

Disciplining and policing the 'criminals by birth', Part 2: The development of a disciplinary system, 1871–1900

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The discourse on criminal tribes was affirmed in the Act of 1871, which both cast a specific 'type' and sought to mould it further by an entire apparatus of surveillance and control. That the knowledge of groups officially designated as criminal by birth, creed and caste, developed an entire apparatus of coercive and disciplinary measures—registration, roll-call, limitation on movement, the pass system, agricultural settlements, reformatory camps, workhouses, the separation of children from their parents—is a clear indication of the operation of power/knowledge, the operation of discursive practices. In other words, in the practices of segregation, exclusion and resettlement envisaged in the Criminal Tribes Act of 1871, the power of colonial discourse is first confirmed by the creation of a criminal-type with which these practices were intended to deal.

Of course the Criminal Tribes Act was not the earliest of the coercive measures aimed at aggregates of individuals considered hereditary criminals; the Buddhuks, and the thugs before them, were controlled by a combination of military and disciplinary techniques. The campaigns of the Thugi and Dacoity Department, the establishment of a school of industry for thug approvers at Jabalpur and an agricultural colony at Gorakhpur for the Buddhuks were some of the early attempts to control and reshape these groups into hardworking subjects.¹ However, the systematic arrangements

¹ North Western Provinces, Police Proceedings. (Hereafter NWP, Police Progs.) 22 Sept. 1866, No. 15.

Author's Note. See Part 1: The Making of a Colonial Stereotype—The Criminal Tribes and Castes of North India *JESHR*, 2, 1990.

for the control of groups proclaimed under the Act of 1871, marks it out from these earlier measures. The reformatory discipline now envisaged was for the first time clearly set out and put to work under the rules promulgated by the Act. The criminal tribes were thus enclosed within an extraordinary space: a network of registration, inspection, limitations on movements, passes and the roll-call had now been elaborated by the state for this very special purpose.

This is a history of surveillance of four groups—the Sanorias, Bawarias, Aherias and Harburahs—in the two decades prior to, and in the twenty years following their proclamation under the Criminal Tribes Act. The argument has been sub-divided into three sections. The first is a discussion of the rules framed under the Act—rules which gave coercive expression to the legislation. This is followed by an exploration of the antecedents to the proclamation of four groups—the Sanorias, Bawarias, Aherias and Harburahs—under the Act. The final section examines the application of the reformatory discipline to these groups between 1871 and 1895.

I

The rules drafted by the Punjab Government were regarded as more comprehensive than those by the Government of the North Western Provinces and were adopted with some modifications for the surveillance of the Bawarias of Muzaffarnagar, the Sanorias of Lalitpur and the Harburahs and Aherias of Etah.² These rules envisaged the surveillance of criminal tribes through a system of permanent registration. Once a tribe was proclaimed under the Act, a register was prepared detailing the names of all individual members of the tribe, their personal appearance, place of residence, offences committed and sentences. The register was to be supervised by the local District Magistrate who was also responsible for informing the members of the tribe of the proclamation. Notices of registration were to be posted in the villages where the tribe resided, and village headmen and chaukidars were required to inform all others.³

On registration, an individual's movements were restricted within the boundary of the village or town specified in the register. However, a pass obtained from the local police could conditionally relax this restriction. The officer in charge of the local police station could issue a pass for a period not exceeding 14 days. Such a pass would specify the period of absence sanctioned, the purpose of the leave, the territorial limits and

the destination of the holder. It also designated the police stations where the holder would have to report his movements during the life of the pass.⁴

A system of roll-call was devised to enforce restrictions on movement. The roll-call was to be taken at irregular intervals by the Magistrate or his nominees. This was in addition to the daily inspection when, every evening, all those registered were to report to the village headman. The rules went on to authorise the inspection of residences of all those registered and the removal of all devices—'walls, hedges, palisades, staves, steps, ramps, stockades, trees, ditches, openings, moats'—that could help conceal stolen property or obstruct surveillance.⁵

The rules also set out the terms on which a person could be discharged from the operation of the Act: first, on grounds that such a person did not belong to a criminal tribe or caste, and second on the satisfaction of the Magistrate that he had 'for the past year been earning an honest livelihood'.⁶

These rules constituted a model of a disciplinary mechanism that sought to control and reform the criminal tribes and castes with prescriptions of order. Accordingly, since the mobility of such tribes was regarded as the basis of their criminal activities, the rules sought to restrict their mobility and consequently force them into a settled mode of life. The prescriptive function is equally evident in the rules concerning deregistration. To be discharged from the working of the Act, a registered member of a criminal tribe was required to show not only that he had given up crime but that he had a settled and honest means of livelihood. Thus the language that had been devised to explain the criminality of the criminal tribes also spelt out the terms of their reclamation. This was not lost on those who wished to legally throw off the official yoke of criminality.

We can substantiate this from a petition of deregistration. In 1935, one Laskari Dom of village Rampur in Gorakhpur was ordered to be transferred to the Salvation Army criminal tribes settlement. Laskari protested against this order arguing that the Act had been misapplied.⁷ Laskari petitioned that he was 'never a criminal nor [had] any criminal tendency in his blood due to his descent from a Pathan father'. He was therefore not a Dom, 'being a son of Chand Khan, a Pathan though through of course a Domin mother'. Further, Laskari argued that he was a 'loyal and dutiful subject of the crown and the most law abiding citizen'. As a measure of his 'loyal and dutiful' status he listed the features that made him a mistaken candidate for the application of the Act: he owned a house valued at Rs. 2000 in Rampur;

⁴ Ibid.

⁵ Ibid.

⁶ Ibid.

⁷ Copy of Memorial dated 30 Sept. 1935, submitted by Laskari Dom of village Rampur, Police Stn. and Post Office Padruana, district Gorakhpur to H.E. the Gov. UP. File 169, Dept XX, 1935-38. District Records Office, Gorakhpur. I am much obliged to Shahid Amin for showing me his notes on Laskari Dom

² Government of India, Legislative Proceedings. (Hereafter GoI, Leg. Progs.) Dec. 1873, No. 27.

³ GoI Home Dept. No. 2785, 19 Aug. 1872. CoI, Leg. Progs. Oct. 1872, No. 1.

he was a tenant of the Raja of Padrauna; he cultivated sugarcane which he supplied on contract to the Padrauna Sugar Mills; he was a trader in bricks and had a number of kilns in village Padrauna; he was a moneylender and had lent Rs. 1000 on the basis of *bahai* accounts and hand notes.⁸ It matters little that Laskari's petition was a litany of falsehoods. What is at issue are the terms within which Laskari Dom sought his discharge from the operation of the Act. And here we find that Laskari had identified the principle of 'blood' and that of 'a law-abiding citizen' as the key to deregistration.

II

Although only four groups—Sanorias, Bawarias, Aherias and Harburahs—were brought under the act between 1871 and 1885, in his draft bill, F.O. Mayne had recommended that 29 tribes ought to be proclaimed under it.⁹ In 1868 the Inspector General of Police, Captain Dannehy, listed 20 tribes whom he considered criminal by birth. By 1873, the number of such criminal tribes had been reduced to 15. Even so, to register them all would have meant that some 60,000 people would have to be brought under the Act. Such numbers presented the government with intractable problems: the Annual Administration Report for 1873 opined that the exercise of surveillance over such large numbers dispersed across the province 'would not only tax the resources of the local authorities ... but those of the Empire'.¹⁰ Besides, it was evident that not all the members of the 15 tribes were criminal. The Gujars of Meerut for example, were predominantly engaged in agriculture and animal husbandry, and it was generally accepted that 'many thousands belonging to these [15] tribes have ostensible means of livelihood'.¹¹ Thus even before formal proclamations were made under the Criminal Tribes Act, it was being admitted by local officers that the principle of heredity was discrepant with existing reality: all members of a particular caste could not be regarded as criminal and if this was done there would, in fact, be no practical way of exercising surveillance over them. Initially, therefore, only four groups in three districts were brought under the Act.

The Delhiwal Bawarias, one of the four tribes brought under the Act, had first attracted the attention of the government in the 1850s. In 1855 following numerous robberies in Kanpur and Allahabad which were traced to the Bawarias, Seikh Khairuddin Ahmad, the tehsildar of pargana Bitur, was appointed to report on the Bawarias. Ahmad's investigations revealed

that the Bawarias and the local landowners of Muzaffarnagar and Saharanpur districts were bound together in a commerce of common interests.¹² The Bawarias lived under the protection of the landowners; their families were looked after and provided for when the men had left the villages in search of plunder, their excursions sometimes taking them as far as Indore and Calcutta. The landholders even advanced loans for such trips, stood security for good behaviour and in return received the spoils from the Bawarias expeditions.¹³ These expeditions usually began after the rains, in September, and the Bawarias returned home the following April or May, at the onset of summer. Their targets were usually carts and tents, and their forays, so Ahmad concluded, were entirely free of violence. On their return, the Bawarias sold the stolen articles to their patrons, the landholders and moneylenders, at a tenth of their value. From this amount deductions were made for advances to their families and the Bawarias were left with 'merely their bare subsistence'. The visible signs of this unequal exchange between the Bawarias and the *saheb-i-zamin* were to be found in their respective dwellings. Ahmad found that there was 'nothing in their huts only rags, they live in a most abject state of misery the walls of their huts are no more than three feet high ... and the thatched roofs are very badly constructed'.¹⁴ On the other hand the landholders who dealt with the Bawarias profited conspicuously from this traffic. H.G. Kenne, the Magistrate of Muzaffarnagar, observed that the 'landholders who harbour the Bawarias show signs of increased wealth ... building brick houses'.¹⁵ Ahmad's interviews with individual Bawarias revealed that if they returned without sufficient booty, they were threatened with arrest and expulsion unless they immediately left on another expedition.¹⁶

Initially the measures to control the Bawarias were limited to 'harassing and hounding' them wherever they were found. In the 1850s the Commissioner of the Meerut division pursued 'an almost indefinite course of molestation to force the Bawarias to an honest living'.¹⁷ But their expeditions were little affected because of the protection they received from the landholders and the local police. Naseebah, one of the Bawarias examined by Ahmad revealed that the Magistrate's inquiries were always frustrated by

¹² A Report on the Robberies of the Boureeah tribe, inhabitants of Pergunnahs Khandiab, Jinghanah and Bidowlee, in zillah Muzaffarnuggur, by Seikh Khair-ood-deen Ahmad, Tehseeldar and Deputy Magistrate of Pergunnah Bithoor, zillah Cawnpore, Official Publications Selection from Records [Hereafter: OPSR] No. XXIII, Art. II, 16: Boureeah Gang Papers.

