

REVIVAL AND ESTABLISHMENT OF POLICE SYSTEM IN TAMILNADU, 1801-1827

Dr.P.MARAN,
Asst professor of History,
Govt Arts college (Autonomous)
Karur.639005(TN)
Email Id , prof.maransvanthi@gmail.com

Abstract

The *Kaval* or the watching duty was the primary duty of the Poligars, who performed ‘*deshakaval*’ duties for which they maintained Kavalkars. They were maintained by a levy of fees from the inhabitants of the Palayam. In the villages the Kaval system functioned under the village headman. It was the duty of the *Kavalkaran* to protect grain, cattle and domestic property and to guard markets, highways and other public places. In return for their services, the inhabitants paid a fee either to a village headman or poligar. Every *Kavalkar* was expected to make good any loss and was held responsible for any larceny within his jurisdiction if he failed to restore it to its owner.

Keywords: The *Kaval system* functioned under the village headman.

The victory over the rebellion helped the East India Company to consolidate their authority in all parts of the Tamil country. To conciliate, population measures were initiated to reform the administration and to eradicate the oppression exercised by the Company to the peasantry. In October 1801, T.B. Hurdis, Collector of Dindigul expressed that ‘the complete overthrow of the rebels and the capture of the native rulers of a systematic and well conducted conspiracy afford the fairest hopes of speedily establishing in the south that the system of permanent government’. The government decided to revive traditional police system.

Revival of Police System

Collector Lushington of Madras reported that nothing appeared to consolidate the foundation of internal order and peace, but the establishment of permanent revenue settlement recommended the abolition of the customs and the regulation of the police. The measures also included the revival of the traditional system of village police.¹ Anxious to attain their aim; the British Government permitted the Company to introduce the system of permanent assessment of revenue. By this system, the Company also had control over the local judicial system. They revived the ancient system of police. When the Company assumed in the Tamil country, there was no organised judicial system.² The poligars performed the police duties for which they maintained kavalkars (watchers). The Company while dismantled the poligar system, disbanded the kavalkars. The Company enacted a number of regulations for the internal administration of the British territories in the Government of Madras.³ The offices of judge and magistrate were separated from the office of the collector (Regulation I of 1802) Regulation VII and VIII of 1802 constituted for the establishment of criminal courts - Courts of Circuits and Foujdari Udalut, this criminal cases provision for the trial of chief criminal court. Provision was made by Regulation XXXV of 1802 for the establishment of efficient system of police in Tamilnadu.⁴

The Company appointed revenue peons in the place of kavalkar to perform police duties. In the taluk, the tahsildar supervised the work of the peons while in the village the village headman supervised them. In 1806, by Regulation II, power of the control of the system of police was taken from the collector to the judges. But this establishment proved quite inadequate to the task of maintaining law and order. The number of these peons was smaller than the number of kavalkars.⁵ The newly recruited police received no training. The allowances paid to them were so meager that they did not attract men of character. The police force was not only

insufficient in number but also was corrupt. Corruption and inefficiency became synonymous with the new police. The ancient system of collective responsibility was absent in the new mercenary police. In many cases, the new police peon was only the robber kinsmen. The stipendiary peons did their duty in the day and joined the gang of thieves at nights. The corrupt police took bribes from the poor people and harassed the ryots. It caused widespread opposition.⁶

Establishment of Police System

From early times the villages had a kaval system. Kaval a Tamil word meant watching or guarding and the Kavalkaran was the person who performed this duty. The Kaval system developed under the Nayaks and flourished till the English annexed their region finally in 1801. The *Kaval* or the watching duty was the primary duty of the Poligars, who performed '*deshakaval*' duties for which they maintained Kavalkars. They were maintained by a levy of fees from the inhabitants of the Palayam. In the villages the Kaval system functioned under the village headman. It was the duty of the *Kavalkaran* to protect grain, cattle and domestic property and to guard markets, highways and other public places. In return for their services, the inhabitants paid a fee either to a village headman or poligar. All *Kavalkar* was held responsible for any robbery within his jurisdiction and was expected to make good any loss if he failed to restore it to its owner. The *Kavalar duty* was based on the principle set a thief to arrest a thief. Accordingly the responsibility of apprehending a thief was generally entrusted to those inhabitants who were considered as traditional robbers. This created in them a sense of responsibility.⁷ In the towns the police establishments were placed under the control of the Kotwals.

Meanwhile the government appointed a committee called the Police Committee in 1802 and entrusted to it the duty of recommending a Police establishment to the districts in the Madras

Presidency. The Committee submitted its report in 1805. Following its recommendations the Company created a graded system of police in 1806. In order of rank they were (1) Darogahs, (2) Thanahdars (3) peons and watchers. The jurisdiction of the darogah extended over an area of about twenty square miles. He had immediately under him twenty to fifty Thandadars and peons. All the watchmen of the village establishment were brought under his control.⁸

In the different towns kotwals were placed in charge of the police. Prior to 1806. the Collector was entrusted with the revenue and police powers. But the Regulation of 1806 took away the police powers from the Collector and entrusted them to a Judge, who also acted as the Magistrate. However the judge, magistracy established under this scheme did not work well. Formerly when the police powers were given to revenue officials, they were able to perform their duties more efficiently because of their constant touch with the people. Under the new scheme the karnams and amuldars were required to serve two masters. They were responsible to the judge as they were in charge of keeping peace and were responsible to the Collector as they were to collect revenue. This arrangement caused clash of interests and affected the efficiency of the system.⁹

