greater degree on external information rather than their own agents.

The scaling back of the T & D Department went hand in hand with the reform of the police in British districts. As noted above, the Department lost direct control over various assets, which were handed to district police forces. The districts also absorbed an

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<sup>111</sup> *Report of the Operations of the Thuggee and Dacoitie Department in Native States, from the Abolition of its Executive Agency in British Territory to the End of the Year 1868* (Calcutta: Foreign Department Press, 1872), BL, IOR/V/27/161/5, p. 73.

<sup>112</sup> Bombay Government Resolution regarding the abolition of the Department as a special agency in British Territory, Thuggee and Dacoity Department Transfer List, B3, 1, 1864, NAOI.

increased responsibility to concern themselves with the identification and policing of collective criminals. These changes played a vital role in influencing how communities like the Sunnorias were engaged with by the colonial state. As we shall explore shortly, reforms to the structure of the NWP police provided administrative space for the procedures and methodologies of the T & D Department to be integrated formally into the local policing structure. Policing procedures inspired by the T & D Department resulted in the continuity of practices which investigated and ratified knowledge on collective criminals, and continued to represent such groups as a concern of the coercive apparatus.

While district police in NWP were being reformed however, the province's administration had also acquired a considerable amount of territory as a direct result of the Uprising. The NWP administration had been extended to include newly acquired lands into Central India, territories which became known as British Bundelkhand. This region was composed of lands that were formerly part of the Central Indian states, under rulers that were part of the *Bundela Rajput* kinship group. The absorption of British Bundelkhand was important in sculpting how Sunnorias were understood specifically because they were believed to dwell in large numbers in this territorial area, and maintained social ties and mobility patterns between this region and the neighbouring Native States. Absorbing British Bundelkhand was to absorb an area tied to the political orders of Indian rulers in the area, and reflected colonial concerns about the porousness of borders between British and Native State territories.

British Bundelkhand was comprised of lands that came into British hands in two waves. In 1853, the British acquired control of the lands of the Jhansi house and styled them into the Jhansi division; a strip of land sandwiched between Gwalior to the west and Bundelkhand to the east, acquired under the Doctrine of Lapse after its *raja* died with only an adoptive son in the way of children.<sup>113</sup> The British refusal to recognise adoption rights was ultimately what led the famous *Rani* of Jhansi to fight British forces in 1857 to re-establish her house's authority over this region. The second wave of physical expansion came in the aftermath of the Uprising, when the Jhansi division had the adjacent kingdom of Banpur integrated into it. The *raja* of this state had thrown in his lot with the *Rani* of Jhansi in an attempt to gain redress over issues of rights and slights

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<sup>113</sup> Meyer, Burn, Risley and Sutherland, *Imperial Gazetteer, Vol. XIV, Jaisalmer to Karā*, p. 138.

to his honour.<sup>114</sup> For the *raja*, the price of defeat was territorial confiscation, and exile to Lahore.<sup>115</sup>

Until the absorption of these lands, Sunnorias were something that existed extra-territorially to British lands; a problem of the Native States, to be pursued and dealt with by the T & D Department. However, attempts to more firmly integrate the Jhansi division and the more recently acquired lands of Banpur into the NWP's administrative grid combined with post-Uprising moves to reform and improve the police. It involved the integration of vast regions of physically challenging terrain, which had remained largely unexplored by the British.<sup>116</sup> They were lands which were regarded by British administrators as where one would find 'waifs and relics of aboriginal tribes', where 'primitive' peoples retreated to in order to evade 'more powerful and highly organised races'.<sup>117</sup> It was these processes that made the Sunnorias a very real problem to the NWP, and brought a perceived law and order issue into British borders.

The legacies of the T & D Department played into such views. Commenting on Harris' report of 1851, the Agent Governor General for Scindia's Dominions had drawn attention to the proximity Sunnorias were claimed to have to the political figures of Native States in Central India, remarking how:

The connection of the Government of these States, with professional thieves and vagabonds, is an apt commentary on the morals of the Boondela Princes and Principalities. They are the offspring of plunderers, and had never known Civil laws, or national obligations and restraints, till their relations with the British power [...] How naively do the State of Tehree, and the Raja of Banpoor, confess themselves to be the confederates of thieves!<sup>118</sup>

Harris' investigations purported to reveal complex systems of patronage. Under oath, elders who were considered to be Sunnorias elucidated a complex system where

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<sup>114</sup> The British had gained criminal jurisdiction in Banpur through treaties with Sindhia, and had interfered with who controlled Chanderi lands which played a key role in the mediation of social hierarchy amongst the *Rajput* clans of Central India. The British had also offended the *Raja* of Banpur's honour in other, undisclosed ways. See Edwin T. Atkinson, *Statistical, Descriptive and Historical Account of the North-Western Provinces of India, Vol 1: Bundelkhand* (Allahabad: North-Western Provinces Government Press, 1874), pp. 352-3.

<sup>115</sup> *Ibid*, pp. 380-1.

<sup>116</sup> Rashkow, 'Making Subaltern Shikaris', p. 299.

<sup>117</sup> These were respectively the words of the British Ethnological Committee in 1868, and the author of the Central Provinces' gazetteer, Charles Grant. These are quoted in *ibid*, p. 300.

<sup>118</sup> Reports of the "Oothaegeeras" or the Sunoreahs of the Tehree, Dutteah, Shahgurh, and Chundeyree, or Banpoor States, 1852, BL, IOR/V/23/117, Vol. 2, Pt. 10, No. 51, pp. 219-20.

Sunnorias regularly travelled and acquired objects, and upon their return, rendered customary payments to headmen and handing over particularly coveted goods to the state's government.<sup>119</sup>

At the time of these inquiries in 1851, however, it was noted that the Sunnorias mainly dealt in contact with other Native States. While Calcutta and other British possessions were mentioned to be visited by them, Hyderabad, Indore and Nagpur – the lattermost at this time ruled by a *raja* – were reported to be favoured locations.<sup>120</sup> Added to the detail that Sunnorias were friendly to 'States where they are tolerated and recognized', they appeared to form a part of political networks pre-dating British paramountcy.<sup>121</sup> As stated earlier in this chapter, investigations around the 1840s-50s ultimately led to little; it was decided that thefts by communities belonging to Native States could be made good by telling Native State *durbars* to get their own houses in order, and fines to cover the cost of policing that Indian polities had failed to do themselves. By the 1860s, the situation had changed, as Banpur, and Lalitpur – a key town in the former kingdom of Jhansi – were technically part of British territory. A community that colonial authorities had gradually come to understand as collective criminals were, as a result, situated as operating from within British lands and directed by bodies outside of direct British jurisdiction.

Ultimately, the NWP's extension of its jurisdiction into British Bundelkhand coincided with police reforms that placed district forces as responsible for habitual crime. The association of this region with collective criminality, and its links to local Native State social and political structures meant that the expansion of jurisdiction was directly related to how collective crime was understood and engaged with. The NWP police complained at length of the situation in the Jhansi District, drawing attention to the porous borders with the surrounding Native States, and the difficulties of dealing with suspects who travelled across these borders where police jurisdiction ended. Major McNeile, Officiating Commissioner for the Jhansi Division, unsuccessfully requested that British police could chase suspects into Native States. He blamed 'all the miscarriage

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<sup>119</sup> Items destined for Native State government ownership were identified as '*vertu*' – valuable – and transported by headmen. Part of customary dues to headmen were for disposing of goods and looking after families while men were out on excursions. See Reports of the "Oothaegeeras" or the Sunoreahs of the Tehree, Dutteah, Shahgurh, and Chundeyree, or Banpoor States, 1852, BL, IOR/V/23/117, Vol. 2, Pt. 10, No. 51, pp. 221-3.

<sup>120</sup> *Ibid*, p. 222.

<sup>121</sup> *Ibid*, p. 224. For more on the perceived links between Sunnorias and broader Indian society, see Hinchy, 'Gender, Family, and the Policing of the 'Criminal Tribes''.

of justice complained of [in] Jhansie and Lullutpore' on 'such mushroom States [who] have no claim to be treated upon a footing of equality'.<sup>122</sup>

Police officials themselves considered the extension of British authority into British Bundelkhand as crucial to how crime was understood and recorded there. In 1864, police reports noted the belief that:

Crime is year by year reported with greater fidelity [...] The greater part of this district, as it now stands, was up to the mutiny under Native Governments, where reports of crime are made or not made according to the pleasure of the individual. Subsequent to the mutiny and previous to the introduction of the new Police, the district was in a state of great disorder [...] The criminal population of this district is very large [...] [there was a] presence in a district of castes known for their thieving habits, as well as the existence of *extreme* poverty among a large portion of the inhabitants. [...] It is not easy to introduce a new system of reporting in a district where, till lately, work has been carried on under one so different to that now in vogue. [...] The increase [in crime] has taken place entirely in the district where the village Chowkeedar is the sole preventative now, as he was under the old system.<sup>123</sup>

Despite the large swathe of the Jhansi division being in British hands before the Uprising itself, police officials considered the change of rule over these territories to be in the post-Uprising years, to the time when concerted efforts to extend and cement British authority were being undertaken. The complications of extending British authority through a police force undergoing reform combined with understandings of the surrounding regions and the character of the land of the district itself. The continued role *chaukidars* played in the policing of *mofussil* areas illustrates the continuation of older institutions of rural policing and the limitations of the extension of British cognisance. Complaints over the sheer size of the 'criminal' population reflected anxieties over the prominence of *Thakurs*, *Ahirs*, *Kanjars*, and numerous other communities that engaged with a political system identified with Native State modes of political assertion, governance and authority. Despite the new dawn of control and administrative uniformity that a

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<sup>122</sup> 'Annual Report on the working of the United Provinces police for 1864', 1865, p. 41, in *Police Department: Report on the Administration of the Police of the United Provinces, 1862-1868*, BL, IOR/V/24/3165.

<sup>123</sup> *Ibid*, pp. 45-6. Document's italics.

reformed police force was meant to usher in, British authority in British Bundelkhand remained patchy at best.

It was not until 1864 that Sunnorias became a noted feature of the NWP's police reports. Attempts to integrate the responsibility for 'wandering' peoples into the districts were directly related to this. Captain Dennehy – charged with monitoring collective criminals in his capacity as a Deputy Inspector-General – provided a report on them. Interestingly, the experienced, long-serving upper-echelons of the NWP police – including their Inspector-General – claimed no previous knowledge of Sunnorias.<sup>124</sup> The Sunnorias Dennehy wrote of were a special feature specifically as the villages they lived in were grouped in ways that defied the territorial lines between the Jhansi Division and the neighbouring state of Tehri to the east. The villages they occupied were identified as being 'in a portion of the district of Lullutpoor, near Banpoor and Mehrownee, in the Tehree state, and also, but in smaller numbers, in the Duttia territory'.<sup>125</sup> Sunnorias thus represented a sort of perceived diaspora, concentrated along the borders of British Bundelkhand in the east, projecting westwards through British territory and into the state of Datia to the west of British-ruled lands.

Sunnorias were understood to have been formerly a single community, but had now begun sustaining their numbers with 'the purchase of children of other castes: "Thakoors," "Aheers," "Kunjars," "Telees," "Kachees," and "Chumars," indiscriminately'.<sup>126</sup> In other words, they recruited and interwove with the very communities that were seen to make control in Jhansi District so elusive – as noted above – while 'indiscriminate' intermingling with such communities reflected British failures to understand and penetrate the political structures and relations between communities in the area. Such views were the result of the coalescence of different forms of knowledge production by the colonial state. As Sunnorias became a perceived issue within a British district, understandings of them were to some degree linked to understandings of other groups in the district.

The NWP police perceived the structuring of Sunnorias differently to Kincaid, reflecting how the identities of collective criminals were framed in relation to institutional and administrative cultures and approaches. Kincaid's inquiries in 1867 – discussed earlier in this chapter – situated the Sunnorias heartland in Tehri and its accompanying political structures, with relation to the *darbar* of Tehri. Dennehy, however, placed 'the chiefs, male and female, of the whole community [...] at our villages

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<sup>124</sup> Ibid, p. 52.

<sup>125</sup> Ibid, p. xxxii.

<sup>126</sup> Ibid.

of Banpoor and Beer, respectively', followed by a list of names of believed leaders.<sup>127</sup> Within the perceived diaspora of Sunnorias peppering British Bundelkhand, Datia to the west, and Tehri to the east, the emphasis for the NWP police fell upon Bir and Banpur's namesake city: strongholds of the recently-deposed *raja's* political order. The most recent lands acquired by the NWP were to represent the seat of Sunnoria operations for the NWP, and the root of 'all the miscarriage of justice complained of [in] Jhansie and Lullutpore' within the remnants of Indian political structures.<sup>128</sup>

Appended to one of Dennehy's reports was a list of numbers of Sunnorias and their villages. This list only enumerated the males and was divided into two; villages in Lalitpur, and villages in the neighbouring state of Tehri. The figures he presented expose his dependence on conjecture. The villages listed for Lalitpur gave precise numbers for twelve of the fourteen villages listed. Odia, Balownee and Ukwahee for example noted the numbers of Sunnorias as six, fifteen and eight respectively. The key locations of Bir and Banpur were instead given rounded numbers; seventy and fifty respectively.<sup>129</sup> Figures for Tehri formed a stark contrast. Out of the thirteen villages listed, twelve gave villages rounded in tens. Chirkoowan, Moora and Amora listed exactly two hundred Sunnoria males each, while all other villages – save one – declared the number of Sunnoria males in multiples of ten.<sup>130</sup> Dennehy seemed to exercise a great deal of guesswork when dealing with larger settlements, estimating over a thousand Sunnorias to be in Tehri and 217 in Banpur.

The solution to the Sunnorias in the NWP was originally envisioned to be a coordinated effort to disrupt their mobility patterns and force sedentarisation. Dennehy noted how harassment by the Lalitpur police and their immediate arrest under section 401 of the Penal Code had deterred many suspects from ever returning to villages in British Bundelkhand, and he had contacted agents to Central India to conduct similar actions.<sup>131</sup> These suppression campaigns were to be spearheaded by British officers as Native States could not be trusted to pursue Sunnorias and declare their own links to them, while Dennehy eyed wastelands in the southern reaches of the Jhansi Division for criminal settlements. Such sedentarisation projects, and the supervision by police that they entailed, went hand-in-hand with efforts to extend the NWP's other administrative apparatuses. Settlements were part of moves to irrigate abandoned hilly tracts, extending

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<sup>127</sup> Ibid, p. xxxiv.

<sup>128</sup> Ibid.

<sup>129</sup> 'Annual Report on the working of the United Provinces police for 1864', 1865, p. xxxvii, in *Police Department: Report on the Administration of the Police of the United Provinces, 1862-1868*, BL, IOR/V/24/3165.

<sup>130</sup> Ibid.

<sup>131</sup> Ibid.



the district's cultivation area and extend state cognisance into a region characterised by difficult physical terrain.<sup>132</sup>

In the post-Uprising years, it was thus in the hands of the NWP police to manage the 'issue' of Sunnorias which had been identified and established by the T & D Department previously. The handover of such duties revealed discordances between district-level administration and governmental drives for uniform policing systems, as well as the rhetoric which attempted to separate the T & D Department from quotidian policing in the districts. As the Government of India declared that 'ordinary' policing procedures were now adequate to control Sunnorias, the NWP police disagreed to the point that the re-structuring of their police forces was influenced by an attempt to establish a force based alongside similar principles of the old T & D Department; an executive force, unbound by regionally-framed jurisdictional limitations (at least within the confines of the NWP), with the specific goal of dealing with 'exceptional' modes of crime.

This attempt to regenerate the spirit of the T & D Department in the NWP was tied to the attempts of the early-mid 1860s trial and error to make the most effective force possible within the penny pincher tendencies of British India's governments. By 1866, the NWP police had brought the offices of its General-Inspector and his deputies together within the same building, situated at Agra. The Deputy-Inspectors General's offices had been granted a much more rigid division of duties, and their offices had been joined to that of the Inspector-General himself. It was believed that this would 'naturally take a more direct interest in their work', and so duties like managing wandering tribes became the remit of a particular officer, albeit alongside other duties such as organising clothing, dealing with appeals from Constables, cattle-stealing, and managing reserve forces.<sup>133</sup> The fusion of offices into a single unit was to bring the Inspector-General and his deputies into greater contact, to prevent 'sometimes obstructive and often mischievous' interference of Deputies against the Inspector-General, and to allow for better advice to be passed to the Government of India.<sup>134</sup> While a specific Deputy-Inspector General was given the responsibility of reporting on 'wandering tribes', District Superintendents still felt that the lack of a 'specially organized agency' to deal with such

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<sup>132</sup> Haines has discussed how settlement and administrative expansion intertwined to buffer state power in areas where it was perceived as inadequate. See Haines, 'Constructing State Power'.

<sup>133</sup> 'Annual Report on the working of the United Provinces police for 1866', 1867, p. 70a, in *Police Department: Report on the Administration of the Police of the United Provinces, 1862-1868*, BL, IOR/V/24/3165.

<sup>134</sup> *Ibid.*, p. 65.

peoples was a major obstacle to law and order efforts, and thus formed a frequent complaint of superior police officers.<sup>135</sup>

While it was envisioned that bringing certain officers into closer physical proximity with each other, and granting specific responsibilities to deal with ‘wandering tribes’ would facilitate the transfer of T & D Department responsibilities into the districts, it was experienced by the police as damaging and diluting of such roles. This was strongly argued by Captain Dennehy as he conducted reviews of all ‘exceptional’ crime cases since the Police Commission of 1861. He declared that ‘in the new order of things, the Magistrate and District Superintendent of Agra had other heavy work to do; they naturally took a primary interest in the regular work of their district’.<sup>136</sup> As a result, the *nujeebs* and approvers made over to the NWP police from the remains of the T & D Department had been under-utilised. These men absented themselves, occasionally returning with an old criminal who had supposedly given up their life of crime, and often returned without making any arrest at all, ‘but certainly without having in the slightest degree assisted detection in the districts through which they passed, or contributed in any way to the repression of the crime which was being committed around them’.<sup>137</sup>

For the NWP police, the solution lay in a tighter replication of the character of the T & D Department. This included a return to its signature violence and harassment of informers and approvers. As such men travelled between different territories, and failed to achieve the desired results, a disciplinarian approach played on the belief that informers ‘knew that the slightest relaxation of their exertions or suspicion of their good faith’ would result in punishment, ‘of which they lived in constant fear’.<sup>138</sup> Attempts to integrate the T & D Department’s duties into the districts had made ‘the hand which held them [...] relaxed’, and meant that approvers ‘grew careless and became useless’.<sup>139</sup>

Dennehy’s comments could also be taken as partly the result of institutional dislocation, as the reporting of ‘exceptional’ crime passed from the hands of T & D Department officials to that of the districts. Dennehy ultimately decided to re-establish the practices of the T & D Department as far as he could, only he re-centred them within a British province; a place where the Government of India felt that such practices were no longer needed. As Dennehy believed that approvers attached to pre-1861 cases were useless on newer cases, he advocated their replenishment with new approvers. He began

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<sup>135</sup> ‘Annual Report on the working of the United Provinces police for 1867’, 1868, p. 115, in *Police Department: Report on the Administration of the Police of the United Provinces, 1862-1868*, BL, IOR/V/24/3165.

<sup>136</sup> *Ibid.*, p. 117.

<sup>137</sup> *Ibid.*

<sup>138</sup> *Ibid.*

<sup>139</sup> *Ibid.*

compiling a list of potential approvers in the jails of NWP, to be submitted to the Inspector-General to attempt to get them 'permitted to become approvers under the rules hitherto in force in the Thuggee Department'.<sup>140</sup>

The changes to the structure of the Deputy Inspectors-General posts were to be an attempt to remedy this, and provided spaces within the reformed police for officers to posit themselves as district-level specialists on habitual crime. One such officer was Captain Dennehy, who took advantage of his assignment of reviewing all 'exceptional' crime cases since the Police Commission of 1861. He reflected that 'a great deal [had] this last year [in 1866-1867] been accomplished' in compensating for the loss of T & D Department officials, however it was clear that this was not felt to be enough.<sup>141</sup>

Like the officials of the T & D Department, the superior officers in the NWP police related their discussions of Sunnorias to changes in the coercive network. At the same time, the restructuring of the coercive apparatus shows how discussions over collective crime were influenced by discordances between different tiers of the colonial government. While government officials attempted to frame a more confident colonial order within the districts, clearly officials in the coercive apparatus did not share their optimism. Deeply implicated here was the re-drawn jurisdictional lines of the NWP. The absorption of chunks of Jhansi and Banpur had complicated the situation in northern India, as their integration blurred the perceived distinction between anarchic, corrupt Native States rule and rational, British rule under firm law and order. Such distinctions became all the more important in the wake of the upheavals of 1857, and the processes of rationalisation, bureaucratisation and standardisation that sought to safeguard against future disturbances. Dennehy's attempts to incorporate elements of the T & D Department show that policing the Sunnorias was not only about policing, but doing it in ways perceived to be 'correct' for the style of criminality in question.

## 1.4 Conclusion

The first decade of the post-Uprising years saw a greater concern over communities of collective thieves, which was influenced by understandings of particular regions that were historically associated with resistance to British power. While Sunnorias were caught up in wider British campaigns to supplant indigenous policing orders, they stood

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<sup>140</sup> Ibid.

<sup>141</sup> Ibid.

out specifically due to the complex relationship they had with the region of British Bundelkhand, and the relation this area had with the surrounding Native States. These distinctions were brought into greater contact with colonial efforts to extend their administrative control over British-ruled territories.

At the same time, the reorienting of the coercive apparatus provided more opportunities for Sunnorias and other groups to be identified. Their detection in the NWP, Gujarat and the Central Provinces, combined with other 'kindred' groups across the northern reaches of India, demonstrated how the reform of the police – and integration of T & D Department duties alongside it – provided opportunities to create an 'information panic' of sorts. In the post-Uprising years, police across multiple regions could flag up habitual thieves. Reports on collective crime were no longer being spearheaded solely by the T & D Department, and from under Sleeman's shadow. Hervey, and other heirs to the Department were being joined by others like Dennehy – relative unknowns – in stressing the everyday challenges of collective crime. Attempts to integrate T & D Department duties with the districts resulted in the legacy of the Department being entrenched into British districts, and moved away from the personalised, charismatic and spectacular self-publicisation of the old T & D Department.

One of the most marked transitions between the pre- and post-Uprising period is the changing importance of violence. In the 1840s-50s, *dacoits* and armed communities like the *Badhaks* took precedent over Sunnorias. In such a climate, the threshold for disturbing colonial peace of mind was markedly lower. Unlike the *Thugs*, *dacoits* and *Badhaks*, the threat posed by the Sunnorias had no deadly dimension. Pursuing non-violent thieves was not worth the potential trouble of treading into Native States. In the post-Uprising order however, groups like the Sunnorias could be understood to challenge the colonial order more seriously than before. A context of heightened anxiety over itinerant peoples and potential unrest, rapidly changing infrastructural integration through railways, and attempted rationalisation of the coercive network, provided the frame in which to perceive Sunnorias as a threat to the stability of the colonial order, and its imagined binary between lawful British rule and anarchic Indian misgovernance.

## **Chapter 2 – ‘If a theft *was* committed it was probably done by Bhamtas’: identifying and policing railway thieves in the Deccan, c. 1870-1880<sup>1</sup>**

In 1887, the Government of Bombay received a report from A. B. Portman, the Superintendent of Police for the Great Indian Peninsula railway (hereafter referred to as the GIP railway). It contained a detailed account of a community called Bhamtas; a group which Portman claimed to be consisting of people who were ‘by education and profession permanent thieves’, and who had taken especial advantage of the railways as a means to not only extend their thieving activities across the Indian subcontinent, but also to steal from passengers from within the carriages themselves.<sup>2</sup> While colonial officials were certain that Bhamtas could be found along railway lines, identifying the exact individuals away from other passengers was an altogether different issue. Like other collective criminal groups, they were believed to disguise themselves and claim false professions as a way of concealing criminal activity. The problem was that their disguises were believed to mimic wealthy and socially influential members of Indian society with particular success. Attempting to police Bhamtas thus presented the risk of upsetting ‘genuine’ Indian social elites they were believed to imitate, through the potential of false accusations and harassing investigations.

Railway travel was depicted to have transformed the supposed threat that this community posed to law and order. In days before the introduction of trains, Portman claimed that Bhamtas visited larger towns and villages, especially when fairs and festivals were being held, exploiting the rich opportunities for looting and ease of concealment that the bustling crowds of patrons and worshippers offered them. Portman considered them to have only one ‘peculiarity’ in the years before they targeted train passengers; that they only stole between sunset and sunrise. This had, however, supposedly been inverted by the advent of the railways. The logic for this was that the darkness of a third-class railway carriage offered too rich an opportunity for them to steal from unwitting

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<sup>1</sup> ‘Annual Report on the working of the GIP Railway Police for 1881’, 1882, p. 5, in *Reports on the Working of the Police of the GIP Railway, SM Railway, and BB & CI and R-M Railways, 1879-1890*, BL, IOR/V/24/3151.

<sup>2</sup> Letter from A. B. Portman, Superintendent of GIPR Police, to the Commissioner, C. D. (dated 7<sup>th</sup> March 1887), in *Bhamtas – Report on by Colonel Portman*, Vol. 22, File No. 671, 1887, Judicial Dept, MSA, p. M92.

passengers, and so Portman declared that ‘it may be said that all successful thefts in trains are carried on by them at night’.<sup>3</sup>

Portman’s report represented a formal, particularly direct effort to convince the colonial government that collective train thieves required greater state intervention. However, his arguments built upon years of precedent. Since the establishment of the GIP railway police force in the 1860s, mentions of Bhamtas featured regularly in annual reports. As the years went by, complaints about them intensified and acquired an increasingly urgent tone. By the late 1870s, railway police reports depicted a continual battle between its policemen and what they viewed as a relentless and extremely elusive group. This perceived community had become part and parcel of what railway policemen in the Deccan expected to deal with in their line of work on a daily basis.

Portman’s predecessor over the GIP railway, F. J. Wise, had contributed immensely to this state of affairs. When authoring the GIP railway police’s annual reports, Wise made mentions of Bhamtas – and government requests for intervention – a regular feature:

Theft of Rs 2,000 of ornaments from a passenger committed by Bhamtas [...] a class of professional thieves, whose headquarters are in the Poona and surrounding districts, find the Railway a very profitable field for their operations. The chances of detection are small, and they travel up and down the line, and often long distances. [...] seldom if ever anything is found in the houses or on their persons unless detected in the act [...] I certainly think they should be brought under the Criminal Tribes Act [...] They are a great pest to society.<sup>4</sup>

When Portman took over leadership of the GIP railway police, he also assumed a similar position on how Bhamtas should be dealt with. The special report he sent to the government had the express purpose of advocating the CTA of 1871 as the best way of confronting the Bhamta ‘pestilence’. If they could not be stopped when out on thieving excursions, as they melded into the crowds on railway platforms, in carriages, and at fairs, then Wise and Portman wanted the CTA to take the policing of Bhamtas beyond

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<sup>3</sup> A. B. Portman, ‘Report on the Bhamtas of the Deccan by Lieutenant-Colonel A. B. Portman, Superintendent of Police, G. I. P. Railway’ (dated 7<sup>th</sup> March 1887), in *Bhamtas – Report on by Colonel Portman*, Vol. 22, File No. 671, 1887, Judicial Dept, MSA, p. M93.

<sup>4</sup> ‘Annual Report on the working of the GIP Railway Police for 1879’, 1880, p. 25, in *Reports on the Working of the Police of the GIP Railway, SM Railway, and BB & CI and R-M Railways, 1879-1890*, BL, IOR/V/24/3151.

the anonymity of these spatial configurations and into the Bombay Presidency's districts, where they were believed to live.

The Government of Bombay felt that petty pilferers on railway lines did not warrant an extension of the CTA into the Presidency.<sup>5</sup> However, Portman and Wise's complaints had highlighted the 1870s and 1880s as decades increasingly concerned with ideas of habitual criminals on the railways. Years of complaints by railway policemen had made habitual theft symbolic of how in control of the railways colonial police forces felt. Comments about Bhamtas 'giving trouble', or their relative absence, were often construed as evidence of the success or failure of police to adequately watch their railway lines. The invocation of Bhamtas in colonial rhetoric had become a sort of barometer for law and order by police superintendents and governmental figures, and as a vector for concerns over the security of property on the railways. Failure to identify Bhamtas could result in government criticism over police (in)activity, while problems with them were symbolic of wider social unrest and worries by policemen over their own efficiency.

This chapter explores how the colonial state developed its own understanding of the Bhamta train thief in the mid- and late-nineteenth century, and why around the 1870s-1880s, they were understood as a growing threat to law and order that could warrant government-level intervention. It argues that the idea of the Bhamta, and growing concerns around them, emerged from a combination of the everyday experiences of how railway lines were policed, structural factors, and a broader context of social fluidity and caste acculturation. The first section of this chapter outlines what a Bhamta was to colonial officials by the 1870s-1880s, and how it built upon existing understandings of collective thieving communities. The second section then explores the ways in which this typology was influenced by various structural factors. It highlights the ways in which railway property and the railway police themselves were associated with the understanding that railway spaces were particularly vulnerable to theft. The third section goes on to explore the ways in which railway police went about identifying suspected Bhamtas, and how understandings of them were fuelled by information provided by Indian travellers and informants, as well as particular policemen who were considered specialists in identifying and capturing train thieves. The fourth and final section then contextualises understandings of Bhamtas within the context of drastic social change taking place within Deccan agricultural society, which more broadly

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<sup>5</sup> The Bhamtas were, however, ultimately included under the 1911 Criminal Tribes Act, which extended its provisions to the entirety of India. See *Report of the Criminal Tribes Act Enquiry Committee (1949-50)* (New Delhi: Government of India Press, 1951), p. 14.

framed the experiences of railway policemen and their understandings of collective crime.

This chapter also argues that ideas of Bhamta railway thieves were also driven by difficulties in rendering Indian society legible, which was exacerbated by the context of railway spaces like crowded platforms and carriages. Colonial views of Indian society as structured by discrete groupings were severely challenged when immersed in a context characterised by the facilitation of extensive and varied mobility in its very everyday functioning. The result was ultimately that identifying Bhamtas became a vital classification which helped to sort through and identify India's wealthy and social influential groups. In such a context, Bhamtas served as the illegitimate counterpart to India's 'legitimate' wealthy travellers. Clothing played a particularly important role in this. As Clare Anderson has argued, dress was used as a text which determined the perceptions of its wearer, which entailed social, cultural and racial identity. People seen to violate these boundaries through their use of dress produced profound social anxieties in the minds of colonial officials.<sup>6</sup> This directly related to the ways in which Bhamtas were understood. Colonial officials believed that a linchpin of Bhamta criminality was that they were masters of disguising themselves as social elites in order to steal from *Brahmans*, land owners and particularly wealthy trading castes.<sup>7</sup>

Railways have not received much attention from historians interested in the so-called criminal tribes and notions of criminality in South Asia. What makes this all the more peculiar is that mobility played such an immensely important role in colonial depictions of habitual criminals.<sup>8</sup> Few, if any of the communities in the colonial pantheon of collective criminal typologies, provide such an intimate and explicit link between criminality and continual mobility as railway thieves do. Conversely, scholarship centred upon trains and railways has mostly avoided exploring the role of criminality. Traditionally, railways and trains have been overwhelmingly studied according to their relationship with the economic and financial fortunes of colonial capitalism and the Indian subcontinent more generally. Such lines of inquiry have their origins in mid-nineteenth century debates over the economic impact of the British in India in the wake of Dadabhai Naoroji's Drain of Wealth theory, and discussions by Indian Marxists attempting to address the link between caste and class disputes. As Laura Bear has aptly pointed out, many railway historians have mostly only added details to these lines of

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<sup>6</sup> Clare Anderson, *Legible Bodies: Race, Criminality and Colonialism in South Asia* (Oxford: Berg, 2004), pp. 102-3.

<sup>7</sup> See for example the description of them in 'Annual Report on the working of the GIPR Railway Police for 1883', 1884, pp. 5-6, in *Reports on the Working of the Police of the GIP Railway, SM Railway, and BB & CI and R-M Railways, 1879-1890*, BL, IOR/V/24/3151.

<sup>8</sup> See the discussion on literature around criminality in South Asia in the introduction, pp. 11-20.



inquiry, effectively having ‘turned the speculative moral arguments of colonial administrators, Indian nationalists, and colonial commissions of inquiry into detailed analyses of investment, price differentials, tariff rates, market forces, managerial strategies, pre-capitalism, and class conflict’.<sup>9</sup> Indeed, the dominance of statistical analysis in many of these studies has tended to stop short of applying their findings into the social implications of the advent of the railways.<sup>10</sup> Of these earlier studies, the few that engage with understandings of crime, such as Dipesh Chakrabarty’s work on train-wrecking, have remained within Marxist frameworks in search of class consciousness.<sup>11</sup> Such an approach serves to reify colonial understandings of Indian society, ignoring how colonial officials framed types of criminal behaviour and their perpetrators in relation to broader concerns over the stability of the colonial order.

By examining the factors that contributed to understandings of collective crime on railways, this chapter brings policing, structural factors and broader economic changes into dialogue with one another. It builds upon newer works which have sought to understand how technology and infrastructure became integral to the everyday experiences of Indians. Works by Laura Bear and Manu Goswami have demonstrated the social, cultural and ideological roles of railways, particularly in relation to the self-perception of Indian railway workers and conceptions of railway spaces respectively.<sup>12</sup> Ritika Prasad’s work has shown a particularly wide scope of social, cultural and political significance that railways had for the Indian population from rural cultivators to the metropolitan elite, demonstrating the ‘symmetrical and reciprocal dialogue between technology and society’.<sup>13</sup>

While Ritika Prasad and Dipesh Chakrabarty’s works have approached the issue of crime, their examples focus upon damage to railway property, and so in the eyes of the colonial state, there was usually a physical and easily identifiable instance of crime that had been committed. The crime of theft, which we consider in this chapter, was not so

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<sup>9</sup> Laura Bear, *Lines of the Nation: Indian Railway Workers, Bureaucracy, and the Intimate Historical Self* (New York: Columbia University Press, 2007), p. 3.

<sup>10</sup> For an analysis of how railway growth related to capital markets, see John Hurd, ‘Railways and the Expansion of Markets in India, 1861–1921’, *Explorations in Economic History*, 12. 3 (1975), pp. 263–88. Ian Kerr covers a myriad of different topics, including management, capital and construction issues, in Kerr, *Building the Railways of the Raj*. Daniel Headrick considers various aspects of technological change in colonial settings, in Daniel Headrick, *The Tentacles of Progress: Technology Transfer in the Age of Imperialism* (New York: Oxford University Press, 1998).

<sup>11</sup> Dipesh Chakrabarty, ‘Early Railwaymen in India: ‘Dacoity’, and ‘Train-Wrecking,’ 1860-1900’, in *Essays in Honour of Professor S. C. Sarkar*, ed. by Arun Das Gupta and Barun De (Delhi: People’s Publishing House, 1976).

<sup>12</sup> Bear, *Lines of the Nation*; Goswami, *Producing India*.

<sup>13</sup> Ritika Prasad, *Tracks of Change: Railways and Everyday Life in Colonial India* (Cambridge: Cambridge University Press, 2015), p. 282.

easy to prove. As we shall explore later, the sheer difficulty of identifying and tracing missing property relied upon a complex – and at times inconsistent – interplay of passengers’ narratives, police interventions, informer testimonies and assumptions about the peoples and activities that took place on railways. All of this was framed through the eyes of railway policemen, who were viewing crime on the railways within particular institutional and structural confines.

## **2.1 The Bhamta identity in the nineteenth century**

While the various provinces of India reported myriads of communities in their charges as professional criminals, the railways of western and central India tended to only espouse the Bhamtas as being a particular problem for their jurisdictional arrangements. This group was believed to be an organisation of thieves that specialised in stealing items within railway carriages and on railway platforms. As the introduction to this chapter noted, by the 1870s-1880s, the idea of the Bhamta train thief was well-established for railway policemen in western India. They formed a regular feature of annual police reports, mentioned particularly in reports issued by the GIP railway police.

By 1887, when Portman produced his special report on Bhamtas, his account of them represented the sum of colonial ideology around their appearance and behaviour. Drawing upon the collective wisdom of railway policemen, district authorities and the testimonies of informers, he described how Bhamtas were believed to operate:

Two or more Bhamtas go to a station dressed in some sort of disguise or in good clothes and taking a canvas or carpet bag with them, and purchase tickets for some place [...] they then look out for passengers also having bags which look as if likely to contain something valuable, and they follow such persons into the same carriage, and, sitting near, endeavour to enter into conversation, ask them where they are going and at what station they intend alighting. After a time it begins to get dark, or, if it is already dark, when others begin to drop off to sleep, one of the Bhamtas lies down on the floor, and covers himself with a large cloth under the pretence of going to sleep; his confederate [also conceals] the man lying down [with a blanket]; this latter, when all appears quiet, begins manipulating the bag he has spotted [...] to see if any valuable is there, [and] rips the seams of the bag and takes out what he finds [...] the two get out of the carriage and either leaves the train or get into another carriage, and if there is any complaint of loss they throw the things out of the window and subsequently go back along the line

to recover them [or instead they] exchange bags [with their target] and disappear at the first opportunity.<sup>14</sup>

Portman's account requires some elaboration, as it glosses over some of the particular nuances of the idea of the Bhamta which had become implicit. By 'good clothes', Portman was specifically referring to the belief that they were masters of disguising themselves as members of socially prominent groups, especially merchants and *Brahmans*. As other police officials noted, 'many of them are of fair complexion and dress themselves up in large pagdis as Patels and respectable natives. [...] the Bhamta is always well disguised', and maintained 'clean[liness] in their person and habits'.<sup>15</sup> Official descriptions carried this trope of near-immaculate disguise to the extreme, as Poona's district gazetteer declared that the Bhamta's commitment to deception was so strong that they wore disguises even in their own villages and homes.<sup>16</sup>

The belief that Bhamtas were imitators of prominent travellers was intimately tied to the sociality of suspects, and the way that railway travel was seen to relate to it. As Portman stated, suspected Bhamtas managed to sit with Indian elites and converse with them freely. *Brahmans* and people from mercantile communities such as *Wanis* and *Marwaris* were even believed to join Bhamtas through adoption for the purpose of thieving excursions.<sup>17</sup> At the same time, socially inferior groups were believed to be excluded; 'low-castes such as Ramosis, Mangs, Chambhars, Dheds, &c, are not admitted'.<sup>18</sup> The proximity of suspects to recognised socially prominent travellers imprinted upon how Bhamtas were believed to be structured, framing them as a form of confederacy of criminals akin to the Sunnorias discussed in the previous chapter. Bhamtas were thus framed as exceptionally hard to physically distinguish from 'legitimate' wealthy travellers for both state officials and Indian travellers. Framing them as a confederacy demonstrated the particularly porous and ambiguous lines between perceived criminals and law-abiding subjects.

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<sup>14</sup> A. B. Portman, 'Report on the Bhamtas of the Deccan by Lieutenant-Colonel A. B. Portman, Superintendent of Police, G. I. P. Railway' (dated 7<sup>th</sup> March 1887), in *Bhamtas – Report on by Colonel Portman*, Vol. 22, File No. 671, 1887, Judicial Dept, MSA, p. M93-A.

<sup>15</sup> Letter from F. J. Wise, Insp. Gen of Police to A. Crawford, Commissioner, C. D. (dated 14<sup>th</sup> April 1887), in *Bhamtas – Report on by Colonel Portman*, Vol. 22, File No. 671, 1887, Judicial Dept, MSA, p. M95; Arthur, *Reminiscences*, p. 180.

<sup>16</sup> James M. Campbell, *Gazetteer of the Bombay Presidency, Volume XVIII, Part I: Poona* (Bombay: Government Central Press, 1885), pp. 464.

<sup>17</sup> A. B. Portman, 'Report on the Bhamtas of the Deccan by Lieutenant-Colonel A. B. Portman, Superintendent of Police, G. I. P. Railway' (dated 7<sup>th</sup> March 1887), in *Bhamtas – Report on by Colonel Portman*, Vol. 22, File No. 671, 1887, Judicial Dept, MSA, p. M93.

<sup>18</sup> *Ibid.*

Such difficulties in identification were further compounded by the ways in which both Bhamtas and the context of railway travel were seen to obscure and limit the colonial purview. Darkness, draping blankets that obscured vision, the illegibility of various sacks of goods, and the simple ability of people to physically move from one place to another; all compounded colonial concerns over the maintenance of law and order on railways. Darkness in particular formed a curious attachment to superstition, as officials believed Bhamtas had historically only thieved by day, however the thieving opportunities provided by dark railway carriages had supposedly inverted this to mean that on the railways, they *only* stole at night.<sup>19</sup> As discussed in the previous chapter, railways were perceived as extremely important to the maintenance of colonial rule and its economic fortunes. In the context of the bustling crowds on railway platforms and cramped (usually third-class) passenger carriages, disorder seemed a given state of affairs.

While officials were certain that the appearances of Bhamtas were misleading, the question still remained over what their 'true' social positions were. The centrality of disguise to colonial understandings meant that Bhamtas were framed with heavy reference to what they were *not*, and through the disqualification of factors that might suggest any legitimate claims to the social identities that their appearances signalled. Particularly demonstrative examples can be seen through police inquiries. As people were identified as Bhamtas, arrested and watched, police had discovered that many of their suspects held considerable financial power. As Portman and Wise noted:

Many Bhamtas, from success in their nefarious practices, have managed to become possessed of a good deal of money and land, and they carry on money-lending transactions to a considerable extent, and thus to outward appearances pretend to be leading honest, peaceable lives.<sup>20</sup>

The Bhamta profession of robbery in railway carriages is a very lucrative one, as large hauls of many thousands of rupees are not unfrequent (sic), and they are consequently very well off, as a visit to their villages will prove. They, most of them, have cattle and land which they cultivate, and if placed before a Magistrate and security for good conduct demanded, it can be given to any amount.<sup>21</sup>

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<sup>19</sup> Ibid.

<sup>20</sup> Letter from A. B. Portman, Superintendent of GIPR Police, to the Commissioner, C. D. (dated 7<sup>th</sup> March 1887), in *Bhamtas – Report on by Colonel Portman*, Vol. 22, File No. 671, 1887, Judicial Dept, MSA, p. M92.

<sup>21</sup> Letter from F. J. Wise, Insp. Gen of Police to A. Crawford, Commissioner, C. D. (dated 14<sup>th</sup> April 1887), in *Bhamtas – Report on by Colonel Portman*, Vol. 22, File No. 671, 1887, Judicial Dept, MSA, p. M96.

Elsewhere, Gunthorpe had described them in his *Notes on Criminal Tribes* as ‘liv[ing] well, possessing fields and cattle [...] Some of the most notorious are wealthy, with lands worth Rs. 50,000 to Rs. 60,000, and reside in large well-built houses’.<sup>22</sup> Colonial inquiries had thus revealed that suspects possessed considerable amounts of property and access to movable capital. In official logic, however, this served to support the initial premise that they were excellent thieves. The financial affluence of suspects was reasoned to be a result of criminal activity on an intense and large scale, and so the legitimacy of wealth and its entailments were immediately undermined. Such wealth was even seen to directly interfere with policing efforts, as a suspect’s ability to pay securities meant preventative incarceration was not an option. Their financial power and ability to perform activities like money-lending associated with recognised wealthy Indian groups, were seen to be derived illegitimately, and even allowed them to better resist the coercive apparatus of the state.

Exactly what Bhamtas were believed to do *after* they acquired significant assets followed a similar logic as above, where the lucrateness of railway theft ensured its continuation. Portman’s report suggests that despite their command over land and movable capital, wealthy Bhamtas continued to draw wealth from stolen goods. He believed that they usually resorted to delegating theft to others; ‘if they do not actually go out themselves, they train their children and others to do what they perhaps are tired of, and take a share of any property thus obtained’.<sup>23</sup> While Portman highlighted the possibility that wealthy Bhamtas continued to pilfer, Wise cited more specific instances. For example, he claimed that one Tukya, a ‘principal hand’ of railway robberies who possessed multiple houses, cattle and employed numerous servants to cultivate his fields, continued to go ‘out on the loot’, even taking one of his three wives with him on every occasion.<sup>24</sup> In such a view, Bhamtas did not simply get wealthy through the proceeds of theft, but continued to be deeply implicated in criminal activities and networks.

While officials had firmly attached Bhamtas to railway policing by the late-nineteenth century, such views built upon pre-existing understandings of collective criminality in western India. The prominent lexicographer of Marathi, James Molesworth, had included the word in his English-Marathi dictionary, compiled in 1828,

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<sup>22</sup> E. J. Gunthorpe, *Notes on the Criminal Tribes Residing in or Frequenting the Bombay Presidency, Berar and the Central Provinces* (Bombay: Times of India Steam Press, 1882), p. 70.