¹³ Ibid.

¹⁴ Ibid; *saheb-i-zamin* is not a technical term, it is used here to connote respectability as against the disrepute of the Bawarias

¹⁵ OPSR, Art. II, No. 5 (emphasis added)

¹⁶ Deposition of Naseebah taken on 30 Jan. 1855, loc. cit., OPSR, Art. II, No. 16

¹⁷ OPSR, Art. II, No. 2.

⁸ From Collector Gorakhpur to DIG, CID, 14 May 1935, File 169, Dept XX, 1935-38, District Records Office, Gorakhpur.

⁹ GoJ, Leg. Progs., Nov. 1871, No. 57.

¹⁰ Para 56, Annual Administration Report, 1873, North Western Provinces, and Oudh Judicial (Criminal) Proceedings (Hereafter NWPO, Jud. (Cr.) Progs.) July 1876.

¹¹ From IGP to Sec. to Govt. NWP, No. 2298A, 26 July 1876, *ibid*.

the thanadar who 'reports us [Bawarias] as good honest cultivators'.¹⁸ Ahmad's revelations led to the conviction of 14 zamindars and 7 mahajans in 1855. Ahmad recommended that the Bawarias be isolated in a settlement near the Ganges Canal or on the Dehraḍun hills, supervised by the police and backed up by a system of roll-call and passes. His recommendations were considered expensive and rejected.¹⁹ Whatever the measures used to control the Bawarias, they were stymied during 1857, and much of the Bauriah record was destroyed. The inquiry was resumed in 1863 by Major Tyrwhitt.²⁰

For Major Tyrwhitt the Bawarias' relationship with the local landed classes was the most formidable hurdle to their effective control. He likened them to a marauding militia that '... themselves reap no benefit'. Though their families were looked after and protected, the zamindars took such a large proportion of their spoils 'that but little is left for them to live upon'. Following Khairuddin Ahmad, Tyrwhitt also underlined the coercive element in the landholders' support for such expeditions. Often the Bawarias on returning from their winter expedition, were forced by the *lambardars* to make another trip, and 'if not willing ... [were] compelled to do so by threats of bringing the police upon them'.²¹

These two accounts separated by almost a decade came to identical conclusions: the Bawarias gained little from the proceeds of plunder, most of which was appropriated by landlords, moneylenders and the local police. Yet when Palmer, the Magistrate of Muzaffarnagar, recommended the Bawarias for proclamation, he did so in the language of the Criminal Tribes Act. Palmer referred to the two reports as having provided,

a sufficient and not indistinct picture of the characteristic habits of this tribe, and the conditions under which their natural aptitude for thieving has been fostered until the practice of it has become ingrained into their daily life as to assume the features of a hereditary and criminal profession.

Though the language derived from local knowledge is veiled by the dominant discourse on criminal tribes, the tension between these two is manifest in Palmer's recommendations as the tone of his report slides between outright condemnation and respect for the Bawarias. It is worth quoting the report at some length to bring out the confusion in the official's mind: on the one

hand the Bawarias were a criminal tribe and it therefore followed that the procedures of punishment and control ought to be applied to them. And yet the evidence before Palmer sketched a different picture: the Bawarias were oppressed by landlords into thieving expeditions, and in fact stood to gain very little from them. It was as if Palmer having decided to represent the Bawarias as a criminal tribe was constantly pulled by the weight of evidence to qualify and moderate his opinion. Palmer's report asserted that,

combining the simplicity of a Bedouin Arab with the dexterity of an English poacher and from his earliest youth taught both by precept and example to live by plunder, the Bowreeah naturally became adept in the art of thieving.... He could not relinquish it even if he could, and if he would he could not for his antecedents and his education have unfitted him for other trades; and the ... zamindar who for the sake of either profit or intrigue threw his [protection] over the Bowreeahs criminal life [and] did so with the fixed intention of utilising for his own ends the criminality of that life. So by force of circumstances generation succeeded generation in which the men were professional thieves and the women openly immoral.

Sad as the picture is, whether viewed with reference to the Bowreeahs themselves or the society in which they lived one cannot help thinking that the poor Bowreeah was in truth more deserving of reformatory discipline rather than extreme and rigorous penalties; and it cannot be doubted that the tribe is a fitting subject for the application of the Act XXVII of 1871, both for its own sake and the public at large.²²

However, the Act made no such distinction between 'reformatory discipline' and 'extreme rigours and penalties', rather it was a combination of the two that characterised the discipline envisaged by it.

The plan to relocate the Bawarias in 1863, was motivated by considerations rather different from the ones that guided Ahmad in 1855 or Palmer in 1872. The primary objective of the establishment of the Bawaria colony at Bidauli in 1863 was to play off the Bawarias against the Gujars of that region. Accordingly the Magistrate of Muzaffarnagar, Martin, collected the Bawarias of Muzaffarnagar and Saharanpur in Bidauli, as tenants of one Mehendi Hassan Khan, a retired revenue official, who was granted magisterial powers to supervise them. The pargana of Bidauli and its environs had been severely affected by cattle thefts in the 1860s. Martin held the Gujars responsible. Cattle running had dealt a death blow to agriculture in Bidauli, 'what were once smiling fields of corn have been thrown out of

¹⁸ Deposition of Naseebah, loc. cit.

¹⁹ OPSR, Art. II, No. 16.

²⁰ GoI, Leg. Progs., July 1872, No. 119.

²¹ Tyrwhitt's report differs sufficiently in detail from Ahmad's to indicate that the former's observations were not overtly influenced by Ahmad's investigations. Report on the Delhiwal Bourreeahs by Major Tyrwhitt, No. 117, 17 March 1864, GoI, Leg. Progs., July 1872, No. 119.

²² Note on the Delhiwal Bowreeahs and the Bowreeah colony at Bidauli from the Magistrate of Muzaffarnagar, G. Palmer, No. 122, 28 March 1872, GoI, Leg. Progs., July 1872, No. 119.

cultivation ... because the Goojars found the pursuit of cattle lifting more easy than that of agriculture'.²³ The purpose of the Bawaria colony were twofold; 'since the Goojars detest and rather dread the Bauriahs ... [each] will be admirably played off against the other.... The competition is likely to be productive of immense benefit to the state, to the proprietors and to the tenants themselves'.²⁴ In addition, Martin hoped that if successful, the experiment would make the Bauriahs take to agriculture 'as a profitable means of livelihood'.²⁵

There is evidence to suggest that Martin's plan to relocate the Bawarias in Bidauli originated in fiscal calculations: in the reckoning, to use Martin's words, of the 'benefit to state'. In the early 1860s a large tract of land on both sides of the Jamuna river in Muzaffarnagar district inhabited by the Gujars was thrown out of cultivation to make room for grazing grounds. This meant a sharp decline in the agricultural revenue from the region.²⁶ It is in this light that the experiment should be viewed as should Martin's confident prediction that '... not only will wasteland be brought under the plough and thus increase the wealth of the country but two thievish classes will be reclaimed'.²⁷

By Martin's expectations the experiment succeeded at least in one respect: the land cultivated by the Gujars increased significantly between 1863 and 1872. In 1872 the Magistrate of Muzaffarnagar, J. Palmer, comparing the *parwaris*' returns for that year (which he considered a conservative estimate) to the figures returned in 1862 of the land under cultivation, estimated an increase of 1303 acres in 17 villages against a decrease of 434 acres in 12.²⁸

It is the second objective, the reclamation of the Bawarias as tenant cultivators, that remained unrealised. The Bidauli colony came into existence in October 1863 with 1,676 Bawarias. An advance of Rs. 3,000 was made to Mehendi Hassan Khan as a *takavi* loan for cattle and implements and a police inspector was deputed for the surveillance of the Bawarias. The first agricultural season was a poor one—the *rabi* crop failed. The Bawarias could hardly be expected to suffer their misery quietly and began absconding to escape imminent starvation. The police tracked some Bidauli Bawarias in Allahabad and some were captured from as far as Lahore. Following the

abscondings a special police force was raised from amongst the Bawarias themselves to keep a watch on the colony, and stringent roll-call regulations were made.²⁹

In 1865, Mehendi Hassan Khan persuaded the government to bring a *rajbaha* through his lands. Most of the labour in digging the canal was provided by the Bawarias for whom irrigation held the promise of successful agriculture. However, Khan's expectations and those of the Bawarias' did not coincide. The *rajbaha* quadrupled the value of his land but the Bawarias could little afford any increase. The coincidence of the government's concern for enhanced revenue and Khan's expectations of increased rent left little room for the resettlement of the Bawarias. This interpretation should not be regarded as an overworked reading of the evidence. The Deputy Superintendent of Police of Muzaffarnagar commenting on the Bidauli experiment remarked:

... the motives for the establishment of the colony [were] subsidiary to what was apparently a greater object in Mr Martin's view, viz., an improvement in the material prosperity of the land and the consequent increase of the government revenue.... This was the aspect in which the measure [of the resettlement of the Bawarias] presented itself to Mr Martin. At this time the settlement of the district was going on under Mr Martin and it is but natural to suppose that questions regarding land settlement had peculiarly strong attractions for him at the time.³⁰

Not surprisingly, once the canal had been constructed, Mehendi Hassan Khan began shifting the Bawarias on to the unirrigated tracts and settling the irrigated land with others who could cultivate cash crops and pay the higher rents now demanded.³¹ There was another irritant that added to the tension between the Bawarias and their landlords. The Bawaria police were hostile to Khan's *karindas* (bailiffs) who encouraged the Bawarias to abscond especially during the lean months. This enabled Khan to settle new tenants on the vacated plots and take a share of the Bawaria plunder in much the same way as their previous landlords.³² In 1866, the Bawarias 'smarting under a sense of injustice', did not abscond as they had done earlier, but marched into the district headquarters at Muzaffarnagar to protest to the Magistrate. It is indeed ironic that the Bawarias who were considered criminal by birth, and incapable of any other vocation but theft, should protest against Mehendi Hassan Khan for forcing them to take to thieving expeditions and for having thrown them off the land. We do not have

²³ GoI, Leg. Progs., July 1872, No. 119; see also, Elizabeth Whitcombe, *Agrarian Conditions in Northern India*, Vol. I, London, 1972, p. 85.

