

बिहार राज्य अभिलेखागार



सत्तमेव जयते

संचिका संख्या 137/1916
अभिलेखागार संख्या

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बिहार सरकार

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विभाग

मंत्रिमंडल सचिवालय विभाग

शाखा

(बिहार राज्य अभिलेखागार निदेशालय)

कार्यवाही

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विषय:—

[CONFIDENTIAL.]

FILE No. 139.

PART II.

1916.

GOVERNMENT OF BIHAR AND ORISSA.

CHIEF SECRETARY'S DEPARTMENT.

बिहार सरकार

मंत्रिमंडल सचिवालय विभाग

(बिहार राज्य निदेशालय)

SPECIAL SECTION.

Instructions to Commissioners as to the procedure to be followed when dangerous agitators, whose names are included in the List of Political Suspects, visit a district.

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NOTES.

CHIEF SECRETARY'S DEPARTMENT.

SPECIAL BRANCH.

FILE No. 139.

Instructions to Commissioners as to the procedure to be followed when dangerous agitators, whose names are included in the list of Political Suspects, visit a district.

Extract from notes from File No. 139.

How comes it the Superintendents of the Districts through which the Swami passed failed to recognise him as No. 1 of the Punjab list of suspects and therefore a person who required to be carefully watched and his speeches reported? Are not the lists of suspects communicated to Superintendents? I am afraid officers in Bihar do not know much about the Arya Samaj and the American-Paris gang.

I would again call attention to the explicit orders passed by His Honour on pages 3—4 of the recorded file. Were these communicated to Superintendents and District Magistrates? If so, how comes it that we have not heard of any action being taken and that the man is touring all over Bihar three months later and addressing and being welcomed by crowds of school boys?

Will the Inspector-General of Police kindly ascertain what has been done on the Police side, *e.g.*, whether Commissioners and District Officers and the Educational Department have been informed?

H. LEMESURIER--30-5-1914.

Please show at once to Inspector-General of Police as regards the notes above.

As far as I can make out the Special Branch applied on 27th January 1914 for orders whether action should be taken under Rule 4, Chapter VIII of the Special Branch Manual and received orders to the affirmative on 7th February 1914. There has, however, been no report between 10th February 1914 and the date of the present reference, unless there have been paragraphs about him in the Weekly Reports.

What action has been taken as regards Commissioners and District Officers? Do they not see the Special Branch reports of their jurisdiction? Would the fact that action under Rule 4, Chapter VIII of the Special Branch Manual had been sanctioned not be brought to their notice in due course?

H. McPHERSON--30-5-1914.

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Chief Secretary—

A combined list of the dangerous agitators of all provinces was republished for the information of Superintendents in the Abstract of the 24th January last. This list includes Satya Deva.

Another secret list received from Director of Criminal Intelligence was also supplied to Superintendents on 29th April. The Swami's name appears in this also with a brief history. Superintendents should, therefore, have spotted him if they had referred to these publications.

As regards the Arya Samaj all Superintendents have been supplied with a history of the Society.

The information about the Paris-American gangs comes to us through the Director of Criminal Intelligence reports, the contents of which we are enjoined to keep strictly secret so we do not make it known to Superintendents unless it be for a specific purpose.

The orders referred to by Hon'ble Member to apply the provisions of Chapter VIII, Rule 4 to Satya Deva were communicated at the time to Superintendents, Muzaffarpur and Patna, but were not made known generally. This was an omission on our part which I regret and which will be set right now. You will see, however, from the history of Satya Deva's recent tour in Bihar and Orissa that the Special Branch at all events have not been negligent in taking action regarding him, though I am afraid the same cannot be said of Superintendents of certain districts whose shortcomings will now be pointed out to them. Superintendents have not realised apparently that the instructions in Chapter VIII-4 of the Special Branch Manual apply to all the persons entered in the list of prominent agitators (Abstract, dated the 24th January 1914). I shall issue clear instructions on this point at once as a reminder.

Superintendents' weekly confidential diaries are seen by Magistrates before despatch, if at head-quarters. If on tour the Superintendents' office copy is shown to him, *vide* Rule 5, Chapter III, Special Branch Manual.

"It rests with the Magistrate to send extracts to Commissioner if he considers necessary."

I cannot say if District Magistrates know of the orders in Chapter VIII-4, Special Branch. They would come to know of them in due course if action were contemplated as the Superintendent would naturally show the orders as his authority for suggesting action which can only be adopted with the Magistrate's permission.

I think this should now be done. Will Chief Secretary please consider?

H. LEMESURIER—5-6-1914.

We did not issue the Special Branch Manual to Magistrates or Commissioners.

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R. T. DUNDAS—2-6-1914.

Hon'ble Member—

Please see the notes in continuation of your note on page 1. Further reports from the Inspector-General of Police and the Director of Public Instruction may be awaited.

As regards the communication of information to Commissioners and District Magistrates and the Education Department that action against a particular person under Chapter VIII-4 of the Special Branch Manual has been sanctioned by Government, I do not find any general orders on the subject. In the case of dangerous agitators action of this nature should be taken by the Police on their own initiative and Government would only know of the presence of the agitator, through the reports of the Special Branch. The District Magistrate would be informed by the Superintendent of Police.

There may be orders of which I am not aware that Commissioners should be informed from headquarters of the presence of such people. I have ascertained from the Inspector-General that they get copies of the Abstract, and that the Director of Public Instruction is kept informed by the Special Branch of any entries in the Abstract affecting schools and colleges. This ought to be sufficient. There would be no objection, however, to Director of Public Instruction getting a weekly copy of the Abstract. He already has a copy of our Suspect List.

He should certainly get it as he did in Eastern Bengal and Assam.