<sup>23</sup> Letter from A. B. Portman, Superintendent of GIPR Police, to the Commissioner, C. D. (dated 7<sup>th</sup> March 1887), in *Bhamtas – Report on by Colonel Portman*, Vol. 22, File No. 671, 1887, Judicial Dept, MSA, p. M92.

<sup>24</sup> Letter from F. J. Wise, Insp. Gen of Police to A. Crawford, Commissioner, C. D. (dated 14<sup>th</sup> April 1887), in *Bhamtas – Report on by Colonel Portman*, Vol. 22, File No. 671, 1887, Judicial Dept, MSA, p. M96.

which associated the term with thieving groups or individuals, as well as a more general term for sly characters:

bhāmaṭā or ṭyā m [...] A tribe or an individual of it. They are professed thieves. Hence a sly thief; one who lulls vigilance or eludes observation in order to steal. Hence fig. a subtle, dishonest, darkdealing person.<sup>25</sup>

In his list of wandering tribes, Charles Hervey had elaborated upon the term by pinpointing geographical locales and more specific framings of how they were believed to operate. To him, Bhamtas were a well-known class of petty thieves, domiciled mainly in villages in the Satara, Poona and Sholapur districts. They were reported to own fields in these villages, but spent their time visiting bazaars and fairs while dressed up as *Brahmans*, which in turn allowed them access to, and the opportunity to pilfer from, the higher social echelons of Indian society. It was this supposed ability to deceive and loot Indian social elites that made Hervey label Bhamtas ‘the expertest of the light-fingered gentry’.<sup>26</sup>

Like many communities accused of collective criminality, officials struggled to clearly distinguish Bhamtas apart from other groups. Hervey compared them to *Oochlees* – a supposed group of pickpockets and shoplifters – which were seen as prolific thieves that differed from Bhamtas in that the latter went particularly after India’s superior social groups while disguised.<sup>27</sup> The difficulty in defining the boundaries between Bhamtas and other thieving communities outlasted the heyday of the T & D Department, and were echoed in Portman’s special report in the 1880s. He had included an even more extensive list of pseudonyms for Bhamtas, such as ‘Takari’, ‘Uchlya’, ‘Guntichore’, ‘Vadari’ and even ‘Senoria’.<sup>28</sup> To Portman however, these names were all simply

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<sup>25</sup> J. T. Molesworth, *A Dictionary, Marathi and English*, 2<sup>nd</sup> edn (Bombay: Bombay Education Society, 1857), p. 610.

<sup>26</sup> A List of the Wandering and other Predatory Tribes in the habit of infesting the Districts of the Bombay Presidency, with their Occupations, both ostensible and real (dated 26<sup>th</sup> May 1852), 1853, BL, IOR/V/23/331, No. 1G, pp. 83-4.

<sup>27</sup> *Ibid*, p. 82.

<sup>28</sup> ‘Senoria’ being one of the many spellings for Sunnorias, discussed in the previous chapter. ‘Guntichore’ was a widely used term to denote general pickpockets and petty thieves as well as a perceived group of them, while ‘Vadari’ was another take on ‘Waddar’, which was a name used by officials to denote earth workers. This latter group were particularly mobile as they travelled around to perform construction jobs, which led to continual suspicion over their activities both on and off of building sites. See Kerr, ‘On the Move’.

geographical variants for the same criminal networks.<sup>29</sup> This view was influenced by general wisdom amongst railway policemen that wherever railways went, there were people utilising them to thieve.<sup>30</sup> Such views served to flatten regional variations and social complexity, situating railway theft as a crime characteristic of India's engagement with trains. The idea that wherever the railways went, thieves were to follow or spring up anew, enshrined colonial tropes of India's civilisational backwardness and inability to appropriately engage with the modernity of their colonial superiors. It provided a catch-all understanding of India that reduced agency to that of innate traits and erased the need for more complex understandings of social and economic nuance.

Out of the vague, indeterminate classifications that prevailed within the knowledge streams of the coercive network, the traits of Portman's Bhamtas in the 1880s can be discerned from the fragments of other, earlier understandings of criminal communities. The *Oochlees* mentioned by Charles Hervey were detailed as having a peculiar cultural trait; they were believed to only 'practice by day, and [...] not rob at night, or on the highway'.<sup>31</sup> As we saw above, Bhamtas were believed to have gone beyond such restrictions and inverted this perceived night-day dichotomy of criminality after discovering railway travel. Likewise, the idea that Bhamtas dressed respectably in order to mingle with their socially prominent prey could be found in descriptions of the *Chowras*, which the T & D Department had identified as a 'tribe of Bhamptes very expert in robbing people while on horseback [...] they disdain to attempt to steal everything they can get as the Bhamptes do'.<sup>32</sup> The selective, elite-oriented Bhamta in Portman's report, who favoured targeting members of higher social echelons, were more akin to Hervey's *Chowras*, who were believed to only take valuables from respectable persons, while being dressed 'respectably' themselves.<sup>33</sup>

What we see from Hervey's account, which imprinted itself into later colonial documents, is the use of the word 'Bhamta' to generally correspond to the crime of theft while in 'respectable' dress. Bhamtas were not just about thieving, but a specific discordance between tropes of habitual criminality and suspicion over the activities of seemingly respectable Indians. Hervey's Bhamtas on foot, and on horse, as well as the

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<sup>29</sup> A. B. Portman, 'Report on the Bhamtas of the Deccan by Lieutenant-Colonel A. B. Portman, Superintendent of Police, G. I. P. Railway' (dated 7<sup>th</sup> March 1887), in *Bhamtas – Report on by Colonel Portman*, Vol. 22, File No. 671, 1887, Judicial Dept, MSA, p. M93.

<sup>30</sup> 'Annual Report on the working of the BBCI Railway Police for 1881', 1882, p. 5, in *Reports on the Working of the Police of the GIP Railway, SM Railway, and BB & CI and R-M Railways, 1879-1890*, BL, IOR/V/24/3151.

<sup>31</sup> A List of the Wandering and Other Predatory Tribes in the habit of infesting the Districts of the Bombay Presidency, with their Occupations, both ostensible and real (dated 26<sup>th</sup> May 1852), 1853, BL, IOR/V/23/331, No. 1G, p. 82.

<sup>32</sup> *Ibid.*, p. 89.

<sup>33</sup> *Ibid.*

Bhamtas believed by railway police to be the train thief *par excellence*, all shared a flair for appearing as respectable Indians and assuming symbols of social prominence, with the assumption that their position, and the accompanying wealth and social markers, were illegitimately acquired. These were the aspects which the railway police absorbed within their own discourses, while tales of thieves on horseback were gradually eclipsed by concerns for the security of train carts.<sup>34</sup>

The inability to generate a stable and clearly-defined account of who Bhamtas were was not just a problem for the more overtly coercive structures of the state. Documents produced by district officials, such as gazetteers and ethnographic works, also struggled with the challenges presented by identifying someone on the principle that they were masquerading as an elite. In the 1885 gazetteer for the Poona district, Bhamtas were listed as ‘beggars’ under the ‘depressed classes’ subheading, and bunched together with *Uchlias* and *Ghantichors*, who according to the state records were supposedly all ‘lifters [...] bundle-thieves’.<sup>35</sup> At the same time, district gazetteers revealed more intricate social connections than the information of railway policemen. Bhamtas were able to secure employment with merchants and traders, eventually departing with large amounts of property which British officials perceived to be stolen from their employers.<sup>36</sup>

While railway police understood Bhamta theft in direct reference to railways, district gazetteers accredited other forms of thievery to them. Poona’s gazetteer even listed Bhamtas as using disguises to infiltrate and steal from the houses, completely contradicting the wisdom of the railway police that specified that Bhamtas abstained from house-breaking.<sup>37</sup> Such details did not occur to railway police by the nature of their jurisdictions. Charged only with watching railway carriages, stations, and various property on Railway Company lands, house-breaking was mostly beyond their purview and daily concerns. The difference in the perception of Bhamtas is particularly informative when we consider that Portman’s report on Bhamtas was so temporally close to that of the gazetteers. His work reached the Government of India in March 1887, while the district gazetteer was published in 1885.

The discordances between reports by police and district authorities were partly the result of different administrative divisions that mobilised understandings of Bhamtas. For police officials, it was vital that accounts of Bhamtas stressed beliefs that

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<sup>34</sup> See previous chapter for a demonstration of how other communities also gained their significance as so-called collective criminals in relation to railway travel.

<sup>35</sup> Campbell, *Gazetteer of the Bombay Presidency, Volume XVIII, Part I: Poona*, p. 464.

<sup>36</sup> *Ibid.*

<sup>37</sup> *Ibid.*



they were highly successful thieves. In the context of the 1880s and the submission of Portman's special report, the emphasis on the seemingly wealthiest thieves explained the scale and severity of the problem, explaining why it required government assistance, and why railway police had failed to deal with them already. For the writers of gazetteers, their attention was dictated by desires to provide a more general snapshot of a perceived group. It did not engage in discussions over how Bhamtas acquired their land and wealth. Ultimately, between police and district officials, Bhamtas were held to have a range of social positions, which were not necessarily true for all of them, and which was only held together by suspicions that suspects had *at some stage* disguised themselves to affect petty thefts on trains.

Thus between the 1820s and 1880s, the term 'Bhamta' underwent gradual change in its meaning and signification. Earlier in the nineteenth century, the term had a broader purchase to signify thieves and unsavoury characters. It gradually became more specifically attached to the experiences of railway policing, drawing upon pre-existing understandings of thieving communities, while also producing a discourse that emphasised specific types of theft and the accumulation and maintenance of wealth through illegitimate means. However, it was never exactly clear what separated the Bhamta 'type' from other thieving types. Various other groups of supposed thieves had their names conflated and compared. The Bhamta that Portman and the railway police described by the 1870s-1880s was a direct result of this failure to more clearly classify thieving groups apart from one another.

## **2.2 Structural factors**

Portman's Bhamtas might, at first glance, appear to be an *omnium gatherum* of various traits from the criminal groups of yesteryears. However, the way that railway policemen understood the idea of train thieves was no accident. It was directly influenced by the very structuring of railway policing. The very signifiers that Bhamtas were accredited with in the 1870s-1880s reflected the specific experiences of railway lines and train carriages, as well as the experiences and priorities of railway policemen. This section will explore the ways in which the function and form of railway policing contributed to a fixation on theft and the security of movable property.

Railway policemen were, like other police forces, expected to deal with any crime occurring within the confines of the railway lines. However, their establishment as a separate policing branch was deeply implicated with the imperatives of colonial economic exploitation. The setting up of specialised railway police forces was originally advocated in 1865 by agents of the GIP and Bombay-Baroda and Central India Railway

Companies, who wanted to protect their assets against thefts and robberies carried out in an 'organised manner' within the limits of railway properties.<sup>38</sup> Widespread instances of property damage and the looting of railway property had been witnessed throughout the 1850s-1860s, particularly in the Gangetic Valley, allowing for the Railway Companies to argue that it was the Government's responsibility to maintain law and order on the lines.<sup>39</sup> While colonial officials were concerned over the extra expenses a dedicated railway police would incur, the Government of India related railways to the economic and political security of India as demonstrated in the previous chapter. Specific railway police forces were thus established as part of a compromise, where the Companies would partially fund their maintenance, while their official directions regarding the enforcement of law and order would come from regional governments.

While railway police forces were officially directed by the colonial government, it was clear that at least in the first few decades of their establishment, they were more immediately answerable to the Railway Companies. Not only were railway police superiors in regular contact with Railway Company agents, but the importance of companies in railway construction and the organisation of capital investment meant that it was in the government's interests to maintain good relations with them. As a result, railway police superintendents were often more concerned with pleasing Railway Company officials. In one instance, a railway police superintendent related a Government-sanctioned advancement of his legal powers to 'meet[ing] at all times the wishes of the Company's officers and further[ing] the Company's interests'.<sup>40</sup> While the movement of suspected criminals and security of private property was a concern of most policing branches across India, few could situate their conception and maintenance so firmly around the security of private property as the railway police. Being answerable to Railway Companies in both formal and informal senses meant that the policing of railways was influenced by the imperatives of colonial capitalism in ways that the districts were not.

Government officials were aware that railway policemen would be mainly concerned with issues of moving property, and thus attempted to counteract the development of separate railway-district policing knowledge bodies. However, attempts to integrate and exchange policing knowledge between the districts and railways in the

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<sup>38</sup> Railway Police on the Great Indian Peninsula line in the Central Provinces and the Berar, Home, Police A, Progs., Nos. 25-34, October 1881, NAOI.

<sup>39</sup> Ibid; Ian Kerr, *Engines of Change: The Railroads that Made India* (Westport, CT: Praeger, 2007), p. 22.

<sup>40</sup> 'Annual Report on the working of the GIPR Railway Police for 1873', p. 2, in *Reports on the working of the B. B., C. I. and G. I. P. Railway Police for the year 1873*, Home, Police B, Nos. 65-68, June 1874, NAOI.

1860s-1870s was a near-total failure. The Government of India had originally expected railway and district police forces to work cooperatively with one another, ideally serving as a way of monitoring the mobility of suspects between their respective charges. However, it soon became apparent that railway and district forces clashed over questions of jurisdiction and authority. Plans to exchange police knowledge between the rails and districts included procedures to exchange the 'best men' of each at periodic intervals to benefit the functioning of both forces. However, district police forces abused the process by sending their problematic men (who for whatever reason they could not fire) to railway forces.<sup>41</sup> Additionally, when it was time for the districts to receive men from the railway police rosters in return, they would only accept 'ones they would recognise as members of their force'; the very men they had deposited previously in the hands of railway police as a corrective punishment.<sup>42</sup> While railway police superintendents loathed the actions of district police superintendents, there was initially little they could do about it. In the first few decades after railway police forces were established, railway superintendents were technically assistants to district superintendents. This led to district superintendents regularly interfering with the internal economy of railway forces, influencing where men from the districts were posted during rotation periods, as well as interfering with recruitment and firing practices amongst railway forces. By the mid-1870s, rotation procedures between the railway and district forces were scrapped as the Government of India judged them to cause more trouble than they were worth. While official reports by railway policemen often praised relations between themselves and the districts, the reality was that early relations between them were characterised by tension and informal abuses of power, which kept their men, and their forms of policing knowledge, largely separate of each other.<sup>43</sup>

Thus, the railway police were heavily implicated in the protection of private Railway Companies by their conception and structure, and this focus endured due to tensions between district and railway police forces and the structural parameters of their duties. Implicit in this was that the security of goods was a priority for railway police, promoted by their proximity and accountability to Railway Company agents, and traceable to the conception of railway police forces themselves. The security of bulk goods and passenger luggage bore on the reputation of Railway Companies, making railway policemen integral to the profitability and financial feasibility of Railway

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<sup>41</sup> 'Commissioner, Central Division to Judicial Dept', p. 3, in *Reports on the working of the B. B., C. I. and G. I. P. Railway Police for the year 1872*, Home, Police B, Nos. 10-15, February 1874, NAOI.

<sup>42</sup> Ibid.

<sup>43</sup> Report on the working of the Police employed on the BCCI and GIP Railways for the year 1878, Vol. 12, File No. 722, 1879, Judicial Dept, MSA, p. M44.

Companies which depended upon capital investors from the metropole. These factors interacted with how railway spaces were understood. The structure and conditions of the railways were essential in construing carriages and platforms as places of criminality and rampant thievery.

Conditions on the railways provided myriad opportunities for goods to go missing, while at the same time, there were limited facilities for tracing goods. Railway police officials continually complained about how the sealing of goods wagons was 'very carelessly done', often being left to 'a common cooly [who] sealed them as he liked without being accompanied by any responsible or intelligent person'.<sup>44</sup> Problems with petty theft and associated issues of corruption persisted unaddressed for decades, being echoed in the 1921 police committee as long-standing issues. The picture painted by this commission represented the railways as hotbeds of petty theft and insecurity, where the inefficiencies and oversights of both Railway Companies and railway police forces created an environment that played into the criminal propensities of the Indian population. Echoing common racial assumptions, the Superintendent of the Bombay, Baroda and Central Indian (BBCI) railway, Mr. Cameron, had claimed that all Indians are 'given to peculation', which he claimed in no way exempted Indian policemen.<sup>45</sup>

Railway properties were seen to be particularly tempting to a population believed to be predisposed to seek illicit gain. While Bengal's Railway Companies had invested in basic security measures, the situation for the BBCI and GIP Companies in western and central India was different. They had neglected to implement the most basic security measures, instead shirking responsibility for thefts onto police forces. Goods were often poorly secured or not at all, and left in yards which were often used as public thoroughfares in poorly lit areas that were inadequately fenced off.<sup>46</sup> Poor security and structural oversights extended to the wagons of train carts, as the commission of 1921 declared that 'it almost seems as though the convenience of the thief was consulted [in their] construction.'<sup>47</sup> Police officials tended to believe that such a situation provided particularly strong temptations to thieve, which affected railway police disproportionately as they had to spend so much time around poorly packed tobacco, jaggery and sugar. One superintendent compared it to how in Britain, a London policeman would be expected to be involved in petty theft such as tapping an open beer

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<sup>44</sup> 'Annual Report on the working of the GIP Railway Police for 1880', 1881, p. 25, in *Reports on the Working of the Police of the GIP Railway, SM Railway, and BB & CI and R-M Railways, 1879-1890*, BL, IOR/V/24/3151.

<sup>45</sup> 'Annual Report on the working of the BB and CI Railway Police for 1875', p. 8, in *Reports on the working of the B. B., C. I. and G. I. P. Railway Police for the year 1875*, Home, Police B, Nos. 22-23, July 1876, NAoI.

<sup>46</sup> *Report of the Railway Police Committee, 1921* (Simla, 1921), pp. 2-3.

<sup>47</sup> *Ibid*, p. 3.

keg, however beer was not 'such a great treat as what sugar would be to his humbler Aryan brother'.<sup>48</sup>

Such views were compounded by the perception that Indians were also not mindful of their property in appropriate ways. Colonial officials were continually baffled by the refusal of wealthy Indians to use first and second class carriages. Over 96 percent of Indian passengers travelled by third class, and annual passengers on India's rails totalled 80 million by 1880.<sup>49</sup> The practice of wrapping valuables in bundles compounded the confusion felt by colonial officials, especially when they were placed seemingly carelessly on the floor and thus vulnerable to theft. Wise had bemoaned how:

Rich soukars and other respectable native passengers, carrying money or ornaments to the value of some thousands, will not, however, pay a little extra and travel second class where their property would be safe and so have only themselves to blame if they are robbed. I have spoken to many of them about this, but it is of no use. It is a common thing to see bags of money rolled along a station platform and put into a crowded third or fourth class carriage, where the owner seats himself on it.<sup>50</sup>

Third class carriages were particularly crowded, dimly lit, and associated with the lower social echelons. In the minds of British officials, they could not fathom why elites dared to optionally be in such close proximity with their social inferiors, with considerable valuables on tow. In colonial eyes, the phenomenon of wealthy Indians preferring third class travel challenged class boundaries and simply provided an unnecessary increase in risk to valuables being transported down the line. Conversely, as Goswami has noted, the preference for third-class travel was related to the 'ill-treatment and loss of honor' Indians received in higher class carriages by European travellers and railway staff.<sup>51</sup>

These factors had been influenced by the eagerness with which Indians had adopted railway travel, much to the surprise of colonial observers. Colonial railways had continually experienced exponential and sustained growth in passenger revenues

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<sup>48</sup> 'Annual Report on the working of the BB and CI Railway Police for 1875', p. 8, in *Reports on the working of the B. B., C. I. and G. I. P. Railway Police for the year 1875*, Home, Police B, Nos. 22-23, July 1876, NAOI.

<sup>49</sup> Goswami, *Producing India*, p. 108.

<sup>50</sup> 'Annual Report on the working of the BCCI Railway Police for 1881', 1882, p. 8, in *Reports on the Working of the Police of the GIP Railway, SM Railway, and BB & CI and R-M Railways, 1879-1890*, BL, IOR/V/24/3151.

<sup>51</sup> Goswami, *Producing India*, p. 121.

throughout the second half of the nineteenth century and early-twentieth century, which challenged colonial assumptions that India was composed of stationary masses, fixed in villages and immobile through religious prohibitions.<sup>52</sup> Railway police reports from western India regularly remarked upon these trends, and linked them to increasing quantities of rolling stock, as well as the amount of goods being hauled in carry-on luggage.<sup>53</sup> Consequently, understandings of criminality became intertwined with the popularity of railway travel. Railway policemen measured their effectiveness by contrasting the amount of property missing and recovered against the volume of travellers and the relative size of police forces.<sup>54</sup> Colonial understandings of crime were thus compared against the contrary drives of the regime to keep expenditure on police forces to a minimum, while also controlling thefts which were believed to exponentially increase alongside the scope of railways and the increased traveller numbers it brought.

The neglectful approach of Railway Companies to their own property security and the behaviour of Indian travellers provided convenient ways for railway police to deflect criticism for their failure to prevent thefts. Characteristic of this, Major Frey of the BCCI line blamed the 'break of gauge at both Ahmedabad and Sabarmati Stations and consequent transshipment of goods and luggage; and the criminal disposition of the natives', which added to the 'extraordinary facilities for thefts' that trains and railway property were seen to provide.<sup>55</sup> At the same time, the structural security of goods was felt to be an issue so easily remedied by Railway Companies. Instead, racialised understandings of criminality were welcome scapegoats for Companies and colonial authorities so deeply committed to financial stringency.

While theft was attributed to racialised understandings of criminality and the physical environment of railways and stations, police officials also identified theft as relating to networks of patronage and corruption. Watchmen hired to oversee goods yards were heavily recruited 'in the neighbourhood and from the same class as the menials [who] have friends among the local bad characters, and not infrequently combine[d] with their old associates [for] theft and pilferage'.<sup>56</sup> Watchmen were believed to help themselves to small amounts of goods to augment their formal pay. In Bombay

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<sup>52</sup> Ibid, p. 108.

<sup>53</sup> 'Annual Report on the working of the BCCI Railway Police for 1881', 1882, p. 5, in *Reports on the Working of the Police of the GIP Railway, SM Railway, and BB & CI and R-M Railways, 1879-1890*, BL, IOR/V/24/3151.

<sup>54</sup> 'Annual Report on the working of the BCCI Railway Police for 1882', 1883, p.9, in *Reports on the Working of the Police of the GIP Railway, SM Railway, and BB & CI and R-M Railways, 1879-1890*, BL, IOR/V/24/3151.

<sup>55</sup> 'Annual Report on the working of the B.B. & C.I. Railway Police for 1890', 1891, p. 2, in *Reports on the Working of the Police of the GIP Railway, SM Railway, and BB & CI and R-M Railways, 1879-1890*, BL, IOR/V/24/3151.

<sup>56</sup> *Report of the Railway Police Committee, 1921*, p. 5.

Presidency, the situation was particularly complex. Until 1882, railway policemen were also used to augment watch-and-ward numbers, and conduct duties essential to the running of railways originally intended for Railway Company staff, such as nipping tickets, calling out station names from moving trains, and checking wagon contents.<sup>57</sup> Plague and famine efforts brought even more duties into the railway police's workload, showing how the broad range of duties given to railway policemen enmeshed them within networks well beyond that of formal policing structures.

Problems of corruption had also been highlighted from within the Railway Company's own staff. Police reports mentioned severe issues of Railway Company employees extorting gratuities from passengers – especially merchants – based on the goods they were carrying.<sup>58</sup> While such activities were cast as extortion in official reports, Railway Company employees were in one sense simply carrying on the practices of *Octroi* farmers elsewhere, who drew a portion of their incomes from levies on goods. Such issues were not a unique feature of the railways in the Deccan; the BCCI police took particular pride in the view that their own efforts to suppress extortion from Company employees was 'so far ahead of our brethren in Bengal'.<sup>59</sup> While British police officials may have depicted the Indian traveller as besieged by thieves, it is clear that passengers needed to be conscious of more than just their fellow travellers.

Railway policemen themselves could also be deeply implicated in networks of patronage and dues extraction that the British perceived as extortion and bribery. In one instance, the corruption and 'dishonesty' of BCCI Railway Company employees led to a barrage of anonymous letters being sent to British police officials, resulting in the police of the line having to raid their own stations. Despite the frequency with which Railway Company employees were accused of rampant corruption, the railway police declared the letters to be bogus to deflect the need to address much deeper issues with the conduct of the coercive network.<sup>60</sup>

The Railway Police Commission of 1921 was well-aware that locally recruited watchmen were deeply embedded in local politics, and that both Railway Company staff and the police were deeply implicated in everyday thefts and pilferage of railway

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<sup>57</sup> Ibid, p. 19.

<sup>58</sup> 'Annual Report on the working of the GIPR Railway Police for 1871', pp. 3-4, in *Reports on the working of the B. B., C. I. and G. I. P. Railway Police for the year 1871*, Home, Police B, Nos. 16-19, September 1872, NAOI.

<sup>59</sup> 'Annual Report on the working of the BB and CI Railway Police for 1871', pp. 1-4, in *Reports on the working of the B. B., C. I. and G. I. P. Railway Police for the year 1871*, Home, Police B, Nos. 16-19, September 1872, NAOI.

<sup>60</sup> 'Annual Report on the working of the BB and CI Railway Police for 1872', pp. 1-4, in *Reports on the working of the B. B., C. I. and G. I. P. Railway Police for the year 1872*, Home, Police B, Progs., Nos. 10-15, February 1874, NAOI.

property. Bombay and Madras police officers had even commented on how ex-convicts and men dismissed by the Railway Companies and police forces had acquired jobs as watchmen on railway property.<sup>61</sup> The solution to this collusion was seen to lie in helping the watchman 'stand against the local influences which at present envelop him and lead him astray'.<sup>62</sup> Such men were employed by Railway Companies through their station or traffic masters, but under the supervision of police Superintendents and thus were implicated in the politics of both. The process of rotating policemen between the districts and railway forces, alluded to earlier, was originally imagined to prevent collusion between Railway Company employees and railway policemen.<sup>63</sup>

All of these structural factors were underscored by the inefficiencies of the railway police and the watch-and-ward guards at the stations themselves. Ensuring the security of goods deliveries and the belongings of passengers across different police jurisdictions and provincial lines was an arduous task that was confronted by barriers of language, and complex, often inconsistent and non-uniform flows of information between the Railway Companies and police. As a result, the commission noted how 'the railways and the police do nothing', as 'dishonesty on the part of railway subordinates' and the police were marred by a 'desire to shirk responsibility' as 'difficult investigations [were] not pressed home.'<sup>64</sup> Techniques to avoid the difficult inquiries had been developed by railway policemen, such as GIP railway constables wrongly classifying instances of theft as 'missing goods'.<sup>65</sup> Questions over railway policemen's professionalism were part of wider issues with the organisation of the railway police forces, which had continually been flagged up to the government by railway police superintendents. Financial expediency meant that shortages of manpower, dissatisfaction with the quality of recruits, and, until the early 1900s, an utter lack of a specialised detective force, all played into the failure to conduct thorough investigations. Chronic underpayment below the level of a living wage was believed to be interpreted by watchmen and menials as 'tacit sanction to pilfer', and attempts to make railway policemen put an end to such practices had resulted in strikes and disaffection.<sup>66</sup> The repeated failure for Railway Companies to

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<sup>61</sup> *Report of the Railway Police Committee, 1921*, pp. 5-6.

<sup>62</sup> *Ibid.*, pp. 6-7.

<sup>63</sup> Resolution, in *Reports on the working of the B. B., C. I. and G. I. P. Railway Police for the year 1872*, Home, Police B, Progs., Nos. 10-15, February 1874, NAOI.

<sup>64</sup> *Report of the Railway Police Committee, 1921*, p. 3.

<sup>65</sup> 'Annual Report on the working of the GIPR Railway Police for 1890', 1891, p. 1, in *Reports on the Working of the Police of the GIP Railway, SM Railway, and BB & CI and R-M Railways, 1879-1890*, BL, IOR/V/24/3151.

<sup>66</sup> 'Annual Report on the working of the BB & CI Railway Police for 1890', 1891, p. 2, in *Reports on the Working of the Police of the GIP Railway, SM Railway, and BB & CI and R-M Railways, 1879-1890*, BL, IOR/V/24/3151; *Report of the Railway Police Committee, 1921* (Simla, 1921), p. 8.



provide lines to house the police added to these troubles. Railway policemen, particularly on the GIP railway line, were forced to travel massive distances to attend work, and this problem was a frequent explanation for the perceived inefficiency of railway police forces.<sup>67</sup> Low pay and poor working conditions resulted in railway police forces being described by various witnesses to the 1921 Railway Police Commission as ‘a dumping ground for inefficients’.<sup>68</sup>

The detection of theft was thus a crucial aspect of railway policing. Railway police forces had specifically been set up to deter and detect thefts, and were influenced strongly by their proximity and accountability to Railway Companies, whether formally or otherwise. Tensions between district and railway police forces further embedded this distinction, as in the earliest years of the railway police’s existence in western India, they largely remained separate forces with limited exchange and experience outside of each other. Compounding these factors were the quotidian conditions of railways themselves. The sheer number of people and goods being transported through railway property, coupled with poor security protocols, presented abundant opportunities for loss, collusion and pilfering. Police, Railway Company workers, and watch-and-ward employees were at various instances implicated in networks of patronage that facilitated, or turned a blind eye towards vanishing goods. The complaints of the Railway Police Committee in 1921 – nearly sixty years after the establishment of railways and their related police – testify to the utter lethargy of Railway Companies and colonial officials to address these long-standing issues of property security and corruption.

### **2.3 Police knowledge**

The origins of the railway police as institutions, as well as the conditions of railway property described above, provide the vital context within which to understand the development of the idea of the Bhamta train thief. It was within this setting that the term ‘Bhamta’ lost its utility as a more generalised descriptor of thieves, and became a word that specifically referred to a particular criminal typology inextricable from the loss of goods on railways. This section explores the ways in which information collected by the colonial regime played into assumptions that railway property was particularly vulnerable to theft. It looks at the behaviour of police, their interactions with informers, and the role of complainants, in influencing understandings of collective crime on

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<sup>67</sup> ‘Annual Report on the working of the GIPR Railway Police for 1890’, 1891, p. 1, in *Reports on the Working of the Police of the GIP Railway, SM Railway, and BB & CI and R-M Railways, 1879-1890*, BL, IOR/V/24/3151.

<sup>68</sup> *Report of the Railway Police Committee, 1921*, p. 15.

railway property. It highlights how colonial understandings of railway property as sites of theft and goods-loss influenced the very ways in which the railway police functioned, and influenced how police interpreted the information that they received or collected.

Railway police were expected to detect and minimise thefts as far as possible, and such pressures directly impacted upon the development of the idea of the Bhamta train thief. Identifying ‘authentic’ elites aside from the ‘inauthentic’ Bhamtas was a particular challenge thought to require particular policing talents. Only a few policemen were believed to have the skills to spot a Bhamta in a crowd, or to know how to find one. These roles were dominated by particular Indian individuals in the police, who managed to extend their inquiries into complex social networks outside of the railways and into the localities around the Deccan railway stations. Throughout colonial reports, we see various names of policemen emerge, usually of the Chief Constable rank or higher. Abdul Rahim, Abdul Feroze, Ramchunder Nursoo, Framjee Cursetjee; men such as these were ultimately responsible for ratifying the words of complainants and identify Bhamtas on a daily basis. Little other information on these men is provided. It is however the process of specifically naming them in relation to cases of suspected Bhamta thefts, and declarations of their perceived specialist thief-catching skills, that underlined their importance. We will refer to these individuals as Bhamta experts.<sup>69</sup>

These ‘experts’ were central to the processes of policing the railways. Since Bhamtas were believed to be masters of disguise, taking advantage of the chaos and disorder implicit in railway travel, the detection of criminal behaviour was seen to lie both within, and beyond one’s appearance. The special skills that Bhamta experts were seen to possess were not necessarily about their understanding of colonial criminal typologies. While they were undoubtedly well-versed in these, it was about their ability to go *beyond* them, utilising clandestine knowledge and observable behaviour to spot the ‘inauthentic’ Bhamta from the ‘authentic’, socially prominent Indian traveller. Their talents lay in spotting behaviours that only Bhamtas were believed to exhibit, such as monitoring where and for how long they alighted at different platforms and how they reacted to the presence and approach of policemen.<sup>70</sup> This influenced the ways in which the railway police forces functioned more broadly. As Bhamta experts identified alighting

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<sup>69</sup> ‘Annual Report on the working of the GIPR Railway Police for 1874’, pp. 4-5, in *Reports on the working of the BB and CI and GIP Railway Police for 1874*, Home, Police B, Nos. 13-14, August 1875, NAOI.

<sup>70</sup> Letter from F. J. Wise, Insp. Gen of Police to A. Crawford, Commissioner, C. D. (dated 14<sup>th</sup> April 1887), in *Bhamtas – Report on by Colonel Portman*, Vol. 22, File No. 671, 1887, Judicial Dept, MSA, p. M96.

travellers as suspicious, these suspects then fell under much greater surveillance and were monitored by the lower ranks of railway police.<sup>71</sup>

The 'very fair detectives who could spot Bhamtas' had mental lists of regular suspects, and played a key role in detective work. The ability of Bhamta experts to identify Bhamtas meant that when cases of theft arose, they knew where to start inquiries, and who to look at first.<sup>72</sup> Portman declared that 'the names and whereabouts of a great number of these [Bhamtas] are well known to several men of the Railway Police, and they do not now have such an easy time of it as at first'.<sup>73</sup> Such comments spoke to the cumulative aspect of knowledge on ideas of collective criminals on the railways, as the repeated invocation of a list of regular suspects served to prop up notions that Bhamtas were inveterate railway thieves. While it is difficult to discern much about exactly how Bhamta experts operated, it is clear that these officers had intricate links to the earliest days of railway policing, when the district and railway forces were more firmly influenced by Company agents and the sharp division between district and railway police forces. Bhamta experts were particularly members of the 'old and trained hands in the Police', stressing their role in establishing a common pool of regular suspects and the behaviours that were believed to give them away, as well as the expert's own indispensability in seeing through the myriad of disguises attributed to Bhamtas.<sup>74</sup>

The behaviours that experts were renowned for identifying were intimately tied to how Indians responded to being accused and approached by policemen. Indians often concealed valuables for general reasons of security, however if they drew police attention and were found with such items, it was automatically assumed that they were stolen.<sup>75</sup> The mere approach of a police officer in a crowded train carriage could cause nervous travellers to throw valuables out of the window to break the cycle of presumptions; if one was searched and nothing was found, there was less of a chance for further harassment.<sup>76</sup> Such traits of concealment were woven into the Bhamta identity, as attested to by the police, and inherently overlooked the discordant relationship between policemen and

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<sup>71</sup> Ibid.

<sup>72</sup> Ibid, pp. M95-6.

<sup>73</sup> 'Annual Report on the working of the G.I.P. Railway Police for 1884', 1885, p. 5, in *Reports on the Working of the Police of the GIP Railway, SM Railway, and BB & CI and R-M Railways, 1879-1890*, BL, IOR/V/24/3151.

<sup>74</sup> Letter from A. B. Portman, Superintendent of GIPR Police, to the Commissioner, C. D. (dated 7<sup>th</sup> March 1887), in *Bhamtas – Report on by Colonel Portman*, Vol. 22, File No. 671, 1887, Judicial Dept, MSA, p. M92.

<sup>75</sup> A. B. Portman, 'Report on the Bhamtas of the Deccan by Lieutenant-Colonel A. B. Portman, Superintendent of Police, G. I. P. Railway' (dated 7<sup>th</sup> March 1887), in *Bhamtas – Report on by Colonel Portman*, Vol. 22, File No. 671, 1887, Judicial Dept, MSA, p. M94.

<sup>76</sup> Ibid; Letter from F. J. Wise, Insp. Gen of Police to A. Crawford, Commissioner, C. D. (dated 14<sup>th</sup> April 1887), in *Bhamtas – Report on by Colonel Portman*, Vol. 22, File No. 671, 1887, Judicial Dept, MSA, p. M96.

Indian society. Tense relationships between travellers and railway police resulted in assumptions of criminality being reinforced.

Relieving oneself of their valuables, however, did not always prove an effective way of dispelling police suspicions, and often merely diverted the efforts of the police towards known suspects. We see this in a case where a man was accused of stealing Rs. 3240 worth of gold ornaments, and was arrested after being ‘recognised and searched when alighting’.<sup>77</sup> A box, containing Rs. 2500 of gold ornaments, was later found at the side of the railway, presumably thrown out of the window. In this case, it just so happened that the man arrested happened to be ‘identified’ while in the wrong place at the wrong time. There was a mismatch of over Rs. 700 worth of ornaments in the box vis-à-vis what the complainant claimed, which went unaccounted for. Colonial assumptions in this circumstance were sustained by the belief that thieves had myriad ways to dispose of property, ratified by the confidence held in the ability of experts to correctly identify the guilty party. Disposing of, or concealing stolen goods was viewed as a hallmark of a Bhamta’s criminal expertise. As Wise explained, many Bhamta suspects, including those repeatedly suspected of crime, had ‘never once [been] found [with stolen] property on them and the true Bhamta will not show it when hidden’.<sup>78</sup>

Officials actively encouraged the activities of these ‘experts’ as intimate knowledge of Bhamtas was seen as the most appropriate way to deal with them. E. P. Robertson, Commissioner of the Central Division, had declared that ‘most of the [Bhamtas] [...] who frequent the Railway are known to the Railway Police, and, when found travelling by any train, they should be watched. If the Bhamtas find they cannot travel unperceived, they will, in due time, abandon the Railway’.<sup>79</sup> Bhamta experts were to locate individuals, so that magistrates ‘might be asked to make an example of the offenders’, forcing them to ‘in due time, abandon the Railway’.<sup>80</sup> As Portman noted, ‘it is only by employing detectives and informers that anything can be ascertained regarding such men if made prisoners.’<sup>81</sup>

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<sup>77</sup> ‘Annual Report on the working of the BBCI Railway Police for 1876’, p. 3, in *Reports on the working of the BB and CI and GIP Railway Police for 1876*, Home, Police B, No. 12, June 1877, NAOI.

<sup>78</sup> Letter from F. J. Wise, Insp. Gen of Police to A. Crawford, Commissioner, C. D. (dated 14<sup>th</sup> April 1887), in *Bhamtas – Report on by Colonel Portman*, Vol. 22, File No. 671, 1887, Judicial Dept, MSA, p. M96.

<sup>79</sup> E. P. Robertson, Commissioner, C. D., to Judicial Dept (dated 30<sup>th</sup> April 1881), 1881, p. 22, in *Reports on the Working of the Police of the GIP Railway, SM Railway, and BB & CI and R-M Railways, 1879-1890*, BL, IOR/V/24/3151.

<sup>80</sup> *Ibid.*

<sup>81</sup> A. B. Portman, ‘Report on the Bhamtas of the Deccan by Lieutenant-Colonel A. B. Portman, Superintendent of Police, G. I. P. Railway’ (dated 7<sup>th</sup> March 1887), in *Bhamtas – Report on by Colonel Portman*, Vol. 22, File No. 671, 1887, Judicial Dept, MSA, p. M93-A.

Men who worked closely with Portman also validated understandings of Bhamtas and nurtured their specialised knowledge seen as so essential to preventing thefts. A key example is Head Constable Ebram Maddar, who had accompanied Portman and took part in his investigations of Bhamtas to compile his report. Maddar became ‘specially employed’ due to the knowledge he attained under Portman, and went on to perform ‘excellent service both here [in the Bombay Presidency] and beyond’.<sup>82</sup> Endowing Bhamta experts with authority that could only come from extensive service and direct, focused attention on Bhamtas, allowed them to function as vectors of colonial knowledge, as they travelled about the country to preach to other forces on Portman’s behalf and identify Bhamtas who had travelled across India. Thus, these Bhamta experts helped to make sense of reports of theft well beyond the railway charges within which they had established their professional reputation. Travellers accused of thieving, and those identified as foreigners to a specific province or Presidency, could be ideologically confined and explained through the self-confirming authority of collective crime specialists. Such actions echoed the authority of figures like William Sleeman in earlier years. As discussed briefly in the previous chapter, Sleeman’s perceived expertise on collective crime granted him the ability to conceive and validate ideas of collective criminal groups.

The ways in which members of police forces were identified as experts on collective crime through the use of clandestine knowledge went beyond the railways. While in the previous chapter we see British officials receiving more formalised positions charged with monitoring collective crime, Bhamta experts were notably members of the inferior police ranks. Their rank held no formal provision or title that denoted their expertise, and so their authority over perceiving and detecting collective crime formed part of the local knowledge of police forces. What we see with these Bhamta experts resembles findings elsewhere in more recent years. Anastasia Piliavsky’s study of the *Kanjars* of Rajasthan shows how police officers themselves laid immense value upon specialised knowledge of so-called ‘criminal castes’, which was seldom written down. As police officers perpetuated this knowledge as secret and something that could not be imparted at will to others, they actively encouraged the mystification of knowledge on collective criminals, which also maintained the power and value of this type of specialist knowledge.<sup>83</sup> These officers, as a result, became known as ‘experts’ on specific

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<sup>82</sup> Letter from A. B. Portman, Superintendent of GIPR Police, to the Commissioner, C. D. (dated 7<sup>th</sup> March 1887), in *Bhamtas – Report on by Colonel Portman*, Vol. 22, File No. 671, 1887, Judicial Dept, MSA, p. M92.

<sup>83</sup> Anastasia Piliavsky, ‘A Secret in the Oxford Sense: Thieves and the Rhetoric of Mystification in Western India’, *Comparative Studies in Society and History*, 53. 2 (2011), pp. 290-313 (p. 291).

communities of so-called criminals.<sup>84</sup> Piliavsky's experts were district-level officers no lower than sub-inspector, while the Bhamta experts here reveal the prominence of the Chief Constable rank. The privilege of being an expert in such forms of knowledge related to a certain level of privilege within policing structures themselves.

The role of police assumptions in providing self-fulfilling prophecies over the Bhamtas' thieving propensities sometimes extended far beyond the railway lines themselves. Occasionally, police raids were organised with the district police into villages where Bhamtas were believed to dwell. As villagers were removed from their houses so that the police could eviscerate them uninhibited, suspects could be seen passing valuables between one another in desperate attempts to conceal what was potentially their only movable assets. Meanwhile, police would explore every place property *could* be concealed in the village – including 'between double built up walls, in beams of the roof and all sorts of curious places'.<sup>85</sup> A visitation by the police meant that the assumption of theft was already present, and the practice of raiding houses at night would only have added to the frantic disarray of suspects attempting to hold onto their valuables.

The cumulative knowledge gained by railway police, and monopolised by Bhamta experts, was valued by the colonial regime as it was seen to remedy issues of identification. Confronted by the police, suspects seldom gave their 'real' name or village address, and only through the use of these Bhamta experts or informers could any such information be ascertained.<sup>86</sup> The value of these experts aligned with how the colonial state understood 'habitual' crime. If an expert had a reputation of successfully identifying Bhamtas, then this reputation alone supported an expert's opinion on whether suspects were guilty or not, in the same way that people identified as 'habitual' offenders were judged and ratified by whether they had been prosecuted before for similar charges.

Investing confidence in experts also made up for systemic barriers that inhibited police investigation. Railway policemen had to navigate the red tape of jurisdictional boundaries to conduct investigations beyond the premises of railway property, which as mentioned earlier, they were loath to do.<sup>87</sup> Indeed, it was these very barriers of jurisdiction between district and railway police forces that made Portman and Wise advocate the CTA, as a way to make districts responsible for policing railway thieves.

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<sup>84</sup> Ibid, p. 298.

<sup>85</sup> A. B. Portman, 'Report on the Bhamtas of the Deccan by Lieutenant-Colonel A. B. Portman, Superintendent of Police, G. I. P. Railway' (dated 7<sup>th</sup> March 1887), in *Bhamtas – Report on by Colonel Portman*, Vol. 22, File No. 671, 1887, Judicial Dept, MSA, p. M94.

<sup>86</sup> Ibid, p. M93-A.

<sup>87</sup> Portman complained that district police continually failed to aid the railway police unless specifically ordered to do so. See *ibid*, p. M92.

Coupled with the presumptions that Bhamtas moved in disguise and were near-indistinguishable from the elites they preyed upon, ‘experts’ gave a certain degree of stability and validity to the Bhamta identity through the expectation that secretive ‘Indian’ knowledge could surpass the limitations of the broader colonial information network.

### **2.3.1 Informer information**

Bhamta experts played an important role in mediating the knowledge of the colonial regime on collective crime, and the ways in which it was read and translated onto the realities of policing the railways. Their roles were not the product of colonial knowledge conceived of within an elite vacuum of the state, but the relationship that they were seen to hold with Indian society. This draws attention to the role that suspected Bhamtas themselves had in the maintenance and cultivation of colonial understandings of Bhamta train thieves. Small amounts of these people were turned into informers and operated under colonial auspices, being called up to help identify thieves and provide information to police forces. Who these people were is particularly unclear. Usually, all the information we are given about them was the names the police knew them by. The rest of their social identity was filled in implicitly by police understandings of the community they were accredited to. By being read by the state as Bhamtas, they were assumed to fit the corresponding profile.