²⁴ Note by the Magistrate of Muzaffarnagar, No. 77, 1 Sept. 1863, para. 2, GoI, Leg. Progs., July 1872, No. 119.

²⁵ *Ibid.*

²⁶ GoI, Leg. Progs., July 1872, No. 120

²⁷ Note by the Magistrate of Muzaffarnagar, No. 77, 1 Sept. 1863, para. 2, *op. cit.*

²⁸ Note on the Delhiwal Bowreeahs and the Bowreeah colony at Bidauli. GoI, Leg. Progs., July 1872, No. 119.

²⁹ GoI, Leg. Progs., July 1872, No. 120

³⁰ *Ibid.*

³¹ *Ibid.*

³² Note on the Delhiwal Bowreeahs and the Bowreeah colony at Bidauli, *loc. cit.*

details of the protest except that the 'ringleaders', 12 Bawarias in all, were arrested and the rest were sent back to Bidauli.³³

Desertions from Bidauli continued till 1870 when of the 1,676 Bawarias settled in 1863, only 704 remained; of these only 150 were male. A school for Bawaria children was established in Bidauli as it was assumed that the next generation could be reclaimed by discipline and instruction. The Bawarias agreed to send their children to school on condition that each child was given a seer of *atta*.³⁴ The agricultural experiment had been a failure; resettlement had been a peripheral concern to the calculations of the District Collector and the Bidauli landlord. Yet in the official reckoning, it was the High Court's ruling of 1869 striking down the arrest of absconding Bawarias that was responsible for the failure of the Bidauli resettlement scheme.³⁵

The failure of the Bidauli experiment should not detract from the general function of agricultural colonies in the resettlement of the criminal tribes. In this respect the agricultural settlement at Bidauli was more than an expedient response to a specific fiscal problem. It exerted a hold on official imagination because it represented in microcosm the moral social order of the peasantry—the industrious and hardworking subjects of the Raj. Prescriptive statements of the value of agricultural settlements as the appropriate path to reclamation of the criminal tribes are made repeatedly in official reports and discussions. They are inherent in a language of discipline loaded with animal-taming connotations, examples of which we have referred to earlier.³⁶ The metaphors of beasts signifying a form of disorder suggested its corrective in discipline and segregation. This segregation also inheres in the metaphor of contagion. The agricultural settlements, by implication, were the quarantine, where the criminal tribes were treated by discipline so that they would not infect the social body of the moral subject. The Bawarias were often likened to plague and the Sanorias to infectious diseases, to locusts and swarms of bees—all required to be stopped and contained. Thus the district of Aligarh was said to 'swarm' with Aherias and Harburahs which could be controlled only if they were 'hunted out'.³⁷ One could argue that this language of discipline has other didactic references to the settled peasantry as the ideal, moral subject embedded in it. These are a set of contrasts that are implied in the category criminal tribe: wild/tamed, wandering/sedentary, propertyless/small-propertyed, living on the margins of agrarian power/subjected to agrarian power and so on.

Accordingly, prior to the enactment of the Criminal Tribes Act of 1871, agricultural resettlement was envisaged for another criminal caste: the Sanorias of Lalitpur. Captain Dannehy regarded the Sanorias as criminal 'from time immemorial'.³⁸ He recommended that they be settled on the old site of the Dudhai town, in the southern extremity of the Lalitpur district where a large tract of rich and cultivable land was available for cultivation. The tract in Lalitpur had much to recommend it, especially because following the bursting of the *bund* which contained the only source of water for irrigation, the town was deserted. Thus the site held the advantage of isolating the Sanorias, and since the dam had been repaired and the 'lake was full again; ready again to fertilise the soil', the site was appropriate for a criminal tribe settlement.³⁹

Isolating the Sanorias presented intractable problems: they were closely connected with the Tehri and Banpur *darbars* and had their protection. More important still was the fact that the Sanorias were not a caste but 'a community banded together for the purpose of theft'.⁴⁰ Captain Dannehy explained this anomaly by suggesting that the Sanorias were originally a thieving caste, "a sub-division of the Thakoor caste ... [but] in the course of the years from the fact of their always marrying in and in, and exclusively in their own tribe their numbers diminished and they recruited themselves by the purchase of children of other castes: 'Thakoors', 'Aheers', 'Kanjars', 'Telees', 'Kachees' and 'Chamars' indiscriminately".⁴¹ In 1867, following the arrest of 61 Sanorias and the confessions of one Nund Ram Baba, the leader of the group, it was confirmed that the Sanorias belonged to different castes. But Dannehy's interpretation that adoption gave the Sanorias their peculiar mixed-caste character cannot be backed up by the evidence that was subsequently collected. Of the 61 arrested; 21 were Brahmins, 3 Kshatriyas, 7 Rajputs, 6 Ahirs, 5 Nais, 3 Kachis, 10 Telis, 1 Sonar, 2 Malis, 1 Darzi and 2 Khungars.⁴² Typically, Dannehy's account denied the material and human context by obscuring the element of consciousness from the activities of the Sanorias. It oversimplified what was a complex relationship between the Tehri states and the Sanorias on the one hand and the peasantry and the Sanorias on the other. It achieved this by recourse to a constant manner of representing the criminal tribes—that they were criminal from time immemorial. This representation relied upon and in turn reinforced the colonial stereotype of the caste system as a timeless, anti-historical system and of the natives as slavishly bound to it.

Some officers regarded the Sanorias as the descendants of Thakurs;

³³ Ibid.

³⁴ Ibid.

³⁵ Ibid.

³⁶ Ibid.

³⁷ Ibid.

³⁸ NWP, Police Progs., 11 July 1868, No. 11.

³³ Mr Myant, IGP, NWP, cited in Col. Leg. Progs., July 1872, No. 120.

³⁴ NWP, Police Progs., 18 Sept. 1869, No. 15.

³⁵ Col. Leg. Progs., Nov. 1871, No. 59.

³⁶ See Part I: 'The Making of a Colonial Stereotype—The Criminal Tribes and Castes of North India'.

³⁷ Col. Leg. Progs., Nov. 1871, No. 73.

others reported that they were led by Brahmins. This confusion arose precisely because the Sanorias did not belong to a single caste and because the officers were inclined to interpret social phenomena in caste terms. While some admitted that the Sanorias belonged to different castes they reconciled this with their belief that the caste system was the basis of all social organisation, by pointing to the Brahmins who were the leaders of the Sanorias. So even if it was tacitly admitted that the Sanorias were not a caste, the caste system still determined the organisation of the Sanorias. Again this cannot be sustained by the evidence for Chamars were known to be *muktars* or gang leaders. In the Tehri state, there were some 100–150 *sirgunas* and *muktars*, gang chiefs and gang leaders; more than 200 Sanorias were Brahmins and 1500 belonged to other castes. This mixed caste character of the gangs does not seem to have affected social relations: the individual members seem to have observed rules of ritual pollution in respect to food, they did not eat of the same utensils and a Brahmin cooked for the gang. But in the light of the evidence cited earlier of a gang of 60 Sanorias in which 21 were Brahmins, victuals and cooking were not the only tasks assigned to Brahmins.⁴³

The Sanorias did not belong to a single gang but to several. In 1868, 65 gangs were known to be in existence. Each gang had a *sirguna*, a chief, and was subdivided into smaller groups called *nal* with a *mukhtar* at the head of each. In the Tehri state there were three *sirgunas*. *Sirgunas* did not accompany the *nals* on their expeditions but stayed home to receive them on their return from their expeditions. While the *nals* were away the *sirguna* looked after their families, and on their return took custody of the spoils. He was responsible for converting the valuables into cash; for dividing the proceeds amongst the individual members of the *nal*, and offering to the Tehri *darbar* a valuable article such as a piece of jewellery, precious stones, a shawl or a watch.⁴⁴

Besides these occasional gifts, the Tehri *darbar* levied an annual tax on the Sanorias called the *ghurgunna*. In 1867, the *ghurgunna* collected in Tehri amounted to Rs. 8,000. The *sirgunas* collected this tax on behalf of the *darbar* and in return was remunerated with Rs. 42 annually and the grant of some land. Once a *nal*, handed over its spoils to the *sirguna*, he first converted it into cash by selling it to one or more of the seven receivers in Tehri. He would divide the proceeds amongst the members of the *nal*, retaining his own share and the share of the Tehri *darbar*.⁴⁵

In 1850, the Sanorias lived in 12 villages known as the Baragaon; six of these were in Tehri, four in Banpur and two in Dutteah. Each village had its *nals*—six to ten to each village—registered by the Tehri *darbar* at its

