

Ordering the Imperial Policy of Bengal Detainees¹: An Analysis of Buxa, Hijli, Berhampore, and Deoli Detention Camps

SUBHAMAY DUTTA

Ph.D. Research Scholar, Department of History
Cooch Behar Panchanan Barma University

Abstract: After the Bengal Criminal Law Amendment Act was passed in 1930, the prison system in India experienced a gradual evolution. The detention system came into existence. The colonial government reformed and revamped the jail system without any organized judicial and prison system in India. The jail administration supervised the ‘detainees’ treatment policy. During the phase of militant insurgency, all jails faced heavy pressure to accommodate prisoners, and the younger revolutionaries were confined in various jails and temporarily detained in Bengal province. After the Chittagong armoury raid, the British government imposed strict repressive measures against extremists. In 1930, the imperial government started alternative accommodation for revolutionaries, who were detained without judicial proceedings. Most of the detainees were kept in detention camps in Buxa, Hijli, Berhampore, and Deoli. Most of the revolutionaries came from East Bengal.

During the time of militant nationalism, these camps were significant within the larger context of detention in India. All the detention camps had significant effects on historical interpretation. The imperial policy towards the detainees was codified many times. Several rules, regulations and laws were implemented for detainees in various contexts. In the past, there were no formal procedures in place for handling the detainees in the camp. The Andaman Cellular Jail operated purely as a penal colony, while the detention camps across India embodied different ideas. This research article traces the colonial policy towards the detention camps and detainees.

Key Words: BCLA 1930, Detention, Detainees, Prison Discipline, Funeral Law.

Introduction

The useful modes of jail, prison, and detention camps are the same. The Cambridge English Dictionary defines ‘jail’ as ‘the building where criminals are forced to live as a punishment.’

However, a slight difference between jails and detention camps is mainly that the detained persons entered the camp without a judicial procedure. In colonial India, the Buxa, Hijli, Berhampore, and Deoli detention camps were recorded in historical watermarks. Noticeably, all the detention camps were located far away from the mainland.

In other words, the cellular jail in the Andamans, a penal colony, remained a deathtrap in the British period. During the time frame from the 1860s to the 1870s, several central and district jails, including Salem, Lahore, and Allahabad, were built on the Pentonville model.² But Buxa, Hijli, Berhampore, and Deoli were not a penal colony; they were only detention camps. However, the 'Panopticon' model was deeply implemented in all detention camps in colonial Bengal. Terminologically, the 'panopticon and Pentonville model' means 'a circular prison design with cells arranged around a central observation area,' enabling constant monitoring of the detainees. Jeremy Bentham, a pioneering figure who popularised the terms 'Panopticon' and 'Pentonville model,' wrote the book 'Panopticon or, The Inspection-House, Dublin T.Y. Payne, 1791.' French philosopher Michel Foucault's 'Surveiller et Punir: Naissance de la Prison' (French) and 'Discipline and Punish: The Birth of the Prison' (1975) established a new perspective on prisons and the political treatment of prisoners.³

In the context of Bengal, revolutionary activists attempted to murder multiple Indian-born government officials and agents at various times in addition to assassinating nine British officials.⁴ The report from the sedition committee in 1918 stated that it was considered an act of 'terrorism'.⁵ The term 'terrorism' carries colonial implications and has been largely rejected in modern discussions. After independence, this term was dismissed since all revolutionaries were recognized as freedom fighters. Revolutionary groups were restructured into smaller units between 1924 and 1928, and the Revolt Group

was established to coordinate further revolutionary actions. Many young revolutionaries were deeply involved in political activity in Bengal between 1905 and 1930.⁶ After the Chittagong armoury incident (18th April 1930), the British government modified suppressive rules with various strict measures. During the militant insurgency, all prisons faced considerable pressure to accommodate inmates. Many accused were absconders due to transfers and internment times. There was no space for further incarceration of revolutionaries in local jails.⁷ The government initiated four detention camps in the 1930s that were created with revolutionary activists in mind to keep revolutionary extremists apart from other prisoners. The officials considered it appropriate, therefore, to confine the detainees in camps where they could be segregated from outside contacts, without, at the same time, provoking any public distrust.⁸ In June 1932, the Home Member of Bengal, William Prentice said, 'The primary object of detention should be reformative as well as preventive'.⁹ After implementing the colonial suppression measures, the number of revolutionary incidents decreased in 1933.¹⁰