On occasion, however, we are granted greater insights into who these people were, and how they worked. A key example can be found in Portman’s special report, as the document acknowledged two informers who provided the bulk of information for it, and one of them – Methya Chinya – was immensely important to the production of Portman’s work. We will refer to this man as Methya hereon. When considering Methya’s account, his particular situation must be borne in mind. In 1884, he had been labelled a Bhamta and sentenced to two years of rigorous imprisonment for theft. He was pardoned from this sentence on the condition that he serve as an informer on Bhamtas.<sup>88</sup> His own credibility, and by extension, his freedom from jail, were contingent upon his ability to implicate himself within colonial understandings of Bhamtas and provide information that facilitated the working of the coercive apparatus. Similar to the approvers of Shahid Amin’s study of Chauri Chaura, Methya had shifted his locus in these events. As an informer, Methya was implicated in collective criminality, yet also an agent of the colonial state. When talking about himself or Bhamtas, he worked on behalf of the state

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<sup>88</sup> Ibid, p. M91.

coercive apparatus.<sup>89</sup> In Portman's report, Methya's speech was being used specifically to impress upon government officials the severity of the Bhamta 'problem', and the need for greater assistance in dealing with them.

Within such a power arrangement, we must consider Methya's claims about Bhamtas with particular scepticism. The line between what the colonial state read as Bhamtas, and what it read as India's legitimate social elite, was particularly tenuous and determined by a matter of perspective of colonial state actors. For Methya to be considered a Bhamta, he would have likely held land, commanded significant financial power and held the ability to be socially proximal to people considered legitimate elites. At the same time, being read as a Bhamta allowed him to take advantage of colonial appetites for stories of secret, disguised thieving organisations. Narratives of highly skilled, organised hereditary trade groups implicated in theft were widely established in Indian culture before the ascent of British power.<sup>90</sup> We see such examples earlier on in this chapter with the supposed penchant Bhamtas had for disguise and skilled pocket-cutting.

At the same time, however, Methya points us towards wider changes in Deccan society and positions himself within this narrative. Methya repeated many of the presumptions of the colonial regime on who the Bhamtas were, which granted authenticity to his account.<sup>91</sup> Within his narrative, we can see traces of information where Methya points us to wider changes in Deccan society:

Until within a short time certain Bhamtas were looked upon as heads or leaders of gangs, and they arranged in which direction the gangs should go and who should compose each; but now all Bhamtas work more or less independently, choosing their own party amongst themselves, and sharing booty equally.<sup>92</sup>

Portman read this to mean that Bhamtas were expanding their thieving activities, radiating outwards from the Deccan. To Portman, the fragmentation of authority in this

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<sup>89</sup> Shahid Amin, 'Approver's Testimony, Judicial Discourse: The Case of Chauri Chaura', in *Subaltern Studies V: Writings on South Asian History and Society*, ed. by Ranajit Guha (Delhi: Oxford University Press, 1987), pp. 166-202 (p. 168).

<sup>90</sup> Piliavsky, 'A Secret in the Oxford Sense', p. 293.

<sup>91</sup> Letter from A. B. Portman, Superintendent of GIPR Police, to the Commissioner, C. D. (dated 7<sup>th</sup> March 1887), in *Bhamtas – Report on by Colonel Portman*, Vol. 22, File No. 671, 1887, Judicial Dept, MSA, p. M91.

<sup>92</sup> A. B. Portman, 'Report on the Bhamtas of the Deccan by Lieutenant-Colonel A. B. Portman, Superintendent of Police, G. I. P. Railway' (dated 7<sup>th</sup> March 1887), in *Bhamtas – Report on by Colonel Portman*, Vol. 22, File No. 671, 1887, Judicial Dept, MSA, p. M94.



quote simply meant more gangs in more places. Methya, however, was concerned with the serious issue of the erosion of traditional authority in the social formations he was embedded within. The ability of Methya's kinsmen to operate without relying upon the resources of traditional headmen within their community, and the ability to structure their own activities and divide any gains horizontally amongst themselves, speaks to an increased economic freedom of these accused Bhamtas. This contrasted against the entitlement of headmen to portions of wealth made by the community. Portman believed that headmen received their 'full share' of ornaments or money from a group returning to the village, 'whether he ha[d] been out with the party or not'.<sup>93</sup>

Why exactly Methya cared so much about these changes is worth dwelling upon. Other details within Portman's report reveal that Methya's own position appeared to be under threat as a result of these changes. Methya had declared to Portman that he was the adopted son of Chinya, 'the Chief of all the Bhamtas in these parts'.<sup>94</sup> Methya therefore had a significant stake in the existing power structures being maintained. At the same time, he made himself particularly valuable as an informant by being more than one of the rank and file. Chinya was being set up as more than just one of many gang leaders; being chief of 'these parts' referred to the entirety of Poona district and surrounding areas.

While invoking Chinya's name situated him and Methya at the top of a community power structure, it turned out that Chinya was not unknown to the colonial regime. Buried in the railway police reports of 1876 – nearly a decade before Portman's report reached the Bombay Government – we see a man by this name serving the GIP railway police as an informer. He was reported to be 'for some time [...] in Police pay', identifying Bhamtas under the auspices of the GIP police's earliest superintendent, Stephen Babington.<sup>95</sup> Methya's account thus touched upon pre-existing practices of using informers to trace thieves, stressing the role of the long-serving policemen and structural factors that had defined the operations of railway police in the earlier years, discussed previously. Methya's links to Chinya and his own contributions to Portman's report served to establish his family as professional informers and thief catchers. The importance of this pattern of interaction with informers and policemen is borne out

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<sup>93</sup> Ibid, p. M93-A.

<sup>94</sup> Letter from A. B. Portman, Superintendent of GIPR Police, to the Commissioner, C. D. (dated 7<sup>th</sup> March 1887), in *Bhamtas – Report on by Colonel Portman*, Vol. 22, File No. 671, 1887, Judicial Dept, MSA, p. M91.

<sup>95</sup> 'Annual Report on the working of the GIP Railway Police for 1876', p. 3, in *Reports on the working of the BB and CI and GIP Railway Police for 1876*, Home, Police B, No. 12, June 1877, NAOI.

through the fact that Methya was not stressing his own independent authority in Portman's report, but specifically relaying it through his relationship to Chinya.

What little we can know about Chinya himself comes from brief descriptions of resolved cases. One instance mentioned a suspicious case that he was involved in. Chinya had been put to work by a railway policeman who was attempting to trace gold and silver ornaments to the value of Rs. 784 that had been reportedly cut out of a passenger's bundle. The unnamed complainant had been travelling with two others – Fakira and Gajanan – and with Chinya's assistance, Rs. 629 was recovered from Fakira. Gajanan, as the only other witness, mysteriously 'died whilst enquiries were going on'.<sup>96</sup> It would seem a particularly unfortunate coincidence if we are to believe that the only other eye-witness, with intimate knowledge of what happened, managed to pass away merely days after travelling with Fakira and the complainant. Chinya's narrative was thus undisputed, resulting in Fakira being charged. Whether the complainant had legitimately been robbed, or whether Chinya was utilising his position as informer for personal reasons, were beyond the concerns and cognisance of the railway police.

While Methya had claimed his own social supremacy through references to Chinya and complaints of social change, his prominence had been contested elsewhere. As it turns out, this was revealed by Portman's predecessor, F. J. Wise. The latter had been asked to buttress Portman's claims and increase the sense of urgency for government-level intervention, and it is here that he noted counter-claims to Chinya's supremacy. Wise had declared that it was in fact two other Bhamtas – 'Tukya and Maroti of Karanja in Baramati Taluka' – who were 'the two principal hands at railway robberies and the teachers of many others [...] Tukya is the head of all and has houses, cattle and servants with fields.'<sup>97</sup>

Wise's account thus allows us to consider Methya's claims as more than just an attempt to position himself within a tradition of professional informants. It demonstrates how the discursive space provided by the colonial state also provided a space for social assertion and competition. Methya's credibility was fundamentally related to the underlying beliefs over how Bhamtas operated, as well as the context of railway travel. The emphasis on disguise amongst Bhamtas, and the context of railway properties, meant that social inscrutability was integral to understandings of the Bhamta typology. Kushya's speech was so valuable in this instance because it validated what officials *thought* they knew about Indians in this context, and interacted with official

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<sup>96</sup> Ibid.

<sup>97</sup> Letter from F. J. Wise, Insp. Gen of Police to A. Crawford, Commissioner, C. D. (dated 14<sup>th</sup> April 1887), in *Bhamtas – Report on by Colonel Portman*, Vol. 22, File No. 671, 1887, Judicial Dept, MSA, p. M96.

understandings in ways that were culturally reasonable to them. What Kushya told officials was in many ways tantamount to rumour. However, as Stoler has highlighted, hearsay can occupy charged cultural spaces, which in her instance of Dutch Sumatra, allowed indigenous subjects to play upon European understandings of events.<sup>98</sup> The context of railway property presented such a space, where Kushya's narrative could gain credibility. His discussions of his own position and invocation of Chinya's name meant that Kushya's speech was complimentary to official understandings of how railway thieves operated, helping to recast colonial assumptions into 'facts' on how Bhamtas functioned in a context defined by inscrutability.

### 2.3.2 Complaints

Official understandings of the phenomenon of railway theft was greatly influenced by the sorts of information that railway policemen were confronted with. Crucial to this was the fact that police officials were often dependent upon complaints from passengers to not only identify suspected thefts, but locate suspects. This was complicated by the fact that identifying an instance of theft overwhelmingly depended upon a passenger reporting their property as missing, which often occurred *after* the journey had taken place, which stressed the relationship between complaints and the knowledge of Bhamta experts.<sup>99</sup> Combined with this was the abstract nature of the ways in which Bhamtas were believed to commit crime. Their criminality was never really witnessed, existing in a colonial imagination that fed off of rumours provided by Indian travellers, colonial tropes of an inherent Indian disposition to criminal behaviour, and concerns over moving goods in a context defined by movement and illegibility. These additional complications to identifying theft gave particular importance to the role of complainants in sculpting police understandings of crime.

The exact nature of what went missing on a railway journey compounded this further. While colonial officials believed Bhamtas to specifically target wealthy travellers who often furnished India's social elite, it was at the same time believed that Bhamtas could often be indiscriminate with exactly what they stole. Ideas of Bhamtas thus became a convenient explanation for nearly any object that was reported missing, while suspicion as to who was responsible fell upon elite-looking Indians who fell afoul of Bhamta experts, elite travellers and informers. In Portman's words 'as a rule, [they] steal

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<sup>98</sup> Stoler, "In Cold Blood", p. 153.

<sup>99</sup> A. B. Portman, 'Report on the Bhamtas of the Deccan by Lieutenant-Colonel A. B. Portman, Superintendent of Police, G. I. P. Railway' (dated 7<sup>th</sup> March 1887), in *Bhamtas – Report on by Colonel Portman*, Vol. 22, File No. 671, 1887, Judicial Dept, MSA, p. M93-A.

anything however small in value, [...] sometimes they make heavy hauls'.<sup>100</sup> Rampant desires for accumulation served as a way of explaining what made the social prestige of many Bhamtas illegitimate. Portman remarked that 'many Bhamtas, from success in their nefarious practices, have managed to become possessed of a good deal of money and land, and they carry on money-lending transactions to a considerable extent', while at the same time this wealth was meant to have been heavily supplemented by the pedalling of objects so petty that they were not seen as worthy of description.<sup>101</sup>

Crucially, the more detailed accounts of arrests of Bhamtas usually identified 'Marwaris' as the complainants. It is ultimately unclear as to whether by using such a term, railway policemen were actually talking specifically about merchants believed to hail from Marwar, or whether this group name was used to refer to other *jati* groups engaged in mercantile pursuits. As Anne Hardgrove highlights, 'Marwari' was an operative, yet vague and unreliable umbrella term, popularly used by officials to classify migrant trading communities rather than specifically those who hailed from Marwar.<sup>102</sup> References to *Marwaris* in inverted commas are used to acknowledge official usage of the word. Either way, colonial sources signalled that often the people who accused others of stealing considerable amounts of valuables on the railway lines were themselves – or at least in British eyes – associated with commerce and the accumulation of wealth and valuables. The way that mercantile networks engaged with railways thus helped to inform and shape colonial understandings of theft.

It is apparent within colonial sources that these 'Marwaris' wielded particular power over the course of police investigations on the railways. Utilising their material wealth and legibility as members of 'respectable' Indian society, they actively interfered with, and incentivised police investigations. A case in point shows a 'Marwari' named Tarachund Ameerchund, who reported that his bag had been cut on the way from Bhusawal to Nasik, and Rs. 3149 of gold and silver ornaments stolen. Tarachund offered Rs. 500 to the police if they successfully located the belongings he claimed were stolen; just shy of one sixth of their total value. The incentives provided by wealthy, 'respectable' Indians went hand in hand with the colonial recognition of certain officers as Bhamta experts. A chief constable named Framjee Cursetjee was praised for being 'untiring in his exertions' after he found the goods matching Tarachund's description, along with a

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<sup>100</sup> Ibid.

<sup>101</sup> Letter from A. B. Portman, Superintendent of GIPR Police, to the Commissioner, C. D. (dated 7<sup>th</sup> March 1887), in *Bhamtas – Report on by Colonel Portman*, Vol. 22, File No. 671, 1887, Judicial Dept, MSA, p. M92.

<sup>102</sup> Anne Hardgrove, *Community and Public Culture: The Marwaris in Calcutta, c. 1897-1997* (New York: Columbia University Press, 2004), pp. 5-7.

suspect he declared to be a Bhamta.<sup>103</sup> When faced with such high rewards, and being employed in such a notoriously overworked and underpaid job, it is of little surprise that Cursetjee was willing to chase such an elusive, yet potentially profitable case. The lowest ranks of railway policemen were paid even less than menial workers employed by the Railway Companies, with the chief constables faring only slightly better.<sup>104</sup> Cursetjee had travelled and inquired along over a hundred miles of railway line between Nasik and Bhusawal to locate a suspect, demonstrating the almost miraculous abilities of Bhamta 'experts' to trace Bhamtas with so little in the way of clues.

The granting of financial rewards from claimants was not a one-off affair, and the rewards could be huge. One case told of how an immense 100 tolahs of gold (about Rs. 1700) was given to the GIP railway police by a 'Marwari' from Bombay City. Such a vast reward was given for resolving a case where the 'Marwari' providing the reward had entrusted an employee to transport Rs. 8500 of gold bars to a fellow 'Marwari' in Hyderabad, only to have Rs. 4949 of it go missing along the way. As with Tarachund's case above, the reward was proportionally very high when considering the amount recovered from police inquiries. The police were only able to recover a little more than half of the value of the reported value of missing gold, and yet the 'Marwari's' Rs. 1700 reward in gold approached a massive 35 per cent of the 'recovered' gold's value.<sup>105</sup> As previously mentioned, valuables concealed in such a way were usually considered by railway police to be stolen. However, the word of a recognised Indian social elite had the power to de-criminalise such behaviours.

'Marwaris' did not have to be particularly underhanded about offering financial incentives. The Rs. 1700 reward above was divided between different policemen under direct orders from the Police Commissioner of Bombay's Southern Division.<sup>106</sup> Such official sanction for the use of financial incentives was beneficial for all parties as far as the British were concerned (except, of course, for the accused). The higher echelons of police could pat themselves on the back for a job well done in appeasing colonial statistics-gathering, and praise the 'energy and zeal' of their inferiors; no doubt perceived as a sign of the superior leadership and 'supervision' qualities of the white European over

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<sup>103</sup> 'Annual Report on the working of the GIPR Railway Police for 1874', pp. 4-5, in *Reports on the working of the BB and CI and GIP Railway Police for 1874*, Home, Police B, Nos. 13-14, August 1875, NAoI.

<sup>104</sup> Commissioner, Northern Division to Judicial Department, p. 3, in *Reports on the working of the B. B., C. I. and G. I. P. Railway Police for the year 1872*, Home, Police B, Progs., Nos. 10-15, February 1874, NAoI.

<sup>105</sup> 'Annual Report on the working of the GIPR Railway Police for 1874', pp. 4-5, in *Reports on the working of the BB and CI and GIP Railway Police for 1874*, Home, Police B, Nos. 13-14, August 1875, NAoI.

<sup>106</sup> *Ibid.*

the colonised Indian rank and file. The two aforementioned cases furnished a massive 25 percent of the property recovered for the year of 1874.<sup>107</sup> While it was a common belief that much crime was not even reported to the railway police, the idea of the Bhamta thief provided a ready explanation for the void between a positivist belief that ‘accurate’ crime statistics could exist, and the regime’s insecurities over the things they did not, and could not know. Such gaps in colonial knowledge made conspiracies and vast criminal networks more valuable and plausible to the regime. The cases above reported by ‘*Marwaris*’ involved hundreds and even thousands of rupees at a time; small fortunes for many. The sheer value of property in dispute gave urgency to following up their claims, and fed into a sensational aspect of the idea of Bhamtas as prolific train thieves.

While people identified with mercantile activities played a particularly important role due to their financial and social clout, the idea of Bhamtas as inveterate thieves had achieved a wider purchase through its repetition and utility. One case concerned a suspect named Luxmon, who claimed to be a *Maratha* by caste. He had been accused of stealing the ornaments of a gateman’s child worth a mere Rs. 6, after living with this very same gateman at Goregaum Station ‘on the pretext of procuring him a new wife’.<sup>108</sup> This incident was recorded by the police of the BCCI railway, where the arresting officer declared Luxmon to be a ‘Bhamtia from Poona’.<sup>109</sup> Clearly, the notoriety accredited to Bhamtas had reached the BCCI branch from their GIP railway neighbours to the south-east. The accusations against Luxmon clashed with general understandings of Bhamtas, since the theft he was accused of was not against a sleepy traveller, nor did it involve an unattended bundle of goods. His classification as a Bhamta was still possible, however, through the ambiguities in colonial understandings of them. Sources vary in their precision of exactly who Bhamtas were believed to imitate. At times it was *Brahmans*, at other times it was merchants, or more broadly, simply socially prominent peoples who were distinguished by officials according to their ‘good clothes’.<sup>110</sup> The trope of disguise, and therefore a cornerstone of the Bhamta typology, was held together by an ambiguous association between wealth and markers of socially superior statuses. The BCCI railway police could thus brand Luxmon a Bhamta partly because he still conformed to this interpretation of the role of disguise and the scope it provided for a plethora of social

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<sup>107</sup> Resolution from Bombay Castle, p. 3, in *Reports on the working of the BB and CI and GIP Railway Police for 1874*, Home, Police B, Nos. 13-14, August 1875, NAOI.

<sup>108</sup> ‘Annual Report on the working of the BCCI Railway Police for 1876’, p. 3, in *Reports on the working of the BB and CI and GIP Railway Police for 1876*, Home, Police B, No. 12, June 1877, NAOI.

<sup>109</sup> Ibid.

<sup>110</sup> A. B. Portman, ‘Report on the Bhamtas of the Deccan by Lieutenant-Colonel A. B. Portman, Superintendent of Police, G. I. P. Railway’ (dated 7<sup>th</sup> March 1887), in *Bhamtas – Report on by Colonel Portman*, Vol. 22, File No. 671, 1887, Judicial Dept, MSA, p. M93.

identities to be included. The fact that the suspected petty theft happened by a gatehouse placed Luxmon in proximity of railway property, conforming to beliefs of how and where Bhamtas operated.<sup>111</sup>

The role of complainants that were understood as part of mercantile communities and socially prominent groups thus helped to inform the ways in which theft was understood on the railways. By supporting ‘*Marwari*’ claims of property loss, policemen also implicitly ratified the legitimacy of their social position and their financial affluence that it hinged upon. Conversely, by understanding ‘*Marwaris*’ as key victims of Bhamta thefts, the social legitimacy of accused Bhamtas could be challenged. In such a view, the fact that many accused Bhamtas commanded significant local respect, property and movable capital could be linked through notions of illegitimate gain. As merchants, *Brahmans* and superior village identities like *Marathas* formed a vital intermediary layer to colonial processes of economic extraction, concerns over Bhamtas effectively refracted uncertainties over the stability and security of these linkages.

## 2.4 Social change in the Deccan

Concerns over the vulnerability and legitimacy of Indian travellers need to be contextualised within drastic social shifts that had been taking place within the Deccan plateau from around the mid-nineteenth century onwards. Understandings of Bhamtas fundamentally linked to concerns over an unknowable population, and the ways in which markers of identity failed to clearly determine India’s social formations. For the GIP railway police, their concerns were informed by the social fluidity and processes of caste acculturation in the Deccan. Public debates and the circulation of written works made western Indian society increasingly concerned over the meaning of different markers of social identity. The attempts of railway police to identify ‘legitimate’ travellers apart from imitators thus took place in a broader context of marked social and cultural flux.

Concerns over Bhamtas grew within a context of increasing politicisation of caste identity. This was particularly evident in relation to claims of *Kshatriya* status and other identity formations like that of the *Maratha*. The relationship between these two identity groups was part and parcel of the region’s history where for centuries local rulers had called upon rural elites to mobilise villages for military campaigns, which conflated the

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<sup>111</sup> ‘Annual Report on the working of the BCCI Railway Police for 1876’, p. 3, in *Reports on the working of the BB and CI and GIP Railway Police for 1876*, Home, Police B, No. 12, June 1877, NAOI.

identities of rural elites with those dependent upon military service.<sup>112</sup> Claims to such statuses become particularly contested from the mid-nineteenth century onwards. As Polly O'Hanlon highlights, from the 1860s, claims to being a *Maratha* were increasing drastically. By the time of the 1901 Census, Bombay returned numbers for *Marathas* that vastly outstripped claims to being a *Kunbi*.<sup>113</sup> It was also during this period that debates around caste identity and efforts of social reformers made *Maratha* and *Kshatriya* status increasingly conspicuous topics. A number of Marathi biographies of western India's cultural hero Shivaji emerged alongside discussions over his own claims to *Kshatriya* identity, while Indian reformers such as Lele, Bhagvat and M. G. Ranade argued over the foundations of *Kshatriya* identity and its relation to other social groupings.<sup>114</sup> Works such as *Jatibhed Vivekasar*, published in 1861, and those of the prominent anti-caste activist Jotirao Phule, mobilised the idea of Shivaji and *Kshatriya* status to combat the social exclusiveness of Brahmans and oppressive features of caste hierarchies. The Marathi *Dnyan Prasarak* newspaper published an account of Maratha social structure in 1865, arguing that Kshatriyas in western India had been degraded by intermarriage from wealthy peoples of low birth.<sup>115</sup> By drawing upon existing symbols of identity within Maharashtra's community identities, social reformers could gain particular resonance with western India's overwhelmingly agrarian population, whose particular history carried links to *Kshatriya* warrior status. At the same time, such implications were often beyond the purview of the colonial state itself as they were much less visible to authorities preoccupied with more immediate concerns of subcontinental rule.<sup>116</sup>

This context of social change fed into the understanding that Bhamtas assumed markers of social identities that they could not legitimately claim. While Poona's district gazetteer listed Bhamtas as 'beggars', it also stated that they usually claimed *Maratha* status, and that some were 'not content with calling themselves Maráthás, [and would] go so far as to call themselves Kshatriyas and wear the sacred thread' by claiming relation to the four branches of *Kshatriyas*.<sup>117</sup> Such observations went hand in hand with the

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<sup>112</sup> As Stewart Gordon has shown, the Deccani sultanates of the sixteenth century had stimulated the forging of a *Maratha* martial ethos. Most Maratha families patronised by them were *deshmukhs* – entrepreneurial colonisers of the land – who claimed *Kshatriya* status through military service. See Stewart Gordon, *Marathas, Marauders, and State Formation in Eighteenth-Century India* (Delhi: Oxford University Press, 1994), pp. 192-98. Other studies that investigate the role of *Kshatriya* identity and military mobilisation in the Deccan include Constable, 'The Marginalization of a Dalit Martial Race', and O'Hanlon, *Caste, Conflict, and Ideology*.

<sup>113</sup> In Poona alone 98,000 claimed *Kunbi* status while 332,000 claimed *Maratha* status. Except for Khandesh, Ratnagiri and Kholapur, all other districts reported many times the number of *Marathas* to *Kunbis*. See O'Hanlon, *Caste, Conflict, and Ideology*, pp. 46-7.

<sup>114</sup> Constable, 'The Marginalization of a Dalit Martial Race', p. 446.

<sup>115</sup> Ibid, p. 445; O'Hanlon, *Caste, Conflict, and Ideology*, pp. 41-3.

<sup>116</sup> O'Hanlon, *Caste, Conflict, and Ideology*, p. 8.

<sup>117</sup> Campbell, *Gazetteer of the Bombay Presidency, Volume XVIII, Part I: Poona*, pp. 464.



assumptions of police officials that Bhamtas strove to maintain their disguises even in their own homes. This is not to argue that there were a group masquerading as elites. Instead, it is to highlight that understandings of immaculate disguises were framed by widespread fluctuations and change in the very claims and symbols of identities.

The Maratha identity held particular significance to the social structures and identities of western India and the Deccan plateau. It was strongly tied to Deccan agrarian society, and often used to delineate rural elites from the broader body of cultivators. Colonial attempts to classify *Maratha* elites away from the more general body of *Kunbi* cultivators demonstrated the weakness of these categorisations in accurately representing the fluidity and porousness of Indian social identities. As Polly O'Hanlon has highlighted, both of these terms were part of a wider 'Maratha-Kunbi complex'.<sup>118</sup> '*Maratha*' represented the rural agrarian elite, while '*Kunbi*' was a generic Marathi term for a tiller of the soil, rather than a specific caste community. One could shift between these community identities depending upon a change in their fortunes and aspirations to social mobility. Someone could become a *Maratha* by adopting practices such as moneylending which supported village-level cultivation. Conversely, R. E. Enthoven, the noted ethnographer of Bombay's 'tribes and castes' work, observed that other communities such as fisher caste members could become *Kunbis* by taking up agriculture.<sup>119</sup>

The particular importance of Maratha identity in this context bore upon how different parts of the colonial state framed their understanding of Bhamtas. While both railway police reports and gazetteers forwarded beliefs that Bhamtas assumed markers of superior social statuses, their focuses differed. For railway police, it was intimately associated with identity markers that could denote wealth. Such a marker was more readily apparent for policemen attempting to spot thieves in crowded railway spaces, and formed a vital piece of the logic of how Bhamtas were believed to operate. Conversely, by drawing more attention to claims of *Maratha* identity, district gazetteers framed understandings of Bhamtas more firmly within social formations that were increasingly aware of the broader implications of identity groupings. It reflected the concerns of district officials to understand the broader social fabric of Indian society that provided discursive space for such claims. Railway police tended to care little for such details. As Portman declared, he had little concern for 'the social manners and customs' of Bhamtas,

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<sup>118</sup> O'Hanlon, *Caste, Conflict, and Ideology*, p. 16.

<sup>119</sup> Ibid, p. 16; R. E. Enthoven, *Tribes and Castes of Bombay*, vol. 2 (Bombay: Government Central Press, 1922), p. 257.

as they were seen to be of little direct relevance to policing.<sup>120</sup> The differing framings of police and district knowledge produced uneasy fusions in later colonial publications. Michael Kennedy's early-twentieth century handbook on India's criminal groups drew upon these works to produce accounts that struggled to decide whether it was indeed *Marathas* or wealthy traders that were the 'main' disguises used.<sup>121</sup>

Thus, while railway policemen struggled to comprehend what they felt were unrealistic numbers of people dressed as social elites traversing railway lines, their investigations and observations took place in a context in which the peoples of western India were becoming increasingly aware of their own ritual positions and their connotations. The sense that the railway lines were plagued with thieves disguised as social elites emerged at a point in which the very foundations of what it meant to be part of these elites were being vociferously discussed in published works and public discourses. The typology of the inveterate Bhamta railway thief emerged anew, evolved, and mirrored immensely complex changes in the Bombay Presidency's Deccan, where an emergent group of smaller scale moneylenders were increasingly claiming ritually superior status and dressing in ways that signalled their social aspirations.

## 2.5 Conclusion

By the close of the 1880s, colonial knowledge on the Bhamtas had spread extensively along the very lines they were claimed to infest. The multiple factors that contributed to their emergence in colonial literature and the specific context of the Deccan in which they emerged increasingly lost its relevance, as the Bhamta typology became a fact by its mere establishment in colonial criminal typologies. Such knowledge travelled near-wholesale along newly-opened lines. Writing in his 1889 annual report, the Superintendent of the young Southern Maratha line expressed what Bhamtas meant to him:

Bhamtas are the people who are feared by the Railway Police. [...] A Constable travels with every night train, and at each station carefully watches passengers. These people are, however, a source of constant anxiety, as they are clever and disguise well. The proper lighting of carriages is the greatest help that can be

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<sup>120</sup> Letter from F. J. Wise, Insp. Gen of Police to A. Crawford, Commissioner, C. D. (dated 14<sup>th</sup> April 1887), in *Bhamtas – Report on by Colonel Portman*, Vol. 22, File No. 671, 1887, Judicial Dept, MSA, p. M95.

<sup>121</sup> M. Kennedy, *Notes on Criminal Classes in the Bombay Presidency with Appendices Regarding Some Foreign Criminals Who Occasionally Visit the Presidency Including Hints on the Detection of Counterfeit Coin* (Bombay: Government Central Press, 1908), pp. 16-25.

given to the police, as the Bhamta loves a carriage without lights in it. [...] I hope that this year, better arrangements for lighting third class carriages will be made.<sup>122</sup>

For this superintendent, ‘the Bhamptas [were] better known than they used to be’ and his police had begun to identify, pursue and arrest them along his line.<sup>123</sup> His reports, along with those of the other railway police, began to feature specific headings in which they were expected to comment on perceived Bhamta activity, and account for any lack of it.

The emergence of Bhamtas as a quintessential aspect of policing western India’s railways can only be understood when considering the ways in which railway police forces operated, and how this influenced understandings of Deccan society in a period of drastic social and economic change. It cannot be accounted for with narrow reference to the application of colonial ideologies of habitual crime being extended into yet another region of colonial dominance such as the railway lines. It was a product of a constellation of factors, where racialised understandings of criminality and concerns over the economic and political security of the subcontinent met with changes in the economic prosperity of numerous Indian peoples.

The idea of the Bhamta criminal typology was not a result of a collapse of the colonial information order at a periphery of colonial power, or the failure to acquire ‘accurate’ information about Indian society.<sup>124</sup> Indeed, Bhamta experts were heralded specifically due to the perceived accuracy of their information on criminality, which superior colonial officials actively encouraged and took advantage of. The Bhamta train thief *par excellence* was an idea spawned by the very structuring and modalities of colonial governance, which fundamentally sculpted how information was interpreted and processed.

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<sup>122</sup> ‘Annual Report on the working of the SMR Railway Police for 1889’, p. 2, in *Reports on the Working of the Police of the GIP Railway, SM Railway, and BB & CI and R-M Railways, 1879-1890*, BL, IOR/V/24/3151.

<sup>123</sup> ‘Annual Report on the working of the SMR Railway Police for 1890’, p. 1, in *Reports on the Working of the Police of the GIP Railway, SM Railway, and BB & CI and R-M Railways, 1879-1890*, BL, IOR/V/24/3151.

<sup>124</sup> Bayly, *Empire and Information*, pp. 171; 173-176; 316.

## Chapter 3 – Coins, forgery and state authority, c. 1870-1890

### 3.1 The Yedshi coining controversy

In 1886, the British colonial government in Bombay Presidency begrudgingly remitted a sentence against a man named Kushya walad Yedu, imprisoned for six months for circulating false coin. The accused had been tasked with transporting four silver rupees and some small silver coins to the government treasury at Barsi from the village of Yedshi, both situated on the north-east periphery of the Sholapur District.<sup>1</sup> Most of the coins Kushya handed to the Barsi treasury were found to be false, resulting in his arrest. In court, he claimed that he had no knowledge that the coins were imitations. His defence was that while travelling to the treasury, a stranger asked if they could take a look at the coins he was carrying, and that this stranger must have switched out legitimate coins for forgeries. Perhaps unsurprisingly, the court found this claim incredible. Kushya's narrative failed to win over colonial officials, and he was sentenced. He had no evidence to support his story, and to further discredit him, the Sholapur police had reported that coinage offences were not only infrequent, but that there were no gangs of coin forgers currently operating in the district.<sup>2</sup>

After Kushya's conviction, however, the magistrate who condemned him had a change of heart. This magistrate, Mr. Cappel, decided to conduct further inquiries on his own volition, and ended up seeking Kushya's release. After reading a police handbook on collective crime by Major Gunthorpe, called *Notes on Criminal Tribes*, Cappel reconsidered the credibility of Kushya's narrative. According to Gunthorpe's work, there were indeed a community of criminals who forged false coins and passed them within the Sholapur district and beyond, disguised as Muslim Fakirs. To be sure, Cappel personally visited the road Kushya had travelled along to Barsi, interviewing both officials and non-officials, and afterwards declared that the area was indeed 'infested

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<sup>1</sup> In 1886, Sholapur and Bijapur shared a sessions judge. Additionally, in 1885, Kaladgi District was renamed Bijapur District, combined with a relocation of the district headquarters from the former city to the latter. This was heavily influenced by the fact that the terrain around Kaladgi did not easily allow railway access for the new Southern Maratha line set to traverse the district. For sake of saving the reader (and author) from confusion, outside of quotes, Kaladgi will be referred to as Bijapur. For more on the history of the district, see Meyer, Burn, Risley and Sutherland, *Imperial Gazetteer, Vol. VIII, Berhampore to Bombay*, p. 175.

<sup>2</sup> Remission of Sentence. Sholapur Jail. Release of pardoned convict Kushya walad Yedu, Vol. 91, File No. 226, 1886, Judicial Dept, MSA.

with these Fakir coiners'.<sup>3</sup> Now satisfied that Kushya's narrative was not mere fabrication, he requested that his case be reviewed by the High Court, resulting in his release, and harsh criticism and censuring passed upon the Sholapur police for their ignorance of the conditions within their own jurisdiction.

This rare instance of a sentence being fully remitted is demonstrative of the complexities of how collective crime was understood and accounted for by the colonial regime, especially when different branches of the colonial administration produced conflicting accounts on the state of law and order in India. On the one hand, the support of a First Class Magistrate and published literature on collective criminality gave Kushya's testimony great credibility, forcing the colonial government to go against their standard policy of non-interference in everyday legal practice.<sup>4</sup> On the other hand, the Sholapur police argued the value of their experience on the ground, using statistics to show that their district not only had a mere single-figure sum of coining offences per year, but that Sholapur was no worse than its neighbouring districts for such offences.<sup>5</sup>

The discordances between Cappel and the Sholapur police's narratives of coining caused considerable friction. The police were displeased with Cappel's attacks, and formally censuring them was a huge blow to their prestige. The police argued that if coining gangs really did operate frequently within their district, then offences relating to them would be more commonly tried in the courts, yet only thirteen cases of forgery had been tried between 1882-4; a figure which included not only coins, but stamp and bank note forgeries as well.<sup>6</sup> Cappel retorted by pointing out that crimes still happened even if the police failed to account for them, and that he had been personally told by money-

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<sup>3</sup> Ibid.

<sup>4</sup> Ibid. Non-interference with the practice of small courts was part of a wider doctrine of 'moderation' towards the functioning of the lower levels of the state administration, particularly in the rural tracts. See Neeladri Bhattacharya, *The Great Agrarian Conquest: The Colonial Reshaping of the Rural World* (Albany: State University of New York Press, 2019), p. 64. In judicial procedure more widely, higher officials struggled to define the 'customary law' of Indians apart from the general administration of British justice. Non-interference prevented questions over these boundaries. See Eleanor Newbiggin, *The Hindu Family and the Emergence of Modern India: Law, Citizenship and Community* (Cambridge: Cambridge University Press, 2013), especially introduction; Elizabeth Kolsky, 'Codification and the Rule of Colonial Difference: Criminal Procedure in British India', *Law and History Review*, 23. 3 (2005), pp. 631-83.

<sup>5</sup> F. Yates, District Superintendent of Police, Sholapur, to W. W Loch, District Magistrate, Sholapur (dated 3<sup>rd</sup> February 1886), in *Censure Passed on the Police on Account of their Ignorance of the Existence of Gangs of Coiners in the District of Sholapur*, Vol. 79, File No. 764, 1886, Judicial Dept, MSA, p. M36.

<sup>6</sup> Ibid, pp. M34-6.

exchangers in Barsi that most villagers held fraudulent coins, 'submit[ing] to the loss or find[ing] means to pass on the money, but [...] not complain[ing] to the Police'.<sup>7</sup>

These arguments between Cappel and the Sholapur police reflected deeper tensions around legal procedures, and how crime in India was to be understood and policed. Cappel represented the logical conclusions of colonial common sense on collective criminality. He believed habitual coiner gangs were a 'thing', ratified by inherited colonial wisdom and Kushya's peculiar case, who had successfully avoided police attention. Thus, when Cappel undertook his personal inquiries on the Barsi-Yedshi road where Kushya was supposedly scammed, he sought to validate these abstract assumptions on how collective crime functioned in India, certain that the colonial grid had simply failed to pick it up.

The Sholapur police, on the other hand, were informed by different, contrary aims. While they shared beliefs in the existence of coining gangs, it was in their interests to achieve low crime statistics while expending as little funds as possible. By hinging their defence upon how many offences were reported, the Sholapur police implicitly argued for their own competence and efficiency. When it came down to the question of if there really was a problem with coining gangs in Sholapur, Cappel and the Sholapur police mobilised acceptable forms of colonial knowledge which contradicted each other in practice, and both found what they had set out to prove in support of their views.

Eventually, the Commissioner of the Southern Division intervened in this argument. Neither Kushya's case, nor the existence of gangs of Fakir coiners was the issue any more. Instead, the Commissioner intervened to merely point out that Cappel's criticism was excessively harsh, and his conclusions on roads being 'infested' were hastily drawn. As far as the Commissioner was concerned, coining incidents in Sholapur were 'no worse than other districts bordering on the territories of H. H. the Nizam', and thus in one swoop, shifted the blame onto a nearby Native State to keep the peace between his officials.<sup>8</sup> Ruptures within the web of colonial knowledge on crime had to be glossed over by using the catch-all excuse that Indian rule was intertwined with criminality, as argued in chapter 1 of this thesis.

This controversy over the circulation of false coins tapped into wider concerns over the vulnerability of colonial finances to interference. By handing forgeries over to

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<sup>7</sup> E. L. Cappel to the District Magistrate, Sholapur (dated 1<sup>st</sup> June 1886), in *Censure Passed on the Police on Account of their Ignorance of the Existence of Gangs of Coiners in the District of Sholapur*, Vol. 79, File No. 764, 1886, Judicial Dept, MSA, p. M62.

<sup>8</sup> Commissioner, S. D. (dated 5<sup>th</sup> April 1886), in *Censure Passed on the Police on Account of their Ignorance of the Existence of Gangs of Coiners in the District of Sholapur*, Vol. 79, File No. 764, 1886, Judicial Dept, MSA, p. M53.

the Barsi treasury, Kushya was inherently challenging the colonial state's authority to extract taxes and dues, provoking broader questions over how much colonial officials actually knew about the circulation of bullion and legal tender, and questioning their own abilities to control and influence it. Ideas of professional gangs of coin forgers figured as a way of identifying and ideologically confining this source of insecurity. It rendered the occurrence of debased coins as something that could be administratively controllable, in line with understandings that India contained a society which could be understood through viewing it as a collection of discrete, identifiable groups.

This chapter analyses the ways in which the colonial state understood and accounted for reports of counterfeit coining, and the ways in which concerns over the state of coinage in India translated into the development and elaboration of a professional coiner typology. It explores the ways in which colonial officials investigated reported cases of counterfeiting coin, how the evidence of these cases was understood, and how concerns over the counterfeiting of coins were influenced by international issues around exchange rates and pre-existing understandings of Indian society. Fundamentally, this chapter argues that the tenuous position of the silver standard in the late-nineteenth century was intimately related to colonial efforts to find coiner gangs and implement measures against them. The ways in which colonial officials perceived of counterfeiting, and the ways they sought to combat it, reflected attempts to re-iterate the authority of the colonial state and the credibility of its financial resources, which in turn supported its authority as a governing body. As the colonial state stressed its own financial dominance, it conversely stressed its own legitimacy to power, and India's subjugation to the colonial order.

The first section of the chapter examines how the state-backed silver rupee was particularly coveted by the colonial regime, and how the stability of the silver standard in India became increasingly threatened through depreciation. The analysis then turns towards how within this context of economic insecurity, perceived threats to the credibility of the silver rupee related to the revival and reification of concerns over coining gangs. The final section explores how the colonial state went about dealing with perceived coining gangs. On the one hand, this final section explains how desires to locate and end the production of false coins resulted in a re-interpretation of the relationship between Indians and their own financial security. This positioned Indian villagers as hapless victims who coining gangs preyed upon. On the other, it explores the ways in which the colonial state constructed coining suspects as perpetrators in need of policing, which could be located within a particular geographic locale. As Todd Barosky has highlighted, discursive practices around counterfeiting served to clearly delineate it as a crime. Such processes were essential to criminalising counterfeiting as the value of

money was not an inherent quality. It was through the exercising of sovereign power to criminalise counterfeits that an arbitrary yet concrete sign like a coin, note, or other form of ‘monetary symbolisation’, could be converted into something that represented an abstract value like wealth, property or labour.<sup>9</sup>

As concerns over coins manifested in criminal typologies, this chapter reveals the role of the production of typologies, criminals and their counterpart victims, in sustaining and ratifying certain types of criminal behaviour. This argument echoes Todd Barosky’s study on the novelisation in fiction works of counterfeit crimes in eighteenth-century North America. He argues that the process of novelisation was a vital component of producing counterfeiting as a fully recognisable type of crime.<sup>10</sup> The identification and elaboration of understandings of coining gangs served a similar purpose to novelisation. The identification of coining gangs and their construction as predators preying on Indian villagers served to not only render counterfeiting recognisable, but also created a narrative of the knock-on effects of coining upon colonial subjects. It justified colonial feelings of alarm and desires to actively intervene by framing the protection of the silver rupee as a morally justifiable action.

At the same time, colonial concerns over counterfeiting, and the elaboration of the coiner gang typology, were related to the particular context in which the British-backed silver rupee functioned. India was a place where an extensive range of currencies co-existed. Concerns over the state of the silver rupee thus served to reify its position as effectively a national currency, with all other currencies serving as complimentary at best, or at worst, akin to goods. As Barosky has observed, in other multi-currency societies such as eighteenth-century North America, narratives of counterfeiting helped to negotiate the authority of the currencies claimed to be counterfeited.<sup>11</sup> In a context where multiple bodies issued coins, paper bonds held against precious metals, and other forms of financial exchange, protecting the silver rupee was a declaration of its authority and the power that backed it. By framing the silver rupee as a target of counterfeiters, colonial officials not only reflected its perceived vulnerability, but also suggested that its value over other currencies was a given. It was only when the security of silver appeared questionable that officials embarked upon the process of aggressively generating narratives and ideas of coiners.

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<sup>9</sup> Todd Barosky, ‘Legal and Illegal Moneymaking: Colonial American Counterfeiters and the Novelization of Eighteenth-Century Crime Literature’, *Early American Literature*, 47. 3 (2012), pp. 531-60 (p. 534). ‘Monetary symbolization’ is a concept developed by Marc Shell, in Marc Shell, *Money, Language, and Thought: Literary and Philosophic Economies from the Medieval to the Modern Era* (Baltimore: Johns Hopkins University Press, 1993).

<sup>10</sup> Barosky, ‘Legal and Illegal Moneymaking’, pp. 533-4.

<sup>11</sup> *Ibid*, p. 534.



In such a situation, the elaboration of a coining gang typology formed part of wider institutional actions that served to align Indian society with the fiscal demands of the colonial state. As Jacques Derrida has observed, narratives that involve counterfeits capable of achieving practical monetary value form part of ‘stabilization in process’.<sup>12</sup> The very process of producing narratives of counterfeiting thus forms part of a wider process of revising the very state structures that grant and maintain the authority of money.<sup>13</sup> In colonial India, the development and inscription of a coin forger typology was thus part of the very process of revising and stabilising the ways in which the authority of the silver rupee, and that of the Raj that backed it, was maintained and expressed.

### **3.2 The state of coins in nineteenth-century India**

Colonial concerns over the circulation of false currency need to be considered with regard to the coins in circulation at the time, and the roles that these different coins played in relation to colonial governance. It is vital for situating increasing concerns over gangs of coiners, which received the brunt of the blame for the appearance of debased coins throughout Indian society and in the offices of the colonial government. Nineteenth-century India saw an immense diversity of objects used as mediums of exchange. This range of currencies included coins minted on the Company’s, and later the Raj’s behalf, as well as those produced by Native States and Mughal emperors. These objects of exchange were understood and treated differently by colonial officials depending on their type. In the nineteenth century, colonial officials tended to care little for the forgery and tampering of coins in India, with the crucial exception of the silver rupee. This British-backed specie was legally considered the ‘Queen’s coin’, which colonial finances depended upon, and which was the favoured medium of financial exchange between colonial authorities and the Indian population. Silver coin was required to make payments to the British Government in India and thus played a crucial role in the collection of various dues, especially as payment with other types of coins was restricted or prohibited outright.<sup>14</sup> As far as the colonial government was concerned, anything apart from the silver rupee was effectively a complimentary currency. They were not legal tender in the same sense as the British-backed silver rupee, and were relegated to sub-governmental levels of Indian society.