Sanoria daftar; in the 1850s Lala Kishore Kanungo maintained this office. The Lala appointed Ladlee Koonea as a *mukkaddam* to settle all disputes arising from the sharing of the spoils and to supervise the *lambardars* who had been appointed to individual villages. The *sirgunas* delivered all valuable presents and the *ghurgunna* to the *daftar* through the *mukkaddam*. On such an occasion the *sirguna* accompanied by the *lambardar* would visit the *daftar* to deliver his dues and receive his salary.⁴⁶

Individual members of the *nals* were bound by oaths and pledges to surrender the entire amount from an expedition without retaining any item for personal consumption. The Sanorias were sworn not to commit any crime other than theft: the *nals* were forbidden to steal at night; to lift cattle, to break into a house or to commit highway robberies. Most reports suggest that petty theft was the most frequent crime committed by the Sanorias.⁴⁷

An instance of one such typical theft was reported in 1868. Once a *nal* reached the outskirts of a town it divided into smaller groups of 3 to 5 persons. One group, comprised of say two adult males and a child of 8–10 years. One of the adults, dressed as a man of wealth and status, engaged a shopkeeper in conversation showing an interest in his wares, while the other adult directed the child by signs to approach the shop, and pick up an item which the 'client' had chosen. If the child was successful they would rejoin the others, and perhaps repeat the ploy on some other unsuspecting shopkeeper. But should the child be caught in the act, the 'client' would plead with the shopkeeper on the child's behalf and even strike the boy a couple of times. This was the signal for the other Sanorias to intercede. He would admonish the 'client' for striking the child, and in the melee the child would slip away. The child's parents were usually paid a fee ranging between Rs. 5 and 50 for the hire of a *chabah*, a child trainee. The first success of a child was an occasion for celebration. If the child was caught and beaten but refused to reveal the gang's identity there would be greater cause for celebration.⁴⁸

Despite appearances—the rules governing the conduct of the Sanorias and the initiation of children—the Sanorias were not a closed 'brotherhood', a word repeatedly used to describe them in official communications. Individuals could join a *nal* for a particular expedition without any obligation of doing so again. In 1851, Major Harris reported that after a date had been set for an expedition, 'an invitation is given to all stragglers who do not belong to any particular [Sanoria] village or gang to join in the distant expedition'.⁴⁹ Members of the *nals* usually had land in villages and usually

⁴³ Memorandum regarding Sanorias etc., NWP Police Progs., 11 July 1868, No. 11.

⁴⁴ *Ibid.*

⁴⁵ *Ibid.*

⁴⁶ Reports of the *Oothaegeeras* or the Sunoreahs of the Tehri, Dutteah, Shangurh and Chundeyree, or Banpur states. Gov. Leg. Progs., Nov. 1871, No. 73.

⁴⁷ Memorandum regarding Sanorias etc., loc. cit.

⁴⁸ *Ibid.*

⁴⁹ Reports on '*Oothaegeeras*' or the Sunoreahs etc., loc. cit.

returned to cultivation after an expedition. The expeditions usually began after the *dusheera* festival in October-November, after the *rabi* sowing had been completed. If the expedition was successful the *nal* returned in time for the sowing of the *kharif* crop.⁵⁰ However, if they went on a distant expedition they could stay away for as long as two years. During such an absence the local *mahajan* advanced credit to the families left behind, in the expectation of some jewellery or gold coins which were adjusted against the loans at half or a third of their value, when the *nal* returned.⁵¹

The territories of Tehri, Banpur and Lalitpur were safe from the Sanorias as their targets were in distant territories—Hyderabad, Bombay and Bengal. Even there they were connected with local denominations of power. For instance the Raja of Burdwan in Bengal admitted the Sanorias into his *sarai* which the Sanorias called a *chounee* or a refuge. Here they were provided with food and shelter. At Lal Gola, a few miles north of Murshidabad, the Sanorias had the use of another *chounee* from where they preyed on the *Megh Murd* fair held at Dinatpur in Rangapur district. In return for the protection, the Sanorias disposed of their spoils at half or a third of its value in Lal Gola before returning home. Lal Gola was thus assured that the Sanorias would not thieve in its environs and it also benefited from the terms of the Sanorias trade. A similar calculation would have moved the Burdwan Raja into admitting the Sanorias. Similarly in the city of Rajmahal the Sanorias formed a *chounee* in the *muhalla* of one Tewari Pardesi, whose ancestors had belonged to Tehri. Not only Tewari but all the residents of that locality in Rajmahal profited from the presence of the Sanorias: 'not only does Tewari purchase all their spoils', observed Major Harris, 'but there is not a resident in the *muhalla*, be he Bunneah or be he Musalman, that does not purchase from them! A nest of receivers of stolen goods!⁵² Other Sanoria *chounees* were located in villages near Jabalpur and Ahmedabad.⁵³

As long as the Sanorias had the protection of the Tehri and Banpur states there was little that could be done to control them. The frustrations of the British government in dealing with them is reminiscent of the disappointment with the Buddhiks and their patrons, the taluqdars of Awadh. Tehri and Banpur, however, did not consider their relations with the Sanorias as dishonourable or morally reprehensible. On the contrary, the Raja of Banpur claimed to have descended from robber bands and did not shy away from admitting his *darbar's* collusion with the Sanorias. He admitted that,

from former time these people have resided in my territory and in the

states of other princes; proceeding to distant districts, to follow their occupation, robbing by day for a livelihood for themselves and for their families.... In consequence of these people stealing by day only and that they do not take life or distress any person by personal illwage and they do not break into houses by digging walls or breaking door locks, but simply by their smartness manage to abstract property; owing to such trifling thefts, I looked on their proceedings as petty thefts, and have not interfered with them.⁵⁴

The relations between the Banpur and Tehri states and the Sanorias was further proof of the 'otherness' of India. The British Agent looked upon the Raja's explanation of his relations with the Sanorias as an indication of the depraved foundations of native chiefdoms:

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 offsprings of plunderers and have never known laws or national obligations and restraints, till their relations with the British power brought them into contact with the European civilization and manners.⁵⁵

But the states of Banpur and Tehri had solid reason for patronising the Sanorias: the tax collected from the Sanorias was a vital part of the revenue of these states as is evident from the collection of Rs. 8,000 in 1851 from seven villages in Tehri.⁵⁶ For the Raja, long residence, activities in distant territories, stealing by day and not taking life were the characteristic features of the 'trifling thefts' of the Sanorias which called for profitable management rather than extermination. The colonial state, on the contrary, had several reasons to destroy the Sanorias. Other than posing a danger to the safe transfer of revenue and the security of communications and trade routes the Sanorias posed a challenge to the symbolic authority of the Raj both in distant Bengal and in the nearby central Indian states. In this instance the Sanorias were understood in terms of predatory state formations; their surveillance therefore required that the Tehri and Banpur states sever all communications with them. Thus the authority of the Raj was affirmed when the two states agreed to surrender their dealings with the Sanorias to the directions of the Supreme Government. 'Communicate your directions and hereafter there shall not be the slightest deviation from your instructions',

⁵⁰ Ibid., para. 14.

⁵¹ Ibid., para. 20.

⁵² Ibid., paras. 26, 27 and 28.

⁵³ Ibid., paras. 29 and 30.

⁵⁴ Translation of Khureeta from the Raja of Banpoor. Gol, Leg. Progs., Nov. 1871, No. 73.

⁵⁵ Gol, Leg. Progs., Nov. 1871, No. 73.

⁵⁶ Reports of the *Oothaageeras* etc., loc. cit.

wrote the Raja of Banpur in a formal renunciation of his dealings with the Sanorias.⁵⁷

G.A. Bushby, the agent of the Governor General in Gwalior, recommended that the states of Tehri and Banpur be fined Rs. 5,000 and Rs. 1,000 respectively for harbouring the Sanorias and for having caused harm to British subjects. He also suggested that the other states known to patronise the Sanorias should have 'a severe lecture read to them'.⁵⁸ Isolating the Sanorias from their patrons was seen as the necessary precondition to controlling them.⁵⁹ Recommendations were made to identify the receivers of stolen property in Bengal with a view to destroying the trade that afforded the Sanorias protection in distant territories. Efforts were also made to recruit spies and informers from amongst them in order to monitor their movements.⁶⁰ An inspector was appointed to supervise the Sanorias and a police outpost was established at Bir. Restrictions on their movements were imposed under Police Circular 7, by which Sanorias absent from their homes could be convicted for bad livelihood under section 401 of the Indian Penal Code. But the Inspector General of Police considered these measures insufficient.⁶¹ It is in this context that the attraction of an isolated agricultural colony for the discipline and control of the Sanorias becomes clear. However, Captain Dannehy's plan to resettle the Sanorias on the old site of the Doodhai town was criticised by the Commissioner of Jhansi. He argued that the Sanorias were 'not a wandering tribe whose thieving propensities [could] be cured by giving it local habitation — it has that already'.⁶²

Following the enactment of the Criminal Tribes Act the government of the North Western Provinces recommended in 1873 that the Sanorias could 'earn an honest living in the 21 villages in Lalitpur'.⁶³ Given that the Tehri *darbar* was assisting the British compile a record of the Sanorias and had agreed to sever all connections with them, a separate agricultural colony was not envisaged for the resettlement of the Sanorias.⁶⁴ Moreover, the rules framed under the Act were considered adequate for disciplining the Sanorias. Thus the Sanorias in 21 villages of Lalitpur numbering 214 males were brought under the Criminal Tribes Act in 1874.⁶⁵