The newly recruited police men received no training. The allowances paid to them were so meagre that they did not attract men of character. The police force was not only insufficient in number; but also was corrupt. In discontinuance of the traditional practice it was relieved from the responsibility of making good the loss by theft. It lessened the influence of the heads of the villages and deprived the talliards of the credits and rewards they usually obtained from successful extortions in the apprehension of robbers and it thus injured their sentiment.¹⁰ Corruption and inefficiency became synonymous with the new police. The ancient system of collective responsibility was absent in the new mercenary police. In many cases the new police peon was

only the robber kinsman. The stipendiary peons did their duty in the day and joined the gang of thieves at nights. The corrupt police took bribes from the poor people and harassed the ryots. As they were paid only meager salaries, loafers and ruffians joined the police. Now travel became quite insecure due to highway robbery as the new police could not maintain law and order.¹¹ Formerly choultries in the highways were under the protection of the kavalkars and the travelers rested there in peace during their journey. But since the kavalkars were disbanded there was no protection to the travelers. Highway robberies began to abound in number and they were often attended with murder and the criminals escaped in most cases for want of a vigilant police to apprehend them. Travelling mercantile community suffered a lot.¹²

The defects of the police system became quite explicit as the region soon fell into a woeful state. The Company's Madras Government now became convinced of the necessity of reforming the system. It was felt that the police force should be re-established in a manner agreeable to the usages of the country. It was also felt that the zamindars could be associated with the policing duties in their respective territories. When the Court of Directors realised the situation, they instructed the Madras Government to avail of the influence of the Zamindars if necessary by investing them with actual police authority in order to enlist their co-operation. It also emphasised the transfer of the police duties to the Collector. The result was the appointment of a Special Commission in 1815 under Colonel Munro to examine and revise the existing system of justice.¹³

The head Kavalkar was answerable for the conduct of his subordinates. Inter-village co-operation for apprehending the thief and intimate knowledge of the villages under the charge went a long way in helping the Kavalkars to perform their duties. The system worked well during the Nayak rule but degenerated under the Nawabs as the central authority became weak.¹⁴

The judicial commission, headed by Munro, appointed in 1815 was required to make suitable changes in the police establishment. The Commission studied the working of the existing system and submitted its proposal. It proposed that the management of the village police should be restored to the heads of the villages and police powers should be restored to the Collector. Section X of the Regulation of 1816 dealt with the re-organisation of police. The Regulation of 1816 was abolished the establishment of darogahs and tanahdars and entrusted the police duties to Head of villages or village munsiffs aided by karnams, talliyaris and other village watchers, Tashildars assisted by clerks and an establishment of peons, Zamindars, Amin of police, Kotwals and their peons, Magistrates of Zillah and their assistants.¹⁵ Village watchers performed police duties under the immediate direction of the heads of villages. The kotwals were placed under the control of the tahshildars. In petty offences the heads of the villages themselves could act. He could get the assistance of the villagers in getting the required information for catching the criminals and producing before the Magistrate the persons connected with the cases. Village watchers continued their traditional duties under the control of the heads of the villages, but they were not called upon to make compensation for losses by theft as in former times. They were entitled to receive allowances in land, grain or money. They had to arrest persons committing offences and produce them before the heads of villages and transmit information about suspicious persons either passing through or residing in village to the karnam and the head of the village.¹⁶

The kotwal was the head of the police establishment in a town. The kotwal and his peons sub served the tahsildar. The tahsildar was made the head of the police of a taluk. He combined in himself the authority of revenue as well as police powers. On receipt of information about crimes, the Tahsildar apprehended the suspected persons and made inquiries. In cases of murder

he conducted investigations; Police Ameens were appointed in large towns to perform police duties. They were placed under the supervision of tahshildars. The Collector, who was also the Magistrate, was the head of the district police establishment. The magistrate granted sanads to willing Zamindars to act as heads of police within their jurisdiction specifying the nature of duties usually performed by a Tahsildar.¹⁷

A regulation was passed in 1821 which increased the powers of the police ameens. The same regulation also empowered the Tahsildars to levy fines and award compensation to the victims. A number of other regulations were passed in 1827 which increased the powers of the police authorities.

End Notes:

1. Military Department, Vol. 291, 20 January 1802, pp.1318 -1322.
2. Richard Clarke, *The Regulations of the Government of Fort St. George, in force at the end Of 1847*; to which are added the Acts of the Government of India in force in that Presidency, Madras, 1848, pp.1 -4.
3. Gowri, K., *Madurai under the English East India Company, 1801 - 1857*, Madurai, 1987, pp. 155-156.
4. Richard Clarke, *op.cit.*, p.193.
5. Gowri, K., *op. cit.*, pp.156-157.
6. Military Department, Vol.97, 4 September 1799, p.2246.
7. Rajayyan, K., *Rise and Fall of the Poligars of Tamil Nadu*, Madras, 1974, p.31.
8. History of the Madras Police - Police Centenary Issue Published under the authority of the Inspector General of Police, 1959, Madras, p.259.
9. The Court's Revenue Despatch, 16 December 1813, pp.33
10. Papers regarding Village Panchayat, p.106.
11. Ibid. pp. 105-106.
12. Judicial Sundries, Vol.2B, Police Committee Reports, 1805, pp.928-933.
13. The Court's Revenue Despatch, 16 December 1813, pp.33
14. Report of the Tanjore Commissioners, 1799, Madras, 1905, pp.26-28.
15. Judicial Consultations, 5 January 1816 to 31 December 1818, Vol.112, p.110
16. Ibid., p.111.
17. The Court's Revenue Despatch, 16 December 1813, pp.33