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<sup>12</sup> Jacques Derrida, *Given Time: I. Counterfeit Money*, translated by Peggy Kamuf (Chicago: University of Chicago Press, 1992), p. 87; 95.

<sup>13</sup> *Ibid.*

<sup>14</sup> Special Returns. Returns of the present state of the Copper and small Silver Currency throughout India, Vol. 138A, File No. 2165, 1868, Public Works Dept, MSA, p. M49.

The dominant position of the silver rupee conversely influenced how cases of suspected cheating and forgery were dealt with, and raised questions over how instances of forgery were to be classified and prosecuted, if at all. Often, it hinged upon whether the coins in question were, in legal terms, actually considered to be ‘coins’ and ‘money’. The Indian Penal Code (hereon the IPC) was clear in cases of the British-backed silver rupee; whatever coin was denominated as the ‘Company’s Rupee’ was the ‘Queen’s coin’.<sup>15</sup> Questions of whether rupees were considered both ‘coin’ and ‘money’ were thus immediately resolved as the purest form of coin in legal terms, and all measures against counterfeiting could be applied to it. Sections 231 to 263 of the IPC went on to stipulate the criterion and punishments for those involved in tampering with coin. Taking part in any counterfeiting, doctoring, or importation, were all liable for punishment. Intent also formed a key feature. It was the *willing* participation in any of these processes that earmarked people for punishment, as well as knowingly possessing, handling or cheating others into receiving counterfeited coins.<sup>16</sup> In the case of Kushya that opened this chapter, his exoneration depended upon his perceived lack of conscious participation in circulating false coins. Blaming forgeries on coining gangs, however, tapped into colonial understandings of Indian social groups being geared towards certain specific professions and modes of living. Such views of Indian society implicitly accredited an intent to produce and pass the only form of currency specifically laid out in legal terms as the Queen’s coin.

When it came to coins other than the rupee, the legal framework of the IPC was largely inhibitory. As silver rupees were privileged, and other coins were harder to position clearly in the IPC, officials shied away from pursuing fraudulent non-silver coins with any voracity. In any case, since payments to the government were expected to be in silver rupees, other coins in circulation were largely beyond the concerns of colonial officials. Many of the coins which circulated in India were not considered to be ‘current’, and thus stood outside of the authority imbued in being legally considered ‘Queen’s currency’. The result was that cases of tampering and swindling with coins other than silver rupees became an issue of a court’s discretion and interpretation, which often stood in tension with the terms of the IPC. When the issue of doctored *mohurs* was raised in 1890, one official cited that a few courts had prosecuted people for using such coins ‘as money’, and by using them to obtain goods in exchange.<sup>17</sup> Such cases not only pointed

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<sup>15</sup> John D. Mayne, *Commentaries on the Indian Penal Code (Act XLV of 1860)*, 11<sup>th</sup> edn (Madras: Higginbotham and Co., 1881), p. 206.

<sup>16</sup> *Ibid*, pp. 206-19.

<sup>17</sup> Maj. Robertson, Political Agent to Baghelkhand and Superintendent of Rewah, to the Agent to the Governor General for Central India (dated 12<sup>th</sup> July 1890), in *Manufacture of Imitation Gold Mohurs Containing Less than the Proper Quantity of Gold. Information Required*, Vol. 82, File No. 64, 1891, Judicial Dept, MSA, p. M34.

to the intrinsic value of the metals contained within these *mohurs*, but showed that ‘attaching to them as coin’ changed their market value, which was the part that made such transactions punishable at the discretion of officials.<sup>18</sup> At the same time however, the IPC directly contradicted the spirit of such rulings. Section 230 specifically declared that ‘lumps of unstamped copper, though used as money, are not coin’, and thus were by implication ‘goods’.<sup>19</sup> The question over where the value of the coin lay was thus weighted towards the authority that backed it, yet was never clear-cut.

The hesitance to interfere with coins that were not specifically outlined as Queen’s currency also extended to coins well-known to formerly be legal tender. The above case concerning gold *mohurs* resulted in the government deciding that they should not be outlawed, even though their seals matched a mintage from Emperor Akbar’s reign.<sup>20</sup> What makes this incident particularly curious is that there was strong evidence to suggest that these coins were actually designed to deceive people over their value. The person found with the *mohurs* in question had correspondence detailing a plot to colour the *mohurs* to make them look like they contained higher quantities of gold than they actually did.<sup>21</sup> Still, officials decided that the wide use of gold *mohurs* as ornaments meant concerted intervention was unnecessary. There was little impetus to change the IPC to accommodate such coins as they did not represent the authority of the colonial government directly, nor were they held to directly interfere with colonial finances. Instead, this incident was treated as isolated and responsibility was passed on to political agents and local authorities to deal with the culprits of the doctored *mohurs*.<sup>22</sup>

While the above case was treated as a marginal issue of only local significance, officials were equally as unwilling to act upon even massive amounts of coins suspected to be counterfeit. A particularly telling case emerged around 1870, when the Commissioner of Sindh claimed that a large quantity of counterfeit Venetian sequins were being imported into Shikarpur and Karachi. ‘Legitimate’ sequins were supposed to be gold, however these were brass. They were widely available and sold openly in bazaars across the region.<sup>23</sup> The overwhelming majority of officials consulted on the matter advised that the Government of India refrain from interfering with the sale and

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<sup>18</sup> Ibid.

<sup>19</sup> Mayne, *Commentaries on the Indian Penal Code*, p. 206.

<sup>20</sup> Maj. Robertson, Political Agent to Baghelkhand and Superintendent of Rewah, to the Agent to the Governor General for Central India (dated 12<sup>th</sup> July 1890), in *Manufacture of Imitation Gold Mohurs Containing Less than the Proper Quantity of Gold. Information Required*, Vol. 82, File No. 64, 1891, Judicial Dept, MSA, p. M34.

<sup>21</sup> Ibid.

<sup>22</sup> Ibid, p. M35.

<sup>23</sup> Col. Merewether, Commissioner in Sind, to the Governor and President in Council, Bombay (dated 23<sup>rd</sup> November 1869), in *Coins. Importation of Counterfeit Sovereigns*, Vol. 20, File No. 325, 1870, Judicial Dept, MSA, pp. M289-90.

circulation of these imitation coins. One district magistrate argued that there was no point as ‘the tokens in question do not appear to be counterfeits of money’.<sup>24</sup> The magistrate’s office in Thana echoed this sentiment, more clearly exposing the crux of the issue. To them, the coins were no issue, as there was ‘no legal proof to show that the introduction and trade in such coins is effected with a view to deteriorating and injuring the currency of the country / a circumstance which cannot possibly arise with only a silver currency’.<sup>25</sup> The bottom line was that even if there was any form of defrauding taking place involving these coins, the impact it would have upon the colonial regime was less straightforward. In such a case, it was clear that the central issue was not the defrauding of Indians, but what such defrauding was seen to do in relation to the colonial state. The fraudulent sequins were treated more akin to counterfeit goods, rather than counterfeit money, and thus tampering with them was not seen to be an issue threatening the state’s trade or general financial health.

When specific types of coins were declared to not be a threat to colonial coffers, discursive space opened up to understand the cultural context of coins beyond their potential value as money. This mirrored notions that the circulation of coins was not worth interfering with, so long as they did not impinge upon the function and flow of silver rupees. Concerning the above case of imitation sequins, the Commissioner of Customs in the Bombay Presidency adamantly claimed that they were ‘being used for the purpose of ornaments than for any other use’.<sup>26</sup> Unlike the Commissioner of Sindh, the Commissioner of Customs doubted that the sequins were being imported in any substantial quantity, or even imported at all. Recognising the widely-practiced act of using coins as adornments served to buttress the political and economic supremacy of the silver rupee, while delegitimising and dismissing other coins into the realm of apolitical Indian cultural practice.

These discussions not only included whatever specific coins had been flagged up as suspicious, but delved into wider social and cultural functions and values that coins had. Poona’s chief magistrate explained that ornamental coins were common in Western India and known as *putlis*:

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<sup>24</sup> J. G. White, District Magistrate of Broach to Secretary to Government, Bombay (dated 24<sup>th</sup> November 1869), in *Coins. Importation of Counterfeit Sovereigns*, Vol. 20, File No. 325, 1870, Judicial Dept, MSA, p. M323.

<sup>25</sup> Commissioner of Police, S. D., to Tanna Magistrate’s Office (dated 20<sup>th</sup> November 1869), in *Coins. Importation of Counterfeit Sovereigns*, Vol. 20, File No. 325, 1870, Judicial Dept, MSA, p. M327.

<sup>26</sup> Commissioner of Customs to the Secretary to Government, Bombay (dated 11<sup>th</sup> January 1870), in *Coins. Importation of Counterfeit Sovereigns*, Vol. 20, File No. 325, 1870, Judicial Dept, MSA, p. M305.

A considerable quantity of gilt guineas are imported here by the Borees and others of the City for sale. They are generally purchased by the poorer classes and strung and worn as necklaces, but [I have] never heard of any attempt having been made to sell them as genuine Coin. The old Venetian sequin resembling a [Pootlia] of brass gilt is also sometimes to be had in the City Bazars and are similarly used by the Natives.<sup>27</sup>

Another official added that he 'had cases of brass tokens [of Venetian sequins] offered for sale to simple villagers. The persons who offer them for sale do so on the plea of being obliged to part with them through present destitution'.<sup>28</sup> If *putlis* were only being monetised unwillingly as a last resort, then their primary value was generally not in their monetary value.

Correspondence from officials also suggested that 'imitation' coins were not only decorative, but could also simply be used as a placeholder token to symbolise a monetary unit. Ahmedabad's police reported that 'Waghrees' used imitation coins to gamble, using them as tokens in place of real gold.<sup>29</sup> Another official told of a case where a man gave someone five brass coins as a deposit on ten cattle, and would later return to collect the cattle for the full price.<sup>30</sup> The tokenistic use of such coins, even in the substantial transaction of ten cattle, would suggest that these coins were relatively worthless as 'real' money, and reinforced the idea that everything apart from the silver rupee served as a complimentary currency to it. In such situations, tokens did not imitate the intrinsic value of the coins they stood in for any more or less than a government bond.

Events that threatened to disrupt the flow and coining of silver tended to heighten state concerns over the state of the rupee itself. This had been demonstrated in the late-eighteenth century, when disruptions to the importation of silver bullion combined with the circulation of debased rupees, subsequently leading to inconveniences with trade and

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<sup>27</sup> Magistrate of Poona to the Commissioner of Police, S. D. (dated 5<sup>th</sup> January 1870), in *Coins. Importation of Counterfeit Sovereigns*, Vol. 20, File No. 325, 1870, Judicial Dept, MSA, pp. M309-10.

<sup>28</sup> Ibid, pp. M310-11.

<sup>29</sup> Magistrate of Ahmedabad to the Commissioner of Police, N. D. (dated 6<sup>th</sup> January 1870), in *Coins. Importation of Counterfeit Sovereigns*, Vol. 20, File No. 325, 1870, Judicial Dept, MSA, p. M317.

<sup>30</sup> Commissioner of Police, N. D., to Secretary to Government, Bombay (dated 4<sup>th</sup> January 1870), in *Coins. Importation of Counterfeit Sovereigns*, Vol. 20, File No. 325, 1870, Judicial Dept, MSA, p. M321.

production.<sup>31</sup> In the late-nineteenth century, such concerns emerged anew when the stability of the silver rupee in India was threatened by events on a near-global scale. Silver bullion had been relatively stable since 1833, however in 1873 a prolonged fall in the value of silver began, raising the rupee equivalent of the sterling tribute remitted back to England.<sup>32</sup> This massive depreciation in the value of silver had extensive knock-on effects and provided numerous reasons for the Raj to be concerned. One of the key reasons lay in India's relative position within the context of international trade. India had long been on a silver standard while other nations had switched to gold standards. India had thus been shielded to some degree from risks attached to the value of gold, such as discoveries of large deposits of gold in the earlier years of the nineteenth century in Australia and America. However, compartmentalisation between the two metals worked both ways, where threats to silver left gold standards in a stronger position. From 1873, the exchange rate of silver fell from 22.8d in 1872-73 to 20.5d in 1876-77, and further to 19.8d in 1878-79.<sup>33</sup> The depreciation of silver thus made exchanging silver rupees against London's gold standard a much more costly process for the Government of India.

This compounded problems with the Raj's financial obligations, which were already considerable. The staple tributes and home charges that defined India's exploitation and subjugation to the metropole became increasingly burdensome, and the inflexibility of various expenditures of governance through administration and policing were compounded by the drying up of railway capital, and private funds beginning to flow out of India. Attempts to save cash often came in the form of cutting Public Works Department and irrigation spending, while levies from the larger, poorer sections of Indian society were expected to make up shortfalls.<sup>34</sup> As Tomlinson points out, the marked increase in taxation in the last quarter of the nineteenth century was in part to meet the deficit caused by silver depreciation. Between 1872 and 1893, central government tax revenue rose from 374m to 501m, but over one-third of increase came from non-agricultural tax such as tariffs, excises and income tax. While total taxes rose by 34%, agricultural prices rose by 44% and agricultural taxes by 23%.<sup>35</sup>

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<sup>31</sup> Arun Banerji, 'London's Rejection of Lytton's 1878 Gold Standard Proposal: Revealed for the First Time, and Examined', *Economic and Political Weekly*, 35. 7 (2000), pp. 551-65 (p. 551).

<sup>32</sup> Utsa Patnaik, 'India in the World Economy 1900 to 1935: The Inter-War Depression and Britain's Demise as World Capitalist Leader', *Social Scientist* 42. 1/2 (2014), pp. 13-35 (p. 20).

<sup>33</sup> Banerji, 'London's Rejection of Lytton's 1878 Gold Standard', p. 552.

<sup>34</sup> Ibid.

<sup>35</sup> B. R. Tomlinson, *The Economy of Modern India: From 1860 to the Twenty-First Century* (Cambridge: Cambridge University Press, 2013), p. 14.

With the silver rupee in a position of relative weakness, avenues of financial extraction and investment became less fiscally sound. Extracting opium out of Native States, removing coins from circulation by stashing or melting, and stockpiling in treasuries all posed serious problems to the circulation of silver.<sup>36</sup> Incentives to ease endemic money shortages were a complicated issue, as while home charges suffered from the poor exchange rate vis-à-vis London's gold standard, the Raj could hold wages and costs down. Indian mercantile and banking groups drew particular benefit from this state of affairs, as their role as money exchangers allowed them to command favourable exchange rates for themselves.<sup>37</sup>

To complicate things further, threats to the silver rupee made the limits of British financial dominance much more visible. The Raj coined its own rupees at a relatively slow rate, and ultimately failed to re-coin the multitude of currencies already in circulation in the nineteenth century. British-backed silver rupees were supplemented by other types of rupees already in circulation as discussed above, as well as other standards of coin which presented an immensely diverse blend of currencies, and even included some British gold coins and coinage from Native States.<sup>38</sup> Britain's incomplete political control of India, and colonialism's exploitative nature were therefore reflected in its monetary policies, and the material realities that were borne from them. Mints remained open until 1893, and with no central bank and undeveloped state-level banking systems, India's silver coinage was dependent on bullion imports that were often processed into specie outside of direct state control.<sup>39</sup>

Colonial concerns about the circulation of false coins thus need to be grounded within the perceived functions of different coins and their relation to colonial governance. The British-backed silver rupee was the state-backed medium of exchange enshrined in law. It was the standard that the colonial government demanded for the payment of dues and taxes, and thus other forms of currency functioned as complimentary currencies that required exchange before they could interact directly with colonial forms of economic extraction. As a result, when officials perceived of instances of counterfeit coining, they had little incentive to interfere unless it directly involved claims that silver rupees were the object being forged. The consideration of silver rupees as 'money', and its favoured status within colonial law and economics, encouraged

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<sup>36</sup> Stashing was likely encouraged by stringent taxation methods, and there was no provision to alleviate seasonal monetary issues. Banerji estimates that approximately ten per cent of legal tender rupees lay in treasuries. The importance of ornaments and jewellery certainly played some role upon the circulation of coins, however this is impossible to measure accurately. See Banerji, 'London's Rejection of Lytton's 1878 Gold Standard', p. 552.

<sup>37</sup> Ibid, p. 553.

<sup>38</sup> Ibid, p. 552.

<sup>39</sup> Ibid.

officials to see potential forgery of these coins with greater concern. Forging silver not only posed a threat to profits, but as one official put it in the early-twentieth century, 'bad coins may easily excite mistrust against the Government responsible for the coinage'.<sup>40</sup>

### **3.3 Roads 'Infested with these Fakir Coiners': the identification of coining gangs, c. 1870-1890**

Kushya's case, and questions over the severity of false coin circulation, emerged with particular gravity within this context. In the late-nineteenth century when Kushya was arrested, general policies of non-intervention with the circulation of coins had been challenged by shifts in the availability and relative value of silver bullion, which the state-backed silver rupee depended upon. Importantly, colonial officials decided against intervention in instances that appeared to be almost certainly related to the defrauding of India's poorer social echelons. As we saw above, attempts to colour *mohurs* to make them appear to contain more gold than they actually did, were dismissed on the grounds that they did not threaten the stability of currency. This is a point which will be discussed again shortly.

It is within this context that colonial officials paid increased attention towards ideas of organised groups compromising the stability and security of colonial economic extraction processes, through the production and circulation of false silver rupees. It is important to state here that the idea of the professional coiner gang was not new to the colonial government. Both Cappel and the Sholapur police knew of the idea that there were gangs devoted to producing and circulating falsified coins. Charles Hervey's list of wandering tribes, mentioned throughout this thesis, had also alluded to the idea that there was a specific community of coin forgers and utterers known as the Chapparbands, which had existed since at least the 1850s. He defined them thus:

13. *Chupper* or *Chapah-bunds* are Mussulmans, and some of the calling too are *Telingees* and *Kougahs*. They reside in fixed villages, particularly in the valley of the Kristnah, in the neighbourhood of Chimulgee and Moodebehall. They periodically sally forth, uttering counterfeit coins, at making and passing which they are most expert and cunning. They spread every-where in the Madras and

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<sup>40</sup> Application to the Government of India for sanction to the continuance for a further period of two years of the deputation of Mr. O. H. B. Starte (dated 23<sup>rd</sup> April 1910), Vol. 118, File No. 1787, 1910, Judicial Dept, MSA, p. M94.



Bombay Presidencies, and in the Nizam's Country, penetrating even up into Hindostan. They have already been especially reported on.<sup>41</sup>

Hervey's own writings had, however, emerged in a period marked by a self-assured attitude within colonial officialdom, before the Uprising had so thoroughly brought home the fragility of British power as alluded to in chapter 1, and before international issues with silver exchange rates threatened the financial viability of the Indian colony. The relative apathy towards the habitual coiners identified in the 1850s had significantly eroded in the late-nineteenth century, and by the late 1870s, colonial officials had begun more concerted efforts to trace, monitor and control people understood as professional coiners. While this was partially influenced by a more general development in the late-nineteenth century of ideas of habitual criminality, concerns over coining in this period were more specifically the product of a combination of concerns over monetary stability and local-level understandings of criminality.<sup>42</sup>

This section of the chapter discusses how the colonial regime went about identifying gangs of coiners, and how information on them was gathered and made sense of during the late-nineteenth century within a context of heightened attention to the fate of silver coins and the ways in which they reached colonial coffers. The late 1870s and early 1880s mark a period in which concerns over false coiners emerged with particular strength, and resulted in procedures specifically to deal with them. It shows the ways in which insecurities over the fate of the silver rupee related to the elaboration and ratification of criminal typologies in connection with the shifting concerns of the state, which could be influenced at various scales from the local to the trans-national. The interventionist stance the regime took towards gangs of coiners in this period formed a contrast against the 1850s. Like the Sunnorias and Bhamtas, in the eyes of the state, the professional coiner was of no marked significance in the 1850s, and merely one of many communities believed to travel about committing specific types of crimes. It was in the late 1870s, and early 1880s that they were 're-discovered' by the colonial regime and associated to a more specific typology of criminal.

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<sup>41</sup> A List of the Wandering and other Predatory Tribes in the habit of infesting the Districts of the Bombay Presidency, with their Occupations, both ostensible and real (dated 26<sup>th</sup> May 1852), 1853, BL, IOR/V/23/331, No. 1G, p. 82. *Telingeas* are not to be confused with 'Telingas labourers'. The latter was not a specific group, so much as a term for people related to Telugu language.

<sup>42</sup> As other historians, especially those concerned with the advent of the CTA have highlighted, the late 1860s onwards marked a period of increased discussion over the identification and management of 'habitual' criminality. See Nigam, 'Disciplining and Policing the "Criminals by Birth"'; Radhakrishna; Singha, 'Punished by Surveillance'.

In the late-nineteenth century, concerns over the circulation of silver made superior colonial officials much more concerned about reports of imitation silver coins. A particularly marked instance of this originated in the Central Provinces. The Inspector-General of Police J. L. Loch had paid particular attention to arrests and convictions for possessing and passing false coins when perusing the province's annual policing and judicial reports. He was alarmed to find that there was a sharp increase in the number of people arrested and convicted for possessing and passing false coins, particularly in the Central Provinces' eastern-most district of Sambalpur.<sup>43</sup> He notified his Chief Commissioner, who requested 'full details regarding the working of those gangs' and any other information that could be of use to police in other provinces.<sup>44</sup> What followed was an extensive discussion between commissioners, magistrates, and police officials, all trying to figure out exactly who these suspected coiners were; where they originally came from, how they operated, how they could be found and identified, and what to do with them when they were apprehended. Suspects were investigated, magistrates from throughout the Bombay Presidency and Central Provinces gave their opinions, policemen were sent to personally investigate claims made by suspects, and officials searched through their own resources to provide any additional context they could to make sense of the gangs. Central to these discussions was a charge sheet that Loch had attached, which listed the 'gangs' and details relevant to their conviction. These correspondences highlighted not only how sensitive the colonial grid was to threats towards the flow of silver currency, but also the ways in which perceptions of crime interacted with different tiers and institutions of the colonial regime. The favoured status of silver rupee coins provided a vital catalyst with which to unite disparate branches and separate echelons of government in a collaborative project of colonial sense-making, stimulating the sharing of resources and interpretations on the nature of collective crime.

These discussions triggered by Loch were crucial in ascribing a particular importance to the habitual coiner archetype in the late-nineteenth century. They stimulated the linkage of the suspects identified in the Central Provinces with pre-existing understandings of coining gangs such as that of Hervey, detailed above. Ultimately, the discussions between Loch and his correspondents concluded that the suspected coiners were Chapparbands, who were from between the Bhima and Krishna rivers (that is, the district of Bijapur), who dressed as Muslim Fakirs and travelled about,

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<sup>43</sup> Sambalpur District was part of the Central Provinces and Berar until 1905. It was then handed over to Bengal, and now forms part of the province of Odisha.

<sup>44</sup> Inspector-General of Police for the Central Provinces and Berar, J. L. Loch, to the Chief Commissioner of the Central Provinces, No. 194 (dated 24<sup>th</sup> June 1880), in *Measures for controlling the actions of certain gangs of Coiners in the Bombay Presidency*, Vol. 50, File No. 721, 1882, Judicial Dept, MSA, p. M381. Henceforth, the master file here will be referred to as *Measures*.

forging debased imitation coins, and tricking people into swapping their legitimate coins for these forgeries. Such conclusions reflected findings in Hervey's earlier account, particularly their geographical origin, religious identity and community name. A near-contemporary policeman to Loch, Major Gunthorpe, gave a detailed account of the process of producing imitation coins supposedly used by coining gangs in his *'Notes on the Criminal Tribes'* handbook:

The implements used for the manufacture of base coin are simple. A mould of earth, an iron spoon, a pair of pincers and a small knife constitute the lot. The mould is made of a kind of earth called by them "Sidee Pait Muttee" [...] pounded very fine, and worked to a proper consistency with water. A rupee is covered with this prepared earth and well pressed on all sides, and, to take the impression better, it is further tapped all round with a flat piece of wood. A cut is then made through it, going along the edge of the rupee, and a small hole made in the side of the mould, wedge-shaped, to admit of the melted metal being poured in. [...] The lump of clay is now wrapped over with several layers of rag. A thick coating of clay is put over this again, and the whole lump is put into a fire. [When done] the false rupee is taken out and perfected by the hand with the small knife, and is then ready for passing. [...] Counterfeit coin is carried in a lungotee.<sup>45</sup>

While Gunthorpe and other officials ended up producing accounts of Chapparbands that presented a relatively clearly defined community, distinguishable by appearance, profession, and actions, these accounts were the product of complex, and often inconclusive investigations and discussions amongst colonial officials. The Chapparband identity presented in Gunthorpe's work, and in later handbooks such as Kennedy's 1908 *Notes on Criminal Classes in the Bombay Presidency*, was not clearly apparent in the late 1870s. It was the result of discussing and interpreting evidence and follow-up investigations throughout the late 1870s and early 1880s, which convinced officials that coining gangs were a legitimate threat to the state of coin in India. Gunthorpe and Kennedy owed their descriptions to the very process of Loch and his fellow officials attempting to make sense of the statistics that lay before them, armed with their tendencies to believe that group-based criminality was an established fact of Indian society.<sup>46</sup>

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<sup>45</sup> Gunthorpe, *Notes on the Criminal Tribes*, pp. 76-7.

<sup>46</sup> Ibid; Kennedy, *Notes on Criminal Classes in the Bombay Presidency*, pp. 59-60.

While superior officials were prone to viewing reports of false coin through the notion of collective criminal activity, their understandings were also sculpted by the ways in which reports of false coining reached official channels. The overwhelming majority of reports concerning falsified coins were brought to the attention of Central Province police forces by Indian subjects. It was often unclear exactly who these complainants were, as we only know them through whatever identities colonial officials ascribed to them in summary reports. However, Loch's charge sheet still manages to suggest a broad range of social identities responsible for these complaints. One was 'a lad by name Moostakh Hoosein aged about 12 or 13 [...] enticed away by the accused from Burhanpur'. It was this Moostakh who told the police that the accused belonged to 'a large gang of coiners'.<sup>47</sup> Other instances situate the complainants as property holders in rural localities, such as a case where the complainant had reported a suspect to the police after he had come to his house to beg alms.<sup>48</sup> In some cases, Indians had taken it upon themselves to affect the arrest of a suspect, providing the police with both the suspect and a narrative necessary for conviction. One such case involved a man who had been detained and taken to the police by villagers and a merchant. They had seized a suspect in a local bazaar in Oomroati in Berar, on the premise that he provided the merchant with false coins.<sup>49</sup> Another instance had two 'Mahomedan Beggars' seized by villagers and brought to the police, simply because the villagers had heard rumours that outsiders had been visiting local villages and attempting to trick villagers into taking false coins from them under the pretence of exchanging pice coins for rupees.<sup>50</sup> Others were brought to the attention of the police in less direct ways. In one case, a man was arrested under suspicion that he had drugged and robbed a woman. He was arrested and searched which revealed jewels claimed to match what were stolen from the woman. However, the suspect was also found to be holding counterfeit coins. As a result, reports declared that 'there is little doubt [the suspect] has taken up with a professional gang of counterfeit coiners' and he was included in the charge sheet that sought to specifically identify gangs of coiners.<sup>51</sup>

The tendencies of policemen and superior colonial officials to frame these cases within understandings of group-based criminality sat in tension with the very details provided within the charge sheet. Particularly important here were the identities ascribed to the suspects by the police. The charge sheet specifically included the

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<sup>47</sup> Chief Commissioner, Central Provinces to Government of India (dated 11<sup>th</sup> July 1880), in *Measures*, p. M381.

<sup>48</sup> *Ibid*, pp. M398-9.

<sup>49</sup> *Ibid*, pp. M400-1.

<sup>50</sup> *Ibid*, pp. M418-9.

<sup>51</sup> *Ibid*, pp. M394-5.

perceived ‘caste and occupation’ of the accused. The majority of them were listed as ‘Mahomedan Beggars’, which aligned with inherited colonial wisdom on coining gangs that claimed that they donned the robes of poor Muslim mendicants to swindle Indian subjects. However, many were also identified by other social categorisations. Throughout this chapter, the ‘Mahomedan Beggar’ classification will be referred to in inverted commas to reflect that it was an identity applied by state actors rather than that declared by suspects themselves.<sup>52</sup> Alongside ‘Mahomedan Beggars’, there were *Ahirs*, *Kurmis*, a *Brahman*, ‘Telingas labourers’, *Sonars*, and more. While the prominence of ‘Mahomedan Beggars’ still allowed colonial officials to see coining as the profession of Muslim mendicants, the diversity of identities in the charge sheet challenged notions that professions were so rigidly defined by community.

As discussed in chapter 2, colonial officials had attempted to understand Indian society by using physical appearance as a text to read social identity.<sup>53</sup> The identification of many coining suspects as ‘Mahomedan Beggars’ thus allowed colonial officials to understand the crime of creating and passing false coins as something associated with particular individuals. As also alluded to in the previous chapter, behaviours were also attached to criminal typologies, which served to aid colonial actors in distinguishing between individuals who held a similar appearance. However, the ways in which behaviours and appearances were related to criminal typologies meant that they often sat in tension with one another.

Important here is the idea that coining gangs practiced a particular method of passing their false coins off to other people. Coining gangs were believed to practice what we will refer to here and onwards as the ‘pice-for-rupee scam’, which went as follows. A suspect would request to swap his smaller pice coins for rupees at an exchange rate that was favourable to the victim. When the victim of this scenario agreed and took part in the exchange, the suspect would receive a legitimate rupee from the victim and switch it for a forgery by sleight of hand. The forgery would then be handed back to the victim under the claim that the suspect could not accept it as the rupee was ‘not current in their own country’.<sup>54</sup> This narrative of events was very common, featuring repeatedly in the case details of Loch’s charge sheet. It also had clear purchase within the rural localities of the Deccan and Central Provinces, demonstrated by the previously mentioned case of ‘Mahomedan Beggars’ being seized by villagers, who feared that pice-for-rupee

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<sup>52</sup> This appears in colonial sources to be a term used as a broad umbrella term for various travelling ascetics considered to practice a form of Islam, similar to how ‘*Marwaris*’ became a byword for mercantile peoples in the previous chapter.

<sup>53</sup> See Anderson, *Legible Bodies*, especially chs. 2-4.

<sup>54</sup> Chief Commissioner, Central Provinces to Government of India (dated 11<sup>th</sup> July 1880), in *Measures*, pp. M384; M389.

scammers were operating in the area.<sup>55</sup> The pice-for-rupee scam was an extremely frequent justification for suspecting and arresting people in relation to coining offences.

This particular narrative was related by colonial officials to ‘Mahomedan Beggars’, which was construed to evidence the existence of coiner gangs with a specific *modus operandi*. However, Loch’s charge sheet showed that Muslim mendicants were not the only ones being accused of carrying out this specific type of scam. Other mendicants had also been accused of the same activities, for example a *Brahman* ‘Bairagi or Goosain’ was accused of using the pice-for-rupee scam after requesting alms from villagers.<sup>56</sup> Other itinerant peoples whose identities were not so intimately tied with seeking alms were also accused of it. A group of ‘Telingas labourers’ were accused of pedalling false coins to a money exchanger under the familiar pretences of swapping pice for rupees. In this instance, a money exchanger had them arrested by finding a nearby police constable and producing a false coin he had supposedly received from the accused.<sup>57</sup> While the very evidence produced by police forces directly contradicted their own beliefs in criminal typologies, officials dismissed contradictory evidence as outliers and remained in line with narratives of coining gangs being Muslim mendicants. This not only maintained the integrity of inherited colonial wisdom, but coalesced with the fact that most of the suspected coiners being brought to police attention were readily identified and classified as such by the colonial state.

The inclusion of these different identities in reports existed in tension with colonial understandings of crime. They undermined the beliefs of colonial officials that forging and passing false coins were activities exclusive to a community of Muslim beggars, and challenged the idea that ‘gangs’ of coiners were part of any form of organised system, as Loch argued. The diversity amongst the suspects was seldom addressed by officials, existing as a discursive elephant in the room. Occasionally, an official would address the fact that people who were not Muslim mendicants were believed to make coins, however the centrality of Muslim mendicants was always firmly re-stated. Since the 1850s, in one of Hervey’s seemingly long-forgotten reports, he noted that ‘[Chapparbands were] not the only persons that make and put off base coins, the crime being, I regret to say, a common one’.<sup>58</sup> When such realities were made flesh to colonial officials in the late-nineteenth century, it was instead dismissed by drawing a line between Chapparbands as ‘professional’, and others as not.<sup>59</sup> Officials never openly

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<sup>55</sup> Ibid, pp. M418-9.

<sup>56</sup> Ibid, pp. M419-21.

<sup>57</sup> Ibid, pp. M410-1.

<sup>58</sup> Confessions of coiners 1850-1852, 1853, BL, IOR/V/23/331, No. 2C, p. 78.

<sup>59</sup> Chief Commissioner, Central Provinces to Government of India (dated 11<sup>th</sup> July 1880), in *Measures*, pp. M410-11.

questioned the veracity of the charges put against Loch's coining suspects, or the reliability of the pice-for-rupee scam narrative. The commonality of this narrative was seen as proof in and of itself of habitual crime, and of a 'system' of crime that was believed to accompany it. Loch's charge sheet, after all, did not evidence some sudden emergence of people pedalling false coins. Instead, it merely showed that a variety of Indians from rural localities – bazaar merchants, rural property holders, villagers and even young children – were increasingly using accusations of pedalling false coin to report others to the police with considerable coherency between their narratives.

At the same time, by collecting and collating *any* information that was seen to be related to the creation or circulation of false coins, the inconsistencies between evidence and understandings of criminal typologies were the very product of engagements between government-level initiatives and quotidian policing practices. On the one hand, we have a higher officialdom increasingly concerned with the supply of silver rupees, which Loch himself was included within. On the other, the tendency for police to include *any* discovery of false coins as a coining crime directly fed into this sensitivity. As previously stated, police statistics on false coining crimes also included people as a by-product of other arrests, including the instance of a man arrested for stealing jewels from a woman, only to be found with a few counterfeit coins in his pocket.<sup>60</sup>

While many colonial officials bought into ideas that the Central Provinces' coining statistics were the result of coining gangs, a few dissenting voices highlighted discordances between the evidence and conclusions being drawn. As mentioned earlier, it was the Chief Commissioner of the Central Provinces who had requested more information over the claim of coining gangs in the province. After reviewing Loch's findings however, the Chief Commissioner believed there to be 'no evidence, though there [were] grounds for believing, that the individuals [...] had some previous knowledge of and were acquainted with each other'.<sup>61</sup> The Chief Commissioner was alluding here to the fact that even after extensive interviews, suspected coiners provided no information that could link them together with one another.<sup>62</sup> Combined with the diversity of social identities presented by the charge sheets before them, Loch had clearly failed to convince all officials that what they were witnessing was an organised criminal conspiracy. To fill the holes in his evidence, Loch banked upon the effects of incarceration. He declared he would be 'more successful [in finding a link between

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<sup>60</sup> Ibid, pp. M394-5.

<sup>61</sup> Ibid, p. M384.

<sup>62</sup> Ibid.

suspects] when all the different gangs find themselves confronted with each other in a Central Jail'.<sup>63</sup>

While Indian complainants were vital in bringing people to the attention of the colonial state to be classified as coining suspects, complainants also formed a key part of evidence-gathering which facilitated criminal convictions. This could at times be in terms of physical evidence. The case of the Telingas Labourers on the charge sheet is a representative example for many of the cases listed. Here, the fraudulent coins that were used to condemn the suspects were provided to the police by the very villagers who were accusing them.<sup>64</sup> While suspects were sometimes found with counterfeit coins on them, or other items that were considered incriminating, policemen and magistrates were generally content to believe that physical evidence provided by accusers was in fact belonging to the suspect.

Testimonies and popular denouncement of suspects were also often crucial for securing convictions. This was due to the fact that physical evidence was often severely lacking, absent altogether, or circumstantial at best. This was particularly important in the case of a suspect that the police declared to be a *Brahman*, who had travelled long distances on what the British called 'begging expeditions'.<sup>65</sup> There was absolutely no physical evidence relating him to any scamming activity. Even the false rupees he was accused of passing were conspicuously absent; neither being found on his own person, nor provided by the people accusing him. Unfortunately for the suspect, many people testified against him. His guilt and sentencing were established due to the fact that a staggering twenty-four complainants had testified against him, all using the same narrative of the pice-for-rupee scam, and despite the fact that he failed to fit the Muslim mendicant profile accredited to habitual coiners.<sup>66</sup>

The popularity of the pice-for-rupee scam played a vital role in raising suspicions and securing arrests for the state's coercive apparatus. Its power was not only drawn from its perceived compatibility with how collective criminal groups were believed to function, but the fact that utterances of it in different cases from across the Central Provinces demonstrated remarkable similarity to one another. While this ratified understandings of a common *modus operandi* existing amongst collective criminal

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<sup>63</sup> Ibid, p. M386.

<sup>64</sup> Ibid, pp. M410-1.

<sup>65</sup> The British often referred to people going on 'begging expeditions', which conceals a much more complex set of social relations, itineracy patterns and patronage relationships that would have been integral to the lives of peoples claiming social legitimacy from piety. See Nile Green, 'Breaking the Begging Bowl: Morals, Drugs, and Madness in the Fate of the Muslim *faqīr*', *South Asian History and Culture*, 5. 2 (2014), pp. 226-245.

<sup>66</sup> Chief Commissioner, Central Provinces to Government of India (dated 11<sup>th</sup> July 1880), in *Measures*, pp. M419-21.



groups, it also bore upon how Indian complainants treated strangers to their villages. This was most clearly demonstrated when some ‘Mahomedan Beggars’ were seized and brought to the police simply because the villagers had heard rumours that local villages had been visited by outsiders practicing this pice-for-rupee scam.<sup>67</sup> Rank and file policemen were also affected by this narrative. Across the Central Provinces, reports of coiners using this scam turned police scrutiny increasingly towards people who fitted colonial understandings of coiners. Constables were ‘most strictly enjoined to keep a sharp eye on strangers who came to engage vakils’ in relation to accusations of coining.<sup>68</sup> The contribution that Indians made to acquainting colonial officials with ideas of professional coiners show that these ideas were not solely a concept applied to Indian society by colonial officials, but were actively reinforced by interactions between colonists and the colonised. The narrative’s popularity also figured into the decision-making of senior officials. Superior police could declare with confidence that suspects were undoubtedly ‘professionals and must belong to some gang [of coiners]’ simply because witnesses could recount the pice-for-rupee scam in intricate detail in court.<sup>69</sup> When suspects in custody were being questioned, their mere knowledge of the pice-for-rupee narrative confirmed to policemen that the men in their custody were indeed guilty.<sup>70</sup>

This practice of using information discovered in interviews extended beyond the narrative of how coins were passed, and into other processes such as the manufacture of coins, which habitual coiners were believed to personally do. In one case, police identified a *Sonar* accused of coining, who managed to explain in detail how one might make coins from moulds and metals.<sup>71</sup> Knowledge on how to smelt and shape metals – something one might expect from a person considered to be part of a caste group known for its goldsmithing skills – became suspect, condemning evidence in the context of criminal inquiry. The *Sonar* was still prosecuted for coining crimes, yet avoided the brand of being considered part of a community that habitually produced counterfeit coins.

The cases of the *Sonar*, and others not fitting the ‘Mahomedan Beggar’ identity in official eyes, were particularly problematic. Officials were eager to pin coining onto people of a particular social identity, in efforts to render criminality legible. As Clare Anderson has highlighted, the colonial state was engaged in a continual struggle to come

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<sup>67</sup> Ibid, pp. M418-9.

<sup>68</sup> Ibid, p. M444.

<sup>69</sup> Ibid, pp. M418-9.

<sup>70</sup> Ibid, p. M445.

<sup>71</sup> Ibid, pp. M393-4.

up with reliable ways in which to identify criminals, and as physical marks such as penal tattoos fell out of favour, authorities increasingly turned to relying on a 'generalized look' of criminals to render their criminality legible.<sup>72</sup> This emphasis on appearance was however challenged by people like the *Sonar*. The relationship between the suspect's knowledge of coining and the metalwork skills seen to be possessed by members of this community also happened to meet standards of circumstantial evidence, or at least complicity. And yet, his appearance and ascribed caste identity threatened to disembody the traits of criminality that had been so firmly inscribed into travelling Muslim mendicants, and with it, destabilise ideas that the Indian mind could be manifested and rendered legible through physical features and adornments.

Identifying outlying coining suspects like *Sonars* drew attention to the ways in which behaviour and social interactions were also key components of the 'generalized look' of a particular criminal typology, which gained increasing importance in the second half of the nineteenth century. As the case of the Bhamtas revealed in the previous chapter, behaviour was used to sort 'legitimate' Indian social elites apart from 'illegitimate' Bhamta suspects. In the case of coining gangs here, there was particular attention to the pice-for-rupee narrative which augmented ideas of a 'generalized look'. To make sense of one required the other. Like the Bhamtas, the very appearance of suspected professional coiners was understood to mimic the very crimes they were accused of. Clothes and narratives of criminal behaviour were not separate texts, but needed to be read together.

Police-produced criminal handbooks were important in associating and codifying the 'generalized look' of suspects, as well as relating suspects to objects believed to signal criminal intent. One such handbook defined a professional coiner as 'seldom shav[ing] his head, which is scraggy and lank [...] conform[ing] to the poor Muhammadan type [...] Usually slim and wiry'.<sup>73</sup> Conforming to this appearance increased police suspicion, and influenced the ways in which people were investigated and understood by police officials. If a person was suspected of being a coiner, police would specifically seek out certain objects that they believed were associated with criminality, remarking on their presence or absence. A particularly important item in regard to coining suspects was what officials called the 'professional *langoti*'. This item was nearly always searched for when people were apprehended under suspicion of coining crimes. Loch's charge sheet constantly referred to whether suspects had been found with this object in their possession, and he

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<sup>72</sup> Anderson, *Legible Bodies*, p. 7.

<sup>73</sup> A. E. M. Lemarchand, *A Guide to the Criminal Tribes [in the Central Provinces]* (Nagpur: 1915), BL, V/27/161/15, p. 12. *Report of the Operations of the Thuggee and Dacoitie Department in Native States, from the Abolition of its Executive Agency in British Territory to the End of the Year 1868* (Calcutta: Foreign Department Press, 1872), BL, IOR/V/27/161/5, pp. 66-7.

declared it to be one of the ‘peculiarities common to most [coiners]’.<sup>74</sup> What defined the ‘professional *langoti*’ was a specific modification to it, which was essential to the narrative of how professional coiners operated. A *langoti* is a simple loincloth, worn by countless Indians of different social identities, but most notably it was worn by the ‘Mahomedan Beggars’ being arrested. What defined an ordinary *langoti* apart from the ‘professional’ kind was that the latter had a concealed pocket sewn into it, where items could be stashed safely away from view. As Gunthorpe stated, the pockets were ‘sewn to the inner side of the front part of the lungotee, under the front flap’.<sup>75</sup>

The professional *langoti* was vital to the pice-for-rupee scam narrative. The concealed pocket was where coiners were believed to stash both their fraudulent rupees, and the legitimate ones they had acquired. This item of clothing became the site where the actual criminal act – the exchange – took place, and where the suspect transformed themselves from a mere liar into a criminal. It was, after all, accusations of fraudulent exchange that the vital pice-for-rupee narrative hinged upon. Criminalising one of the few items popular amongst Muslim mendicants was a necessary component in branding them professional criminals.

One of the most staggering things about the ‘professional’ *langoti* however, was its rarity. It was part of the acid test of coiners, yet so few of the suspects seemed to possess them. It was a regular feature of Loch’s charge sheet to note that this item of clothing was absent from the ‘Mahomedan Beggars’ who formed the prime coining suspects.<sup>76</sup> Bizarrely, it was even absent in cases where suspects proudly played up to colonial stereotypes. One particular case showed a group believed to be Fakirs, who were reported to have admitted being professional coiners, with one claiming that he had even passed twenty rupees before being apprehended by local police forces.<sup>77</sup> And yet, there was not a *langoti* in sight, let alone one with concealed pockets. It was not only the ‘Mahomedan Beggars’ who seemed to have misplaced their lower garments either. *Ahirs*, *Kurmis* and others convicted of passing counterfeit coin were also found to be without an item that was meant to be so essential to every coining gang member.<sup>78</sup> The absence of such an item severely disrupted the narrative of how coiners worked by removing the actual site of the criminal exchange from the equation.