Besides the Sanorias and the Bawarias, the Aherias and Harburahs of Etah district were brought under the Criminal Tribes Act, soon after it was enacted.⁶⁶ The Bawarias, Aherias and Harburahs were brought under the operation of the Act in 1873 and the Sanorias the following year. 211 male Aherias and 36 male Harburahs were registered in 12 and 4 villages respectively. Captain Dannehy, had distinguished between the Aherias and Harburahs: the former were petty cultivators while the latter were solely engaged in crime. However there is evidence to suggest that both these groups were small peasants engaged in cultivation and agricultural labour. It is difficult to estimate the significance of their holdings or their work as labourers as police reports are often conflicting on this score. Some reports claimed that both Aherias and Harburahs practised agriculture as a cover to their thieving expeditions.⁶⁷ Other accounts took a larger view and suggested that the Harburahs were settled on poor and marginal tracts by the landholders who shared in their booty.⁶⁸ Landholders discouraged the Harburahs from cultivating their plots by denying them access to irrigation facilities till they were entirely dependent on thieving raids on neighbouring districts much to the satisfaction of the landholders who received a large proportion of their tenants' exertions.⁶⁹

Like the Bawarias and the Sanorias, the Aherias and Harburahs were mainly involved in small thefts. They preyed upon pilgrims and travellers, whose tents and camping sites were the targets of their thefts. Like the other two, they avoided violent situations but unlike the others who did not steal at night, their predatory missions, given that their quarries were travellers and their camps, were usually nocturnal. Harburah women usually posing as beggars would collect information about a travelling party during the day and then the menfolk would break into the camp at night. These breaks were usually made on moonless nights when a group of Harburahs disguised as dogs or jackals would encircle the camp. The disguise consisted of a stick secured along the back of an individual's body with a cowhide or an animal skin draped over it to give the appearance of an animal. The stick kept the hide in place and protected the Harburah from an unexpected blow to the back. The Harburahs would then distract the attention of the guard by uncanny imitations of the calls of jackals and hyenas, while those disguised crept into the site. They usually cut open the sides of tents and carts with a sharp knife, and after selecting a few articles they would flee with articles secured to the chest or held in their mouth. So adept were the Harburahs at disguising themselves that one police officer observed that the Harburahs could

⁵⁷ Translation of Khureeta from the Raja of Banpoor, 22 Nov. 1850, loc. cit.

⁵⁸ GoI, Leg. Progs., Nov. 1871, No. 73.

⁵⁹ Extract from the Annual Police Report, 1867, para. 15, GoI, Leg. Progs., Nov. 1871, No. 73.

⁶⁰ Report on the Police Administration of the NWP for 1867, Appendix C, NWP, Police Progs., 25 July 1868, No. 19.

⁶¹ NWP, Police Progs., 11 July 1868, No. 28.

⁶² Extract from Annual Police Report by the Comm. of Jhansi for 1865, para. 5, GoI, Leg. Progs., Nov. 1871, No. 73.

⁶³ GoI, Leg. Progs., Dec. 1873, No. 27.

⁶⁴ NWP, Police Progs., 11 July 1868, No. 13.

⁶⁵ Notification No. 488A, NWPO, Jud. (Cr.) Progs., March 1874.

⁶⁶ Notification No. 1752A, NWPO, Jud. (Cr.) Progs., Oct. 1873.

⁶⁷ GoI, Leg. Progs., 1871, No. 73.

⁶⁸ NWPO, Jud. (Cr.) Progs., Jan. 1873, No. 15.

⁶⁹ Extract from a Report by Inspector Ibrahim Beg, Census of Harburahs in the NWP and Oudh, Pt. III, List 57, Home Police. (A) Box 5, File 593, Uttar Pradesh State Archives, Lucknow.

run on all fours with incredible speed and endurance, and so complete was their disguise that in the uncertain light of a moonless night a harburah would be mistaken even by a person previously warned, for the animal he intended to represent.⁷⁰

Prior to the Act of 1871, efforts to control the Aherias and Harburahs fell short of their objective. The police installed in Etah to control them and report their absences were easily corrupted. The landholders could hardly be expected to live up to their pledges of disassociating themselves from such a rich source of income. In 1865, the Magistrate of Aligarh recommended that the Harburahs be segregated from the landlords, and their movements be restricted: 'the more stationary the nomad classes, the better they can be expected to be looked after'.⁷¹

III

With the legislation of the Criminal Tribes Act, the procedures of control and surveillance were systematised. This transition was from the haphazard methods of 'hounding and pursuing' to instituting a system of surveillance with a view to changing and controlling every aspect of the 'tribes' existence. The Act can therefore be seen as combining both punishment and the objective of that punishment. This section examines the working of the Act between 1871 and 1895 to control the Bawarias, Sanorias, Aherias and Harburahs: it describes the expectations of the British government and the role of the landed classes in the control and resettlement of the criminal tribes.

The vision that the landholders were prepared to reclaim the criminal tribes could not be realised. This delusion had two sources: first, as discussed already, there was no precise legislated definition of the police responsibility of the landholders; colonial relations of power specified that the crimes of the criminal tribes and the illegalities of the landed classes would be administered differently.⁷² Secondly, this failure had its origins in the complex relationship between landholders and the criminal tribes.

One point of departure in understanding the relationship is the peasant origins of the criminal tribes. Yet this is persistently obscured by the official discourse that represented the criminality of the 'tribes' as an inherent characteristic sharply distinguishing them from the rest of the population, be they lords or peasants. However, the peasant background of the groups considered criminal by birth, is repeatedly emphasised in official and non-official writings. For instance, Sleeman's writings on the Buddhaks

and the thugs show, not only that these groups were drawn from the peasantry, but that they maintained their links with their communities by either cultivating land themselves or by depending on the protection and support of their villages.⁷³ In some instances the element of coercion was the dominant feature of the relationship between landholder and criminal tribe; such was the relationship between the Bawarias of Muzaffarnagar and Saharanpur and the landlords of those districts. In other cases the criminal tribes were not manipulated and coerced into crime. With the Sanorias of Tehri, Banpur and Lalitpur we have an example where the illegalities of the state and peasant groups converged. Thus the groups brought under the Criminal Tribes Act should not be regarded as if they had uniform and regular characteristics or as if some abstract set of rules governed their relations with the rest of society.

Even before the proclamation of the Bawarias of Muzaffarnagar, local officials had advised moving them to an alternative site. They were seen as being 'entirely at the mercy of Munde Hussan'. The Bawarias had made an effort of settling down in Bidauli; they had brought uncultivated land under the plough and for the first two years they did not leave Bidauli on thieving expeditions. But the landholder, Mehendi Hassan, 'oppress[ed] those who [tried] by culture and care to make their land productive'. As soon as uncultivated tracts were broken up by Bawaria cultivators, Mehendi Hassan would jack up the rents and let out the plots to other tenants.⁷⁴ Thus Mehendi Hassan by having the Bawarias located on his lands gained in four different ways: first by having a canal cut through his land—almost entirely by Bawaria labour—he increased the rental value of his lands; second, making the Bawarias break-up uncultivated tracts; third, by letting out these new plots at high rents to better tenants; and fourth by squeezing the Bawarias on to poor tracts, he forced them to give up agriculture and leave Bidauli on thieving expeditions. He thus reproduced the relations that had existed between the Bawarias and their landlords at their previous site. Commenting on this relationship the Inspector General of Police, Carmichael remarked, 'He is shrewdly suspected of making the Bowreeahs give him a share of their plunder whenever they return from their marauding expeditions'.⁷⁵

The recommendation to shift the Bawarias to a different site was not accepted, and the Bawarias were proclaimed in 1873.⁷⁶ The objective of the proclamation was 'not to attempt to establish a reformatory, but to compel

⁷⁰ For a detailed discussion see Sanjay Nigam, 'A Social History of a Colonial Stereotype. The Criminal Tribes and Castes of Uttar Pradesh, 1871–1947', unpublished Ph. D thesis, University of London, 1987.

⁷¹ GoI, Leg. Progs., July 1872, No. 117.

⁷² NWPO, Jud. (Cr.) Progs., May 1873.

⁷³ NWP Jud. (Cr.) Progs., June 1873.

⁷⁰ GoI, Leg. Progs., Nov. 1871, No. 73.

⁷¹ GoI, Leg. Progs., Nov. 1871, No. 73.

⁷² See Part I: 'The Making of a Colonial Stereotype—The Criminal Tribes and Castes of North India'.

the tribe by a system of registration and roll-calls not to wander without permission, and to pursue heartily the occupation they nominally follow'.⁷⁷ Since their settlement in Bidauli, a large number of Bawarias had absconded; of the 1,676 Bawarias that had been settled in Bidauli in 1863, only 846 remained to be registered under the Act, in June 1873. During the first year of its operation, the pass regulation had little effect on the Bawarias; 75 left Bidauli without passes, 129 returned from earlier desertions and imprisonments; a further 21 deaths and 46 births put the Bawaria population at 905. Even so, 771 Bawarias had deserted the colony since its inception in 1863.⁷⁸

The surveillance of the Bawarias was organised by the establishment of a police *chauki* at Bidauli consisting of 1 subinspector, 2 head-constables, 7 *chaukidars* and 3 Bawaria informers. Each morning the *chaukidars* arrived at the Bawaria villages for an informal inspection. These inspections served to remind the Bawarias of the presence of the *chaukidars* who remained with the Bawarias till noon. In the evening before sunset, after the Bawarias had returned from their fields they were assembled for a head count. The roll-call was formally taken two or three times a week at irregular intervals by the subinspector or the head-constables. The headman of each family was responsible for his household's presence at the roll-call. Each Bawaria was expected to answer by name at the roll-call, and all absentees were to be reported to the District Superintendent. The District Superintendent made frequent visits and the Magistrate visited Bidauli a few times in the course of the year.⁷⁹ Thus the reformatory discipline was distributed across various levels of surveillance: first, the individual answering to his name at the roll-call; then the head of the family, the informers, the *chaukidars*, the village headmen, who watched, counted, reported at periodic intervals; and finally the District Superintendent who maintained the Bawaria register and the Magistrate who supervised the whole project.