H. LEMESURIER—5-6-1914.

H. McPHERSON—5-6-1914.

See my marginal notes above. Commissioners should, I think, be informed of the general policy of Government so that they may understand what is in progress when District Magistrates or Superintendents take action.

Will Chief Secretary please consider whether we should not send them the Special Branch Manual and draw attention to the procedure described at Chapter VIII-4, explaining the reasons which have led Government to take it and requesting them to keep the lists carefully (if these are not already supplied, they should be) and refer to them as needed.

I await the promised further reports as to the omission by Superintendents to take action.

H. LEMESURIER—5-6-1914.

Draft please, after ascertaining whether Commissioners have not already been supplied with copies of the Special Branch Manual, and with copies of the Suspect Lists.

H. McPHERSON—5-6-1914.

Chief Secretary—

I put up a draft. I understand that copies of the Special Branch Manual have not been sent to the Commissioners and that five copies are available, though their issue to Commissioners will mean that the Special Branch have no spare copies to replace those which have been lost.

M. G. HALLETT—11-6-1914.

This had better be shown to Inspector-General of Police before I submit to Hon'ble Member.

Is it the case that these five copies can be badly spared? Why have we not a larger supply? I suppose there is no difficulty about the lists. Our draft should, I think, refer to the weekly Abstracts (do Commissioners get these?) which will show where political agitators are moving about the Division.

H. McPHERSON—11-6-1914.

Chief Secretary—

I shall arrange to supply Director of Public Instructions with a copy of the Abstract.

The list of prominent agitators is reprinted annually in the Abstract which Commissioners receive and which the Director of Public Instructions will receive in future. Additions and corrections are similarly published in the Abstract from time to time. There are only five spare copies of the Special Branch Manual which are kept as a reserve against losses. The number was just over bare requirements.

A further report will be sent about Superintendents' omissions.

R. T. DUNDAS—18-6-1914.

Hon'ble Member—

Please see the notes subsequently to your note of 5th June 1914, on pages 11-12. As the Special Branch has only five spare copies of the Manual, we had better not distribute these, but we can send out typed copies of Chapter VIII which is short.

I propose to issue the draft below, if approved.

His Honour should see.

H. McPHERSON—17-6-1914.

H. LeMESURIER—18-6-1914.

His Honour.

H. McPHERSON—18-6-1914.

If Hon'ble Member has no objection I should like to add to the draft.—“The Lieutenant-Governor in Council regards this matter as one of great importance which should receive careful attention from all Commissioners.”

I notice rather an ominous allusion to possible losses of the Manual in the Inspector-General's note. What precautions are taken against losses? Have list of confidential books in the possession of Police officers to be submitted from time to time to the Special Branch?

C. S. B[AYLEY]—19-6-1914.

I most gladly accept His Honour's addition.

H. LeMESURIER—20-6-1914.

To all Commissioners of Divisions, Nos. 130--134-C., dated the 18th June 1914.

Chief Secretary—

With regard to His Honour's order above kindly refer to the Special Branch Manual, page 16, Chapter IV, Rules 1 and 2 and page 48. Appendix A.

Superintendents are required to certify *annually* to the completeness of the file of Abstracts, and *when a change of officers occurs* the entire contents of the confidential almirah are checked and the result is reported to my office in the form given in Appendix A.

All important publications are sent out by registered post and in the case of circulars, books, cipher instructions and important and secret matter Superintendents are required to send in acknowledgment in addition to the precaution of registration, so that we make sure of noticing losses in transit.

Please see also Rules 5 and 6 of Chapter IV, Special Branch Manual.

His Honour was pleased to suggest that completeness of the contents of the confidential almirah might well be checked and certified *annually*. This I shall arrange.

R. T. DUNDAS—23-6-1914.

His Honour (through Hon'ble Member)

Perusal.

H. McPHERSON—24-6-1914.

Seen. I am much obliged to the Inspector-General and if I might make minor suggestion it would be that the annual certificate should be required either just before or just after the 'Xmas holidays or at the end of June, as transfers generally take place in the Spring and Autumn.

C. S. B[AYLEY]—25-6-1914.

Inspector-General.

H. McPHERSON—25-6-1914.

Crime Assistant—

Please take copies of notes and return the Secretariat File.

R. T. DUNDAS—28-6-1914.

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CHIEF SECRETARY'S DEPARTMENT.

SPECIAL SECTION.

FILE No. 139.

Instructions to Commissioners as to the procedure to be followed when dangerous agitators, whose names are included in the List of Political Suspects, visit a district.

No. 130—134-C., dated the 20th June 1914.

From—The Offg., Chief Secretary to the Government of Bihar and Orissa,

To—All Commissioners of

Chota Nagpur	
Bhagalpur	
Tirhut	
Patna	
Orissa	

 Divisions.

I am directed to forward herewith for your use and information a typed copy of Chapter VIII of the Manual issued by the Special Branch of the Criminal Investigation Department, in paragraph 4 of which is described the procedure to be followed when dangerous agitators whose names are included in the list of political suspects visit a district. The object of this rule is to prevent if possible the delivery of seditious speeches and failing that to secure that a full record shall be available of the nature of any speech delivered, in respect of which a prosecution under the Penal Code or action under the preventive sections of the Criminal Penal Code is under consideration. A list of prominent agitators is reprinted annually in the weekly Abstract of Police Intelligence, a copy of which is supplied to you and the same publication contains information regarding the movements of political suspects within your Division. You are thus in a position to keep yourself duly informed of any action that may be taken by District Magistrates and Superintendents under Chapter VIII of the Manual and to make enquiries if in any case the duties prescribed in these orders appear to have been neglected. The Lieutenant-Governor in Council regards this matter as one of great importance which should receive careful attention from all Commissioners.