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<sup>74</sup> Chief Commissioner, Central Provinces to Government of India (dated 11<sup>th</sup> July 1880), in *Measures*, pp. M388-9.

<sup>75</sup> Gunthorpe, *Notes on the Criminal Tribes*, p. 77.

<sup>76</sup> Cases typical of this can be seen in Chief Commissioner, Central Provinces to Government of India (dated 11<sup>th</sup> July 1880), in *Measures*, pp. M395; 398; 401.

<sup>77</sup> *Ibid*, pp. M411-3.

<sup>78</sup> *Ibid*, pp. M406-7; M421.

However, it is clear that the severe lack of *langotis* had failed to alter colonial beliefs over its importance. The role of a specialised *langoti* survived well into the twentieth century, as Kennedy's 1908 *Notes on Criminal Classes in the Bombay Presidency* attests.<sup>79</sup> They were also not the only objects quintessential to the production of coins and thus believed to be used by coining gangs, which yet again, the police continually failed to unearth. There was always the question of where the objects involved in producing false coins were. The moulds, metal implements, and base metals used for smelting were also quite rare.<sup>80</sup> Explanations for the absence of these objects were often accredited to the loss or destruction of evidence. Delays between apprehension and accusations, no matter how small, were used to theorise that a suspect had destroyed or discarded evidence, explaining the chasm between colonial expectations and observed realities. These assumptions fitted comfortably into understandings of criminals, as naturally a criminal would seek to conceal their guilt. Colonial narratives of disguise and loss of evidence provided an amorphous realm of possibilities that re-stabilised the narratives of colonial typologies. As the concealment of evidence was viewed as a given habit of a criminal, it also served to flatten explanations for behaviour. By excluding other explanations, various behaviours could be subsumed under a single explanatory criteria, stabilising ideas that coining suspects held common motives and behaviours.<sup>81</sup>

The simplicity of equipment needed to produce coins aided in this. Moulds could be made readily from earth, while everyday items such as basic metal tongs were suspected to be used to create coins. Such items could in theory be easily concealed due to their mutability and multi-functionality. The simplicity of instruments and materials also made it difficult for officials to work out exactly where the boundaries lay between items intended for use in criminal activity, and items that were unrelated. A Sowar-cum-Fakir was found in possession of a small file, a bottle of oil and some chalk, which were cited as evidence that 'there is little doubt that he has taken up with a professional gang of counterfeit coiners'.<sup>82</sup> For all the emphasis officials placed upon physical artefacts as proof of being a coiner, the discovery of such items was not actually necessary for

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<sup>79</sup> Kennedy, *Notes on Criminal Classes in the Bombay Presidency*, pp. 59-60.

<sup>80</sup> Chief Commissioner, Central Provinces to Government of India (dated 11<sup>th</sup> July 1880), in *Measures*, pp. M396-7.

<sup>81</sup> As Deleuze argued, subjects are represented through 'extension' and 'comprehension', which are inversely proportional to each other. The more a subject is defined, the more it is 'extended'; the less specific a subject's criteria is, the greater its 'comprehension'. The imposition of broad classificatory criteria, such as the trope of evidence concealment, served to expand 'comprehension' parameters, thus broadening the scope for more individuals to be classified as coiners. See Gilles Deleuze, *Difference and Repetition*, translated by Paul Patton (New York: Columbia University Press, 1994), pp. 11-6.

<sup>82</sup> Chief Commissioner, Central Provinces to Government of India (dated 11<sup>th</sup> July 1880), in *Measures*, p. M395.

prosecution. One group of four Muslim mendicants had ‘no instruments or professional langooti’ amongst them, and yet one of the men was given six months rigorous imprisonment for possessing a single debased rupee.<sup>83</sup>

Thus official understandings of Loch’s report, and the charge sheet it contained, were shaped around beliefs that at the very core of the issue lay organised gangs of coiners. Loch’s investigations were linked to pre-existing ideas of coining gangs, which were revived and reified through his own investigations and formed a framework in which Kushya’s case at the start of this chapter was understood. Colonial understandings of coining gangs were also informed by the ways in which the police functioned. Indian complainants were diverse, but mainly related to rural cultivating groups, who provided narratives and suspects to the police whose perceived identities could easily fit into understandings of collective criminality. Crucially, many of the suspects provided were read by the state as being Muslim mendicants. The belief that these mendicants were coiners by profession meant that physical items perceived to be essential to their identities were seen to be part and parcel of criminal conspiracy. Colonial tendencies to view Muslim mendicants as professional coiners meant that contrary evidence was often ignored or explained away.<sup>84</sup> This was particularly evident in the utter failure of the colonial regime to find the professional *langotis* and instruments needed to create false coins. It was also demonstrated in how people who did not appear to fit the physical identity of the Muslim mendicant coiner were severed from the narrative of being ‘professional’ coiners.

### **3.4 Stemming the flow: constructing victims and punishing predators**

As stated in the first section of this chapter, officials had long debated whether to interfere with the flow of various coins throughout India. Such discussions were not novel to the 1870s and 1880s, and had long formed a subject of debate. Generally however, colonial officials shied away from interfering with coins with the sole exception

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<sup>83</sup> Ibid, p. M398.

<sup>84</sup> The role of Islam in these assumptions is beyond the scope of this chapter, however it is worth noting that the late-nineteenth century represented Muslims as potentially ‘fanatical’ threats to law and order. See Condos, ‘Licence to Kill’. More broadly, the role of mendicancy forms a separate topic of discussion as the colonial regime had an extensive history of hostile engagements and suspicion towards such groups. See William R. Pinch, *Warrior Ascetics and Indian Empires* (Cambridge: Cambridge University Press, 2006); Nile Green, ‘The Faqir and the Subalterns: Mapping the Holy Man in Colonial South Asia’, *Journal of Asian History*, 41. 1 (2007), pp. 57-84; Green, ‘Breaking the Begging Bowl’; Sinha, ‘Mobility, Control and Criminality’; Wagner, ‘Treading Upon Fires’.

of the silver rupee. As Thana's magistrate's office pointed out, all other coins were not perceived to pose a threat to the stability of the silver rupee, as inquiries demonstrated that coin forging issues lacked 'legal proof to show that the introduction and trade in such coins is effected with a view to deteriorating and injuring the currency of the country / a circumstance which cannot possibly arise with only a silver currency'.<sup>85</sup> Even then, officials benefitted from the favourable position that India's maintenance of the silver standard provided against the risks that gold standard regimes were exposed to. In such a context in the mid-nineteenth century, the concept of gangs of coiners swindling for a few silver rupees here and there, elucidated by Hervey and the T & D Department in the mid-nineteenth century, was little cause for alarm.

Within the context of the 1870s and 1880s, this stance underwent a fundamental shift. The challenges brought by a massive depreciation of silver resulted in the unearthing of suspects which belied an unease over financial loss. Fundamentally, the potential for counterfeiting bothered British authorities so much more because in a period of uncertainty over the stability of coinage, coiners were believed to be able to produce coins that were *practically valid*. If their products could be used as 'money', and thus blur its definition as outlined earlier in this chapter, then coining gangs were undermining the authority of the sovereign authority which backed it. As Jacques Derrida points out, 'authority is constituted by accreditation, both in the sense of legitimation as effect of belief or credulity, and of bank credit, of capitalized interest.'<sup>86</sup> As money depends upon accreditation for its value, the potential for practically valid counterfeit money exposes the relative, mutable and arbitrary nature of money.

The practical validity of counterfeit rupees was constantly subject to doubt. Officials continually noted that there were obvious flaws in any counterfeit rupees they discovered. In one instance, it was declared that coining was 'a very precarious mode of subsistence [as] the amount of good coin found on the arrested persons [shows] it is not a lucrative means of livelihood [...] entail[ing] a great deal of laborious wandering about in wild parts, and the false coins are so badly turned out that immediate detection has often followed on their delivery'.<sup>87</sup> Thus, coining gangs posed a threat to state finances, and to the relationship finances had to power and authority. Financial insecurities

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<sup>85</sup> Commissioner of Police, S. D., to Tanna Magistrate's Office (dated 20<sup>th</sup> November 1869), in *Coins. Importation of Counterfeit Sovereigns*, Vol. 20, File No. 325, 1870, Judicial Dept, MSA, p. M327.

<sup>86</sup> Derrida, *Given Time*, p. 97.

<sup>87</sup> Superintendent of the Central Jail, Nagpur, to the Inspector-General of Police, Central Provinces, No. 2083 (dated 19<sup>th</sup> November 1881), in *Measures*, p. M442.

translated into the perception of coining crimes as acts that were in a considerable degree subversive of state power and legitimacy.

It was within the context of concerns over the subversive nature of coining crimes in the late-nineteenth century that the colonial state recast Indian subjects as vulnerable targets and victims. This placed them as the necessary counterpart to coining gangs, which in turn stabilised narratives of criminality. Documents concerned with identifying coining gangs referred to the ways in which they risked plummeting Indian villagers and cultivators into financial precariousness by depriving rural Indians of the few silver rupees which symbolised the peak of their financial attainments.<sup>88</sup> Such sentiments survived into the twentieth century. The reform of coiners, discussed in the following chapter, involved notions that they targeted ‘that portion of the public which is least able to protect itself [...] coins made by the Chhapparbands would not impose upon any tolerably educated and intelligent person.’<sup>89</sup>

While village-dwelling Indians were construed as hapless victims in the late 1870s and 1880s, this contrasted against claims in previous discussions that stressed a notion of economic savviness amongst them. Earlier discussions had dismissed the practical validity of non-silver imitation coins on the premise that no matter how well the forgeries were executed, Indians knew how to tell the difference between real and fake coins. Brass imitations of gold *mohurs* were declared ‘unlikely to obtain currency as bonafide coins’, based on the fact that ‘natives also are so much accustomed to the practice of testing gold before purchase, that it is impossible for them to be deceived’.<sup>90</sup> Bizarrely, in this case, officials admitted that there were instances where people had actually acquired imitation coins with the belief that they were in fact the genuine article. However, concerns were dismissed on the grounds that such instances were believed to be rare, and thus magistrates and policemen were confident that the Indian public could ‘safely be left to protect itself’ through cautious purchasing.<sup>91</sup> These conclusions form a stark contrast to the opinions expressed in Kushya’s case at the start of this chapter. As we saw, the Sholapur police declared that coining was not an issue as it was not reflected

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<sup>88</sup> District Magistrate of Shirkapur to Commissioner of Sind (dated 5<sup>th</sup> June 1882), in *Measures*, p. M473.

<sup>89</sup> O. H. B. Starte to the Collector of Bijapur (dated 22<sup>nd</sup> January 1911), in *Application to the Government of India for sanction to the continuance of the deputation of Mr. O. H. B. Starte*, Vol. 102, File No. 1017, 1911, Judicial Dept, MSA, p. M214.

<sup>90</sup> Col. Merewether, Commissioner in Sind, to the Governor and President in Council, Bombay (dated 23<sup>rd</sup> November 1869), in *Coins. Importation of Counterfeit Sovereigns*, Vol. 20, File No. 325, 1870, Judicial Dept, MSA, pp. M289-90.

<sup>91</sup> Magistrate of Ahmedabad to the Commissioner of Police, N. D. (dated 6<sup>th</sup> January 1870), in *Coins. Importation of Counterfeit Sovereigns*, Vol. 20, File No. 325, 1870, Judicial Dept, MSA, p. M318; District Magistrate, Kaira, to the Secretary to Government, Bombay (dated 16<sup>th</sup> November 1869) in *Coins. Importation of Counterfeit Sovereigns*, Vol. 20, File No. 325, 1870, Judicial Dept, MSA, pp. M319-20.

in reports, while Cappel argued that it simply demonstrated that the statistics did not reflect the true extent of this class of crime.<sup>92</sup> In the case of non-silver coins, officials were content to accept statistics at face value, and it was only when Queen's currency was under threat that intervention was warranted on behalf of hapless Indians.

At the same time, the construction of villagers as victims tapped into wider understandings of wildness and primitiveness. As Ajay Skaria has argued, values associated with being 'wild' or '*jangli*' were not just associated with forests and forest communities. It was also extended to the surrounding plains and its inhabitants.<sup>93</sup> In such a framework, the villagers of India's rural tracts were situated as less wild and primitive than forests and the peoples who lived within them, while at the same time being relatively close to them in terms of civilisational attainment. Such understandings of forest-dwellers and rural Indians served to justify colonial paternalism, as both groups were believed to be vulnerable to exploitation by malicious merchants, traders and local Indian lords.<sup>94</sup> However, discussions over coining amplified the threats seen to be faced by Indian villagers in rural tracts. Coining gangs served to extend this notion that the semi-'wild' villager was being threatened by not only more economically savvy and corrupt local Indian powerbrokers, but also by criminal – and by implication less civilised – unsettled communities. Construing villagers as victims thus tapped into the paternalistic tendencies of colonial officials to intervene in the lives of 'wild' peoples on their behalf.

Curiously, the forgery of non-silver coins became a much more contentious issue when the silver rupee was perceived to be under threat. As officials debated questions of coining gangs in the Central Provinces, Mr Sinclair, District Magistrate of Shirkapur in Sindh, invoked a personal anecdote. He had claimed to witness a case of sixteenth-century gold coins that had been plated and used as pay. The recipients of them had claimed that they were scared to notify local authorities on fear of being accused of abetting criminal misappropriation. Sinclair couched his commentary in paternalistic tones, highlighting that the Government's intervention in the case of silver rupees was justified because of the loss debased coins caused to poor subjects.<sup>95</sup> Kushya's case at the opening of this chapter also fitted comfortably into this victimhood narrative. Colonial records identified him as a *Mahar*, positioning him as a member of an outcaste

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<sup>92</sup> Remission of Sentence. Sholapur Jail. Release of pardoned convict Kushya walad Yedu, Vol. 91, File No. 226, 1886, Judicial Dept, MSA.

<sup>93</sup> Ajay Skaria, 'Shades of Wildness Tribe, Caste, and Gender in Western India', *The Journal of Asian Studies*, 56. 3 (1997), pp. 726-45 (p. 730).

<sup>94</sup> *Ibid*, p. 736.

<sup>95</sup> District Magistrate of Shirkapur to Commissioner of Sind (dated 5<sup>th</sup> June 1882), in *Measures*, p. M473.



community, associated with a precarious economic position on the periphery of village life.<sup>96</sup> By channelling concerns over the rupee through paternalistic notions, colonial officials could situate their own attempts to retain the cred(it)ability of their own state-backed currency, reiterating the links between the silver rupee and their own authority over the subcontinent. By claiming that such activities were to protect the public, officials reaffirmed the subjugation of Indian subjects to the monetary order of the British Raj. It drew a sharp distinction between the silver rupee and the various other systems of coinage which continued to pervade India's commercial life, and re-emphasised the Raj's role as the sole guarantor of the silver rupee.

If Indians could not be trusted to look after their own financial interests, then the solution lay not only in the policing of coining gangs, but in time. The Inspector General of Police for the Central Provinces noted how it was with the 'growing intelligence and increased experience of the people' that fraudulent coins were to become a non-issue.<sup>97</sup> What the Inspector General referred to here was for Indians to recognise colonial understandings of counterfeiting, and along with it, understandings of legitimacy. 'Growing intelligence' and 'increased experience' were to be measured by Indians recognising and reporting the imitation coins purportedly pedalled by coiner gangs, reiterating the sovereign rights of the colonial state to dictate key aspects of India's economics.

The framing of village-level Indians as hapless victims provided a sense of moral justification for officials to coordinate greater policing efforts towards coiners. As coiners were widely considered to be strangers to the locales in which they were identified and arrested, officials devoted considerable efforts to locating where coining gangs were from. Itineracy was seen as essential to the criminality of coiners, as they were believed to never attempt to pass false rupees until they were 'some distance from their own homes, [...] wandering from village to village [...] utter[ing] as many as four or five counterfeit rupees in a day'.<sup>98</sup>

Implicit in the idea that coiner gangs were part of an organised system was the idea of association and common origin. As we briefly alluded to previously, Loch and his Chief Commissioner had clashed over the failure to identify such associations. While coining suspects appeared to have no knowledge of each other, Loch was certain that

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<sup>96</sup> Remission of Sentence. Sholapur Jail. Release of pardoned convict Kushya walad Yedu, Vol. 91, File No. 226, 1886, Judicial Dept, MSA.

<sup>97</sup> Chief Commissioner, Central Provinces to Government of India (dated 21<sup>st</sup> December 1881), in *Measures*, p. M441.

<sup>98</sup> Superintendent of the Central Jail, Nagpur, to the Inspector-General of Police, Central Provinces, No. 2083 (dated 19<sup>th</sup> November 1881), in *Measures*, p. M443.

such links existed, and would be revealed in time. Identifying a common geographical origin tapped into long-standing approaches to establishing culpability for a crime. General Regulations from 1772 under Warren Hastings allowed for the punishment of an offender's family and village. This was based on the assumption that Indians were criminal by profession and heredity, and therefore belonged to like-minded communities; an idea which still held true in the minds of colonial officials in the late-nineteenth century.<sup>99</sup> Such beliefs allowed colonial officials to see patterns in information, rendering a particular event as a criminal conspiracy. Indeed, the regularity with which colonial officials identified coining suspects as Muslim mendicants, and the frequency with which the pice-for-rupee narrative was invoked by complainants, encouraged officials to believe that coining was a community-defined practice. Common customs, religion, languages, professions, blood, and behaviours were used to understand how Indian society was structured by caste, and such criteria were utilised in turn to understand coining.<sup>100</sup> At the same time, the very process of searching for coining gangs through these metrics served to further separate the outlying examples of *Brahmans*, travelling labours and so on. This served to cultivate ideas that Muslim mendicants were professional coiners, while outliers merely delved briefly into the practice.

The problem was that the information being received by officials was not considered particularly valuable for the purposes of identification and location. Officials did not trust the suspects' own accounts of their origins, especially when it was expected that criminals would attempt to mislead officials. The words of Indian complainants were not particularly useful either when it came to unearthing where suspects hailed from, as they did not reveal much about the people they accused. All that was established was that suspects were considered by complainants to be outsiders to their villages, and the suspects themselves confirmed that they were not from the places they were arrested in. If colonial officials were to learn anything more about coining gangs, they needed to take the initiative with investigation, rather than rely solely upon claimants to come forward.

Attempts to locate where coiners were from was a frustrating task for officials. Specifically, they sought to unearth information on a specific geographic locale, which would reify the internal logic of discourses on habitual coining. However, the narratives provided by suspects proved particularly diverse when discussing where they had hailed from. Out of the 'Mahomedan Beggars' interrogated, roughly half of them claimed to have travelled from the southern Deccan, while others claimed they came

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<sup>99</sup> Schwarz, p. 4.

<sup>100</sup> Ibid, p. 10.

from Central and Northern India, including Nimar, Indore, Nagpur and Kanpur.<sup>101</sup> The suspects claiming to come from the southern Deccan claimed places falling within the boundaries of the Native State of Hyderabad, while only one gang in Loch's charge list claimed to have come from the district of Bijapur.<sup>102</sup>

Part of the issue for colonial officials was that suspects appeared to have a very different understanding of the importance of place and space. While officials expected suspects to claim a place of origin, many of them seemed to simply not see it as vital to their identities. Police questioning revealed that 'Mahomedan Beggars' tended to know more about where they travelled to, and where they had been, with little concern for notions of 'origin' or permanent residence. One group provided no place of residence or origin at all, but claimed to have left 'Joga Kaamba' eighteen months ago and had been 'wandering about' Berar ever since.<sup>103</sup> Another man claimed that he came from 'below ghats' and claimed his birth place was Bijapur, leading officials to write that he indeed *resided* in Bijapur. This was in spite of the fact that the suspect also claimed that he left his home when very young and had not been back there since.<sup>104</sup> One group of suspects had members who claimed to not know where they were from, just that they had spent years travelling and living off of alms.<sup>105</sup> Thus, distinctions between an individual's home, origin, and locales they had merely visited, were difficult to identify. Officials sought specifically to locate the 'origin' above all else, and thus understand coiners in more ethnographic terms, which meshed with broader perceptions of Indian society as stratified by groups with specific occupations and geographical remits. At the same time, the search for origins spoke to desires to relate suspects to the spatial order of information on criminality. As has been demonstrated throughout this thesis, and in Kushya's case at the opening of this chapter, police knowledge of collective criminals could be determined and measured according to jurisdictional boundaries.

As it stood, initial police inquiries established no common geographical origin to the 'gangs' identified across the Central Provinces, except that the southern Deccan region was more popular in suspects' accounts. Further inquiries did work, however, to build upon the idea that Chapparbands were from Bijapur. Interrogation from within Nagpur's Central Jail provided important contributions to how colonial officials traced and understood where coiners were from. Interviews with incarcerated coining suspects allowed the Jail Superintendent to observe that 'they [were] all acquainted with the

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<sup>101</sup> Chief Commissioner, Central Provinces to Government of India (dated 11<sup>th</sup> July 1880), in *Measures*, pp. M392-8.

<sup>102</sup> *Ibid*, pp. 401-2.

<sup>103</sup> *Ibid*, p. M400.

<sup>104</sup> *Ibid*, pp. 401-2.

<sup>105</sup> *Ibid*, p. 404.

Telugu, Mahrathi, and Hindustani languages, which would hardly be the rule, unless they came, as in fact they admit from the districts [...] lying between the rivers Krishna and Beema'.<sup>106</sup> In lieu of trustworthy evidence from suspects, officials fell back upon classificatory schema that viewed an India with well-defined divisions based upon linguistics and ethnicity, enshrined in the gazetteers and ethnographic works of the late-nineteenth century. For all the faith officials put on linguistics as a determining classification, this proved to be unstable in later years. By the mid-1910s, the Central Provinces' handbook on so-called criminal tribes contradicted the wisdom of the 1870s-1880s by declaring that the language of coiners was defined by 'a dialect of their own akin to Hindustani of the eastern part of India'.<sup>107</sup>

The fact that the Superintendent managed to get Indians to 'admit' that they were from this region is key. Incarceration had ultimately failed to achieve what Loch hoped, as the convicted coiners showed no notable familiarity with one another, as the Superintendent noted that he 'cannot in any way prove that the different gangs [...] were closely connected with one another, although they appear to have come from the same part of the country'.<sup>108</sup> While jail failed to generate evidence of coordinated 'gangs', incarceration did influence the narratives given by suspects on where they were from. The diverse geographical origins of suspected coiners, including the forgetful mendicants who did not know where they were from, appeared to shift, as Nagpur Jail officials declared that the suspected coiners 'all admit' to coming from Bijapur and Sholapur.<sup>109</sup> Locating coiners within British territories, rather than the Native State of Hyderabad where most of them initially claimed to have been from, defined coining as a 'problem' residing firmly within British jurisdiction without needing to perform any diplomatic acrobatics with Native State rulers.

This was all despite the fact that some of the larger gangs had initially 'admit[ted] being professional coiners', but also testified that they were from Hyderabad, and only coined there until very recently.<sup>110</sup> Various details provided by Loch needed to be glossed over to come to such conclusions on where coiners were from. While Loch's charge sheet revealed that accused coiners came from a variety of locations including Kanpur and Narsinghpur, The Superintendent of Jails declared that the coiners he spoke to 'all admit'

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<sup>106</sup> Superintendent of the Central Jail, Nagpur, to the Inspector-General of Police, Central Provinces, No. 2083 (dated 19<sup>th</sup> November 1881), in *Measures*, p. M442.

<sup>107</sup> Lemarchand, *A Guide to the Criminal Tribes*, p. 12.

<sup>108</sup> Superintendent of the Central Jail, Nagpur, to the Inspector-General of Police, Central Provinces, No. 2083 (dated 19<sup>th</sup> November 1881), in *Measures*, p. M442.

<sup>109</sup> *Ibid*, p. M443.

<sup>110</sup> Chief Commissioner, Central Provinces to Government of India (dated 11<sup>th</sup> July 1880), in *Measures*, p. 411.

to coming from Bijapur and Sholapur.<sup>111</sup> Similarly, the nuances of the cases in the charge sheet were also compressed.

While Loch and his charge sheet demonstrated a variety of ways in which supposed coiners came into police custody – including the fact that many of them were simply found in possession of false coins, often when being arrested in relation to other offences – the Superintendent of the Central Jail in Nagpur declared that ‘they all give the same account of their manner of uttering false coins [...] pretending that they are anxious to rid themselves of quantities of pice.’<sup>112</sup> Even if jail time failed to demonstrate the familiarity between suspects that Loch hoped it would, it influenced the cohesion and commonality of suspects’ narratives which were framed as evidence of such links.<sup>113</sup>

It was thus through the elucidation of ethnographic criterion, such as linguistics and religious identity, as well as the pressures of incarceration and interrogation, that officials could narrow down their search to the lands between the Krishna and Bhima rivers. The issue still remained however that this region was huge, spanning multiple British-ruled provinces and the Native State of Hyderabad. Drawing upon the findings of Loch and jail officials, one man claimed to have specifically identified the more exact towns, villages and locales that coiners were purportedly from. G. J. Nicholls was the Deputy of Narsinghpur, and had been keeping notes on accused coiners for a few years after he had noticed increments in coining crimes in his district. News of Loch’s gangs had ratified his suspicions that there were indeed ‘gangs of coiners [...] who have a common home or origin’.<sup>114</sup> Nicholls’ own inquiries had been fraught with difficulty, as like Loch, his own investigations were dogged by suspects giving diverse information. Suspects claimed to be from the districts of Sholapur, Bijapur and ‘Bir in the “Moghlai” [in Hyderabad]’.<sup>115</sup> Further questioning did reveal, however, that all of his suspects recognised a particular village in the Bijapur District. The shared knowledge that suspects had of the village of Oonabai, near the Krishna river, situated the Chapparband’s homelands at about fifty kilometres south of the city of Bijapur itself.

Oonabai was not much to go upon, but Nicholls had struggled to find any more conclusive information, and no other colonial officials talking about Chapparbands seemed to know any better. Such an interpretation did, however, fit the logic of Loch and

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<sup>111</sup> Superintendent of the Central Jail, Nagpur, to the Inspector-General of Police, Central Provinces, No. 2083 (dated 19<sup>th</sup> November 1881), in *Measures*, p. M443.

<sup>112</sup> *Ibid.*

<sup>113</sup> Chief Commissioner, Central Provinces to Government of India (dated 11<sup>th</sup> July 1880), in *Measures*, pp. M386.

<sup>114</sup> Superintendent of the Central Jail, Nagpur, to the Inspector-General of Police, Central Provinces, No. 2083 (dated 19<sup>th</sup> November 1881), in *Measures*, p. M443.

<sup>115</sup> *Ibid.*, p. M444.

his correspondents, as well as previous accounts of coiners. As stated previously, Hervey had located coining gangs within the ‘valley of the Kristnah’, demonstrating how the repetition of details served to stabilise criminal identities across time and space.<sup>116</sup> As prior colonial knowledge and the experiences of investigation framed the district of Bijapur as the ‘origin’ region, Nicholls had decided to let that district’s police attempt to ratify his ideas. One of Bijapur’s Chief Constables was sent for, and after verifying suspect statements and conducting further questions, he managed to pinpoint numerous other villages by the Krishna river.<sup>117</sup> The next step was for the police to head there to scope out the nest of coiners there. This unnamed Chief Constable was dispatched to check out these villages in person. His findings, however, were a disappointment. It is difficult to gauge exactly what colonial officials expected to find in the cluster of villages by the Krishna. Surely, with expectations that Chapparbands and other mendicants were deceptive, cunning and adept at disguise, officials hardly expected to find throngs of *langoti*-clad Muslims, openly hauling sacks of metalwork equipment and forged coins. However, what struck the Bijapuri Constable was just how far his findings were from the coiners he had been told to look for. His findings are worth quoting at length:

He reports that these men [of the villages] are not Mussulmans, but are outcastes, living with the Dhers, Mahangs, Chamars, Waddurs, and Korwas (Kanchi Kowra, Kaibarhis) outside the [walled] villages; in the tahsils of Baghiwari and Mudibihal [...] and especially in the Woondal Thanna. There are about three hundred houses of these people who are reputed to be in reality Mahangs, settlers about 200 years’ standing from the Surat or Gujerat country. They are called “Chupperbunds” on the Krishna from their living in grass-thatched huts; they have no cultivation or ostensible means of livelihood; in their houses only women and very aged men and little children are to be found.<sup>118</sup>

The Chief Constable wrote no remarks about finding proof of any coining activities, no great unearthing of caches of coining instruments. Even the village inhabitants failed to strike their observers as Muslim in appearance. Locals identified the word ‘Chapparband’ in reference to something as innocuous as a style of housing, and by implication, the

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<sup>116</sup> A List of the Wandering and other Predatory Tribes in the habit of infesting the Districts of the Bombay Presidency, with their Occupations, both ostensible and real (dated 26<sup>th</sup> May 1852), 1853, BL, IOR/V/23/331, No. 1G, p. 82.

<sup>117</sup> Ibid. These villages lie approximately 10km south of Basavana Bagewadi (which sources refer to as the “tahsildari of Baghiwari”) in Karnataka, which itself is south-south-east of Vijayapura (formerly the city of Bijapur).

<sup>118</sup> Secretary to the Chief Commissioner of the Central Provinces to the Secretary to the Government of India, No. 4599-246 (dated 21<sup>st</sup> December 1881), in *Measures*, p. M445.

industry of thatching commonly carried out by socially inferior castes, rather than anything to do with coin forgery. Despite this utter failure of an attempt to catch coiners where they lived, colonial officials still believed Nicholls' deductions to be correct. No-one brought into question his methodology or conclusions.

There are a myriad of reasons for this. Firstly, and as demonstrated throughout this and the previous chapter, police forces had a penchant for using absence as evidence. Many of the suspected coiners who Nicholls had questioned attested to being away from home for years on end, and as discussed earlier with Loch's suspects, some suspects had travelled for so long that they believed their villages of birth may have ceased to exist. Thus, when colonial officials found grass-thatched huts with only women, the infirm and the juvenile, it merely served to confirm existing beliefs about how coining gangs operated. In official minds, Chapparband men travelled for the sole purpose of coining and scamming, and so their absence from their 'home' villages merely re-affirmed beliefs that they were active criminals. A lack of any apparent relation to cultivation or an 'ostensible' livelihood served much the same way. If officials failed to locate evidence of styles of work deemed legitimate by the state, it was a marker of suspicion.

Secondly, these assumptions fitted into existing understandings of how habitual criminals operated. In trying to figure out why all of the men were seemingly absent from their own homes, Nicholls concluded that 'all the Indian professional criminal tribes go scores of miles away from home before they set to work [...] it would be extremely stupid for them to do otherwise'.<sup>119</sup> Nicholls' remark represented prevailing attitudes in the late-nineteenth century, where understandings of collective criminality carried assumptions that India's social groupings were based on shared behaviours and trades, passed down between generations.<sup>120</sup> In such a framework, criminality and the mobility of criminals were held as fundamental aspects of Indian society, which also held a practical logic that collective criminals and their victims operated according to these habits. Mobility made sense to colonial officials as in their view, scamming one's immediate neighbours for hundreds of years was bound to challenge a criminal community's ability to maintain its hereditary occupation.

Other officials proposed different explanations for the absence of suspects. Bijapur's police District Superintendent claimed his own force's efficiency simply made it 'too hot for them'.<sup>121</sup> The investigating Chief Constable had heard stories of how famine had shaped the social and economic lives of the region. Men from the villages had 'left

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<sup>119</sup> Ibid.

<sup>120</sup> Nigam, 'Disciplining and Policing the "Criminals by Birth", Part 1', p. 135.

<sup>121</sup> Secretary to the Chief Commissioner of the Central Provinces to the Secretary to the Government of India, No. 4599-246 (dated 21<sup>st</sup> December 1881), in *Measures*, p. M445.

their homes three years ago in the time of the famine, and ha[d] ever since been on the tramp'.<sup>122</sup> Scarcity had devastated the region in ways clearly underappreciated by colonial officials, however it also fuelled assumptions that criminals were morally depraved. Rumours of trading children were attached to Chapparbands for prices as low as a quarter of a seer of *jowari*.<sup>123</sup> However, these narratives of economic and social disruption, and the bravado of policemen eagerly touting tropes of efficiency and mastery were swept aside, as officials preferred to lean upon depictions of morally depraved criminals involved in enslavement and kidnapping. This was in spite of the fact that officers had reported that the children appeared quite willing and content amongst the supposed outcastes occupying the thatched huts near the Krishna. They had 'seem[ed] to have picked up *with* them [...] rather than to have been picked up *by* them.'<sup>124</sup> The discovery of the famine had even offered officials an explanation as to why 'beggars' from the southern Bombay Presidency were being found dotted around Narsinghpur, Sambalpur, and elsewhere in the Central Provinces in recent years, yet such social and economic nuances sat uneasily with colonial ideas of community-based, coordinated gangs of swindlers. To officials, the evidence seemed to so strongly confirm that coining suspects were in fact Chapparbands from the Bijapur district, that they refused to believe they were anything else.

There is a certain amount of irony inherent in the dismissal of the famine. The famine narrative was provided by one Abdullah Shah, who officials were happy to parade as a 'very good specimen' of a Chapparband, yet ignored that this suspect explained his behaviours as a reactive result of scarcity; 'in 1879, we were forced to come to the Central Provinces because of the famine in Madras, which had impoverished the people there'.<sup>125</sup> To them, Abdullah was a reliable source of information only when his narrative could be used to buttress colonial assumptions of criminality. Interestingly, many 'gangs' of suspects in Loch's charge sheet claimed being away from home for approximately three years, which means that they had left their claimed homes in the Krishna Valley during 1876-7, situating this movement in the years of the South Indian famine of 1876-78. This was further supported by colonial writings elsewhere. The 1908 Imperial Gazetteer noted that Bijapur was 'very subject to failure of crops' due to 'uncertain rainfall', while 'in 1876-7 the failure of rain was more complete and general in Bijapur than in any other part of the Presidency', followed in 1879 by a plague of rats that annihilated more than half the

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<sup>122</sup> Ibid.

<sup>123</sup> Ibid. *Jowari* is sorghum.

<sup>124</sup> Ibid, M445. Emphasis added.

<sup>125</sup> Superintendent of the Central Jail, Nagpur, to the Inspector-General of Police, Central Provinces, No. 2083 (dated 19<sup>th</sup> November 1881), in *Measures*, p. M443.



crops in the region.<sup>126</sup> Such information is not to give credence to colonial beliefs that coiners were from Bijapur, but to highlight how corroborating evidence was ignored if it clashed with narratives on collective criminality. Knowledge on Bijapur's ecological conditions provided corroborative evidence for officials that they had correctly identified Bijapur as a 'home' region for Chapparbands, however it also provided a socio-economic logic that clashed with beliefs that professional coiners conducted their scams for reasons other than a tendency for predation on hapless villagers. When it came to interpreting the origins of coining accusations, officials lent upon their convictions to colonial classificatory schema that confined cultural, social and economic aspects to neatly bounded geographical areas. Suspects repeatedly hinted at incredibly complex relationships between reports of coining scams and the way people moved around India. Officials were ultimately so committed to believing that coining was a community-bound practice that there was no room for a narrative that recognised mass social and economic trauma and dislocation.

Through the course of investigations, incarceration, and colonial sense-making, officials had confirmed to themselves the idea that coiners were a phenomenon of the Bijapur district. This influenced the ways in which colonial officials understood and treated coining suspects. It impacted upon punitive practices, which inadvertently made suspects conform to the very typologies they were understood through. This was heavily related to understandings of 'habitual' criminals.<sup>127</sup> Colonial practices of specifically targeting 'habitual' criminals contributed to the idea of an inveterate coiner who could not be deterred from crime by a prison sentence. Punitive practices contributed to make suspects conform to what colonial officials thought a Chapparband was, which reinforced ideas of the geographical origin of Chapparbands being in Bijapur. Effectively, the ways that colonial officials investigated and encountered suspected professional coiners fed into self-fulfilling prophecies, where the pursuit and punishment of suspects reinforced colonial understandings of habitual coiners.

After being convinced by Loch and his correspondents that Bijapur was indeed where coiners were from, the Government of India had decided that when coiners were incarcerated, they should be returned to their 'home' district three months before their release.<sup>128</sup> The logic was that by transporting Chapparbands to Bijapur prior to their release, local forces could become better accustomed to them and place them under

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<sup>126</sup> Meyer, Burn, Risley and Sutherland, *Imperial Gazetteer, Vol. VIII, Berhampore to Bombay*, p. 183.

<sup>127</sup> Radhika Singha, 'Settle, Mobilize, Verify: Identification Practices in Colonial India', *Studies in History*, 16. 2 (2000), pp. 151-198.

<sup>128</sup> Arthur Crawford, Commissioner, S. D., to the Chief Secretary to Government, Judicial Department (dated 22<sup>nd</sup> August 1882), in *Measures*, p. M497.

surveillance. The Bijapur police could then be used as a sort of think-tank to make sense of any reported coining crimes happening elsewhere in British India.<sup>129</sup> Such a decision was arrived at specifically to avoid having to deal with the CTA, which was not in effect in the Bombay Presidency and generally held by its officials to be ill-suited to the region.<sup>130</sup> While some officials had discussed the potential use of the CTA in regard to managing Chapparbands, others had pointed out that parts of the IPC had sufficient scope to enhance punishments against coining suspects.<sup>131</sup> If coining suspects were prone to only recalling the places most recently visited, or the past few years of their movement, then they would now locate themselves in relation to Bijapur upon their release, both physically and figuratively.

The suggestion to send all coining suspects to Bijapur did not go entirely uncontested. Sholapur's Superintendent of Police was baffled by how such measures could help as they contradicted the very ways in which Chapparbands were believed to function. If coiners only conducted their craft at a distance from their homes, what benefit could it be to have experts in a locality where they were not believed to actually commit offences? He bemoaned that coiners would simply 'be on the tramp again before long and once more resume their calling in other provinces' since Bijapur's police would not be the ones actually arresting them.<sup>132</sup> On the other hand, since Chapparbands were believed to intentionally mislead police over the locations of their 'home' villages, sending them all to Bijapur sidestepped the need to trace the exact villages of every suspect.<sup>133</sup>

Either way, the decision to geographically relocate coining suspects to Bijapur served to prove the assumptions of most colonial officials, which was also fed into by state practices which identified people as 'habitual' offenders. As we saw earlier in this chapter, witness testimony was a particularly important source of evidence, and if enough people testified, suspects could be convicted on witness testimony alone. Conversely, if only one or two complainants came forward, then a lack of evidence could save a suspect from prosecution. Numerous 'beggars' dodged prison sentences for this very reason.<sup>134</sup> However, if the suspect happened to have prior convictions, one or two

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<sup>129</sup> Bombay Castle, Judicial Department, to the Acting Under Secretary to Government, No. 2802 (dated 4<sup>th</sup> May 1882), in *Measures*, p. M451.

<sup>130</sup> For Bombay Presidency's views on the CTA, see introduction, p. 17.

<sup>131</sup> Arthur Crawford, Commissioner, S. D., to the Chief Secretary to Government, Judicial Department (dated 22<sup>nd</sup> August 1882), in *Measures*, p. M496.

<sup>132</sup> District Superintendent of Police, Sholapur, to E. P. Robertson, Commissioner C. D., No. 596, (dated 5<sup>th</sup> June 1882), in *Measures*, p. M460.

<sup>133</sup> Secretary to the Chief Commissioner of the Central Provinces to the Secretary to the Government of India, No. 4599-246 (dated 21<sup>st</sup> December 1881), in *Measures*, p. M444.

<sup>134</sup> Chief Commissioner, Central Provinces to Government of India (dated 11<sup>th</sup> July 1880), in *Measures*, p. M417.

witness testimonies was all it took to achieve another conviction. This was the case for numerous ‘Mahomedan Beggars’ on the charge sheet, where a single complainant resulted in police linking the suspect to multiple other complaints.<sup>135</sup> The problem for coining suspects now, however, was that after serving time and being transported to Bijapur, it was much easier for them to be sent through the same process again, reaffirming their association with this region through the ways in which the colonial state structured their responses to perceived instances of habitual crime.

State practices of keeping registers on previous convictions had immense scope to extend suspicion and surveillance methods well beyond the individual. These documents not only held information on people previously convicted, but were often extended to include people with ‘evidence of general repute’ against them. ‘General repute’ became particularly useful for anticipating criminality, which was framed according to understandings of how different localities were affected by crime. If a local crime epidemic was identified, police were often ordered to put suspects of these crimes on the lists, which resulted in suspects being arrested and further marked for identification through the use of anthropometric cards and fingerprint records.<sup>136</sup>

The use of registers to anticipate criminality ultimately meant that habitual offenders could be identified through association, which allowed wider networks of colonial knowledge to influence judicial decisions. A magistrate in Chindwara remarked on how he was sure certain a Fakir suspect was a coiner because he believed him to be a part of a group of Fakirs who had already been convicted for coining.<sup>137</sup> Establishing such associations between suspects then allowed for further conjecture. Magistrates and policemen could speculate that if a suspect was linked to an already-prosecuted individual, then they likely had the same methods of producing and passing false coins.<sup>138</sup> Ultimately, one of the reasons the colonial state could convince itself that habitual coiners were a ‘thing’ is because it sought precedent. If the colonial bureaucracy already had someone recorded as proximal to criminality in some form, then the guilt of a suspect required less evidencing.

By 1891, the colonial regime had tried and tested the process of relocating incarcerated coining suspects to Bijapur. However, some officials were still not satisfied with the results. The Inspector-General of Police in the Hyderabad Assigned Districts had bemoaned how coining suspects were still being periodically arrested throughout the

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<sup>135</sup> Ibid, pp. M416-7.

<sup>136</sup> Singha, ‘Settle, Mobilize, Verify’, pp. 188-9.

<sup>137</sup> Chief Commissioner, Central Provinces to Government of India (dated 11<sup>th</sup> July 1880), in *Measures*, p. M403.

<sup>138</sup> Ibid, pp. M415-6.

Central Provinces. Clearly, to him, Bijapur's police were failing to properly monitor collective criminals in their charge. However, the Inspector-General was also frustrated by the exact same issues as Loch and his correspondents; 'this order [to send coiners to Bijapur] has been almost inoperative, *because the coiners when convicted have never given their true residences.*'<sup>139</sup> For the Inspector-General, the role of 'origins' was different than it was for Loch. For Loch and his correspondents, the discovery of an 'origin' district was about tracing and containing a threat, while for the Inspector-General, it was about attaching new suspects to existing criminal typologies associated with particular geographic locales.

Eventually, the idea that Chapparbands were denizens of Bijapur became firmly established. The rest of the Inspector-General's correspondence recounted intermittent cases where people were convicted of coining offences in the last three decades, along with the lengths of their incarceration, which implicitly framed them as people who *should* be in Bijapur.<sup>140</sup> In the early-twentieth century, O. H. B. Starte, the architect of Bombay's criminal tribe reform system, would declare that Chapparband coiners were 'a most remarkable and interesting tribe found only in Bijapur', living within a ten mile radius of each other in the Bagevadi and Muddebihal talukas south of the city of Bijapur.<sup>141</sup> As the following chapter will show, the association of the district of Bijapur that developed in the late-nineteenth century would have a decisive impact upon later efforts to reform criminals in the region.

### 3.5 Conclusion

While the Inspector-General of the Hyderabad Assigned Districts complained of coiners, concerns over them had generally died down significantly by the 1890s. The Inspector-General's qualms were more with the failure to properly deal with them, rather than part of a scramble to establish who the suspects 'truly' were, or what impact they had upon Indian society. The 1890s was also a context in which significant change had taken place that stabilised the gold value of the silver rupee. The open minting of the silver rupee was legally ended in 1893, and the value of the silver rupee was formally divorced from that

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<sup>139</sup> Inspector-General of Police, Hyderabad Assigned Districts, to the Commissioner, Hyderabad Assigned Districts (dated 1<sup>st</sup> August 1891), in *Professional Coiners*, Vol. 202, File No. 1247, 1891, Judicial Dept, MSA, p. M126. Emphasis added.

<sup>140</sup> *Ibid*, pp. M127-129B.

<sup>141</sup> Report from O. H. B. Starte to the Collector of Bijapur, Accompaniment to Government Resolution, Judicial Department, No. 5130, dated the 10<sup>th</sup> September 1909 (dated 21<sup>st</sup> march 1909), in *Deputation of Mr. O. H. B. Starte, Assistant Collector, Bijapur in connection with the Settlement of the Criminal Tribes in the Bijapur District*, Judicial Dept, Vol. 85, File No. 1920, 1909, Judicial Dept, MSA, p. M247.

of the metal contained within it.<sup>142</sup> By 1899, the gold value of the rupee had reached a value of 1s. 4d., where it remained without significant fluctuation into the early-twentieth century, heralding an end to decades of debate over which currency system to use, and to the disruptions to public finance, trade and remittance charges that silver depreciation had contributed to.<sup>143</sup>

While coining gangs remained a continual concern of the colonial state, this was partially down to the legacy of the very processes of typology construction detailed so far in this thesis. As typologies (re)emerged and were elaborated in line with the fluctuating concerns of the colonial regime, their very inscription in criminal handbooks, special reports, and the (sub)conscious minds of officials, established them as axiomatic realities. Their monitoring became part and parcel of the general state of law and order. The process of identifying and tracing suspects had helped to stabilise the very structures which granted money its authority, and as Jacques Derrida has argued, stabilising these structures meant that counterfeited money ‘ceases to act as to be worth counterfeit money’.<sup>144</sup> It is therefore of no coincidence that by the late 1890s, when colonial authorities exhibited greater control over India’s coinage, concerns over coining gangs had also diminished significantly. When officials felt that they could claim and better-identify a perceived source where authority haemorrhaged, and with the improved position of the silver standard, what did a few coins here and there matter?