Despite the abscondings, district officers were optimistic about the Bawarias; they seemed to be actively involved in agriculture, more than 115 Bawarias had returned to the colony, and punishments had been few.⁸⁰

This initial optimism was overshadowed by a sense of frustration with the working of the Act; by 1878, the failure of the Bidauli project was evident. The roll-call and the pass regulation seem to have had little effect on the movements of the Bawarias who 'come and go as they like'.⁸¹ In 1878, 115 Bawarias absconded and the total population shrank to 884.⁸² Two

contradictory explanations of this failure can be recovered from the official reports. The first extended the knowledge of the criminal tribes to explain the causes of this failure; thus its essential didactic quality cannot be detached from the rest of its existence. Accordingly, the Inspector General of Police, Tyrwhitt claimed that the 'hard fare of the village ryots, coarse bread and dal (did not suit the Bawarias' taste) for the luxuries of life ... (that) they have for centuries obtained by theft ...' It followed that the criminal tribes would abscond to 'obtain by plunder what they would not attempt to do by the sweat of their brow'.⁸³ But district officials painted a different picture. They argued that the inability of the Bawarias to hold their plots in face of Mehendi Hassan's machinations was the main reason why they gave up agriculture and absconded. In November 1877, Elliot Colvin the Commissioner of Meerut visited Bidauli. He reported that the Bawarias could not be expected to break up new land and settle down as honest peasants if they knew that at the end of each year they were 'not only liable to ejectment but knew ... they would be dispossessed'. Mehendi Hassan had refused to allow the Bawarias any security of tenure whatsoever. He told Colvin that he would give up the canal water rather than allow the Bawarias occupancy rights. Colvin concluded that for Mehendi Hassan the Bawarias 'are to be used as pioneers or rather cat's-paws to break up the jungle lands, they are not to be allowed to attach themselves to the soil and full use is to be made of the power of shifting their holdings'.⁸⁴

By 1878, 730 of the original 1,676 Bawarias remained in Bidauli. Colvin suggested that they should be collected into 2 villages Jinjhara and Singhara in the Bidauli pargana; a tract which the canal cut through. These villages, he recommended, should be acquired for Rs. 20,000 from Mehendi Hassan; this would rid the Bawarias of his pernicious influence.⁸⁵ The Government of India, however, was not enthusiastic about this proposal as it 'interfered with the principle of competition'. Instead it suggested that the Bawarias be dispersed to the villages from where they had been brought to Bidauli in 1863.⁸⁶

The refusal of the government to acquire the two villages of Mehendi Hassan Khan, should not be taken to mean that the colonial state played the role of a neutral ombudsman; it is suggestive rather of the contradiction in the strategy of reclamation through agricultural resettlement. The choice of Bidauli as a Bawaria settlement, was motivated by a host of considerations among which 'peasantisation' of the Bawarias was just one: the Gujars

⁷⁷ *GoI, Leg. Progs.*, July 1872, No. 116.

⁷⁸ *NWP Jud. (Cr.) Progs.*, July 1876.

⁷⁹ *GoI, Leg. Progs.*, July 1872, No. 118.

⁸⁰ No. 641C, 1 July 1875, *NWPO, Jud. (Cr.) Progs.*, July 1876.

⁸¹ No. 2133A, 27 Sept. 1878, *NWPO, Jud. (Cr.) Progs.*, Dec. 1878.

⁸² Statement Showing the Criminal Tribes Proclaimed under Act XXVII of 1871, 31 March, as returned by District Officers, *NWP, Jud. (Cr.) Progs.*, Dec. 1878.

⁸³ No. 2133A, loc. cit.

⁸⁴ No. 19, 31 Jan. 1878, *NWPO, Jud. (Cr.) Progs.*, April 1879.

⁸⁵ From W.C. Plowden, Comm. Meerut Div. to the Sec. to Govt. *NWPO, Jud. (Cr.) Progs.*, April 1879.

⁸⁶ From C. Brenard, Offg. Sec. to the Govt. of India, Home Dept. (Judicial), to Sec. to Govt. *NWPO*, No. 597, 22 May 1879; From Sec. to Govt. *NWPO*, to Comm. Meerut Div. No. 796, 5 June 1879. *NWPO, Jud. (Cr.) Progs.*, June, 1879.

had to be subdued, grazing land brought back under the plough, and the Bawarias had to be induced to settle down as full-fledged *kisans*. However, the introduction of the principle of competition, the coercive and legal backing that the landholders had from the law to increase rent, to restrict occupancy tenures and to eject tenants, meant that in the person of Mehendi Hassan the colonial state confronted its own creation. The state needed the support of the landlords to subsume the criminal type into an honest peasant, a service not always performed to the satisfaction either of the agent or the object of this disciplining. Consequently while the agricultural settlements languished, the apparatus of surveillance grew, to assist in this process of peasantisation.

Perhaps the term 'confront' is inappropriate. For after all Khan was not disciplined for renegeing on his agreements and neither were the water resources restricted as some officers had threatened. Perhaps failure is an equally inappropriate characterisation of the Bidauli project. If registration and the restrictions on the movements are taken together with the government's reluctance to resettle the Bawarias on Mehendi Hassan's lands, it seems that the idea was to draw the disobedient criminal types into accepting obedience, poverty and industriousness. Such an interpretation seems possible especially in the light of the remarks of certain officials who blamed the 'failure' on the lack of industriousness of the Bawarias ('they can obtain by plunder what they will not by the sweat of their brow'), on their lack of obedience ('they have for centuries obtained [luxuries] by theft') and on their rejection of poverty ('the criminal tribes are not content to live on the hard fare of the village ryots').

The Sanorias of Lalitpur were brought under the Criminal Tribes Act in March 1874. By this proclamation, 154 male Sanorias were registered in 21 villages.⁸⁷ No special police force was stationed to oversee the Sanorias. This was mainly because the organisation of police surveillance in 21 villages involved considerable expense. Even the monthly expense of Rs. 258 for maintaining a police force in Bidauli had been considered excessive.⁸⁸ The registered Sanorias were required to present themselves every morning at their respective police stations; the women were not allowed to stay away from their villages overnight and some Sanorias were recruited as spies.

However, if fiscal considerations discouraged the establishment of a special surveillance-police, this absence involved political costs. For one, the requirement that the Sanorias present themselves for a roll-call each morning at local police stations meant that precious hours were lost and individuals could begin work on their plots only at midday. Also, punishing women for

overstaying their leave was a source of harassment.⁸⁹ But most galling of all was the system of passes. The absence of a special police force meant that rather than applying for a pass to the Deputy Superintendent of Police and wait for its issue, the Sanorias, who often needed to visit their relations in Tehri, simply absconded. Once they had left their designated village without a proper pass, they dared not return to Lalitpur, fearing arrest and punishment. They usually joined their relations in a thieving expedition from Tehri, preferring to risk an arrest for thieving rather than returning to Lalitpur to be arrested for breach of the pass rules.⁹⁰ In the absence of a local apparatus of surveillance, the controls envisaged in the rules remained imperfect. On the one hand the absence of the *chaukidars* and local policemen meant that the Sanorias were hardly aware that their activities were under constant inspection. On the other hand, the roll-call which cost them crucial hours of work, and the pass system that forced them to abscond, went against the very objective of surveillance, viz., control of movement and resettlement.

Not surprisingly therefore, the Sanorias began absconding from their villages. In 1877, only 100 of the 154 registered remained. This phenomenon was explained by officials in the same terms as had been used to account for the Bawaria abscondings. The criminal tribes, it was argued shared a collective 'distaste for the hard and uncertain nature of agricultural toil'; they were 'not content with the poor fare of the village cultivators'; more, "they would always ... find means to leave their homes on plundering expeditions which ... they infinitely prefer to the tame and depressing labour of field tillage".⁹¹ The inherent criminality of the Sanorias remained an explanation for all phenomena, it was the reason used for the deployment of special measures of surveillance and was equally an explanation of why these measures remained ineffective.

However, the Sanorias presented the officers with a dilemma, for although they were referred to as a caste, the Sanorias came from various castes: 'The Sanorias are not a tribe with whom the practice of thieving is a hereditary occupation but [according to the Government of India] "an organised fraternity of vagrant thieves"'.⁹² Consequently local officers considered it wrong to impose restrictions on the movements of Sanoria women and children.⁹³ Some attempts were also made to improve the system of passes to prevent the Sanorias from absconding and proposals were made to simplify the procedures of issuing passes.⁹⁴

⁸⁷ From DIGP. NWPO to IGP, No. 641C, NWPO, Jud. (Cr.) Progs., July 1876.

⁸⁸ From Major J. Liston, Dy. Comm., Jhansi Division, NWPO, Jud. (Cr.) Progs., May 1879.

⁸⁹ No. 2133A, 27 Sept. 1878; No. 1702A, NWPO, Jud. (Cr.) Progs., Dec. 1878.

⁹⁰ From J. W. Quinton, Offg. Comm. Jhansi Div. to IGP, NWPO, No. 339, Jhansi, 27 Feb. 1879, Jud. (Cr.) Progs., March 1879.

⁹¹ No. 373, 21 Dec. 1878, NWPO, Jud. (Cr.) Progs., May 1879.

⁹² Ibid.

⁸⁷ Notification No. 488A, Judicial (Cr.) Dept., 19 March 1874, NWPO, Jud. (Cr.) Progs., June 1873.

⁸⁸ From Offg. Sec. to Govt. NWP, to IGP, No. 499A, 17 July 1876, NWPO, Jud. (Cr.) Progs., July 1876.