In the initial stage, colonial India did not have a codified detention rule. After implementing the Bengal Criminal Law Amendment Act of 1930, the detention system introduced a new way of dealing with revolutionaries. Therefore, the British government issued several treatment policies for detention camps, mainly affecting Buxa, Hijli, Berhampore, and Deoli. Deoli (Rajasthan) detention camp which was set up quite far from each other. According to rule number 19 of the instructions for the treatment of detainees of camps, supplemented by government order 20802-3-X dated 26th November 1933, 13(1) of the BCLA 1930 authorizes the local government to set rules for the place and manner of detention of all people arrested, committed, or detained in custody under the Act.¹¹ The detainees in the camps became civil

prisoners, and the jail code prohibited the possession of knives, guns, ropes, strings, bamboo, ladders and sticks. When a detainee would visit headquarters for advice, there would be no charge to the civil surgeon—transferring all records kept by each jail or camp related to a detainee to his next location or transfer. The superintendent of police in Jalpaiguri affirmed that rule 31(B) of the District Intelligence Bureau Manual mentioned the rule. The commandant of the Buxa detention camp proposed the use of Bengal Form 5080 for anything categorized as detainee details, as well as a form for recording a detainee's medical history. The commandant of Berhampore proposed that punishment be shown in red ink on the history sheet and that cases of detainees or dangerous characters be reported separately. Detainees were subject to restrictions as specified in Section 2(1) (d) of the BCLA of 1930, which placed them in a similar situation whether they were in a village, their home, or a detention camp. The BCLA Act did not permit the removal or confiscation of any problematic items, nor did it allow for searches of a detainee's home without a warrant. According to Rule 4 of the guidelines concerning the treatment of individuals held in various camps (U/S 13), no items may be given to a detainee for their use unless authorized by the commandants. Additionally, there is no record in this office indicating that the district has a policy of providing travel and daily allowances to detainees who relocate.¹² The jail authority prohibited using the jail hospital for detainees' treatment. They issued rules for the government to pay for imprisonment in jail and significant allowances for detainees. As a result, they were receiving care in a police or civil hospital.¹³

H. Tufnell Barrett, ICS, Additional Deputy Secretary of the Government of Bengal, issued instructions to the commandants of the Buxa, Hijli, and Berhampore camps on December 11, 1934.¹⁴ The regulations stated that detainees with a positive balance in their accounts were frequently sent back to their village from the Hijli detention camp, with their allowances being settled in the final account adjustments

before this transfer. Following the recent discovery of a knife and a hacksaw in one of the detention camps, the government is considering the issuance of a regulation under Section 13 of the BCLA, specifically under clause 6 of rule 19 regarding the treatment of detainees. The possession of coins, financial notes, weapons, safety razors, iron, and stones are strictly forbidden.

In the case of detainees under the BCLA of 1930, the superintendent of the detention camp had complete power to initiate prompt prosecution. If an investigation revealed that a hunger striker's stated grievances were baseless, detainees in detention camps would be investigated immediately and thorough explanations for their acts would be extracted. In the matter of state inmates under Regulation 3 of 1818, no hunger striker would be tried without the prior approval of the Indian government.¹⁵ Various rules were implemented by the British prison authority, for example, the detainee will not be entitled to his monthly allowance during his stay in the hospital, and a special hospital allowance of 3 annas per day will be substituted to meet the cost of such requirements as stamp paper.¹⁶ Internees would not be allowed to learn any signal coding or signalling system.¹⁷ All detention camp commandants were authorized to reduce the personal allowance of detainees by not more than 8 annas.¹⁸ Detainees who were seriously ill in a camp, jail, or village domicile informed their relatives directly by telegram.¹⁹ Granting to detainees certificates of good character which under the rules were required by universities and other educational authorities.²⁰ All the detainees tried to finish their academic careers during their detention life. Therefore, when applying to sit for examinations while in a village or home domicile, the certificates of good character should be issued by D.M. Detainees would be allowed to play badminton to help them preserve their health. Also, the government would supply badminton sets to the police station.²¹

The government started many skill-development courses for the self-improvement of detainees. Following extensive discussion with the camp commandants, it had been determined that individuals detained in Bengal's multiple detention camps might be permitted to enrol in these classes. Detainees would provide all exam and tuition costs. On 14th March 1934, a government report showed that any detainee who was transferred from one camp to another while taking correspondence courses would be allowed to continue the courses in the camp to which he was transferred to despite the 3% limit.