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<sup>142</sup> Banerji, ‘London’s Rejection of Lytton’s 1878 Gold Standard’, pp. 552-3.

<sup>143</sup> John Maynard Keynes, *Indian Currency and Finance* (London: Macmillan and Co., 1913), p. 1.

<sup>144</sup> Derrida, *Given Time*, pp. 87; 95.

## Chapter 4 – Reinterpretation through labour: turning criminals into settled workers in Bombay's reform settlements, c. 1909-1918

In 1909, the Bombay Presidency began concerted efforts to settle people designated as members of professional criminal communities. Bijapur's Assistant Collector, O. H. B. Starte, was deputed for the purpose of establishing settlements and allocating suitable occupations for their inmates.<sup>1</sup> His work proved so successful in the eyes of government officials that he enjoyed a lengthy career directing Bombay's reform efforts under the official title of the Criminal Tribes Settlement Officer.<sup>2</sup>

Under Starte's auspices, the settlement project grew steadily. Between 1909 and 1912, he engaged himself with settling less than 2000 people in total. By 1917, Sholapur's settlement alone housed over 2500 individuals, with plans to expand it to over 4000 people to feed the labour demands of textile mills, and an envisioned total of 30,000 more people to be settled after the cessation of the First World War.<sup>3</sup> Such expansion required extra-official assistance. As Starte warned, without outside help, 'the cost will be considerable, even if not prohibitive'.<sup>4</sup> Missionary bodies like the Salvation Army had already established a reputation as suitable managers of reform settlements elsewhere in India, and so Bombay secured the aid of the American Marathi Mission.<sup>5</sup> By the 1930s, reform settlements in Bombay had become widespread, deeply institutionalised features of colonial rule in western India. They became models for settlements in other regions of

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<sup>1</sup> Unofficial reference from Government (dated 9<sup>th</sup> July 1909), in *Deputation of Mr. O. H. B. Starte, Assistant Collector, Bijapur in connection with the Settlement of the Criminal Tribes in the Bijapur District*, Judicial Dept, Vol. 85, File No. 1920, 1909, Judicial Dept, MSA, p. M233. Henceforth this file will be cited as *Deputation of Starte*.

<sup>2</sup> It is important to note here that Starte was not the first to create reform settlements for so-called criminals within the Bombay Presidency. The Hurs of Sind are particularly notable as they were settled nearly two decades earlier than the subjects of this chapter. Reform attempts before Starte were much more limited in scope and did not receive the same degree of government patronage. For the background to the Hurs' settlement, see Sarah Ansari, *Sufi Saints and State Power: The Pirs of Sind, 1843-1947* (Cambridge: Cambridge University Press, 1992).

<sup>3</sup> O. H. B. Starte, 'About India's Criminal Tribes', *The Missionary Herald*, 19 (1915-1917), pp. 449-52 (p. 450).

<sup>4</sup> O. H. B. Starte, Assistant Collector on Special Duty, Bijapur (dated 22<sup>nd</sup> January 1911), in *Certain proposal of General Booth of the Salvation Army for the reclamation of Criminal Tribes in India*, Vol. 102, File No. 457, 1911, Judicial Dept, MSA, p. M111.

<sup>5</sup> *Ibid.*

the subcontinent for their role in providing ready sources of captive labour for a myriad of industries.<sup>6</sup>

The apparent stability of the particular style of Bombay's reform settlements belied their haphazard origins. There was no clear-cut pathway or plan for Bombay's reform settlement project, from its inception to its later synonymy with Bombay's industrial sector. Originally, the Bombay Government had failed to specify how they expected the reform project to be carried out. Starte was given a deputation of seven months, Rs. 10,000, and a near-free hand in choosing which 'criminal' communities to designate for settlement, where they were to be settled, and how they were to be reformed.<sup>7</sup> In the first year of his deputation, Starte had only created two reform settlements – Hire-Magi and Mamatgeri – which only contained a small portion of the people he sought to reform. The rest of them had been settled elsewhere in the Bijapur District, disparately spread and in the orbit of pre-existing villages.

An assortment of factors influenced Starte's efforts. Managing relations with the communities he sought to settle, resource and land availability, labour opportunities and colonial understandings of Indian society were all vital in deciding the form and parameters of reform efforts.<sup>8</sup> Establishing a settlement, maintaining it, and constructing the labour regimes that they hinged upon, were all discrete issues with complex relationships to each other, which changed depending upon the context. Reform settlements interacted with, and sculpted the experiences of both colonial officials and those targeted by Starte's reform efforts, and were subject to constantly shifting power relationships between these two groups. The resultant settlements were thus products of not only the colonial *imaginaire*, but also the limits of state power. Like the other case studies in this thesis, reform efforts were constantly mediated, and in great degree determined by contingent factors on the ground. This impacted upon the ways in which criminal identities were understood through the discursive practices of the state. Whether officials were attempting to identify suspects, establish typologies, or reframe

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<sup>6</sup> On reform settlements as labour sources for sites of production beyond the present chapter, see Tolen, 'Colonizing and Transforming the Criminal Tribesman'; Radhakrishna; William Gould and Andrew Lunt, 'Labour and Penal Control in the Criminal Tribes 'Industrial' Settlements in Early Twentieth Century Western India', *Studies in History*, 36. 1 (2020), pp. 47-70.

<sup>7</sup> Unofficial reference from the Inspector-General of Police to the Bombay Government [n. d.], in *Deputation of Mr. O. H. B. Starte, Assistant Collector, Bijapur in connection with the Settlement of the Criminal Tribes in the Bijapur District*, in *Deputation of Starte*, p. M234.

<sup>8</sup> In a recently published article, I have discussed how the lives of those earmarked for 'reform' were not determined simply by their relation to colonial governance, but by a complex interplay of factors, many of which were beyond state control. The limits of official influence ultimately provided space for Indians to influence the form and conditions of Bombay Presidency's early reform settlements. This present chapter echoes many of the arguments in the article, as arguments for both have been drawn from the same source materials. See Gould and Lunt, 'Labour and Penal Control'.

suspects in relation to settled society for the purposes of 'reform', discourses on criminality served to stabilise the colonial order by distinguishing the ordered from the disordered, and the legitimate from the fraudulent.

This chapter explores the process of settlement building in early-twentieth century Bombay Presidency with a specific focus on the years 1909-1912. It looks at how and why reform settlements took the form that they did, and how Starte made sense of and justified the progress of the settlement project. It explores how the colonial state reinterpreted the identities of so-called habitual criminals in order to mobilise them as settled rural labourers, and reimagined them as part of Indian society, rather than extraneous to it. By interrogating the administrative logic and processes of creating reform settlements, this chapter draws attention to how colonial understandings of criminality related to ideas of labour suitability and social development, and provides insights into how reform efforts changed the relationship between colonial officials and those targeted by reform measures. Such processes show how discourses on criminality, even the very typologies themselves, remained unstable and could be re-purposed and re-aligned in relation to different colonial initiatives. This is particularly evident in regard to the Chapparbands. In the previous chapter, it was shown how this identity formation was sculpted by the context of global silver depreciation and the processes of identifying coin forgery as a crime. In this present chapter, this identity formation undergoes further revision as Starte grappled with discourses on both criminality and labour productivity. While this chapter does not solely concern O. H. B. Starte, his dominance over the reform project in western India necessitates regular recourse to his personal views, relationships and decision-making.

#### **4.1 The context of reform**

The previous chapters of this thesis have focused on the reasons why certain communities were drawn to the colonial regime's attention at specific points in time, and how contextual factors shaped the regime's understanding of such peoples. Reform efforts provide an example of similar processes, drawing attention not only to contextual shifts, but the ways in which different branches of the colonial administration utilised understandings of criminality and drew upon one another's resources in the process. The idea of reforming criminals was part of a much broader ideological trend that extended beyond India, and throughout the British Empire. This section of the chapter briefly surveys reform efforts directed at collective criminal groups in India as vital context that foreshadowed Starte's efforts.



Labour settlements had been used at various points in order to condition Indians away from lifestyles considered associated with crime, and towards lives embedded within settled society and its labour regimes. In 1838, the Jabalpur School of Industry had been opened to provide *Thug* approvers and their relatives forms of ‘honest’ labour as an alternative to their former ‘criminal’ lifestyles.<sup>9</sup> ‘Industrial’ and ‘agricultural’ settlements had been utilised in Punjab in the 1850s, in attempts to enforce a disciplined work regimen upon the region’s significant pastoralist population.<sup>10</sup> Sporadic attempts to create settlements to monitor and reform people through labour had pervaded throughout the nineteenth century in a patchy and inconsistent manner.

Towards the turn of the twentieth century however, the colonial state demonstrated a more centralised drive towards the establishment and maintenance of reform settlements, as part of a wider process of altering its approach towards dealing with convicted criminals. The colonial state moved away from the overtly punitive practices of incarceration and corporeal punishment, and towards a much greater emphasis on ‘reform’ and ‘uplift’ approaches. For accused collective criminals, this meant that they were to be turned into productive subjects by being given ‘honest’ occupations that settled them in specific areas. The way in which the state sought to achieve this was through the reform settlement, which served as a space that allowed the conditions to confine, discipline, and occasionally affect more overtly punitive actions. As reform efforts entailed a limitation of peoples’ mobility, reform efforts were about more than turning supposedly unproductive itinerant peoples into productive workers. It was also about forging ties between itinerant peoples, land, and specific sites of production. This impacted upon the specific types of labour deemed suitable for accused criminals, as we shall see throughout this chapter. Peoples targeted by reform efforts were expected to remain close to particular plots of land, factories or villages, and this was intended to eliminate the opportunities and incentives for travel.

Efforts to reform habitual criminals were deeply entwined with changes in the political and economic situation around the turn of the twentieth century. Up until this period, British India’s *laissez-faire* economic ideology, recurrent cash shortages, and the resultant pushes by colonial authorities to keep costs to a minimum, had made India a ‘private enterprise economy’. The private sector was the primary determinant of resource allocation, occasionally receiving state support through subsidies, grants, and preferential treatment.<sup>11</sup> By the 1900s and 1910s, however, discussions over the fate of

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<sup>9</sup> Wagner, *Thuggee: Banditry and the British*, p. 215.

<sup>10</sup> Glover, ‘Objects, Models, and Exemplary Works’, p. 548.

<sup>11</sup> Jagjeet Lally, ‘Crafting Colonial Anxieties: Silk and the Salvation Army in British India, circa 1900-1920’, *Modern Asian Studies*, 50. 3 (2016), pp. 765-807 (p. 766).

India's economy had intensified. The gathering momentum of the Indian nationalist and Swadeshi movements laid heavy critique upon the neglectful and exploitative character of colonial economics in India. The upheaval of the 1905 Partition of Bengal featured as a particularly strong catalyst for nationalist mobilisation, where questions of administrative (mis)management of this province drew attention to how the wider subcontinent was being (mis)managed.<sup>12</sup> Importantly, the combination of nationalist critique and economic change led to officials taking refuge in romantic ideas of the stable, traditional Indian village, untouched by the strife and complications brought about by the increasing politicisation of India's population. This is a point we will return to later as it weighed heavily upon how settlement labour was imagined, and was strongly implicated in understandings of village-level community organisation.

On the ground, this translated into designating communities which were to be assimilated into the norms of settled, rural society. Concerns over mobile criminals would be quashed by integrating them with 'traditional', self-sustaining, productive rural communities. As we will explore later in this chapter, peoples targeted by reform efforts were not only geographically placed within the remit of rural settled society, but they were also integrated and re-imagined to conform to labour regimes and social structures that were seen as appropriate for rural communities existing in a 'traditional', pre-modern and pre-political mode of life.

The process of 'reforming' criminals involved reinterpreting who they actually were in the eyes of the state. This process was fundamentally at tension with the state's coercive practices, which had for decades dominated the relationships between itinerant peoples and state authorities. Police, judges and other officials had spent years gradually elaborating how various itinerant Indian subjects were inimical to a stable and functioning Indian society. Through documentation and structural processes, people deemed part of an itinerant criminal community had been severed from their social contexts and rendered legible by the state which saw every action they did as related to criminal behaviour. These people were effectively designated targets for suspicion, discipline and punitive treatment.

Controlling the movement of peoples was central to reform settlements, and served a myriad of purposes. It made itinerant peoples more pliable to coercion by facilitating surveillance, allowed their attachment to land to make them taxable, and facilitated their integration into settled labour regimes. These factors were underscored by ideological aspects, which championed the image of a traditional village India relatively undisturbed by modernity, and posited the former criminal – supposedly

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<sup>12</sup> Ibid, pp. 769-70.

inimical to settled society – as observably becoming part of it.<sup>13</sup> Officials involved in the reform settlements thus had the task of relating understandings of criminality to the settled rural order, as part and parcel of converting offenders into productive subjects. Looking at Starte’s early reform efforts in Bijapur allows us to unravel how relatively well-established understandings of criminal identities underwent revision in relation to contingent state concerns.<sup>14</sup> This is particularly apparent regarding the Chapparband identity, which formed the focus of the previous chapter. The way that officials re-framed them with reference to settlement and labour regimes, and the myriad contingent factors that mediated such understandings, demonstrate the continual instability and mutability of criminal categorisations.

As reform efforts sought to recast so-called habitual criminals between colonial categorisations that stood at odds with each other, this chapter draws from Tom Lloyd’s work on *Thug* approvers as ‘liminal criminals’. These approvers were seen to straddle a criminal underworld and judicial world, making them intrinsic to official conceptions of both. The reliance of colonisers upon heavily politicised sources made the very discourses on crime heavily self-referential.<sup>15</sup> Similarly, communities earmarked for reform in this chapter also held a liminal position, situated uneasily between categorisations of ‘criminals’ and potential rate-payers. At the same time, such peoples were understood as targets of discipline and reform, and as potential workers. As such, they straddled the perceived lines between orderly settled and non-settled, disordered ways of life. Lloyd’s ‘liminal criminals’ concept highlights the importance of criminal reform in relation to civilising mission ideology. Here, even if a person adhered strongly to prescribed ideas of settled work and lifestyle, the continued supervision and discipline exerted over them maintained their liminality between ‘criminal’ and settled subject, and furthered the inertia of discourses on criminality and social development.

This liminality was related to difficulties in adapting the knowledge forms of the colonial state. For years, colonial officials had devoted energies to rendering itinerant peoples legible to the state through the prism of criminality.<sup>16</sup> By attempting to reform

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<sup>13</sup> This is particularly relevant for this chapter’s later discussion of the *panchayat*. Also see James Jaffe, *Ironies of Colonial Governance: Law, Custom and Justice in Colonial India* (Cambridge: Cambridge University Press, 2015); Bhattacharya, *The Great Agrarian Conquest*; Thomas R. Metcalf, *Ideologies of the Raj* (Cambridge: Cambridge University Press, 1998), particularly chs. 3-4.

<sup>14</sup> This is also a theme discussed with regard to the post-First World War order in Gould and Lunt, ‘Labour and Penal Control’, and in regard to the partition and early Independence eras, in Gande, *The “Criminal Tribe” and Independence*.

<sup>15</sup> Lloyd, “Liminal ‘Criminals’”.

<sup>16</sup> On the ways appearance and the body were read as criminal, see Anderson, *Legible Bodies*, especially chs. 2-4. The ways that behaviour linked to legibility have been discussed in the previous two chapters of this thesis.

them, the state's knowledge of them needed to be adapted to the needs of revenue administration, which challenged conceptions of itineracy as a behaviour beyond the pale of 'society' proper. As knowledge on itinerant criminal groups spoke to both the overtly coercive arm of the police, and to revenue officials at the same time, this knowledge carried inherent tensions, which were vital to understandings of reform. The coercive apparatus of the state had spent decades excising people from the social fabric and defining them as inimical to settled Indian society. They were to be woven back in over an indefinite period of time, according to a combination of factors. The state's desire for easily mobilised and controllable labour, its perception of civilisational progress, and the adherence of workers to state-sanctioned understandings of a productive, law-abiding subject, shaped the duration and form of a suspect's un-freedom.

Studies of India's so-called criminal tribes in reform settlements tend to rely heavily upon the aims of government and the end-products of settlement efforts as key departure points for understanding reform settlements.<sup>17</sup> Such approaches underappreciate how the process of establishing settlements involved negotiation and practical issues, which influenced governmental rhetoric itself. As Marilyn Booth states, there is a tendency of taking Foucauldian approaches in absolute terms, and thus of 'over-reading the colonial power grid as the organisational determinant of political imaginations'.<sup>18</sup> Through such over-determination, discussions on reform settlements mean that the form of settlements were self-justificatory; the settlements were what colonial measures dictated and enforced. This chapter complicates our understanding of settlements and their origins by showing that these determinants were in fact often fluid, unanticipated, and hinged upon flexibility.

Writings on reform settlements have often overlooked the importance of differentiation between different communities marked for settlement. Meena Radhakrishna's key work on the experiences of the *Koravars* and *Yerukulas* in south India delineates who they were before they were coerced into reform settlements, yet neglects the way in which colonial understandings of them played into their differing experiences while interred.<sup>19</sup> Writers like Stuart Blackburn see the CTA in Madras as the

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<sup>17</sup> See Tolen, 'Colonizing and Transforming the Criminal Tribesman'; Radhakrishna, particularly ch. 2; William Glover, 'Objects, Models, and Exemplary Works: Educating Sentiment in Colonial India', *The Journal of Asian Studies*, 64. 3 (2005), pp. 539–66.

<sup>18</sup> Marilyn Booth, 'Peripheral Visions: Translational polemics and feminist arguments in colonial Egypt', in Anna Ball and Karim Mattar (eds), *Edinburgh Companion to the Postcolonial Middle East* (Edinburgh: Edinburgh University Press, 2019), pp. 183–212. This point is also echoed in relation to both early reform efforts as well as convict labour protest in the interwar era, in Gould and Lunt, 'Labour and Penal Control'.

<sup>19</sup> Radhakrishna's work follows the changing experiences of these two communities and draws vital attention to how colonial rule has disrupted community practices, drastically changing their historical memory. See Radhakrishna, especially ch. 6 on memory.

“Kallar Control Act”; an explanation which fails to address why, by 1931, 237 different tribes were under Madras Presidency’s CTA measures.<sup>20</sup> At the same time, no attention is paid to the way in which the process of setting up reform settlements influenced these numbers. The picture we are left with is therefore ambiguous. Tolen’s work focuses on elucidating the concept of the ‘criminal caste’ to explain the immense numbers of communities included under the act, while skirting questions about how, or why, these communities were chosen, and how they shaped the colonial state’s approaches to reforming those that it targeted. If India was believed to be peppered with hundreds of criminal communities, with members in the millions, then there must be some form of logic behind which were to be settled, which were not, and at what time.

The neglect towards the state’s (or often for Bombay, Starte’s) selection practices is related to excessive concern over the concept of habitual criminality as a catch-all term for those who fall foul of the state. This is not to say that it is not valuable and important to consider how colonial authorities classified diverse peoples under singular terms; it is. Yet it often comes at the expense of attention to how individual communities and their identities were in dialogue with, constitutive of, and in tension with such catch-all terminology. Thus, while Tolen rightly identifies that the rhetoric of ‘criminal castes’ was – at least for the most-part – ‘divorced from application to any single community’, there is no accounting for the perceived differences between discrete communities and the way this altered their experiences.<sup>21</sup> As we shall see in this chapter, communities marked for reform may have all shared the state’s displeasure, but not in equal measure. The very ways in which these communities were understood as discrete entities, and the realities of their everyday lives, show that in fact the rhetoric of ‘criminal castes’ did not mean the same thing, nor translate into the same experiences for different individuals, let alone entire communities.

Studies on reform settlements have also tended to stress the centrality of missionary agencies, especially the Salvation Army. Indeed, it is unquestionable that missionary bodies are integral to our understanding of attempts to reform India’s population. As we see from Tolen and Radhakrishna’s works, bodies like the Salvation Army were quick to seize upon the opportunity of furthering their organisation’s influence. Championing the establishment and running of reform settlements, and the dogma of ‘criminocurology’, they provided a sociological basis that facilitated intellectual shifts away from ideas of unchangeable hereditary crime towards the possibility of reforming criminals into law-abiding subjects. However, the context of Bombay

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<sup>20</sup> Tolen, ‘Colonizing and Transforming the Criminal Tribesman’, pp. 99-100.

<sup>21</sup> Ibid.

Presidency provides a contrast to these studies specifically because this region delayed the employment of missionary bodies. It was not until 1917 that Bombay Presidency began to pass its settlements into the hands of missionaries, and even then, they avoided utilising the much-lauded Salvation Army (despite its attempts to extend its influence into the region), eventually handing over to the American Marathi Mission. While the establishment of reform settlements in western India was undoubtedly influenced by the increasing presence of missionary reformers throughout India, the example of Bombay Presidency provides us with a more state-led initiative, couched in the coercive practices and fiscal demands of the colonial state structure. Bombay's coercive apparatus often zealously guarded its authority and knowledge systems regarding collective criminals. F. H. Vincent, Bombay's Deputy Commissioner of Police, provides a case in point, as he criticised General Booth's 'lurid description' of criminal tribes in India.<sup>22</sup> Invoking police handbooks and the opinions of Indian officials, the Deputy Commissioner stressed the special knowledge of Raj officials and in particular its police, which proved crucial to reform efforts.<sup>23</sup> While Starte believed missionaries had potential use, influential figures of the coercive apparatus felt differently.

Additionally, de-centring the role of missionary bodies is important because by looking at reform settlements through India's colonial administrators, we can observe how the Raj's older forms of knowledge were being re-interpreted, demonstrating the continuously unstable nature of criminal classifications. Starte tapped extensively into the knowledge of local police and revenue officials, as well as official police publications, to approach and manage the communities he sought to reform. As the hand-over of reform settlements to missionary organisations happened much later in the Bombay Presidency compared to other regions of India, the imperatives of the colonial state were vividly imprinted upon the function and form of early settlements, which ultimately defined the structure of later settlements built with missionary assistance. Thus, our knowledge of the peoples marked for reform, and their associated labour regimes, which have featured in studies of labour protest in the 1920s and beyond, needs to be situated within interactions between the colonial state's own knowledge forms, as well in the context of the influence of missionary intellectual traditions.

The next section of this chapter deals with the processes of controlling the mobility of reform targets through settlement and police power, followed with a discussion of how labour regimes were understood, applied and systemically

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<sup>22</sup> Opinions on certain proposals made by General William Booth of the Salvation Army for the reclamation of criminal tribes in India (dated 24<sup>th</sup> April 1911), in *Certain proposal of General Booth of the Salvation Army for the reclamation of Criminal Tribes in India*, Vol. 102, File No. 457, 1911, Judicial Dept, MSA, p. M153.

<sup>23</sup> Ibid.

accommodated into the rural order. This division is based upon how the control of ‘criminals’ and labour concerns reflected different categorisations of colonial subjects. Coerced settlement and surveillance designated people as criminals, while regular settled labour and proximity to the norms of settled society worked towards reading people as productive, law-abiding subjects. I do not suggest a clean distinction between the two. As Satadru Sen argues, the modern state premises that the citizen-subject identifies themselves with the state, which facilitates self-surveillance and self-policing and the subsequent abandonment of punitive intervention by the state. However, since the colonised subjects of colonial India could not be expected to identify with an imposed order founded upon insurmountable racial difference and hierarchy, the colonial state could not expect them to police themselves.<sup>24</sup> Instead, Indian subjects could be placed within social and economic conditions that were relatively open to policing, and placed into a different political relationship with the state through a combination of punishment and reward.<sup>25</sup> While Sen’s example was in regard to the Andaman penal colony, his insights resonate strongly with Bombay’s early reform efforts. In both contexts, it was through attempts to change patterns of labour and residence, opportunities for economic and political collaboration, and changes to social classes and categories that criminal reform was envisioned. In such a framework, the processes of controlling criminal mobility and turning offenders into workers operated in tandem, enabling and constituting each other.

## 4.2 Challenging movement and mobility

As the Bombay Government ratified Starte’s deputation to settle Bijapur’s supposed criminal communities, they had not specified exactly which people he was to settle. Instead, his decision on who to settle was the product of personal inquiries across the Bijapur District, including interviews with *rayats*, village officers and Circle Inspectors, senior police officials, and inherited colonial wisdom distilled in published works on criminal tribes in the Bombay Presidency.<sup>26</sup>

Out of these inquiries, Starte decided that the first to be settled would be the Chapparbands, Haranshikaris, and *Lamanis*, whom he considered to ‘give the most trouble’ in Bijapur district. Exactly what he meant by this owes a great deal to both the

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<sup>24</sup> Satadru Sen, *Disciplining Punishment: Colonialism and Convict Society in the Andaman Islands* (New Delhi: Oxford University Press, 2000), p. 2.

<sup>25</sup> *Ibid.*

<sup>26</sup> Report from O. H. B. Starte to the Collector of Bijapur, Accompaniment to Government Resolution, Judicial Department, No. 5130, dated the 10<sup>th</sup> September 1909 (dated 21<sup>st</sup> march 1909), in *Deputation of Starte*, p. M247.

particular conditions of the district, as well as wider colonial efforts to extend their influence over resources. As explained in the previous chapter, 'Chapparband' was a term used to denote people believed to be professional coiners, and whose confinement to Bijapur resulted in it becoming somewhat a district of coiners. *Lamanis* and Haranshikaris on the other hand, were tied to the control of forests. Such identities were associated with hunting and gathering forest produce, which had been increasingly subjected to state-imposed restrictions, enshrined in legislation such as the 1878 Forest Act. The state's understandings of *Lamanis* and Haranshikaris were thus deeply implicated with control over India's ecology.<sup>27</sup> As Ajay Skaria has highlighted, colonial efforts to exploit forests resulted in the intensification of views that the people within and around them were particularly wild and uncivilised.<sup>28</sup> Starte's view over which groups were most fitting targets for his efforts was therefore informed by the ways in which colonial imperatives framed the encounter between coloniser and colonised. As was the case with the 'criminal' communities in previous chapters, colonial interests in suspected criminals were influenced by both pre-existing colonial knowledge, and the way in which this knowledge framed the later experiences of the colonial state.

The 'trouble' caused by these three groups was also partially related to how they were perceived to relate to settled society and state resources. While other communities such as *Mangs* and *Bedars* were seen to impinge on the colonial state's resources, Chapparbands and Haranshikaris were seen to have a greater impact upon them. Additionally, officials received many more complaints from Indian villagers about Chapparbands and Haranshikaris, which framed them as a much greater threat to the stability of the rural order. As a result, Starte decided that *Mangs* and *Bedars* required no immediate special attention.<sup>29</sup> His initial decision to focus upon Chapparbands, Haranshikaris and *Lamanis* reflected the influence of existing police knowledge and popular opinion amongst settled villagers, rather than the size of identity groups. It demonstrated how pre-existing understandings of criminality, and their perceived resonance with the current rural order, provided discursive space to integrate Chapparbands, Haranshikaris and *Lamanis* into rhetoric around agrarian productivity and order.

Beliefs that these groups threatened the productivity of the rural order fitted into longstanding colonial understandings of mobility. Colonial officials linked unchecked

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<sup>27</sup> Rashkow, 'Making Subaltern Shikaris', pp. 293-4; 300.

<sup>28</sup> Skaria, 'Shades of Wildness', p. 731.

<sup>29</sup> Report from O. H. B. Starte to the Collector of Bijapur, Accompaniment to Government Resolution, Judicial Department, No. 5130, dated the 10<sup>th</sup> September 1909 (dated 21<sup>st</sup> march 1909), in *Deputation of Starte*, p. M253.



mobility to the occurrence of criminal behaviour, which represented highly mobile lifestyles as inimical to the life of a settled, law-abiding subject. Perceived links between mobility and criminality were also connected to notions of civilisational development. As Uday Chandra has highlighted, settlement was part of an imperial, liberal ideology of improvement, which framed itinerant peoples as more primitive than settled peoples.<sup>30</sup> In such a framework, sedentarisation was justified on notions of improvement by acclimatising itinerant peoples to a perceived higher stage of civilisational attainment, while ostensibly protecting them from the abuses of caste society through paternalistic direct rule.

Such rhetoric demonstrates a shift in the politics of community identity by the early-twentieth century. At this time, understandings of communities became deeply implicated with discussions of racial difference and development.<sup>31</sup> Such shifts impacted upon the types of narratives and level of detail produced by colonial officials. As we shall see throughout this chapter, the social conditions of peoples targeted for reform became vital to understandings of them and their criminality as reform agendas advocated more general social and moral uplift. Shifts from punishment to criminal reform thus went hand in hand with changes in understandings of race, and contrasted against earlier efforts to gain knowledge on criminal groups, which had actively disregarded details identified as ‘cultural’ or ‘social’.<sup>32</sup>

The link between criminality and mobility took different forms depending on which community was being discussed. To some degree, it facilitated different understandings based upon different styles of regular mobility. Chapparbands were believed to only commit crimes when travelling outside of Bijapur, and so Starte believed ‘a chapparband settled is a criminal already reclaimed’. For Haranshikaris, their petty pilfering, poaching and begging, and near-constant movement, meant that he saw them as particularly primitive. As a result, he saw the reform potential of Haranshikaris differently: ‘a haranshikari settled [means] slow reclamation is possible’.<sup>33</sup> Understood as hunter-gatherers, Haranshikaris were seen as in greater need of protection and firmer

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<sup>30</sup> Chandra, ‘Liberalism and Its Other’, pp. 144-8.

<sup>31</sup> This is particularly evident in ethnographic works by authors like Crooke and Risley, which featured extensive discussions around anthropometry and racialised understandings of social stratification. On ethnographic writings, see Bates, ‘Race, Caste and Tribe in Central India’, in *The Concept of Race in South Asia*, ed. by Robb, pp. 219-59; Bayly, ‘Caste and ‘Race’ In the Colonial Ethnography of India’, in *The Concept of Race in South Asia*, ed. by Robb, pp. 165-218; Pinney, ‘Colonial Anthropology’, in *The Raj: India and the British*, ed. by Bayly, pp. 252-63.

<sup>32</sup> As previous chapters have alluded to, police often actively avoided including details that could not be seen as directly to the execution of criminal acts.

<sup>33</sup> M. C. Gibb, Commissioner, S. D., to the Bombay Government, Application to the Government of India for sanction to the continuance for a further period of two years of the deputation of Mr. O. H. B. Starte (dated 23<sup>rd</sup> April 1910), Vol. 118, File No. 1787, Judicial Dept, MSA, p. M94.

state intervention. Their lifestyles were widely regarded as remnants of pre-Aryan hill and forest peoples, and seen as unable to survive the pressures of settled society unassisted.<sup>34</sup> By the turn of the twentieth century, Bombay officials were advocating their removal from forests as the best way to introduce them to ‘humanizing tendencies’ that settled agriculture was claimed to bring. The reform of people deemed ‘wild’ entailed their removal from ‘wild’ landscape by a paternalistic state, justified on the presumption that such peoples were merely being saved from their own fatalistic ways of life.<sup>35</sup>

Movement played a key role in deciding which of these communities were to be settled first, as it influenced the opinions of the *rayats* and colonial officials. Starte highlighted the practice of Sub-Inspectors in continuously moving Haranshikaris out of their own *talukas*, forcing them to move into neighbouring ones. This process not only contributed to the very mobility that was seen as essential to Haranshikari criminality, but also sensitised many colonial officials across the southern Bombay Presidency to Haranshikaris as a law and order problem.<sup>36</sup> The perceived nature of Haranshikari mobility was therefore dictated by quotidian policing practices as well as the cultural practices of the Haranshikaris themselves, and fed into Starte’s understanding of how urgent sedentarising and reforming them was. As police constantly forced Haranshikaris to travel between different *talukas*, this fed into Starte’s belief that Haranshikaris ‘have never up to the present taken to or been offered regular employment’, and that they ‘give a good deal of trouble’ despite believing they only numbered about six hundred individuals in the Bijapur district.<sup>37</sup> The tendency for these particular groups to remain within Bijapur district or its orbit, despite continual police harassment, suggests that they lacked the ‘mobility capital’ – assets, competences, contacts or dispositions allowing for migration – to move elsewhere, or were being held back by other obligations.<sup>38</sup> Either way, the recurring presence of Haranshikaris in the region served to support assumptions that they were a continual law and order issue for the region.

While near-constant mobility could designate communities as the primary targets of reform efforts, more complex relationships with mobility could bring into question the value of reforming a particular group of people. The *Lamanis* are a key example of this. Historically, they were known to colonial authorities as pack bullock

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<sup>34</sup> Chandra, ‘Liberalism and Its Other’, pp. 149-50.

<sup>35</sup> Skaria, ‘Shades of Wildness’, pp. 737-39.

<sup>36</sup> Report from O. H. B. Starte to the Collector of Bijapur, Accompaniment to Government Resolution, Judicial Department, No. 5130, dated the 10<sup>th</sup> September 1909 (dated 21<sup>st</sup> march 1909), in *Deputation of Starte*, p. M250.

<sup>37</sup> *Ibid.*, pp. M249-50.

<sup>38</sup> Joya Chatterji, ‘Dispositions and Destinations: Refugee Agency and “Mobility Capital” in the Bengal Diaspora, 1947-2007’, *Comparative Studies in Society and History*, 55. 2 (2013), pp. 273-304 (p. 279).

traders, travelling with grain and other produce throughout India. This industry had suffered due to changes in road infrastructure and the advent of the railways, resulting in many *Lamanis* settling of their own volition. In official eyes, the problem with their settlement was that they tended to build their homes in 'spots far from the village and frequently difficult to access'.<sup>39</sup> Starte's musings on the *Lamanis* are worth quoting at length:

For choice they select the crest of a low hill giving a good range of vision to guard against the unexpected arrival of unwelcome visitors. After a time they buy a few fields, generally of poor quality. In time, if allowed to stay, the *Lamanis* will acquire a permanent right. Some having settled in one place for 60 years or more, have already acquired such a right. It would be difficult to remove them except on account of their criminality. Now such tandas practically become villages with populations varying from 30 to 600 each. But they are villages without the village organization or facilities. There is no Patel or Kulkarni or Walikar. It is true the Patel of the village within whose boundaries they are settled is supposed to visit the village and take their hazri, but any honest Patel admits that he fills in the hazri at intervals in the village on information of one of the *Lamanis*, or at the most he sends a Walikar.<sup>40</sup>

Considering *Lamanis* for inclusion in Bombay's settlement programme thus exposed various issues with colonial understandings of criminality. *Lamanis* were ultimately doing what reform settlements were aiming to do to them; culling their mobility through 'honest' labour pursuits that tied them to the land and specific locales. The crux was that colonial knowledge struggled to reconcile its emphasis on *Lamani* criminality with their self-induced settlement, as it challenged colonial understandings of the links between settlement and reform. Since *Lamanis* did not require a paternalistic colonial hand to guide their settlement, Starte struggled to justify interfering 'on account of their criminality' alone.<sup>41</sup> Such comments exposed the limits of developmental discourses which emphasised the role of more 'advanced' peoples in uplifting others.

At the same time, Starte was uneasy about *Lamani* settlements because they were largely outside of the purview of the colonial state. The lack of 'village organization or

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<sup>39</sup> Ibid, p. M252.

<sup>40</sup> O. H. B. Starte to the Collector of Bijapur (dated 22<sup>nd</sup> January 1911), in *Application to the Government of India for sanction to the continuance of the deputation of Mr. O. H. B. Starte*, Vol. 102, File No. 1017, 1911, Judicial Dept, MSA, p. M227.

<sup>41</sup> Ibid.

facilities' reflected a lack of state penetration into *Lamani* settlements, as even state co-opted village officials like *patels* avoided entering them for *hazari* (roll-call). Distance from villages disaggregated *Lamani* settlements from the rest of settled society, leaving them in an uneasy ideological limbo, not fully conforming to an idealised village society under state supervision, nor to their pasts where they were initially branded criminals. The contradictions around *Lamanis* led to them being overshadowed by Chapparbands and Haranshikaris in Starte's early reports. By deeming the latter two more suitable for his reform efforts, he focused his information-gathering efforts on them instead.

#### 4.2.1 Structuring and negotiating settlement

The actual process of sedentarising itinerant people and administering reform settlements was beyond Starte's individual scope. Starte had anticipated this issue, and in the course of his fact-finding activities, had nurtured relationships both officials and individuals earmarked for reform to create a formal staff structure for the job. Between 1909 and 1911, his administrative staff consisted of two clerks, three weaving teachers (who were later swapped for more general posts of 'trade teachers'), and seven peons. These posts were supplemented with staff concerned more with supervision in the form of two Circle Inspectors, six Settlement Inspectors and a Police Inspector on loan from the Bijapur district forces.<sup>42</sup>

With less than twenty men at his disposal, Starte's work was heavily supplemented by the existing structures of governance, which was of particular importance in the earliest days of his reform work. Local police, *mamlatdars*, Circle Inspectors, village officers and revenue officials had not only helped Starte to identify people to reform, but also remained as points of contact well after.<sup>43</sup> The police were particularly important here, with Bijapur's District Superintendent of Police, Mr. Clarke, personally accompanying Starte in numerous visits to local villages in order to interview peasants, as well as to the encampments of groups targeted for settlement.<sup>44</sup> While local officials kept in regular contact with Starte, their direct involvement tended to be sporadic, and invoked only when Starte's own efforts needed supplement. In one

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<sup>42</sup> Government Resolution, Judicial Department, No. 5130 (dated 10<sup>th</sup> September 1909), in *Deputation of Starte*, p. M246; Government of Bombay to Government of India, Home Department, No. 3507 (dated 22<sup>nd</sup> June 1910), in *Continuance of the deputation of Mr. O. H. B. Starte, Assistant Collector*, Vol. 118, File No. 1787, 1910, Judicial Dept, MSA, p. M122.

<sup>43</sup> Report from O. H. B. Starte to the Collector of Bijapur, Accompaniment to Government Resolution, Judicial Department, No. 5130, dated the 10<sup>th</sup> September 1909 (dated 21<sup>st</sup> march 1909), in *Deputation of Starte*, p. M247.

<sup>44</sup> *Ibid.*

instance, Starte used a local *mamlatdar*, a sub-overseer, and one Reverend Eisfelder to visit and report upon the Mamatgeri settlement on his behalf.<sup>45</sup> While police were heavily involved in everyday coercive practices against collective criminals, Starte tended to specifically invoke them only when he needed the threat of physical coercion.

Beyond formal state structures, the reform programme depended upon informal relationships. Starte actively attempted to integrate members of the communities he was settling into his administrative structure, beginning with his appointment of four Chapparbands as peons.<sup>46</sup> Local villagers were used as sources of information, and at times co-opted into the reform programme. For example, Starte brought in *Waddars* – an identity group associated with building and earthworks – from a local village to help to teach Haranshikaris how to build houses and walls.<sup>47</sup> As discussed later, relationships with local notables and officials helped to sculpt the settlements themselves and their labour regimes. By the late 1910s, the administrative and policing structures around settlements had expanded drastically, as the number of individuals and communities under Bombay's reform programme swelled in turn.

This arrangement of formal and informal administration characterised Starte's early reform and settlement efforts. While Starte always had a pronounced presence in the direction and shape that reform efforts took, his influence was set within the context of a limited staff and a dependence upon relationships with both colonial officials and those he aimed to reform. His word was often represented through the vector of other colonial officials, and at times through 'criminal' community members he had co-opted into his staff. Starte himself had grown to represent a particular side of the colonial state, wedged in between district administration and policing systems. He lamented how his involvement with reform efforts had resulted in Indians referring to him as 'Chapparband Saheb' when he used to be called 'Assistant Collector Saheb'.<sup>48</sup> Hand in hand with Starte's apparent favouritism of Chapparbands, being popularly considered their 'Saheb' also associated his duties with policing and discipline, which he saw as counterproductive. As he stated, for him it 'cause[d] amusement [but] is a matter of more serious moment for the staff'.<sup>49</sup> After all, the ultimate aim of reform efforts was to integrate 'criminals' into the broader network of district administration. It was clear,

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<sup>45</sup> C. Hudson to the Chief Secretary to Government, Revenue Dept, 'Deputation of Mr. O. H. B. Starte, Assistant Collector, Bijapur in connection with the Settlement of the Criminal Tribes in the Bijapur District', in *Deputation of Starte*, p. M245.

<sup>46</sup> *Ibid.*

<sup>47</sup> *Ibid.*

<sup>48</sup> O. H. B. Starte to the Collector of Bijapur (dated 22<sup>nd</sup> January 1911), in *Application to the Government of India for sanction to the continuance of the deputation of Mr. O. H. B. Starte*, Vol. 102, File No. 1017, 1911, Judicial Dept, MSA, p. M232.

<sup>49</sup> *Ibid.*

however, that Indians felt him and his colleagues were more easily identifiable by their specific duties related to the reform programme.

Officials had to constantly temper their desire to settle itinerant peoples against the practical realities of how these communities operated, and the need to work with them to some degree. The structuring of such communities often stood in the way of settlement efforts, while ending their movements massively impacted upon their livelihoods in ways often beyond the purview of the colonial state. Thus, the process of settling communities permanently into specific places was influenced by constant negotiations between colonial officials and the peoples they sought to settle. It is important not to over-emphasise the agency of these communities. They were the targets of surveillance attempts and state coercion. Many of them were subjugated by an inferior position in wider social hierarchies, and so were also subject to the influence of other communities. At the same time, colonial officials did not have a totally free hand to dictate the terms of settlement to the peoples they targeted. A key limitation of state power came from the potential of scaring away reform targets. Recourse to overt coercion ran the constant risk of causing itinerant peoples to abscond, depriving officials of the very targets of their reform efforts, as well as crucial sources of information on labour, movement and criminality. Such knowledge was valuable beyond its use in overt policing. Starte's reports demonstrate the value of such knowledge in the discursive activities of the state, as knowledge on movement and labour was so essential to the process of contrasting, re-framing and re-aligning suspects with colonial understandings of rural society.

The need to manage relations with peoples marked for reform had a direct impact upon how Starte decided which land to settle them on. Ultimately, this meant that he had struggled to create larger reform settlements in the early days of his reform project. In 1909, his first year of deputation, he had only managed to set up two major settlements. These did not even house the bulk of people he was concerned with. The majority of them were scattered in much smaller clusters across the Bijapur District. Officials had persistent issues in not only finding viable land for cultivation, but also ensuring that the people being settled were actually working the land that they were given.

Part of the issue was that there was a discordance between what state officials and their reform targets deemed acceptable lands for settlement. After Haranshikaris discovered that they were being 'encouraged' to sedentarise, portions of them had begun to attempt to settle themselves on uncultivable land. They had begun to clear their tracts of cacti, request building materials from colonial authorities to set up permanent villages,

and wanted to stay, despite the land's infertility.<sup>50</sup> Clearly, such communities not only understood the value of land and cultivation differently, but also had a different conception of what reform efforts were about. Outside of Bijapur in the neighbouring Dharwar district, attempts to settle Haranshikaris on the waste lands in the Yeri (a 'black soil' area) had failed due to opposition from the community; 'there is no waste land [...] which they fancy'.<sup>51</sup>

Even within a single perceived community, there was a wide range of variance between different individuals and kinship units, which continually frustrated official efforts that understood their reform targets as more homogenous in function and form than was actually the case. Since the turn of the twentieth century, before the establishment of Starte's reform settlements, colonial officials had experienced some limited successes in settling some Chapparbands with grants of land, and whether Chapparbands went on *feri* (annual, extensive, roughly nine-month long tours of India beginning around Mohurram) or not appeared to be a decision based on individual, or small-group decision making rather than family or community-wide.<sup>52</sup> As a result, the relationships with peoples earmarked for reform, and the impact of these relationships upon settlement patterns, was characterised by unevenness and exceptions. Such inconsistencies challenged colonial assumptions around civilizational attainment amongst itinerant peoples.<sup>53</sup> Assumptions of community homogeneity were common amongst officials, especially for groups that were viewed as particularly primitive. Massive, complex communities were deemed criminal and forest-dwelling with only the most limited inquiries into the distinctions between different subgroups. Such official ignorance even extended to groups outside of the Bombay Presidency. The Gonds of Central India, which were immense in terms of both geographical coverage and cultural diversity, were understood through broad categorisations and homogenous descriptions.<sup>54</sup>

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<sup>50</sup> Report from O. H. B. Starte to the Collector of Bijapur, 'Accompaniment to Government Resolution, Judicial Department, No. 5130, dated the 10<sup>th</sup> September 1909' (dated 21<sup>st</sup> March 1909), in *Deputation of Starte*, p. M250.