Behind these readjustments there seem to have been a calculation of balance between repression and leniency. If the restrictions—such as roll-call and passes—appeared too repressive there was always the fear that the Sanorias would disappear into the states of Tehri and Banpur.⁹⁵ But if the instruments of surveillance were absent or not visible then there was the risk of surveillance not functioning at all. To be effective surveillance had to be interiorised by the Sanorias and all those brought under the Criminal Tribes Act. And to be interiorised, surveillance had to be visible. Thus local officers stressed the urgency of establishing small police *chaukis* that could localise the surveillance of the Sanorias and regulate their lives without appearing to repress them.⁹⁶

In the absence of these readjustments, the Sanorias continued to abscond, and in 1880 their number fell to 77. In 1881 the number increased to 90 on account of 22 releases from jail, but nine Sanorias absconded that year.⁹⁷ In 1884, 13 more absconded but four were recaptured. The district police stepped up surveillance measures: roll-call were taken more often and frequent inspections and house checks were conducted. The effect of these measures was almost immediate and district reports claimed that 'Sanorias know that they are being watched ... and are more cautious.'⁹⁸

The Inspector General of Police endorsed the district's suggestion to improve the surveillance over the Sanorias and of taking effective steps to ensure their resettlement in agriculture. He accepted in principle that the presence of a local police force to keep a watch on the activities of the Sanorias, as also the removal of all unnecessary restrictions on Sanoria women and children was vital to the project of their reclamation. The restrictions on the movements of the members of the Sanoria families, he regarded as 'neither just nor politic'.⁹⁹ Further, he outlined a plan of reclamation which would give the Sanorias rent-free land for seven years, followed by seven years of moderate rents, and after this period regular rents would be levied. The plan also made provisions for liberal *takavi* advances. The success of this plan was clearly not calculated in economic terms but by the expectation of converting the Sanorias into hardworking peasants, solely dependent on agriculture for their livelihood or to put it more precisely in the words of the Inspector General of Police, 'The scheme is to be a success we must not count the cost of it too closely ... the object we have in view is not to increase government revenue but to reclaim a very troublesome class of criminals.'¹⁰⁰

⁹⁵ No. 641C, 1 July 1875, NWPO, Jud. (Cr.) Progs., July 1876.

⁹⁶ Ibid.

⁹⁷ No. 1314, 23 June 1881, NWPO, Jud. (Cr.) Progs., Aug. 1881.

⁹⁸ No. 1659A, 20 June 1883, NWPO, Jud. (Cr.) Progs., an. 1884.

⁹⁹ No. 835A, 12 Jan. 1883; No. 25, 6 Dec. 1882, NWPO Jud. (Cr.) Progs., Jan. 1884.

¹⁰⁰ No. 835A, 12 Jan. 1883, loc. cit.

It is interesting to note that although it was widely known that the Sanorias were not a caste, that they did not live by thieving alone, and that they were in fact peasant cultivators, yet the image of the Sanorias as a criminal tribe, born to crime and living solely by the proceeds of plunder died hard. Liston, the Deputy Commissioner of Lalitpur, following the official discourse on criminal tribes, assumed that the Sanorias lived off plunder alone.¹⁰¹ Much to his consternation, Liston realised that his opinion was ill-founded:

In my report [for] 1882, on the working of the Criminal Tribes Act I had allowed it to be a fact that these Sanoria families lived on the proceeds of their gang fellows' plundering expeditions. I did so trusting too much to the police officers' reports. Last year I made enquiries and found reason to doubt the truth of this. Now it turns out that most of these people have means of livelihood ... these people cannot be said to have no means of livelihood.¹⁰²

But even the reports which had allowed Liston to categorise the Sanorias as living off plunder had returned the land held by them, for the past five years.

Table 1

Sanorias in Lalitpur	1877-78	78-79	79-80	80-81	81-82
Land in Bighas		376	386	429	426
No. of families holding land	47	48	49	57	58
No. of families without land	9	22	28	33	31

Source: NWPO Jud.(Cr.) Progs., Dec. 1878, Nov. 1879, Aug. 1880, Aug. 1881, and Aug. 1882

Yet Liston had persisted in the belief that thieving was the Sanorias' only means of livelihood. In Liston's perceptions we have yet another instance of the embeddedness of the discourse on criminal tribes.

The plan, in the event of Liston's discovery, was altered and land was now offered to four families totalling 25 persons, who had no land. The grant consisting 300 acres was offered in the Bir village in the Banpur pargana. Also a grant of Rs. 727 was made for the Bir colony: Rs. 450 as a *takavi* loan for seed, cattle and agricultural implements, Rs. 250 towards a drinking water well and Rs. 28 for building houses. Liston expected that after the four families had settled down others 'will come from the thieving grounds and settle quietly down'.¹⁰³ A police *chauki* consisting of one subinspector,

¹⁰¹ No. 25, 6 Dec. 1882, NWPO, Jud. (Cr.) Progs., Jan. 1884.

¹⁰² No. 220, 20-21 Oct. 1883, NWPO, Jud. (Cr.) Progs., Jan. 1884.

¹⁰³ Ibid.

two constables and two chaukidars from among the Sanorias were appointed to implement the surveillance rules.

The Aherias and Harburahs were brought under the operation of the Act in 1873: the Aherias were registered in 11 villages in Etah and the Harburahs in four.¹⁰⁴ In 1874, 969 Aherias and 128 Harburahs were brought under the operation of the Criminal Tribes Act.¹⁰⁵ Although the figures returned in the reports were regarded as unreliable, it was evident that the Aherias and Harburahs began absconding as soon as they were brought under the Act. The reasons are plain. First, the local landowners seem to have been responsible for motivating these abscondings, and the Aherias and Harburahs were involved with the landed classes in a relationship not different from the Bawarias and their patrons. Evidence is limited, but to cite one example, in 1873, 63 Harburah men entered the district and were identified and put under police supervision. Almost immediately, a zamindar offered to be responsible for them. On inquiry the Magistrate discovered that he owned only 13 bighas of land and his interest in them was anything but resettlement on his land.¹⁰⁶ Second, given the fact that the district authorities 'took little interest in' the surveillance, the abscondings continued almost unchecked.¹⁰⁷ Third, the 'absolute hardship' suffered by the Aherias and Harburahs was yet another reason for fleeing the district.¹⁰⁸

No special police arrangements were made to supervise the Aherias and Harburahs and neither was a separate agricultural colony envisaged for their resettlement. The Magistrate did, however, attempt to obtain some land from the local landholders but remained suspicious of their motives.¹⁰⁹ By 1880, the population of Aherias and Harburahs had shrunk to 523 and 85 respectively. In 1880, 50 Aherias and 14 Harburahs absconded and in 1881, 45 Aherias and 3 Harburahs; 62 Aherias in 1883, and 77 Aherias in 1884 and 125 Aherias in 1885. Figures of the Harburah abscondings were not tabulated for the past few years, but abscondings continued nonetheless.

By the end of 1879, the number of Aherias and Harburahs had shrunk to 523 and 85 respectively. Without an apparatus of surveillance the application of the Act had little effect on the movements of the Aherias and Harburahs and large numbers continued to leave and return to the district every year. The following table shows that until 1882 the abscondings and returns went almost unchecked.

¹⁰⁴ Notification No. 1752A of 1873. Jud. (Cr.) Dept., 22 Oct. 1873, NWPO, Jud. (Cr.) Progs., Oct. 1873.

¹⁰⁵ Statement showing the state of several criminal tribes proclaimed under Act XXVII, 1871 on 31 Dec. 1874, NWPO, Jud. (Cr.) Progs., July 1876.

¹⁰⁶ No. 67, 4 June 1873, NWPO, Jud. (Cr.) Progs., 1873.

¹⁰⁷ No. 2133A, 27 Sept. 1878, NWPO, Jud. (Cr.) Progs., 1878.

¹⁰⁸ No. 430C-A, 22 July 1879, NWPO, Jud. (Cr.) Progs., Nov. 1879.

¹⁰⁹ No. 614C, 1 July 1875, NWPO, Jud. (Cr.) Progs., July 1876.

Table 2

<i>Ahirs and Harburahs in Etah</i>	1880	1881	1882	1883	1884	1885
Numbers absconding	64	48	88	17	20	7
Absent on pass	93	57	62	77	126	194
Numbers Returned	187	119	153	101	179	185

Source: NWPO Jud. (Cr.) Progs., Aug. 1880, Aug. 1881, Aug. 1882, Jan. 1884, Sept. 1884, and July 1885.

After 1883, however, local officers in an attempt to curb the abscondings, liberalised the issue of passes, enforced the roll-call and began to flog those who were captured outside their registered zones. However, this seems to have been an exercise in tidying up the returns, for although the number of abscondings fell sharply, the liberal issue of passes meant that almost any Aheria or Harburah could now 'abscond' on pass.¹¹⁰

In the ensuing decade, plans for the resettlement of the Sanorias, the Aherias and the Harburahs did not materialise, and though various attempts were aimed at tightening the procedures of surveillance, abscondings continued.

The abscondings disappointed W. Kaye, the Commissioner of the Agra division, who considered the Act to be a 'dead letter' in Etah, and recommended that the district be withdrawn from its operation.¹¹¹ Of the 969 Aherias, originally registered in the district, 209 had absconded to Aligarh by 1885. The difficulty in exercising surveillance over the Aherias was twofold: first the Act was not in operation in Aligarh, and second, the majority of the Aherias in both Aligarh and Etah were ordinary cultivators, and although they maintained relations with those registered, the extension of the Act in Etah or its application in Aligarh could not be considered.