In the context of the Buxa camp where climatic conditions demanded a greater supply of warm clothing, detainees were entitled to a special winter allowance of twenty-five rupees on one occasion only at the beginning of their first cold weather. Ten rupees was sanctioned for a special Buxa winter allowance to be withheld for the future year.²² When detention camps required further expansion in various modes the detainees were sent to local jails.²³

The British Government frequently revised the terms for detainees and state prisoners. During their detention time, the detainee was given access to a large number of books and magazines—especially, fiction and poetry. Books by Rabindranath Tagore, Hari Lakshmi, Sharat Chatterjee, Prabhat Mukherjee, Nirupama Devi, D.L Roy, Sailaja Nanda Mukherjee, Prabodh Sanyal, Buddhadeb Basu and Premendra Mitra were allowed.²⁴

Mc. D. Clark, a member of the governor's council, issued an order directing the provision of books and periodicals to the detainees. They were: *The statesman*, *The Englishman*, *Calcutta Evening News*, *Calcutta Morning News*, *The Pioneer*, *Sanjivani*, *Mymensingh Samachar*, *Sishir*, and *The Leader*. The detainees could order newspapers, magazines, in addition to any magazines published in Great Britain (except those excluded under the Sea Customs Act). The government of Bengal had no objection to *Sanjivani*, *Englishmen*, and

Statesmen being supplied to all superior classes of prisoners. All the detainees were allowed to play badminton for daily refreshments. The Government supplied badminton sets from the police station.²⁵ All the detainees tried to finish their academic careers during their detention life. Therefore, when applying to sit for examinations while in a village or home domicile, the certificates of good character had to be issued by the D.M. Interestingly, revolutionaries were engaged in their academic careers and qualified during detention life.

The university law examination allowed eight detainees to participate. Nalindra Mohan Sengupta, Prafulla Kr. Ghosh and Jagannath Majumder completed the final law exam at Buxa camp. Manoranjan Ray performed exceptionally in the field of education at Deoli, and other notable candidates included Bishnu Pada Chakraborty, Sibasis Lahiri, and Jasodha Ranjan Chakraborty. Academic achievements were recognized among detainees in both the Buxa and Hijli detention camps. Narendranath Ray, Gurupada Ray, Dhurjati Ranjan Nag, Bholanath Das, Sibendra Mohan Mitra, and Binod Bihari Kanjilal earned first-class matriculation results from Calcutta University. In Hijli Camp, a female candidate, Prafulla Nalini Brahma, achieved first-class honors, while Ksirode Ray, Gouri Prasad Sen, Hari Rakhal Dutta, and Himangshu Sengupta also secured first-class standings in their exams. Additionally, Subodh Chandra Biswas, Nalini Ranjan Banerjee, Kshit Chandra Basu, Rohini Ranjan Barua, and Suresh Datta received second-class results in the examination.²⁶

Funeral Rules

Codification of the funeral rules for the detainees were required after the Hijli camp incident. Revolutionary Santosh Kr. Mitra and Tarakeswar Sengupta died of a gunshot by Hijli camp police, during the turmoil at the Hijli detention camp on 10th September 1931. For the funerals, the local administration refused to hand over to the relatives or duly authorized friends the corps of a detainee.²⁷ The two

detainees who died were not under-trial prisoners. However, there were no codified rules for a funeral for the detainees. In Lahore jail, Jatin Das died due to a long hunger strike, but Jatin Das was an under-trial prisoner, not a detainee. Following Jatin Das's passing in Lahore, the British authorities modified the jail code.²⁸ But regarding the matter of Hijli, the district magistrate believed that the handing over of the body to the relatives was likely to lead to a political disturbance and hamper public tranquillity. The government strictly notified all camps to maintain the rule of Buxa, Hijli, Berhampore, and Deoli. A funeral ceremony procession for the two detainees was reported to the district administration. Government officials examined the powers of the district magistrate in the matter of the two detainees. Judicially, they were not undertrial prisoners nor were they convicts, and the Hijli detention camp was not a jail. Therefore, rules 925 and 1000 of the jail code did not apply.²⁹ Afterwards the funeral customs were held in Keoratala burning ghat.