<sup>51</sup> C. Hudson to the Chief Secretary to Government, Revenue Dept, 'Deputation of Mr. O. H. B. Starte, Assistant Collector, Bijapur in connection with the Settlement of the Criminal Tribes in the Bijapur District' (dated 13<sup>th</sup> May 1909), in *Deputation of Starte*, p. M245.

<sup>52</sup> Report from O. H. B. Starte, Assistant Collector on Special Duty for the settlement of Criminal Tribes, to the Collector of Bijapur (dated 7<sup>th</sup> March 1910) in *Continuance of the deputation of Mr. O. H. B. Starte, Assistant Collector*, Vol. 118, File No. 1787, 1910, Judicial Dept, MSA, pp. M89-90.

<sup>53</sup> Henry Sumner Maine's influential 1861 work, *Ancient Law*, articulated that social development could be observed and measured through a community's movement from group-based rights to contractual and individual property rights. For the intricacies of debates over the relationship between religion, race, property rights and social reform, see Newbiggin, *The Hindu Family*, especially pp. 30-8.

<sup>54</sup> Rashkow, 'Making Subaltern Shikaris', p. 296.

Official tendencies to overlook community differences frustrated settlement efforts, as officials had to accommodate entire sub-units of a community on the lands marked for reform works. For many groups targeted for reform, staying with their particular kinship groups was non-negotiable, and so Starte was forced to accommodate their wishes, lest he ran the risk of alienating them altogether. A typical example had Starte finding land to accommodate a group of Chapparbands numbering 15 males, 18 females and 40 children.<sup>55</sup> As a result, smaller pockets of fertile land were deemed unsuitable to sustain such large numbers.

While the tenacity of Indian social formations may have frustrated the process of acquiring suitable land, it also reinforced colonial assumptions about the social development and relative primitivism of peoples they sought to sedentarise. The resistance that Haranshikaris presented to their communities being arbitrarily atomised was explained in terms of community-wide practices of sharing property. They were believed to divide all resources, including land and supposedly stolen property, based on the number of members in a family unit that even included counting pets.<sup>56</sup>

Starte aimed to break up these sharing practices as part of his settlement project. In his view, they prevented hard work and inhibited Indians from appreciating private property ownership, which were necessary precursors to successful reform. The preference amongst Haranshikaris for jointly owned fields, in Starte's eyes, '[did] not give sufficient incentive for each individual to go [and] work'.<sup>57</sup> Reform was to promote social development, since 'as they grow more accustomed to act independently of one another, the land now given may be divided between them'.<sup>58</sup> At the same time, such rhetoric was influenced by the very particular types of settlement and labour envisioned. Desires to monitor people targeted for reform meant that officials sought rural labour that bound its workers to specific areas. Whatever 'incentive(s)' existed to become self-sufficient members of rural society were constantly qualified by the requirements of colonial surveillance measures.

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<sup>55</sup> Report from O. H. B. Starte to the Collector of Bijapur, 'Accompaniment to Government Resolution, Judicial Department, No. 5130, dated the 10<sup>th</sup> September 1909' (dated 21<sup>st</sup> march 1909), in *Deputation of Starte*, pp. M247; M250.

<sup>56</sup> Even dogs were enumerated in this property-share equation at the same value as any human member. Sadly for any dogs after the first, they were debarred from being enumerated in property calculations.

<sup>57</sup> Report from O. H. B. Starte, Assistant Collector on Special Duty for the settlement of Criminal Tribes, to the Collector of Bijapur (dated 7<sup>th</sup> March 1910) in *Continuance of the deputation of Mr. O. H. B. Starte, Assistant Collector*, Vol. 118, File No. 1787, 1910, Judicial Dept, MSA, p. M95.

<sup>58</sup> Report from O. H. B. Starte to the Collector of Bijapur, Accompaniment to Government Resolution, Judicial Department, No. 5130, dated the 10<sup>th</sup> September 1909 (dated 21<sup>st</sup> march 1909), in *Deputation of Starte*, p. M251.



Aside from having to find land that was acceptable to all parties, officials had to consider a myriad of practical factors. In keeping with ideas of reforming criminals into productive rural workers who were bound to specific locales and land, Starte had initially sought to find cultivable land. This was often not possible, and will be elaborated upon later in regard to how different labour was understood for different peoples. Important here, however, is how the inability to put all peoples earmarked for reform on cultivable land changed where Starte settled them, and why. Engaging reform targets in non-agrarian labour required different infrastructure and amenities. This had a direct influence upon where Starte chose to set up schools and other utilities aimed at reform. When trying to turn Chapparbands to weaving, the village of Wandal was selected to establish a school to train them. Starte gave multiple reasons for the selection of this village; its position as a bazaar village, its considerable population of weavers, and its proximity to many villages occupied by Chapparbands.<sup>59</sup> The location of Wandal allowed Starte to sidestep issues of having to relocate people marked for reform, instead opting to use the existing nearby markets to integrate them into local industries. He had even contacted the 'leading weavers of Wandal', who were 'very interested in the school and speak favourably of the experiment', and had secured promises of weaving jobs for some Chapparbands before they had even learned the craft.<sup>60</sup> Shortages in cultivatable land meant depending upon pre-existing village structures and modes of production, influencing the labour regimes of the reform programme.

Maintaining law and order also factored into decision-making. Starte had settled some Haranshikari groups in relatively close proximity of each other, resulting in them gathering in large groups of hundreds of individuals. Such instances were one of the few times in which officials dared to apply significant pressure to split communities into smaller units. Fear of mob-based criminality and public disturbances trumped concerns of absconding, and it was only after lengthy, tense discussions that the Haranshikaris in question agreed to be settled further apart from one another.<sup>61</sup> The benefits for officials of community units near one another thus constantly had to be counter-balanced with understandings of their criminal potential.<sup>62</sup>

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<sup>59</sup> Report from O. H. B. Starte, Assistant Collector on Special Duty for the settlement of Criminal Tribes, to the Collector of Bijapur (dated 7<sup>th</sup> March 1910) in *Continuance of the deputation of Mr. O. H. B. Starte, Assistant Collector*, Vol. 118, File No. 1787, 1910, Judicial Dept, MSA, p. M92.

<sup>60</sup> *Ibid.*

<sup>61</sup> *Ibid.*, p. M95.

<sup>62</sup> Public order had been an increasing concern of colonial officials across the subcontinent, especially as Bombay's population swelled periodically in sync with labour demands and festivals. See Kidambi, 'The Ultimate Masters of the City'.

### 4.2.2 Police and surveillance

The relationship between the maintenance of law and order and reform efforts carried inherent tensions. As previously highlighted, Starte was heavily dependent upon the police, and their bodies of ethnographic knowledge clearly influenced Starte's selection of which communities were to be settled and why. Police knowledge, and their investigative modalities were thus key to Starte's reform efforts and provided him with the means to track, monitor and interact with the people he sought to reform. In turn, this relationship with police was mutually beneficial, as their involvement served to extend their power and knowledge over 'criminal' groups. At the same time, reform efforts demonstrated a shift in the information complex of the state, and the place of collective crime within it. In focusing upon land and labour, reform efforts sought to fundamentally transform the relationship between collective criminals and state authorities through an emphasis on labour discipline, rather than coercion and formal incarceration. Co-operation with the police meant that Starte remained dependent upon the coercive practices of the state, while also seeking to avoid the reform programme being seen as simply an extension of pre-existing coercive measures.

While colonial officials had to manage the problems of finding land and labour opportunities, there was the on-going concern of making sure that those being settled actually worked the land and jobs that they were given. This was complicated by the particular views officials held towards itinerant peoples and the history of the state's relations with them. After all, significant numbers of them were legally framed as criminals, and had been subject to surveillance and coercion for decades. Police were therefore a major resource of information and control, and their longstanding position as a nexus between the state and itinerant peoples allowed them to serve as Starte's personal guides and intermediaries. While the revenue and settlement reports of district officials were also modes of understanding mobility and sedentary life, they did not offer the facilities for physical identification and coercion that police forces offered. It was expected that for the foreseeable future, police forces would continue to be an integral part of reform efforts. As a result, police supervision and discipline presented similar problems to the issue of permanently settling people. Reform officials were forced to regularly negotiate with the people they targeted and be mindful of the extent to which the coercive power of the state was invoked, balancing the contributions of police investigative modalities and bodies of knowledge against whatever difficulties their involvement entailed.

For all the advantages that the coercive spectre of police power brought, Starte was also very aware of its potentially counter-productive effects. There was the constant fear that police would cause absconding, as itinerant peoples clearly hated and feared

them. In 1910, Starte used police aid to round up Chapparbands to address them, noting how the use of policemen resulted in rumours about impending mass-arrests. As a result, the 'position [at this time] was very delicate', as suspects prepared to swiftly decamp to escape persecution.<sup>63</sup> Other reform initiatives elsewhere in India sought to handle settlement projects as independently of the police as possible as their identification with direct coercion was prone to spreading mistrust amongst the peoples being settled.<sup>64</sup> Such hesitations over utilising the police tapped into wider concerns over their abuses in the early-twentieth century. The 1902-3 Police Commission had severely critiqued police forces and particularly their subordinate ranks, labelling them as inefficient, corrupt and tyrannical.<sup>65</sup> While the previous chapters demonstrate varying levels of official confidence in police to successfully and responsibly deal with questions of law and order, Starte's reform efforts took place in a context that overtly challenged such assumptions.<sup>66</sup>

Fear of the police was seen by officials to exacerbate pre-existing tendencies to abscond from settled life. In 1902, Bijapur's authorities had attempted to settle some Chapparbands, which proved a near-complete failure. After giving them cultivable land and bullocks to work it, the Chapparbands continued to travel outside of the Bijapur District as they had previously, opting to rent the land to other cultivators in exchange for half the produce. The bullocks were often absent altogether from the fields. Chapparbands had reported that they had died, while colonial officials had suspected that they had simply taken the bullocks with them on their travels or sold them.<sup>67</sup> Such events made Starte's efforts particularly tenuous, and sharpened his concern over how police involvement would impact upon reform efforts.

At the same time, coercion and intimidation could facilitate reform efforts. Constables often flanked Starte as he visited and addressed people targeted for reform, underlining the power relations inherent in the reform programme, and serving as a reminder of what may befall them if they failed to comply. He also acknowledged that the extension of police power via legal measures had achieved some limited success in ending the mobility of itinerant peoples. For example, in the past Chapparbands had been given notices that restricted their movement under threat of prosecution, with some

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<sup>63</sup> Report from O. H. B. Starte, Assistant Collector on Special Duty for the settlement of Criminal Tribes, to the Collector of Bijapur (dated 7<sup>th</sup> March 1910), in *Continuance of the deputation of Mr. O. H. B. Starte, Assistant Collector*, Vol. 118, File No. 1787, 1910, Judicial Dept, MSA, p. M90.

<sup>64</sup> Radhakrishna, p. 79.

<sup>65</sup> Report of the Indian Police Commission, 1902-1903, BL, IOR/L/PJ/6/654.

<sup>66</sup> As Arnold highlights, police venality and violence had become too commonplace to completely ignore, especially as colonial officials became increasingly concerned over growing nationalist sentiment. Arnold, *Police Power and Colonial Rule*, pp. 191-2.

<sup>67</sup> Report from O. H. B. Starte to the Collector of Bijapur, 'Accompaniment to Government Resolution, Judicial Department, No. 5130, dated the 10<sup>th</sup> September 1909' (dated 21<sup>st</sup> march 1909), in *Deputation of Starte*, p. M248.

claiming that these notices prevented them from travelling.<sup>68</sup> While Starte feared mass exoduses to avoid persecution, police involvement could make itinerant groups more amenable. Some Chapparbands had initially shown eagerness to cooperate with settlement initiatives, bemoaning their inability to escape police attention as ‘the Police “bandobast” [was] more complete than it used to be [and] even if we say we are not a Chaparband the Police write to Bijapur and find out all about us, so it is useless to attempt to hide who we are’.<sup>69</sup> It was thus through compliance with Starte’s plans that Indians could at times attempt to renegotiate their broader relationships with colonial state actors. In such a situation, Starte and his staff could represent a different aspect of the colonial state, albeit immediately proximal to its more violently coercive institutions and practices.

Police involvement with the settlement project not only benefited Starte, but the police themselves. Starte’s inquiries had built strong informal relationships between himself and itinerant peoples, in particular the Chapparbands. As Starte utilised these bonds to flesh out his own knowledge of them, so did the police. Policemen like Inspector Sidramappa accompanied Starte on some of his outings, carving out reputations as specialists who could provide the police with the means to improve their ‘supervision’ of such communities.<sup>70</sup> Bijapur’s District Superintendent, M. F. Clarke advocated that Sidramappa continue accompanying Starte in the future, to ‘prepare proper history sheets, and to supply information to the District Superintendent of Police and the Taluka Sub-Inspectors regarding the criminal tribes’.<sup>71</sup>

Reform efforts allowed colonial officials to create and strengthen informal bonds with itinerant peoples. These ties were particularly beneficial to the police, especially as the previous chapter of this thesis demonstrated their vulnerability to criticism for failing to possess adequate knowledge on collective criminals. The rapport Starte had established with people targeted for reform allowed police to further elaborate on their knowledge of collective criminality. As Bijapur’s District Superintendent highlighted, by ‘taking each man’s case individually’, Starte had acquired detailed and special knowledge

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<sup>68</sup> Report from O. H. B. Starte, Assistant Collector on Special Duty for the settlement of Criminal Tribes, to the Collector of Bijapur (dated 7<sup>th</sup> March 1910), in *Continuance of the deputation of Mr. O. H. B. Starte, Assistant Collector*, Vol. 118, File No. 1787, 1910, Judicial Dept, MSA, p. M90.

<sup>69</sup> Report from O. H. B. Starte to the Collector of Bijapur, Accompaniment to Government Resolution, Judicial Department, No. 5130, dated the 10<sup>th</sup> September 1909 (dated 21<sup>st</sup> march 1909), in *Deputation of Starte*, p. M247.

<sup>70</sup> Note by W. M. F. Clarke, District Superintendent of Police, Bijapur (dated 1<sup>st</sup> April 1910) in *Continuance of the deputation of Mr. O. H. B. Starte, Assistant Collector*, Vol. 118, File No. 1787, 1910, Judicial Dept, MSA, p. M88.

<sup>71</sup> *Ibid*, p. M89.

on hundreds of community members.<sup>72</sup> The value of this knowledge was apparent, as the Superintendent declared that if Starte's work were discontinued, it would be a disaster for the colonial administration.<sup>73</sup> The police were well-aware of their own and Starte's different reputations amongst the Indian population, which directly influenced relations between state actors and colonised subjects.

For Bijapur's District Superintendent, reform was a gateway to a greater degree of punitive power. He claimed that:

I hope that after they [Chapparbands] have been given full chances of reformation, a small pamphlet concerning their methods may be prepared and sent to every District Superintendent of Police in India so that chapperbands may become even better known than at present and that Government may direct Magistrates and Judges in every case to give the maximum punishment to chapperbands found committing coining offences. These measures joined with the persuasive ones of Mr. Starte would probably end their profession altogether.<sup>74</sup>

Thus while Starte sought to further separate his own reform efforts from the knowledge production and oppression of police, the two tended to mutually enable and constitute each other. For Bijapur's District Superintendent, it was beside the point that the policing of Chapparbands was based upon particularly limited evidence of their criminality.<sup>75</sup> The use of reform efforts to extend police power demonstrated a structural inertia. Discipline and 'reform' were justified through the previous practices of the coercive network, rather than through a fundamental re-assessment of their foundations.<sup>76</sup>

People targeted for reform could exert only a limited degree of agency in the face of extensive police repression. A case in point occurred around the first Mohurram since Starte's deputation. Chapparbands had returned *en masse*, however they had become aware of the increased state interest in them. In a single day, Starte had gathered 150 of

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<sup>72</sup> Note by W. M. F. Clarke, District Superintendent of Police, Bijapur (dated 1<sup>st</sup> April 1910), in *Continuance of the deputation of Mr. O. H. B. Starte, Assistant Collector*, Vol. 118, File No. 1787, 1910, Judicial Dept, MSA, p. M88.

<sup>73</sup> Ibid.

<sup>74</sup> Ibid.

<sup>75</sup> As demonstrated in the previous chapter, police branded people as members of professional coining gangs even when officials failed to find objects considered quintessential to their criminal behaviour.

<sup>76</sup> Such events form a continuation of the process of establishing a 'district of coiners' of sorts by sending suspected coiners to Bijapur, where the disciplinary actions of the state served to support and validate its own assumptions over criminal identities. See chapter 3, section 3.4.

these returned peoples from multiple villages with the aid of the police, and had presented his offer; cease going on annual *feri* travels, and the government will provide land, service jobs, and weaving skills.<sup>77</sup> Their response was that they were willing to wait two months to see if the government kept its word, otherwise poverty would force them to depart again. Starte's response was to file complaints against them all under Chapter VIII of the Criminal Procedure Code as a precursor to applying Regulation XII of 1827, thereby declaring their departure in two months illegal and punishable.<sup>78</sup> At the same time, he took an unusual course with his application of Chapter VIII. While this measure normally required a local notable to stand as security, he allowed Chapparbands to stand as security for each other, and used the convenience of the gathering to inquire into the work that each man would prefer.

In this instance, Starte's preference for negotiation was heavily due to resource and manpower limitations. Two months was nowhere near enough time for Starte to secure the jobs, training and land needed for the 150 people he had assembled, let alone their families that would also have to be accommodated to varying degrees. Starte had initially planned to accommodate all 150 over the entire year. The jobs he had been promised for them by government agencies barely reached double figures, and the weaving schools, as noted elsewhere, were small and maintained only single figures of trainees by 1910. Suitable land was a constant issue, and what little there was tended to be earmarked for the Haranshikaris. To complicate matters further, Starte was well aware – thanks to his Chapparband peons – that many Chapparbands feared that Starte's probing heralded the potential of mass-arrests, and thus they were poised to depart at short notice.<sup>79</sup> Starte could not provide the carrot in time, yet felt compelled to invoke the stick of punitive policing, despite its potentially counter-productive effects on long-term reform efforts. He saw allowing Chapparbands to stand as security for others as inherently risky, yet preferable to mass-arrest. His own limits to power and resources had resulted in a modified demonstration of state power, where he flouted established norms of legal procedure, and exposed the intermittent nature of state power itself. What makes this all the more peculiar is that Starte himself believed that the Chapparbands could not make financial ends meet in the meantime. By his own assessments, most Chapparbands waiting for state aid were maintaining themselves on their 'former

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<sup>77</sup> Note by W. M. F. Clarke, District Superintendent of Police, Bijapur (dated 1<sup>st</sup> April 1910), in *Continuance of the deputation of Mr. O. H. B. Starte, Assistant Collector*, Vol. 118, File No. 1787, 1910, Judicial Dept, MSA, p. M88

<sup>78</sup> *Ibid.*

<sup>79</sup> *Ibid.*

earnings or were working in the fields as coolis. Most [could] pull on for a month or two more.<sup>80</sup>

### 4.3 Reshaping the professional criminal

The previous sections dealt with the more overt aspects of control that reform efforts entailed through (mostly) coerced settlement and the regulation of itinerant peoples through surveillance and punitive practices. The ways in which communities were settled and policed were not only the product of colonial efforts, but also a result of their inherent contradictions, practical limitations, and the need to balance the exertion of colonial power against relations with those targeted by reform efforts. The resultant colonial power grid set the stage for the latter's remoulding. This section will deal with three particular topics; labour, authority figures, and bureaucratic practices.

While controlling mobility was explicitly related to controlling criminality, the reform of itinerant people also demanded that they be introduced to what the British perceived as the norms of rural Indian society. This entailed not only the transformation of mobile criminals into settled labourers, but also their integration into structures of governance and power projection. This process was particularly subtle, as officials gradually encouraged itinerant groups to move towards a *panchayat*-oriented, more centralised political structuring, encouraged by how colonial officials interacted with community figureheads. At the same time, state officials sought to measure and evaluate their purported criminal potential in fiscal terms. By rendering itinerant peoples in abstract values that put a price-tag upon their criminality, colonial officials considered them in similar ways to villages, plots of land and rural commerce. They were rendered legible in terms of fiscal loss and gain, and thus akin to existing bureaucratic practices that aimed to make India's landscape productive.

One of the core goals of reform efforts was to get their subjects to take up regular labour that fitted into colonial understandings of 'honest' work. Acceptable modes of work were contingent upon wider colonial understandings of the subcontinent, as well as the fiscal needs of the state. In colonial India, 'honest' work was heavily related to settled forms of cultivation. Colonial ideology envisioned settled agriculture as a naturalised, universal and normative state within India. As Neelandri Bhattacharya states, 'the rural is associated with the agrarian and the agrarian with the village, as though to speak of the rural landscape is to speak of village India'.<sup>81</sup> This idealised view

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<sup>80</sup> Ibid, p. M94.

<sup>81</sup> Bhattacharya, *The Great Agrarian Conquest*, p. 64.

of village India drew upon nostalgic, romanticised conservative British views. The rural village was construed as an entity constituted by natural, immemorial bonds between an aristocracy and lower peoples, patrons and clients, and harkened back to romanticised views of pre-industrial times, before the complications and challenges brought about by industrialisation, the rapid growth of urban spaces, and more recent nationalist unrest. Officials approached rural tracts with a view to ‘moderation’. This meant that the colonial regime was to avoid fundamentally altering rural society as far as possible, introducing various policies and laws that protected peasants from unfair ejection and dispossession, and safeguarding rural institutions from ‘the merciless dissolving power of time’.<sup>82</sup> The ‘honest’ cultivator in the ‘stable’ village order served as a bulwark against the negative effects that British modernisation efforts were seen to have awoken within India, while at the same time turning India into a visibly productive space that posed little, if any threat to British law and order.

Such work was envisioned as ideal for rehabilitating criminals. If cultivation was the quintessential occupation of an India caught in an earlier stage of social development, then it was seen as a safe choice of work for people already viewed as potential sources of trouble, and was seen as open to people of any background. It also fitted into colonial understandings of India as a timeless, static place of arrested development. Most officials understood India as being characterised by ‘feudal’ ties of blood and kinship, and more broadly characteristic of a medieval stage of historical development. In such a framework, villages formed part of fiefs, while local-level ‘feudal lords’ formed important counterbalances to supposedly despotic Indian kings.<sup>83</sup> Colonial understandings of cultivation as reformatory was thus part of the feudal fantasies of the British aristocracy and broader idealisations of landed wealth. It formed part of a broader paternalist doctrine which imagined the masculine leadership of a superior European race over the feminised, docile Indian who could not threaten British domination.<sup>84</sup> Settling people into cultivation thus played a crucial role in turning Indians into fiscal subjects and turning rural space into an intelligible, governable and taxable space.<sup>85</sup>

While agrarian work was seen as the ‘honest’ job *par excellence*, other forms of work were seen as acceptable for reforming criminals. Partly, this was down to how changes to rural credit markets had effectively turned many villager debtors into wage labourers, who lived off of credit advances and parted with the bulk of their crop.<sup>86</sup> At

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<sup>82</sup> Ibid, p. 63.

<sup>83</sup> Metcalf, *Ideologies of the Raj*, pp. 72-6.

<sup>84</sup> On the gendered paternalism of the colonial state, see, Sinha, *Colonial Masculinity*.

<sup>85</sup> Bhattacharya, *The Great Agrarian Conquest*, p. 69.

<sup>86</sup> See Chandavarkar, *The Origins of Industrial Capitalism*, p. 51.



the same time, the growth of industrial work in the Bombay Presidency meant that desires to maintain the stability of an idealised village India gave way to the needs of colonial capitalism. Bombay Presidency, and in particular Bombay City itself, was a key location for Indian capital and its export market, and vital for the cotton industry. Spinning had undergone massive growth in the late-nineteenth century, and while it centred around Bombay City itself, various district towns and cities had grown to form important nodes in the cotton industry.<sup>87</sup> Other forms of work were seen to supplement agrarianism and the cotton trade. Spinning related to weaving, dyeing and transport industries, while jobs like masonry and land-clearing supported the expansion of both of these production styles.<sup>88</sup> Importantly, these options for agrarian work and industrial labour were compatible with colonial desires to root itinerant peoples into sites of local production. Occupations that were undoubtedly rooted in the rural agrarian order, yet entailed mobility, such as pastoral work, were conspicuously absent from Starte's choices for reformatory labour.

Drawing upon colonial understandings of habitual criminality, as well as the details that defined each itinerant community as discrete units specialised in certain types of crime, itinerant peoples were put to work. Their labour was differentiated based upon practical considerations, colonial understandings of Indian rural society, and a community's perceived social development. While officials had conceptions of which work was suitable to reform criminals, the process of finding work for them was heavily influenced by how these communities were understood by officials, as well as on the ground practicalities. These two factors played into each other. The difficulties Starte and his colleagues had with finding work for Indians factored into how they were understood, and presumptions about the traits of itinerant communities influenced what work was seen as appropriate for them.

Initially, Bombay's reform efforts sought to turn as many itinerant people as possible into settled agriculturalists, continuing previous tendencies by colonial officials to see such labour as a solution to problems of criminality.<sup>89</sup> Depending on what was being cultivated, settled cultivation provided a degree of regularity and predictability to work patterns, which contrasted against the different rhythms of mobile labour that itinerant peoples could often be engaged in. The time between seasonal work and the mobility it entailed was popularly construed by officials to perpetuate idleness and vice.<sup>90</sup>

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<sup>87</sup> Ibid, p. 26.

<sup>88</sup> Ibid, ch. 3.

<sup>89</sup> As briefly surveyed in the opening section of this chapter.

<sup>90</sup> Arun Kumar, 'Rethinking Inequality and Education: Crime, Labour and the School Curriculum in Indian Reformatory Schools (1880s-1920s)', in R. K. Agnihotri, Vikas Gupta and Minati Panda, *Modern Transformations and the Challenges of Inequalities in Education in India* (New Delhi:

However, settlement plans were soon frustrated by severe land shortages. The viability of inserting itinerant groups into an idealised, productive rural landscape met with the realities that much of the available land was wasteland. The expansion of cash-cropping in the region had brought most of the better soil under cultivation already. In the context of the southern Deccan, wasteland was particularly useless as the region was vulnerable to rainfall and crop failures. The unreliability of wastelands did not mesh with reform efforts, as officials stressed the need for continual, uninterrupted labour to achieve successful rehabilitation. Starte declared that the increased susceptibility of such lands to ‘a bad or even moderate season’ could cause criminals to revert to their ‘normal means of livelihood’.<sup>91</sup>

As settled agriculture provided an insufficient quantity of jobs, settlement officials were forced to look elsewhere to find appropriate work. Starte had consulted ‘with many persons’, identifying weaving as a viable alternative, and ‘most suited to a village industry for [Bijapur] district.’<sup>92</sup> The securing of this alternative source of labour was not, however, open to all itinerant peoples. Starte believed that different ‘criminal’ communities were suited to different types of work, which influenced the opportunities for labour that they were given. Chapparbands were seen as the most capable of taking up weaving, followed by *Lamanis*, while Haranshikaris were considered unsuitable for all but manual labour. Differences in labour suitability were directly related to the perceived intelligence and social development of communities, which was intricately tied to the crimes a community was purported to commit.

In such a framework, Chapparbands became the favoured community for weaving, low-level administrative roles and other non-manual types of labour. As discussed in the previous chapter, Chapparbands were believed to be the forgers and peddlers of false coins. Their purported criminal activities involved the careful moulding of metal, and as officials believed that Chapparbands intentionally tried to pass their imitation coins as legitimate currency, it implied a desire to perfect the likeness of British-backed rupees through attention to detail. Thus, officials could understand Chapparband criminality in comparison with skilled artisanal work, declaring them ‘clever workm[e]n of a misguided craft.’<sup>93</sup> Craftmanship denoted a relatively advanced social development stage vis-à-vis more manual ‘coolie’ work, allowing Starte to

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Orient Longman, forthcoming), pp. 143-70 (p. 150). I am indebted to Arun Kumar for allowing me to read his essay.

<sup>91</sup> W. C. Shepard, Collector of Bijapur, to The Commissioner, S. D. (dated 5<sup>th</sup> April 1909), in *Deputation of Starte*, p. M244.

<sup>92</sup> *Ibid*, p. M248.

<sup>93</sup> K. R. Bomanji to The Commissioner, S. D., ‘Enlistment of Chapparbands’, Judicial Department (dated 24<sup>th</sup> November 1905), in *Chapparbands. Regarding the enlistment of Chapperbands in the Police*, Vol. 72, File No. 1026, 1907, Judicial Dept, MSA, p. M480.

confidently assert that Chapparbands were ‘very intelligent and would find no difficulty in learning the trade [of weaving]’.<sup>94</sup> Colonial presumptions about appropriate labour provided discursive space for Indians to encourage favourable conditions for themselves. When Starte consulted Chapparband leaders over the possibility of taking up weaving, the leaders took advantage of how colonial officials viewed their capabilities. The leaders had insisted to Starte that they would only need six months of tuition on looms before they could ‘stand upon their own feet’.<sup>95</sup>

While these Chapparbands were earmarked for weaving, the exact type of weaving they performed was dependent upon practical considerations, perceptions of Chapparband abilities, and understandings of rural modes of production. When attempting to integrate Chapparbands into the weaving industry based around the village of Wandal, Starte was confronted with the reality that they had been taught using different looms. While Wandal operated using simple fly shuttle looms, Chapparbands had been taught the ‘country loom’ by Starte’s staff, and while in jail, they had received training on ‘better looms’ provided by the Salvation Army. A perceived capacity to weave could thus make up for the fact that colonial officials had failed to prepare Chapparbands adequately for the labour they intended them to do, as they aligned village weaving with particularly basic loom work. At the very worst, all those who had been taught to work the better looms could fall back upon their knowledge of the ‘ordinary loom and weave on [the fly shuttle looms].’<sup>96</sup>

Whatever capability Starte saw in Chapparbands, there were limits to their potential. This was made apparent when considering what to do with older Chapparbands. They could not easily be incorporated into ideas of hard, continual, reforming work due to infirmity, and they could not be ignored as their influence and position in their community’s socio-political order was too entrenched; ‘they [were] often the leaders of the others’.<sup>97</sup> Starte opted to turn some of them into petty traders, which integrated them partially into the weaving economy being applied to younger Chapparbands. Giving them small grants of Rs. 8-40, the older Chapparbands were to use this money to take up ‘petty trade’ and were given cheap cotton *dhotis* and *saris* woven by other Chapparbands to sell. However, Starte viewed this trade as inappropriate for Chapparbands in general, and so he planned for failure. He bemoaned that ‘in some

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<sup>94</sup> Report from O. H. B. Starte to the Collector of Bijapur, Accompaniment to Government Resolution, Judicial Department, No. 5130, dated the 10<sup>th</sup> September 1909 (dated 21<sup>st</sup> march 1909), in *Deputation of Starte*, p. M248.

<sup>95</sup> Ibid.

<sup>96</sup> Report from O. H. B. Starte, Assistant Collector on Special Duty for the settlement of Criminal Tribes, to the Collector of Bijapur (dated 7<sup>th</sup> March 1910) in *Continuance of the deputation of Mr. O. H. B. Starte, Assistant Collector*, Vol. 118, File No. 1787, 1910, Judicial Dept, MSA, p. M92.

<sup>97</sup> Ibid, p. M93.

cases this trading will probably prove unsuccessful, but it seemed the only way to deal with many of these old men'.<sup>98</sup> Whatever they failed to sell was to be shifted in bulk to merchants outside of the settlement. Such views concerning the limits of Chapparband abilities linked to broader colonial understandings of Indian society in the late-nineteenth and early-twentieth centuries, which denoted that caste and community identity were tied to specific occupations.<sup>99</sup> These understandings could be bent to accommodate the demands of colonial rule, such as the justification of weaving in relation to Chapparband 'cleverness' noted above, or could be deployed to limit support for labour forms which could challenge idealised understandings of social stratification.

While some Chapparbands enjoyed privileged access to more skilled labour, communities like the Haranshikaris were generally disbarred and limited to manual labour. To Starte, they were 'a very simple folk and of a restless character [and so] I do not think they would be capable enough to learn weaving as suggested for some of the Chapparbands'. He argued that they were 'far more uncivilized in their habits than the Chaparbands and Lamanis [and] have never up to the present taken to or been offered regular employment'.<sup>100</sup> Lacking a recorded history of structured labour, being highly mobile, and having a low level of technological development, the 'simple' Haranshikari needed to be aligned with equally simple labour that could discipline them into stable work patterns and entrench them in the settled rural locality. 'Regular employment' was cast to mean something different to Haranshikaris. *Lamanis* and Chapparbands were not engaged in 'regular employment' either, yet they travelled seasonally with a degree of structure, and were involved in commercial exchanges.<sup>101</sup> *Lamanis* and Chapparbands were thus seen to have some limited experience with routine work, which contrasted against the peripheral status of the Haranshikaris. The latter were believed to be thieves, beggars and hunters whose lack of engagement with settled society situated them as particularly primitive.

Settlement officials were forced to confront the fabricated nature of their assumptions about labour suitability based around civilisational attainment, especially when allocating work for 'primitive' peoples like Haranshikaris. While Starte had decided

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<sup>98</sup> Ibid.

<sup>99</sup> On ethnography and understandings of caste and community traits, see Bates, 'Race, Caste and Tribe in Central India', in *The Concept of Race in South Asia*, ed. by Robb, pp. 219-59; Bayly, 'Caste and 'Race' In the Colonial Ethnography of India', in *The Concept of Race in South Asia*, ed. by Robb, pp. 165-218; Pinney, 'Colonial Anthropology', in *The Raj: India and the British*, ed. by Bayly, pp. 252-63; Dirks, *Castes of Mind*.

<sup>100</sup> Report from O. H. B. Starte to the Collector of Bijapur, 'Accompaniment to Government Resolution, Judicial Department, No. 5130, dated the 10<sup>th</sup> September 1909' (dated 21<sup>st</sup> march 1909), in *Deputation of Starte*, pp. M250-1.

<sup>101</sup> *Lamanis* drove bullock caravans of goods. Chapparbands, as explored in the previous chapter, were framed as forgers and passers of false coins.

this community was unsuitable for weaving, they clearly did not share the same feelings about themselves. Merely a year after Starte's reform efforts began, small numbers of them had begun weaving of their own volition 'without any help from the outside' to Starte's knowledge.<sup>102</sup> Such details suggest greater professional diversity within Indian communities than officials acknowledged, and demonstrated that there was a degree of agency amongst itinerant peoples which could influence labour regimes in reform efforts.<sup>103</sup> Such an occurrence also speaks to an awareness amongst some Haranshikaris of the patronage Starte was extending to Chapparbands, where ideas of labour suitability related directly to privileged access to the state and its resources.

While these weaving Haranshikaris challenged Starte's understanding of Haranshikari development and labour suitability, Starte was also not insensitive to the practical benefits it presented him. As he had struggled to find enough land for them to cultivate, he welcomed the chance to give some Haranshikaris 'simple weaving [work] in one or two other cases to a limited extent'.<sup>104</sup> While this expressed a much more restricted foray into weaving vis-à-vis the Chapparbands, it demonstrated how Indians could directly influence and contribute to reform works. It also served to continually maintain understandings of developmental hierarchies, as Starte envisioned only a small number of Haranshikaris doing weaving, and even then, only 'simple weaving', which contrasted against his willingness to let larger numbers of Chapparbands have access to expensive and complex Mangalore and Salvation Army looms.<sup>105</sup>

The desire to extract labour from itinerant peoples and the ability of these peoples to regularly expose the flaws in Starte's assumptions continued to be in dialogue with one another, which in turn constituted understandings of itinerant groups and the work they did. To Starte's surprise, he announced how some Haranshikaris had proven to be capable of skilled manual labour such as masonry.<sup>106</sup> A year later, he was equally astounded that some of them had taken up industrial work. They had 'now taken to it well... I have been surprised to see the good progress which some Haranshikari boys have

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<sup>102</sup> Report from O. H. B. Starte, Assistant Collector on Special Duty for the settlement of Criminal Tribes, to the Collector of Bijapur (dated 7<sup>th</sup> March 1910), in *Continuance of the deputation of Mr. O. H. B. Starte, Assistant Collector*, Vol. 118, File No. 1787, 1910, Judicial Dept, MSA, p. M95.

<sup>103</sup> Such agency by peoples marked for reform is also evident in Gould and Lunt, 'Labour and Penal Control'; Chandavarkar, *Imperial Power and Popular Politics*, especially chs. 3-5; Chandavarkar, *The Origins of Industrial Capitalism*.

<sup>104</sup> Report from O. H. B. Starte, Assistant Collector on Special Duty for the settlement of Criminal Tribes, to the Collector of Bijapur (dated 7<sup>th</sup> March 1910) in *Continuance of the deputation of Mr. O. H. B. Starte, Assistant Collector*, Vol. 118, File No. 1787, 1910, Judicial Dept, MSA, pp. M92; M95.

<sup>105</sup> *Ibid.*

<sup>106</sup> 'Administration report for the year 1918', 1919, p. 2, in *Report on the working of the Criminal Tribes Act in the Bombay Presidency, 1918-1921*, BL, IOR/V/24/630.

made [and] used to think that the[y] were only really good cultivators.’<sup>107</sup> What made this particularly difficult to stomach was that Haranshikari children were reported to struggle and underperform in reformatory schools, which reinforced stereotypes of Haranshikari primitiveness.<sup>108</sup>

The perceived primitiveness of Haranshikaris also presented broader problems for the settlement effort. Haranshikaris were seen to be only suitable for agriculture and ‘coolie’ labour, and yet land was scarce, and ‘coolie’ labour offered more options for mobility than colonial officials desired. At the same time, reform officials were sceptical of whether ‘primitive’ people were worth the investment in securing viable farmlands if they were to then fail to stay there and cultivate them. As a result, unlike the Chapparbands and *Lamanis*, Haranshikaris had to prove their capability and willingness to work. While Starte searched for appropriate land, he told them to head to Mallapur in Hyderabad to conduct famine work, ‘and there prove that they will work steadily and honestly’. Not only was this done to test the sincerity of their desires to settle and make use of scarce land resources, but it was also deemed appropriate as famine work was ‘monotonous and lowly paid’.<sup>109</sup>

There was a particularly strong irony in how Starte earmarked different communities for different types of labour. While he made Haranshikaris prove their worth to receive grants of cultivable land, Starte ignored the wants of other communities. Some Chapparbands actually requested cultivable land, firmly showing that they ‘evidently would prefer fields’ instead of weaving and other skilled work.<sup>110</sup> Clearly, not all Chapparbands shared British notions of labour and social developmental hierarchies, and its notions of community homogeneity. Despite the personal rapport between these suspects and Starte, the colonial hierarchy of development needed to be maintained and rendered evident in reform settlement communities. At the same time, Starte’s hesitance was partially informed by previous experiences of settling suspected Chapparbands. The lands they were given were non-alienable and granted on new tenures along with bullocks where available, on the condition that the tenant remained in the area and cultivated the land themselves.<sup>111</sup> Many suspects had continued to absent themselves from these lands while giving them to other cultivators to work in exchange for half of

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<sup>107</sup> Ibid.

<sup>108</sup> Ibid.

<sup>109</sup> Report from O. H. B. Starte to the Collector of Bijapur, ‘Accompaniment to Government Resolution, Judicial Department, No. 5130, dated the 10<sup>th</sup> September 1909’ (dated 21<sup>st</sup> march 1909), in *Deputation of Starte*, p. M250.

<sup>110</sup> Ibid, p. M247.

<sup>111</sup> Report from O. H. B. Starte, Assistant Collector on Special Duty for the settlement of Criminal Tribes, to the Collector of Bijapur (dated 7<sup>th</sup> March 1910), in *Continuance of the deputation of Mr. O. H. B. Starte, Assistant Collector*, Vol. 118, File No. 1787, 1910, Judicial Dept, MSA, p. M91.

the produce. At the same time, the suspects who did remain and worked their land were deemed 'admittedly not expert cultivators as their trade is coining.'<sup>112</sup> The desirability of land was thus partially due to the ability of suspects to continue their pre-existing patterns of mobility and augment their economic position, circumventing the intentions of the state to tie specific individuals to a locality. If Chapparbands were seen by the British to be more advanced than Haranshikaris, then more advanced labour was to be given to them, in spite of the fact that a vocal portion of them were clearly willing to apply themselves to agriculture. When Starte succeeded in finding high-quality land, he proceeded to give it to Haranshikaris. In one case he acquired 26 acres of 'the very best black soil' at the Mamatgeri settlement in 1909, on the premise that agrarian work provided simple, entry-level labour to those considered to be 'amenable to discipline'.<sup>113</sup>

The systems of development-based labour discrimination in reform settlements was part of much broader efforts to transform non-productive bodies into disciplined workers. Such efforts tapped into prevailing Western European official thought in the late-nineteenth and early-twentieth centuries, which increasingly agonised over the threat that the poor posed to a social and economic order that championed hard work and private property rights. The passing of the 1876 Reformatory Schools Act in India demonstrated concerns over the failure of punitive sentences to successfully control criminality. Incarceration was viewed as a way of hardening criminals, and so while juvenile reformatory schools were often administered through Jail Departments, they enshrined a move from overt punishment towards reformation.<sup>114</sup>

The styles of labour discrimination practiced within reform settlements mirrored the allocation of labour within reformatory schools. The schools dealt with children implicated in criminal acts, and received children from diverse caste backgrounds and all tiers of India's ritual hierarchy. As Arun Kumar has shown, social hierarchies were replicated in juvenile reformatory schools as lower-caste and untouchable boys were given socially stigmatised labour, such as *Chamars* being tasked with leatherwork, while upper-caste boys were usually offered non-stigmatised occupations such as carpentry and the perceived universal occupation of agriculture.<sup>115</sup> In such a sense, both reformatory schools and reform settlements were informed by broader understandings

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<sup>112</sup> Report from O. H. B. Starte to the Collector of Bijapur, 'Accompaniment to Government Resolution, Judicial Department, No. 5130, dated the 10<sup>th</sup> September 1909' (dated 21<sup>st</sup> march 1909), in *Deputation of Starte*, p. M248.

<sup>113</sup> *Ibid*, pp. M250-1.

<sup>114</sup> Kumar, 'Rethinking Inequality and Education', in Agnihotri, Gupta and Panda, *Modern Transformations*, pp. 143-70 (pp. 147-60).

<sup>115</sup> *Ibid*, p. 151.

of links between occupations and specific caste identities.<sup>116</sup> Giving upper-castes such forms of labour was also partially influenced by the difficulties of allotting 'traditional' occupations to them, and thus reformatory schools reproduced and validated social hierarchies by specifically avoiding giving them labour perceived to be free of ritual impurity or stigmatisation.<sup>117</sup>

### 4.3.1 Fiscal logic

The movement towards settlement-based reform was partly based upon financial concerns. Incarcerating people for lengthy amounts of time proved to not only fail to end the problem of collective crime, but also drained colonial funds with little, if any financial return. Reform settlements were therefore set up with an aim to mitigate such expenditures, without incurring significant, long-term operating costs of their own. As a result of these financial pressures, the criminality of itinerant communities came to be understood through more fiscal terms and logic. This involved a shift in discursive practices, from enumerative practices towards accounting practices. Pre-existing knowledge on collective criminal groups had focused upon locating, identifying, and attempting to work out how many of them there were. In the process of considering such peoples in relation to settled labour regimes, Starte elaborated on these enumerative practices and related them to more specific evaluations of cost versus expenditure per person.

The process of settling suspected criminals thus changed the ways in which the colonial state measured and justified policies against them, bringing them in line with the tendencies of the colonial state to abstract rural subjects from the land they inhabited. As Arjun Appadurai has highlighted, the enumerative and bureaucratic practices of the state, in the setting of a largely agricultural society, had rendered India's diversity of castes, sects and other groupings into a 'vast categorical landscape untethered to the specificities of the agrarian landscape'.<sup>118</sup> In its failing to find a solution to the perceived problem of habitual criminality through overtly disciplinary styles of

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<sup>116</sup> Bates, 'Race, Caste and Tribe in Central India', in *The Concept of Race in South Asia*, ed. by Robb, pp. 219-59; Bayly, 'Caste and 'Race' In the Colonial Ethnography of India', in *The Concept of Race in South Asia*, ed. by Robb, pp. 165-218; Pinney, 'Colonial Anthropology', in *The Raj: India and the British*, ed. by Bayly, pp. 252-63; Dirks, *Castes of Mind*.

<sup>117</sup> Ibid.