Even so the disciplinary system was not in vain. Etah district officials interpreted the effect of the Act on the proclaimed Aherias differently from Kaye. For M.L. Ferrar, the Magistrate of Etah, surveillance had not been a failure despite the abscondings: the 'harassing attention of the police' had had its effect on the Aherias, so much so that he had to personally intervene on several occasions to remove 49 'respectable if poor' Aheria peasants from the operation of the Act.¹¹² It is likely that a large proportion of the abscondings were a reaction to police harassment. But the measures adopted by the police had another effect: the involvement of the Aherias in dacoities and robberies in Etah declined, and the Magistrate was satisfied that most of the registered Aherias and Harburahs were taking to agriculture. Although warrants had been issued for the arrest of those who had absconded to

¹¹⁰ No. 149, 30 April 1883, NWPO, Jud. (Cr.) Progs., Jan. 1884.

¹¹¹ No. 3977/XV-43, NWPO, Police Progs., July 1888.

¹¹² No. 91, 20 Feb. 1868, NWPO, Police Progs., July 1866.

Aligarh, no arrests were made as the Aligarh police considered the mere threat of arrest sufficient to keep the runaway Aherias under control. Their confidence was well-founded and the emigrants settled down in Aligarh as peasant cultivators and labourers. Thus when the Magistrate of Etah recommended that the district be removed from the operation of the Criminal Tribes Act, his reasons were different from those of the Divisional Commissioner. For him the Act had run its course, 'and those [Aherias] who [were] inclined to break the law [were] ordinary thieves to be disposed of by ordinary police'.¹¹³

Thus the abscondings lent themselves to two opposing interpretations of the working of the Criminal Tribes Act. The district authorities did not attach any unfavourable significance to the figures as there was other evidence to suggest that the surveillance had been effective. But to the Commissioner of the Agra division and the Inspector General of Police of the North Western Provinces, the abscondings appeared to be a measure of the failure of the Act and an indication of the inability of the district authorities to exercise surveillance successfully.¹¹⁴ William Crooke who succeeded M.L. Ferrar in Etah, corroborated his predecessor's conclusions. The system of passes and the roll-call had had a positive influence in repressing crime and 'there is no evidence', Crooke confirmed, that the 'members of the tribes [Aherias and Harburahs] here have shown any special criminality ... during the past three years'.¹¹⁵ He, however, disagreed with Ferrar on the question of withdrawing the district from the operation of the Act. Surveillance had forced the errant Aherias to seek occupations in agriculture and 'if the Act was withdrawn they would undoubtedly revert to a life of crime'.¹¹⁶ Instead, Crooke felt that the Act should be extended to the neighbouring districts. On the whole he expressed satisfaction that most Aherias had some 'ostensible means of honest living' even though these means were 'very precarious and uncertain'.¹¹⁷ Patently, the acceptance by the Aherias of honest poverty was a clear measure of the success of the disciplinary system.

The threat of arrest and the pressure of constant police harassment made the Aherias accept cultivation with all its uncertainties as a desirable option. There is some evidence to suggest that the registered Aherias usually held some land or worked as agricultural labourers in Etah, supplementing their meagre incomes from land by burglaries, robberies and petty dacoities. Once the system of roll-call and passes was rigorously imposed the Aherias of Etah eschewed serious crimes and returned to agriculture, and were no

longer regarded as 'the turbulent criminal class they were supposed to be'.¹¹⁸ Settlement in agriculture therefore functioned as an equivocation between reformation and repression. Such a calculus was integral to the disciplinary mechanism, and was clearly recognised as such by police officers.¹¹⁹

These considerations motivated the vigorous enforcement of the disciplinary rules on the Sanorias of Lalitpur with telling effect: 'the bulk of the people [Sanorias], it was reported in 1888, under surveillance are settling down to a life of industry'.¹²⁰

Although serious crimes among the Aherias and Sanorias declined as the measures of surveillance were strictly enforced, plans to resettle them, particularly the Sanorias, remained ineffectual. During 1890 and 1891, no special measures were taken to assist the Aherias of Etah either. Assistance was considered unnecessary and wasteful especially since they were taking to agriculture on their own. So successful was the surveillance that the Magistrate of Etah cancelled the registration of 56 Aherias during 1889-90.¹²¹

The scenario at Lalitpur was different. While a number of names—37 in all—were removed from the registered list in consideration of good conduct, yet many Sanorias absconded mainly because of bad harvests and the high prices that prevailed in Lalitpur during 1890 and 1891.¹²² An inquiry into the conditions of the Sanorias in the two settlements of Bir and Sanwano in Lalitpur revealed that the Sanorias had good reason to abscond. G.L. Lang, the Commissioner of Jhansi, personally visited the settlements in February 1891. He found the Sanorias entirely dependent on rain water for cultivation. As a consequence they could cultivate only one crop in the *kharif* season; their fields went uncultivated during the *rabi*. Besides, they had no working capital and no moneylender to advance credit. They raised money for the *kharif* seed by selling wood and grass 'but none had the means or the energy to raise a winter crop'.¹²³ These difficulties together with the fact that plots were scattered over large distances made *rabi* cropping impossible. The commissioner regarded the land held by the Sanorias to be 'practically valueless', and recommended an immediate investment of Rs. 400 in wells to rescue the colony from imminent collapse and abandonment.¹²⁴

However, the desertions from Bir and Sanwano did not disturb the equanimity of the police. For one, the Tehri *darbar* had agreed to help keep the activities of the Sanorias in check, and those Sanorias that did

¹¹⁸ No. 3046A, 3 Nov. 1888, NWPO, Police Progs., Jan. 1889.

¹¹⁹ No. 1471A, 12 June 1886, NWPO, Police Progs., July 1886.

¹²⁰ No. 3046A, loc. cit.

¹²¹ No. 1929A, 29 July 1889, NWPO, Police Progs., Sept. 1889.

¹²² No. 1190A, NWPO, Police Progs., Aug. 1890.

¹²³ 2011/IV-A-11, 21 Feb. 1891, NWPO, Police Progs., May 1891.

¹²⁴ Ibid.

¹¹³ Ibid.

¹¹⁴ No. 233/VIII-325, 21 June 1886, NWPO, Police Progs., July 1888.

¹¹⁵ No. 409, File 325, 26 Aug. 1887, NWPO, Police Progs., July 1888.

¹¹⁶ Ibid.

¹¹⁷ Ibid.

abscond had neither the means nor the support of former patrons to take to their erstwhile expeditions. Therefore the Inspector General of Police advised against any further investment in the two Sanoria settlements. The Lieutenant-Governor of the North Western Provinces agreed, and instructed the abandonment of the experiment. The government was not interested in the fate of the Sanorias after their crimes had ceased to be a threat to law and order.¹²⁵ This abandonment was restricted to the withholding of all future investments, but police surveillance was to continue as before. In 1892 the government of the North Western Provinces emphasised that the surveillance of the Sanorias was not to be relaxed; rather it suggested 'increased surveillance'.¹²⁶

By 1892 the Aherias were no longer considered a law and order problem either, as a majority of those registered had settled down in agriculture. The following year Etah was withdrawn from the operation of the Act, though a special police force was retained.¹²⁷ In Lalitpur, in the absence of any further grants, the population of Bir and Sanwaho dwindled away. Those who remained, cultivated one harvest and subsisted as agricultural labourers during the *rabi* season on plots and sites that had artificial water resources. In 1895 the *Report on the Working of the Criminal Tribes Act* commented with regard to the Sanorias:

The working of the Act cannot be said to exhibit any advance; at the same time ... [as far as the] proclaimed population [of Sanorias] is concerned the tribe cannot be charged with having done much harm within these Provinces, and the number who evidently visited other parts of India on predatory expeditions appears to be very small.¹²⁸

The application of the Criminal Tribes Act to the Bawarias, the Sanorias, the Aherias and Harburahs between 1871 and 1895 shows that resettlement of the criminal tribes was envisaged as an apprenticeship not in successful agriculture but in the virtues of moral livelihood itself. Thus the procedures of surveillance, the 'failure' of the Bawaria experiment at Bidauli, and the abandoning of resettlement schemes in Etah, Bir and Sanwaho reveals a disciplinary system, which was initially linked to a didactic plan of resettlement, as a part of a different strategy. The criminal tribes were not only forced to take up the honest livelihood of peasant cultivators but were made to accept the social and economic insecurities associated with it. In this, the Criminal Tribes Act attempted to divide the space within which

poverty and crime existed. In its stead it sought to produce two segregated domains: one of the moral poor and the other of the criminal tribes.

Before we conclude, it will be useful to recapitulate the main arguments. The category of criminal tribes was stereotypical in the sense that its defining characteristics though seen to be rooted in Indian society and its past were brought together in an ahistorical and decontextualised form. The criminal tribes were at once a metaphor for Indian society and a set of 'abnormal' native people who had to be disciplined and controlled by the colonial state. Thus the language that had been developed to explain the criminality of the criminal tribes also spelt out the terms of their reclamation. Disciplinary power was exercised to control and convert them into settled peasants—the moral subjects of the Raj. Hence agricultural resettlement along with surveillance was regarded as the appropriate path to the 'normalisation' of the criminal types. However, the strategy of agricultural reclamation presented a contradiction, and in the long run surveillance and punishment took precedence over resettlement. This was because the inability of the criminal tribes to take to agricultural cultivation was rarely seen in the light of landlord power, usurious dealings or crop failures. Rather this was mostly regarded as an indication of their unwillingness to accept the hard life of a peasant, an attitude that tended to reinforce the stereotype of innate criminality.

¹²⁵ Police Department Resolution No. 550/VII-819-4 of 1891, dated 26 May 1891, NWPO, Police Progs., May 1891.

¹²⁶ No. 1516/VII-528A-12 of 1892, NWPO, Police Progs., Nov. 1892.

¹²⁷ No. 4648A, 2 Oct. 1893, NWPO, Police Progs., Jan. 1894.

¹²⁸ NWPO, Police Progs., Dec. 1895, No. 1.