<sup>118</sup> Arjun Appadurai, 'Number in the Colonial Imagination', in *Orientalism and the Post-Colonial Predicament*, ed. by C.A. Breckenridge and P. van der Veer (Philadelphia: University of Pennsylvania Press, 1993), pp. 314-339 (pp. 326-7).



governance, the state gained the illusion of bureaucratic control over such ‘criminals’ by rendering them into balance sheets of financial gain and loss.<sup>119</sup>

Understandings of collective criminality directly influenced how the state evaluated costs, expenditures and how worthwhile reform efforts were. The types of crime a community was believed to conduct, their cultural practices, and their perceived developmental stage, all impacted upon the financial decisions and logic of the settlement process. Here, we need to draw special attention to the role of Starte. He was Bijapur’s Assistant Collector before he was its Settlement Officer, which positioned him well to translate criminal ethnographies, crime statistics and the trappings of law and order into arguments hinging upon fiscal viability. Indeed, it was one of the key reasons why Starte loomed so largely in the development of Bombay’s early reform settlements and beyond. His abilities to express people targeted by reform efforts in relation to the financial fortunes of the state meant that he succeeded in securing the confidence of the Bombay Government, which gave his personal opinion great influence, access to funding, and ensured the continuation of his reform programme and his role within it.

Chapparbands proved to be particularly susceptible targets for Starte’s rhetoric, as their purported type of crime was forging coins. The financial nature of this act made it easily translatable into discussions of financial loss and gain if such crimes were to be curbed. Of this community, Starte declared that:

These [Chapparbands] are undoubtedly, considering their number, one of the most troublesome and expensive tribes of the Presidency [...] from a mere monetary point of view the total loss to the community and Government cannot be less than Rs. 30,000 a year, besides the more important evil effect of allowing such a class to pursue their work and teach their children from generation to generation without making an effort to reform them.<sup>120</sup>

Estimates of financial damage could then be elaborated further to present Chapparband settlement as a financially savvy move. A year after espousing this potential Rs. 30,000 in savings, Starte produced a myriad of supposedly conservative estimates that massively inflated this number. He surmised that 650 Chapparbands were usually in the habit of going on *feri* for  $\frac{3}{4}$  of the year, 200 of which would be in prison, and thus 450 were at

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<sup>119</sup> Ibid, p. 317.

<sup>120</sup> Report from O. H. B. Starte to the Collector of Bijapur, Accompaniment to Government Resolution, Judicial Department, No. 5130, dated the 10<sup>th</sup> September 1909 (dated 21<sup>st</sup> march 1909), in *Deputation of Starte*, p. M247.

large, with each individual producing and passing 250 false rupees. As a result, Rs. 1,12,500 was being lost by ‘the community’ and Government annually. If 300 Chapparbands were settled, he calculated Rs. 75,000 of false coins would be taken out of circulation and cause a ‘permanent reduction of the making of bad coins’.<sup>121</sup> This was contrasted against the temporary annual cost of Rs. 22,000 to cover the overheads needed to actually carry out settlement operations. Even in the worst case presented by Starte – that only 50 Chapparbands remained settled and the other 600 went on *feri* – the saving to the government was a minimum of Rs. 12,500. Extrapolating further, Starte argued that settlement would mean one lakh of victims would be saved from Chapparband predation, which in turn would allow them to avoid the ‘severe temptation’ of passing forward any false coins they received to recoup their losses.<sup>122</sup> In this sense, Chapparbands were not only responsible for considerable financial loss, but also the proliferation of criminality across an otherwise law-abiding Indian population, and the essential cause of financial crimes across the subcontinent.

The Chapparbands’ relationship with the rupee allowed for more concrete measurements of their financial impact upon the colonial state’s coffers. While it is unclear how Starte arrived at many of his figures – for example how many people were likely to continue on *feri* after settlement – their relation to the rupee provided a relatively stable yardstick to analyse and project the virtues of their settlement. This stability meant that Chapparbands were to be read in more fixed terms. A Chapparband’s cost to the state could be given a fixed minimum, based in direct relation to the length of time and geographical scope of their travels, and underlying assumptions that they existed purely on criminal proceedings. Bijapur’s District Superintendent utilised the same logic, believing that ‘considering the comparatively small total number of chapperbands, the profits from their business must be large indeed to induce them to run these heavy risks in spite of constant detection and imprisonment’.<sup>123</sup> It was only when it got to explaining exactly where all the false money goes that Starte descended into particularly vague arguments. The ‘temptation’ to pass on illicit coins by victims was, as pointed out in the previous chapter, used to excuse the fact that colonial records attested to far fewer coining crimes than the state believed took place.

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<sup>121</sup> Report from O. H. B. Starte, Assistant Collector on Special Duty for the settlement of Criminal Tribes, to the Collector of Bijapur (dated 7<sup>th</sup> March 1910), in *Continuance of the deputation of Mr. O. H. B. Starte, Assistant Collector*, Vol. 118, File No. 1787, 1910, Judicial Dept, MSA, p. M94.

<sup>122</sup> Ibid.

<sup>123</sup> W. C. Shepard, Collector and District Magistrate, Bijapur, to the Commissioner, S. D (dated 1<sup>st</sup> April 1910), in *Continuance of the deputation of Mr. O. H. B. Starte, Assistant Collector*, Vol. 118, File No. 1787, 1910, Judicial Dept, MSA, p. M88.

By fixing values to collective criminals, Starte removed issues of ambiguity that had plagued official discussions in previous years. As we have seen in the previous chapter, the criminalisation of Chapparbands struggled to resolve contradictions in logic. The coins they were accused of forging were purportedly used to deceive ‘simple people’, yet were ‘so badly turned out that immediate detection has often followed on their delivery’, which made arguments for police suppression difficult to maintain.<sup>124</sup> The rhetoric of protecting vulnerable, uncivilised people from predatory criminals made little sense if the coins were so obviously false to their recipients. Instead, Starte shifted the focus away from policing concerns and questions over the actual effectiveness of swindlers in deceiving their quarry. Such ambiguities were swept away through ‘conservative’ sums which sidestepped judicial issues of establishing how many people were actually being scammed.

Starte declared his calculations on Chapparbands to provide ‘an exact, and for practical purposes unailing, criterion on which to work’, which contrasted against the more frail foundations of measuring the financial benefits of settling other communities. Haranshikaris were reported to be involved in burglary and petty theft, and so the financial gains to be reaped from settling them involved collating masses of contextual information and petty property valuation.<sup>125</sup> As petty theft was ubiquitous, settlement alone was not seen to halt Haranshikari crimes, as opposed to Chapparbands, who were only meant to conduct crime while away from home. This was reflected in how officials had been monitoring the progress of Haranshikari reform, as they ‘chiefly [relied] upon the uncertain evidence of general rumour as to the lessening or otherwise of their thieving habits’.<sup>126</sup>

While the nature of different types of crime posed challenges to Starte’s explanations, he found other ways to integrate communities into his rubric of measuring criminality and reform through financial calculations. This could be done by stressing their conversion from unproductive, to productive bodies, and enumerating their labour output. Starte declared that the predominantly Haranshikari settlement of Mamatgeri had proven to be ‘one of the best in the district [of Bijapur]’, producing over 80 bags of grain and Rs. 150 of *kadbi*.<sup>127</sup> If Chapparband crime could be culled simply by halting their mobility, Starte viewed the reduction of Haranshikari criminality in direct

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<sup>124</sup> Superintendent of the Central Jail, Nagpur, to the Inspector-General of Police, Central Provinces, No. 2083 (dated 19<sup>th</sup> November 1881), in *Measures*, p. M442.

<sup>125</sup> Report from O. H. B. Starte, Assistant Collector on Special Duty for the settlement of Criminal Tribes, to the Collector of Bijapur (dated 7<sup>th</sup> March 1910), in *Continuance of the deputation of Mr. O. H. B. Starte, Assistant Collector*, Vol. 118, File No. 1787, 1910, Judicial Dept, MSA, p. M94.

<sup>126</sup> *Ibid.*

<sup>127</sup> *Ibid.*, p. M95.

proportion to their productivity and preoccupation; ‘thieving and begging must have decreased approximately to the extent of the food they have earned by honest means’.<sup>128</sup> Championing the productivity of Haranshikaris could sit in uneasy tension with other concerns regarding settlement. Mamatgeri’s ‘success’ was offset by a dissatisfaction with how the existing settlements facilitated mass-gatherings, threatening public order and allowing inmates to ‘terrorize to some extent the villagers’.<sup>129</sup>

The relation of collective crime to a more fiscally oriented discourse and the processes of accounting were, on one level, banal. For Starte, being able to convincingly argue that his efforts were worth their weight in rupees ensured the continuance of government support and spending, and was justificatory to his immediate superiors. Measuring how much grain was collected and how many fewer people were victims of crime, such figures were gathered with the express purpose of justifying the reform settlements themselves, and reform efforts in general. However, Starte’s evaluation of cost and expenditure per person also demonstrated the ways in which colonial knowledge could be used to *generate* numerical values where one could not already be found. The financial loss accrued by a Chapparband was generated by understandings of the severity of his crime to colonial finances, while a Haranshikari’s criminality was measured with reference to exchange values rather than the unstable opinions of complainants. Converting ethnographic knowledge into monetary figures removed ambiguities and served to integrate itinerant peoples into the administrative processes of the rural localities where they were being settled.

#### **4.3.2 Authority, headmen and the *panchayat***

In settling itinerant groups, colonial officials sought to co-opt and reproduce existing hierarchies within them. Colonial attempts to settle and police them had forced officials to realise that their characterisations in official circles and publications did not hold up to scrutiny. Whatever these knowledge sources may have declared about the criminal propensities of people being settled, Starte and his men found no centralised organisation which dictated a criminal agenda. Authority in these communities involved numerous tiers and figures. There was no central organisational structure which could monolithically streamline the affairs of an entire community grouping with uncontested authority. As a result, colonial officials were forced to identify and work through

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<sup>128</sup> Ibid.

<sup>129</sup> Ibid.

headmen, resulting in attempts to restructure their authority through the adaptation of settlement structuring and policy.

Identifying and working through headmen formed a key part of early reform efforts. Co-opting them went hand-in-hand with police coercion, though Starte saw the former as more reliable. Starte was sceptical of how successful police efforts were at controlling collective criminality, and co-option provided a lower risk of absconding. Whatever control the police were supposed to exert was clearly an illusion to Starte, as he remarked cynically that daily registers were ‘quite a farce [the Chapparbands] openly tell me they are going on tour (*feri*) in a month or two’s time, and already more than a half have set out’.<sup>130</sup> Recognition of the authority of headmen was thus a necessary precursor to settling and disciplining itinerant peoples. In the case of Chapparbands, it was through headmen that decisions were relayed on whether Chapparbands would be willing to take up weaving, and one of the few ways to influence itinerant peoples who were distributed across multiple *tandas*.<sup>131</sup> When recommending ways to monitor Chapparbands and end their *feri*, it was the headmen to which Starte turned: ‘[if] we could get the headman and his people on our side by a little care, [...] they would not allow a man [to] go away’.<sup>132</sup>

Resultingly, colonial officials actively contributed to the physical demarcation of the authority of headmen. At Hire-Magi, one of Starte’s first major settlements, Haranshikari headmen had successfully acquired stones to build ‘real house[s]’ for themselves, by convincing colonial officials to supply stones from a local dilapidated fort.<sup>133</sup> The importance of this lies in the contrast it made against other Haranshikari domiciles. Bricks had been prepared for permanent houses under official orders, and yet headmen specifically requested to have their homes constructed from different components. The homes of other Haranshikaris were, in contrast, ‘low wall huts with thatched roofs (like the Lamanis’ huts)’.<sup>134</sup> Such preferential treatment not only buttressed the headmen’s existing influence, but co-opted them into the colonial disciplinary apparatus. Officials could not take away his cultural authority whole-sale, but they could always remove his now-permanent house. Starte considered the

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<sup>130</sup> Report from O. H. B. Starte to the Collector of Bijapur, Accompaniment to Government Resolution, Judicial Department, No. 5130, dated the 10<sup>th</sup> September 1909 (dated 21<sup>st</sup> march 1909), in *Deputation of Starte*, p. M247.

<sup>131</sup> *Ibid.*

<sup>132</sup> *Ibid.*, p. M249.

<sup>133</sup> C. Hudson to the Chief Secretary to Government, Revenue Dept, ‘Deputation of Mr. O. H. B. Starte, Assistant Collector, Bijapur in connection with the Settlement of the Criminal Tribes in the Bijapur District’, in *Deputation of Starte*, p. M245.

<sup>134</sup> *Ibid.*, p. M246.

recognition of headmen with being tied up with remedying the Haranshikari reputation as ‘a constant nuisance and irritation to the [local] cultivators’.<sup>135</sup>

While officials were forced to come to terms with the influence of existing headmen, they viewed the current state of affairs as inadequate. Having to deal with multiple headmen on separate terms contrasted against desires to achieve a streamlined administration with easily-managed, unitary structures. This was reflected in how headmen were understood in regard to the labour regimes Starte wished to impose, which we briefly alluded to in the previous section as Chapparband headmen were turned into ill-starred petty traders.

The desire to subjugate pre-existing community authority structures meant that colonial authorities began to mention a feature perceived as key to communities in settled rural society; the *panchayat*. The exact form a *panchayat* took had some variance. It did not necessarily denote systems of five (*panch*) people, but was roughly recognised as a council of leading figures, often elders of a community, that were taken to be a ‘traditional’ governing authority within a community, which held the power to settle issues and disputes within a community group and take decisions on behalf of the people it represented.

The emergence of the *panchayat* in colonial documentation on collective criminals forms an important transition in how they were to be understood and applied to settled Indian society. Police documentation on such communities had historically tended to focus on other features perceived to dictate their organisation. As shown throughout this thesis, references to itinerant people as ‘gangs’ and imagining them as part of a criminal ‘fraternity’ meant that their organisation was seen to be based principally upon how they were perceived to move around, and implicitly signalled a criminal intent behind their movements.

As James Jaffe has explored, the *panchayat* had long been seen as a fundamental, authentic source of Indian authority in both Indian and Western thought. In the early-nineteenth century, the *panchayat* had been viewed as mainly a judicial institution of the village. However, towards the later part of the century, it was increasingly framed as an ancient Indian council for local administration, acquiring, as Jaffe highlights, a mythical status shared by both colonial administrators and Indian nationalists.<sup>136</sup> By the early-twentieth century, the *panchayat* was being lauded as an institution with which to promote civil society throughout India. In this sense, ‘civil society’ did not have the

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<sup>135</sup> Ibid, pp. M244-5.

<sup>136</sup> Jaffe, *Ironies of Colonial Governance*, p. 14.

connotations of autonomous and independent groups and associations outside of the political sphere that became attached to it in the late-twentieth century. Instead, in the nineteenth and early-twentieth centuries, it pointed to ideas of ‘progress’ that were specifically based upon the rule of law, private property rights and elite civic participation in government.<sup>137</sup> By imagining the *panchayat* as a kind of precursor to civil society, officials could maintain pretensions that India was civilisationally lagging behind Western Europe, while also framing groups with a *panchayat* as law-abiding, productive subjects.

Understandings of the *panchayat* were rarely linked to specifically Indian models of social structuring, but actually fashioned or analogised along the lines of western ideologies, which was then applied to Indian history, customs, and the perceived need to reform Indian society. They were subject to continual re-imaginings throughout the nineteenth century, which left their exact function and form widely open to debate.<sup>138</sup> By the end of the nineteenth century, analogies regarding the *panchayat* had moved away from English jury and arbitration tribunals, towards town councils, parish vestries and other ratepayers’ institutions. Municipal analogies marked the legacy of liberal thought upon how India’s ‘traditional’ structures were to be understood, enshrined in works like Henry Sumner Maine’s 1871 *Village-Communities in the East and West*.<sup>139</sup>

The interest in understanding *panchayats* amongst groups marked for reform took place against a backdrop in which colonial officials were inclined to view village institutions as stable, ‘traditional’ units that continued to fulfil the financial needs of the colonial state, shielded from concerns and difficulties brought about by industrialisation. Villages symbolised a world that had been lost and transcended in industrialised Western Europe, and thus became a yardstick with which to measure ‘progress’ or ‘degeneration’ in societies. In places like India, where villages were still a prominent feature of the region, officials turned their attention to conserving the village, and with it, India’s perceived position as less civilisationally advanced than that of Europeans.<sup>140</sup>

Assumptions about the role and importance of the *panchayat* also framed understandings of, and relationships with community leaders. In one instance, Starte highlighted how he and Haranshikari headmen mediated an affair ‘with them as a

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<sup>137</sup> Ibid, pp. 8-9.

<sup>138</sup> See Christopher Bayly, *Recovering Liberties: Indian Thought in the Age of Liberalism and Empire* (Cambridge: Cambridge University Press, 2012), p. 347.

<sup>139</sup> Jaffe, *Ironies of Colonial Governance*, pp. 11; 222.

<sup>140</sup> Clive Dewey, ‘Images of the Village Community: A Study in Anglo-Indian Ideology’, *Modern Asian Studies*, 6. 3 (1972), pp. 291-328 (pp. 292-3).

*panchayat*'.<sup>141</sup> Here, it was Starte framing the settlement of community issues through a council of village leaders. In other cases, the lack of coherence between elders more directly challenged presumptions that such communities worked in the ways Starte and his colleagues had imagined. Amongst suspected Chapparbands, there were instances where the headmen had openly declared that they had little power to influence Chapparbands outside of their own particular village.<sup>142</sup> As we shall see below, Starte believed Chapparbands were structured according to two overarching *panchayats*, while at the same time he declared the need to treat Chapparbands as individual groups as far as possible.<sup>143</sup>

Working directly with village elders and constituting *panchayats* arose within a context where collective criminality was seen to historically relate to socio-political structures that encouraged collective criminal acts. As a result, the *panchayat* not only served to align the social structures of itinerant groups with expected rural norms, but also served to bypass factors that were seen to encourage criminal behaviour. Village *patels* were known to take fees from Chapparbands for a multitude of reasons; tax per house, fees per head when returning from *feri*, fees per wedding, and other services.<sup>144</sup> Settling Chapparbands inevitably interfered with the *patels*' incomes, rights and authority, with some of the latter even insisting on payments from officials for settling the Chapparbands. Promoting the authority of *panchayats* and the elders of itinerant communities served to undermine such pressures, as Starte feared that disgruntled *patels* could force Chapparbands to resort to going on *feri* again.<sup>145</sup>

Part of the issue for Starte and his officials, however, was that there was an inherent contradiction with reform efforts and authority amongst community leaders. Colonial reports had highlighted how people targeted by reform efforts began turning to colonial officials to solve their community disputes, resulting in the 'authority of the panchayats [being] lost'.<sup>146</sup> This was also bound up with the ways in which colonial officials had fixated upon ending their mobility. As stated above, peoples like the

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<sup>141</sup> O. H. B. Starte to the Collector of Bijapur (dated 22<sup>nd</sup> January 1911), in *Application to the Government of India for sanction to the continuance of the deputation of Mr. O. H. B. Starte*, Vol. 102, File No. 1017, 1911, Judicial Dept, MSA, p. M225.

<sup>142</sup> Report from O. H. B. Starte to the Collector of Bijapur, Accompaniment to Government Resolution, Judicial Department, No. 5130, dated the 10<sup>th</sup> September 1909 (dated 21<sup>st</sup> march 1909), in *Deputation of Starte*, p. M248.

<sup>143</sup> Ibid.

<sup>144</sup> Report from O. H. B. Starte, Assistant Collector on Special Duty for the settlement of Criminal Tribes, to the Collector of Bijapur (dated 7<sup>th</sup> March 1910), in *Continuance of the deputation of Mr. O. H. B. Starte, Assistant Collector*, Vol. 118, File No. 1787, 1910, Judicial Dept, MSA, p. M91.

<sup>145</sup> Ibid.

<sup>146</sup> O. H. B. Starte to the Collector of Bijapur (dated 22<sup>nd</sup> January 1911), in *Application to the Government of India for sanction to the continuance of the deputation of Mr. O. H. B. Starte*, Vol. 102, File No. 1017, 1911, Judicial Dept, MSA, p. M220.



Chapparbands were obligated to furnish dues to community leaders which were deeply intertwined with their regular *feri* movements. At the centre of this was the fact that colonial officials did not simply desire to establish or buttress *panchayats* or village authorities in general, but build a specific type of community structure seen as quintessential to orderly rural society.

If the coercive apparatus had neglected to investigate the *panchayats* of such groups in previous years, then learning about it as part of reform efforts was framed as discovery of their inner workings. As Starte declared in regard to Chapparbands;

The Chhapparbands soon learnt that they might, without danger, speak freely to us of their past life, of their methods, and of their difficulties, and we began to obtain an insight into the inner life of the caste. Besides the various minor panchayats, there are two major panchayats at Halihal (Bágevádi Taluka) and at Wadwadagi (Muddebihál Taluka). The former is for the twelve gandi Chhapparbands (the original Chhapparbands), and the latter for the six gandi Chhapparbands (those adopted into the caste or brought as boys from distant parts by the Chhapparbands when on *feri*, or the descendants) [...] Formerly all major disputes were referred to these panchayats. These disputes were mainly of two kinds concerning-

- (a) The distribution of the money obtained by the gangs whilst on *feri*.
- (b) Offences against the rules of wedlock.

The Chhapparbands began to come to us with their disputes instead of going before their panchayats. One of the reasons for this was that the authority of the panchayats was lost. Their penalties consisted of fines and outcasting. The latter meant that no one would go on *feri* with the person so dealt with, and hence his livelihood was taken from him. [...] When all were restrained from going on *feri* outcasting had no longer such serious consequences. [...] Doubtless these panchayats were very corrupt, still they were the only organizations holding the community together, and I doubt the advisability of crushing them altogether.<sup>147</sup>

To Starte, insights into the *panchayat* came at the expense of the veil of secrecy believed to enshroud criminal behaviours. To know the Chapparbands' *panchayat*, it required departure from their previous lives of devoted criminality, their 'past life'.

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<sup>147</sup> Ibid.

At the same time, officials framed the *panchayats* of groups targeted for reform as imperfect structures, signifying their former separate-ness from settled society. A key facet of their perceived function revolved around criminality by deciding who travelled, when, and how loot was to be distributed. Their *panchayats* were, however, also viewed as a key feature that signalled a potential for itinerant groups to become part of settled society, albeit with state help. Whatever corruption these *panchayats* were seen to have, this organisational structure was viewed as fundamental to rural Indian society. The framing of a corrupt *panchayat* demonstrated the liminality of itinerant groups in colonial discourse, which was suspended between ideas of criminality and idealised rural subjects. It demonstrated the value of discursive practices in the management of criminality through its very ambiguity, which also gave the scope for punitive policing if needed.

At any rate, the old, tainted *panchayat*, and its function in perpetuating criminal behaviour, was seen to be defunct. Officials framed settlement measures as the antidote to such corruption, ending the old *panchayat's* monopoly on community affairs and thus the perpetuation of aspects of a 'criminal' lifestyle involving itineracy and malevolent patronage networks. The fact that people targeted for reform were increasingly consulting British officials served to justify patriarchal intervention and supervision. Starte's paternalistic approach and his more direct, informal relationships with itinerant peoples stood at odds with wider notions of formal, legally codified structures of governance.<sup>148</sup> For him, it was important that his reform project remained as free as possible from strict guidelines, maintaining a flexibility and personal role in decision-making.

#### 4.4 Conclusion

Early efforts to reclaim collective criminal groups ultimately followed a course which was characterised much more by opportunism than planning. Starte's campaign to bind them to specific plots of land in the wider agrarian economy was quickly short-circuited by a severe lack of cultivable land, an ironic side effect of state-sponsored attempts to extend and maximise cultivation in previous years. Attempts to locate, confine and discipline itinerant peoples were constantly hindered by limited resources and the necessity of managing relations with them. At the same time, Starte's early efforts were regarded by

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<sup>148</sup> Such views tied more broadly with colonial views that India was ill-suited to the impersonal, codified exercise of law and justice in the metropole. See Chatterjee, *The Nation and its Fragments*, pp. 16-32.

other officials as a near-miraculous success. His annual reports were applauded by his superior officials, who continually praised his accomplishments and the short timespan they had happened within. Since the civilising mission required that a reformed criminal be construed to have a willingness to work, officials could point to Starte's settlements as evidence of the success of the civilising mission more broadly.<sup>149</sup>

It did not matter much to superior officials if racial and social understandings of labour required revision to accomplish this. Racialised understandings of itinerant peoples and their links to labour capacity could be revised with little resistance from Starte and his correspondents, since they facilitated broader imperial projects of converting criminals into productive subjects. Particularly symbolic of this was Starte's positive response upon hearing some Haranshikaris had pursued weaving of their own volition. The agency of itinerant peoples could thus impact upon how they were treated by the colonial regime, so long as their agency fell in line with state imperatives to settle and mobilise labour. By the late 1910s, Starte had even patronised their entry into the profession of masonry, further showing how considerations on the ground could revise ideas that Haranshikaris were only suitable for settled cultivation or 'coolie' work. The revision and reinterpretation of criminal identities was thus deeply implicated with the limits of state power to render understandings of Indian society as observable fact on the ground.

At the same time, the experiences of itinerant peoples were framed by their liminality between colonial classificatory schema. Caught between decades of colonial knowledge that classified them as criminals, and the desire to integrate them into settled rural society, the police continued to partake in settlement efforts as sources of information and coercion. While Starte was well-aware that the police made relations with these peoples particularly tenuous, police provided a standardised point of contact. Their role clearly shows how they had become custodians of specialised knowledge in a similar vein to the Bhamta experts of chapter 2, mediating and validating the position of itinerant peoples within the social order as criminal and extraneous to settled, orderly society.

Efforts to position itinerant peoples within settled society inherently served to maintain criminal classifications at the same time. Starte's successes at settlement were framed in specific reference to crime. By calculating state financial loss accredited to the circulation of false coins, and fixing approximate values per Chapparband settled, itinerant peoples served to represent the relationship between notions of law and order

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<sup>149</sup> On the importance of a will to work, see James Mills, *Madness, Cannabis and Colonialism: The 'Native-Only' Lunatic Asylums of British India, 1857-1900* (Basingstoke: Macmillan, 2000).

and the disciplining of the social order, in line with overarching financial and administrative imperatives. Likewise, colonial understandings of leaders and community figureheads amongst itinerant groups also maintained the liminality of these peoples between criminals and productive, settled workers. Practicalities on the ground demanded the acknowledgement and buttressing of authority of headmen and elders. At the same time, officials desired to restructure community authorities in terms of notions of an idealised *panchayat* as an administratively recognised marker of integration with rural society. The necessity of utilising existing figures of authority for colonial power projection thus sat in continual tension with the *panchayat*. Relations with itinerant peoples were continually mediated by colonial assumptions that these leaders-cum-*panchayat* members held absolute authority over a homogenous community, which simply was not the case. Headmen often held only limited authority over specific clans and kinship groups. Their linkage to the organisational structures that criminals were characterised by – i. e. ‘gangs’ and ‘confederacies’ – meant that the *panchayats* of such groups were viewed as flawed. The realities of implementing settlement and labour efforts were continually mediated and framed by the very limitations to implementing idealised understandings of Indian society and labour regimes, and the ways in which official understandings and state practices around criminality informed these processes.

## Conclusion

In 1949, the newly independent Indian nation conducted a survey of the criminal tribes in India to examine the working of the CTA and whether it should be repealed or not. The committee created for such an endeavour attempted to collate information on all notable criminal tribes throughout India, drawing heavily upon colonial ethnographic works as well as Kennedy's 1908 *Notes on Criminal Classes in the Bombay Presidency*.<sup>1</sup> Thus, the themes and contentions within this thesis had a wider impact upon post-colonial understandings and iterations of collective criminality. Understandings of criminal categories and their mutability were fundamentally dependent upon broad correlations and contexts, which factored in shifting state-level concerns with local specificities and district-level changes.

As a consequence, the communities discussed throughout this thesis were framed considerably differently by the time of the 1949 committee, which formed a stark contrast against how they were known and understood upon their earlier eruptions in the colonial *imaginaire*. The entry for Sunnorias, so quintessential to the policing of collective criminality in NWP and Central India, was excised completely from this region. Instead, Sunnorias were listed as a variant of the *Chandravedis*.<sup>2</sup> The Sunnorias' relationship with the Native States and their border-crossing movements had thus been situated within ideas of an all-India *modus operandi* of crime, where they were but a single regional variant in a wider picture. Bhamtas were separated into two different branches with their own entries; the *Takari* and *Rajput* variants. Their association with railways had been diluted, and instead they were framed as general pickpockets and pocket-cutters, where bazaars, temples and fairs were counted alongside railway trains as their chosen hunting grounds.<sup>3</sup> While chapter 2 shows that officials had previously associated Bhamtas with considerable financial power and a particularly remarkable talent for disguise, these traits were nowhere to be found in the 1949 committee's entries on them. Haranshikaris were subsumed under an entry for the *Nirshikaris*, who were labelled 'the same as Haran Shikaris or Pardhis [...] in the Bombay State'.<sup>4</sup> Clumping together these

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<sup>1</sup> *Report of the Criminal Tribes Act Enquiry Committee (1949-50)*, p. 10.

<sup>2</sup> *Ibid*, p. 35.

<sup>3</sup> *Ibid*, p. 14.

<sup>4</sup> *Ibid*, p. 32.

community names also implied that they shared their *modus operandis*. Haranshikaris thus became known in this document not through their older connotations of being poachers, stealers of forest produce and harassers of villagers, but through the accusations against *Pardhis* of being thieves of grain and small livestock.<sup>5</sup> Chapparbands were conspicuously absent from the 1949-50 committee report. They had been denotified in 1940 in accordance with the recommendations of the 1939 Criminal Tribes Act Enquiry Committee, on the grounds that the community had ‘shown very great improvement and can no longer be considered “criminal”’.<sup>6</sup>

As inheritors of colonial knowledge, the independent Indian state had stayed true to the practices of British colonisers by invoking and framing understandings of criminality in line with their immediate concerns. While understandings of Sunnorias, Bhamtas and Haranshikaris had been broadened and flattened, the local-level events of Bombay’s reform settlements had resulted in Chapparbands being expunged from the committee’s purview altogether. The fact that regional nuances had been omitted or merged together was ultimately beside the point for the committee. With an eye to re-assessing an all-India piece of legislation, the stability of specific communities and the names they were known by ultimately came second to the mention of the types of crimes they were said to commit. The listing of the Sunnorias as a separate group, which only redirects the reader to the *Chandravedis*, serves to acknowledge how the former had become an artefact of state knowledge. Its mention hinted at the specific trajectory of the Sunnorias concept in northern India, yet the types of crime accredited to them could be accounted for elsewhere under a wider-reaching rubric. It also demonstrated how concerns amongst the government of India had shifted, and in turn, so did the identity formations they were interested in. The British-Native State dichotomy accompanying understandings of Sunnorias no longer had the same ring to it for a postcolonial state whose state-building processes aimed at unifying the political order at a national level, rather than framing notions of an interior and exterior defined by civilisational difference. Likewise, discrete communities of hunters could be lumped together as one in the aftermath of extensive settlement campaigns and domination over forests. Placing identities under broader umbrellas of typologies served to reflect upon who these people were to the state, and how they had been interacted with. These people were now citizens rather than subjects, and so the dismantlement of the colonial government’s draconian

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<sup>5</sup> Ibid.

<sup>6</sup> *Report of the Criminal Tribes Act Enquiry Committee 1939* (Bombay: Government Central Press, 1939), pp. 17; 33.

legislation was inherently bound up with the establishment of the Indian nation's claims to represent the 'dignity of free India'.<sup>7</sup>

More broadly, the ways in which colonial and postcolonial India utilised ideas of collective criminality reflected tensions over the stability of criminal classifications. On the one hand, overarching understandings of criminality remained continually unstable. They could be revised, integrated into one another, or even omitted from the state's broader cognisance altogether as and when the situation suited. On the other hand, the identification of these very criminal categorisations required a certain degree of stabilisation at the lower levels of administration. As we saw especially in chapters 2 and 3, colonial narratives of crime necessarily included realms of possibilities that served to support ideas of criminality when the evidence fell short. Beliefs that criminals disguised themselves incredibly well, and that they nearly always disposed of evidence that were supposedly hallmarks of their *modus operandi*, were crucial to excusing the severe dearth of evidence found. The 'professional *langoti*' of coiners was overwhelmingly absent from coining suspects. Such was the case even when considering the Muslim mendicants believed to be at the heart of false coin production. And yet, officials insisted upon mentioning this near-mythical item in their investigations.

Using the (in)stability of understandings of criminality, and their dependence upon contingent factors, this thesis brings into question the very role that colonial understandings of crime served. While many studies on collective criminality have viewed the processes of criminal knowledge production as a means to facilitate the disciplining of itinerant peoples, this thesis argues that such processes were both means and ends in and of themselves with inherent performative value.<sup>8</sup> The state sought to acquire and expand knowledge on collective crime in specific ways which were vital to the composition of the colonial order and the performance of state authority. As was highlighted in chapter 1, the Sunnorias played an important role in distinguishing between the political orders of Native States and British territories. Understandings of Bhamta thieves in chapter 2 served to channel uncertainties over the composition of Indian social elites so crucial to the state's economic extraction processes. Coiners in

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<sup>7</sup> *Report of the Criminal Tribes Act Enquiry Committee (1949-50)*, p. 1. As Sarah Gandeep has shown, the postcolonial Indian state embedded the 'criminal tribe' category deeply within the new Indian state, despite the formal repeal of the CTA. See Gandeep, *The "Criminal Tribe" and Independence*, especially the conclusion. The millions branded as collective criminals currently experience some of the most severe socio-economic disenfranchisement in the subcontinent. A lack of employment and education, along with enduring social stigma, has ensured that ex-criminal tribes have remained largely upon the fringes of modern Indian society, mostly in conditions of continued scarcity and social inferiority. See *Report of the National Commission for Denotified, Nomadic and Semi-Nomadic Tribes - Volume 1* (New Delhi: [n.pub], 2008), especially pp. 18-9.

<sup>8</sup> For studies that emphasise the disciplinary role of the state, see introduction, footnote 6, p. 4.

chapter 3 also echoed concerns over the state's economic health, and served to frame Indian villagers as in need of paternalistic intervention in their daily commercial activities. Chapter 4 has shown how people already well-known as criminals were re-interpreted to fit into the social order of rural tracts as productive subjects. The production of knowledge on collective crime was not merely a facilitator of the more overt disciplinary aspects of the colonial state, but served to interpret the broader Indian social order. Understandings of criminal groups formed negative counterparts to other groups, which smoothed over their position in the colonial order. The illegitimate Bhamta was contrasted against the recognised Indian merchant, while coiners were placed against the precarious existence of Indian cultivators.

Tensions over the stability of criminal identities allows this thesis to situate ideas of criminality, and their emergence in chains of correspondence, within the incoherence between overarching state exigencies and on the ground practices. Discourses on collective criminality were vital in negotiating understandings of criminality between different tiers of the administration at moments when the insecurities of the colonial state required satisfaction. Such processes echo Todd Barosky's arguments about the role novelisation played in rendering counterfeiting a recognisable crime in North America.<sup>9</sup> The development of novels in America served a similar purpose to that of ethnographic knowledge of Indian criminality. It produced temporary coherence between the understandings of superior officials who juggled the concerns of law and order with other administrative responsibilities on the one hand, and the experiences of more localised, inferior ranks of the colonial structure on the other, whose daily duties could be more strictly defined by the physical, performative maintenance of colonial power. At the same time, the discordance between state imperatives and on the ground understandings was continually maintained through the ephemeral nature of these chains of correspondence, often fleeting and intermittent. In such a context, performing the state served to add a level of stability and coherence for state authorities. The mutability of criminal categorisations served to smooth over the chasm between a state committed to outmoded, inefficient investigative modalities on one hand, and India's seemingly intangible socio-political networks that failed to respond to them.

The sheer variety of these understandings and their underlying purposes in stabilising the colonial order means that the specific types and details of criminal classifications were never inevitable. They were the specific product of the fluctuating concerns and fortunes of the colonial state, which sensitised officials to processes within Indian society that were often beyond their purview and comprehension. It is important

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<sup>9</sup> Barosky, 'Legal and Illegal Money-making', p. 534.



to state here that this thesis has no claim to being a ‘correct’ reading of Indian society, which can sit loftily in hindsight to deride the inadequacies of British officials and their capacity to rule. Instead, it serves to highlight that understandings of criminality were often heavily reactive and mediated the chasm between regional conditions and the overarching imperatives of the colonial state.

Key here is that by the mid-nineteenth century, colonial officials had already composed bodies of knowledge on collective criminals that lay effectively dormant, being re-invoked and elaborated when the situation suited. Without the trauma of the Uprising and the subsequent pressures for reform and jurisdictional demarcation, the Sunnorias would not have been able to so seriously threaten the British political order. Nor would the knowledge on them collected by Hervey and the T & D Department in the early and mid-nineteenth century have been excavated and repurposed for such ends. Concerns over coiners took place within a backdrop of heavily unregulated currency circulation and international financial crisis, the latter being nearly entirely unanticipated. The ways in which Haranshikaris and Chapparbands were related to rural labour structures depended upon the interaction between racialised understandings of Indians, regional understandings of criminality, and broader shifts in the penal practices of the colonial state. This is not to say that the process of excavating and repurposing understandings of criminality would *only* have happened under these specific conditions. The colonial state was heavily self-referential when it came to understandings of crime, which played a vital role in maintaining conceptions of Indian society as civilisationally backwards versus the ‘enlightened’ British coloniser.<sup>10</sup> The point here is that the determinants of when, how and why understandings of collective criminal groups were re-discovered, revised and elaborated was based upon constellations of factors often beyond the active cognisance and predictions of colonial officials.

All of these instances serve to contest the role of the overtly disciplinary activities of the colonial state, so quintessential to the historiography on collective criminals. The notorious financial stringency of the state not only reflected a lack of a sense of urgency to deal with perceived issues of collective crime. It was but a single factor limiting the state’s capacity to do so. A fear of inciting the political elites of India’s Native States into another Uprising, offending Indian social elites through wrongful arrest, or the need to mediate tenuous relations with the very ‘criminal’ communities marked for state-led reform; all of these factors checked the more overt disciplinary activities of the state and its actors at multiple levels. The limits of what officials would not, or simply could not

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<sup>10</sup> Lloyd, ‘Liminal ‘Criminals’; Wagner, *Thuggee: Banditry and the British*, especially chs. 8 and 9.

do, further demonstrates that understandings of collective criminality were always deeply intertwined with the maintenance of the colonial state's conception of its own political order and shifting concerns.

By highlighting the importance of the broader context, this thesis shows that understandings of criminality benefit from being much more deeply enmeshed within local and regional economic, social and political history. There are two key reasons for this. Firstly, as this thesis has shown, understandings of criminality were heavily contingent upon the interaction between overarching colonial imperatives and the information and understandings of Indian society generated at a district level. Without a more in-depth exploration of the context that resulted in the eruption of criminal categorisations and the very process of generating these categorisations, scholarship tends to excise Indian subjects from the complexities of their social existence and render them as targets of discipline. This is evident in even the most comprehensive explorations of specific communities, such as Meena Radhakrishna's exploration of the *Koravas*. While she briefly alludes to their role as itinerant pack-traders and the decline of their economic fortunes, little else is done to explore how and why the colonial state labelled them criminals. The rest of her monograph fixates upon their treatment under the CTA and the penal measures placed against them.<sup>11</sup> Thus, the history of the *Koravas* becomes yet another instance of colonial injustice and draconian violence. Greater attention to the specific socio-economic context and the very processes that inscribed them as criminals would provide a much richer image of Indian society itself, and where people like the *Koravas* fitted into it. As this thesis has demonstrated at various points, the production of discourses on criminality involved the active negation of signifiers that rendered people anything else but criminal. As the colonial 'selection process' reveals details of their lives beyond rigid state classifications – albeit in brief and fragmented ways – greater attention to these processes allows historiography to demonstrate, or at least hint at the social, cultural and political lives and functions that colonial discourses sought to so ardently deny them.

Secondly, through the unearthing of these wider signifiers, the eruption of discourses on criminality provide a valuable avenue for producing counter-narratives to those of the colonial state. As this thesis has shown, state narratives on criminality were fractured, negotiated and contested through the very processes of attempting to construct criminal identities. Examples include how attempting to trace Bhamtas in chapter 2 revealed how many of the suspects were deeply implicated in the rural economy as small-scale moneylenders, while chapter 1 situated the Sunnorias in political and

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<sup>11</sup> See Radhakrishna.

social networks that related to mobile labour processes. At these points, Sunnoria and Bhamta suspects were more than victims of the colonial state. Indeed, they were not even Sunnorias or Bhamtas in many senses to the colonial state itself, checked by the constant uncertainty that authorities were identifying the ‘right’ people as criminals. When situated in broader processes, the most disciplinary of colonial documents, such as the outpourings of the T & D and police departments, can reveal the agency and ways of life of their subjects.<sup>12</sup> As Ranajit Guha demonstrated over thirty years ago, a single, brief court document can be immersed in cultural context, turning a narrative of crime into one of a woman’s plight and agency in the face of extreme social pressures.<sup>13</sup> In other words, if historians seek to restore agency to the bulk of India’s population, and make them more than supporting cast(e)s for tales of colonial dominance, then our histories of them must devote more attention to the very processes and discursive fracture points that side-line and silence them.

More specifically, this thesis has argued that studies on collective crime need to de-centre the Criminal Tribes Act itself from analyses. This study does not advocate ignoring this piece of legislation, nor its banishment from histories of collective crime, but instead for it to be viewed as but a single manifestation of ideological currents regarding crime in India. It was not the primary determinant of the fates of the millions who would be, or were already upon its passing, regarded as part of collective criminal groups. Each identity formation that this thesis has explored – Sunnorias, Bhamtas, coining gangs (i. e. Chapparbands), and Haranshikaris – was known to colonial officials in some form or another well before the advent of the CTA. The invocation, elaboration and emphasis of colonial understandings of these identities were not pre-determined by any over-arching legislation. Instead, their (re)emergence as threats to law and order needs to be understood as part of state attempts to interpret complex contingent factors that were made sense of through the lens of criminality.

In such a framework, the more lengthy intellectual traditions of collective criminality become part of an evolving, continuous process, demonstrative of how the CTA was not in fact an ‘exceptional’ or watershed moment in the history of colonial South Asia. Removing this connotation helps to combat the overemphasis and over-determination of the role that formal legislation had in relation to the everyday experiences of suspected criminals, critiqued in the introduction of this thesis.<sup>14</sup> As this

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<sup>12</sup> More broadly on the reading of colonial documents against the grain, see Stoler, *Along the Archival Grain*.

<sup>13</sup> Ranajit Guha, ‘Chandra’s Death’, in *Subaltern Studies V: Writings on South Asian History and Society*, ed. by Ranajit Guha (Delhi: Oxford University Press, 1987), pp. 135-65.

<sup>14</sup> See introduction, pp. 19-21.

study has shown throughout, legislation seldom guided the intricacies of colonial investigations into crime. Far from providing a ‘framework for dealing with threats’ as Mark Brown claims, the CTA simply enshrined many pre-existing practices in law.<sup>15</sup> If we are to more adequately integrate the experiences of ex-criminal tribes into India’s history, then historiography on collective crime needs to stop perpetuating colonial rhetoric that positioned certain legislation and their targets as ‘exceptional’, and instead immerse our understandings in more contingent and critical assessments around the eruption of discourses on crime. Overarching legislative debates over the CTA, and the accompanying rhetoric, tend to obscure more than they reveal about the peoples they so casually discuss, both in the late-nineteenth century through to the CTA committee of 1949 discussed above.

Finally, this study points to the importance of looking at the eruption of discourses that maintained particularly nebulous and uncertain links to criminality. As highlighted in the introduction of this thesis, many studies on collective crime in India centre on the robber-retainers embedded in precolonial political structures, and communities that were increasingly economically disenfranchised by the changes wrought by colonial rule.<sup>16</sup> In such studies, the criminality of these groups is relatively straight-forward to colonial officials. Violent raids clearly challenged colonial pretensions to maintaining law and order.<sup>17</sup> Itinerant traders had long been believed to take part in petty pilfering, allowing such activities to be framed as exacerbated by economic hardship.<sup>18</sup> When looking at coiners, train thieves, and even the Sunnorias who appeared to be a non-violent supplement to the robber-retainer system, discourses on their criminality expose a broader kaleidoscope of colonial concerns. Anxieties and investigations regarding these groups expose the ways in which notions of law and order were so deeply intertwined with the broader political and economic order of the colonial state. They exemplify how the ‘coercive network’ of the colonial state was informed and utilised to attempt to discipline Indians in line with purely abstract concepts. Whether it was a question of how coins signified authority, or which Indian elites were the ‘real’ ones, looking at more ‘outlying’ criminal identities reframes questions over the role criminalisation played in India. It allows scholarship to go beyond explorations of why a group were seen as a law and order issue, and leads us to ask how the very notions of law and order were informed and mediated by the incoherence between quotidian realities and overarching state imperatives.

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<sup>15</sup> Mark Brown, *Penal Power and Colonial Rule*, pp. 3-4.

<sup>16</sup> See introduction, pp. 21-3.

<sup>17</sup> Piliavsky, ‘The Moghia Menace’.

<sup>18</sup> Radhakrishna.

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