Government Escort System for Detainees

The government arranged the escort system mainly at Buxa, Berhampore, and Hijli detention camps, and introduced special measures. The British Jail Authority had set up a decorum escort system for detainees, where detainees were generally not restrained with handcuffs. Handcuffs are only used when transporting detainees to the Deoli detention camp. Notably, no detainee was handcuffed upon arrival at the camp, although some were restrained during transit due to disturbances. The officers in charge of the transport were armed with revolvers, while head constables carried muskets, and constables were equipped with lathis. If a detainee was considered dangerous, they were moved to a different detention camp without prior approval from the intelligence bureau, which led to an increase in escort and police presence. When a significant detainee was transferred to another jail or camp, an assistant sub-inspector or a higher-ranking officer would have to accompany them.³⁰ The Bengal

revolutionary extremist state prisoners were transferred from one location to another, and the question of whether it was legal to use bounds to secure their safety during travel appeared. Indeed, the Indian government had not set any rules on the matter.³¹ A state prisoner was classified as a civil prisoner and treated accordingly under the rules of the jail code and Section 46 of the Prison Act. They were not subject to being chained, fettered, or whipped as punishment for any of the offences listed in Section 45 of the legislation. Despite the ban on the use of iron, local governments tended to chain state detainees during transfers, despite the higher costs and manpower needed. The state government of India maintains that Section 56 of the Prison Act IX of 1895, which provides for the safe custody of all prisoners, applies to state prisoners. Accordingly, it is acceptable to report to irons to guarantee the safe custody of state prisoners.³²

On the subject of Buxa, Hijli, Berhampore, and Deoli detention camps relaxation, the detainees could not be handcuffed while traveling under current regulations. At the numerous rest stops along the way, detainees had been allowed to wander about without restriction. In certain instances, it has been determined that stopping them from interacting with or forming relationships with the general public was not practicable, and the Jail Authority classified the escort issues in various directions.³³

The British Jail Administration furnished the rules and regulations for escort strength. Unless there were pressing reasons to increase that amount, there shouldn't be more than six people in each batch. When important detainees are included in any batch, the officer providing the escort shall additionally depute a literate Bengali officer of or above the rank of A.S.I. (the actual rank of such officer to be determined by him) to accompany the escort. The number of escorts shall never be less than two constables per detainee, with at least one head constable for each batch. If there are more than six detainees to be guarded, or if some of the detainees in the

batch are particularly dangerous or bothersome, the officer providing the escort may assign a European sergeant or inspector to accompany the convoy if he considers it essential.³⁴

The authority introduced numerous regulations concerning departures. All detainees must be thoroughly examined before their departure to prevent any attempts to communicate with outside associates. The government had implemented sufficient precautions. The relevant party should only be informed about the transfer, without any knowledge of the destination until the time of departure. Additionally, in these specific transfer situations, the receiving authority must perform a comprehensive search of the detainee's personal belongings, ensuring that two checks are conducted—one at the point of departure and another upon arrival.

In the first stages, the government used several improvement schemes for the detainees, primarily at vocational training initiated in July 1932, with lessons held at Berhampore camp on cleanliness and first aid. However, official narratives convey disappointment regarding the lack of success in these efforts, primarily due to the detainee's unwillingness to cooperate. The classes on hygiene, for instance, had to be discontinued because of low attendance. The government issued various instructions for treating persons detained in the Buxa Camp under the BCLA 1930. The government classified the orders in the field of newspapers, periodicals, and magazines which may be supplied to the detainees. According to the orders, selective newspapers, magazines, and periodicals were supplied to camps. Enlisted magazines, newspapers, and periodicals that were supplied by authorities were: *'The Statesman'*, *'The Bengalee'*, *'Mymensingh Samachar'*, *'Tippera Guide'*, *'Rangpur Darpan'*, *'Hindu Ranjika'*, *'Sonar Bangla'*, *'Bharat Barsha'*, *'Indian Review'*, *'Mashik Vasumati'*, *'Calcutta Review'*, *'India Medical Gazette'*, *'Panjab Shahib Magazine'*, *'Asia'*, and *'Uttara'*.

The government was responsible for supplying the dress, with two pairs of plain cotton drill trousers, one cap, one pair of sandals or slippers, one pair of shoes, three towels, four banians, twelve handkerchiefs, two pairs of shorts, one pair of tennis shoes, six pairs of dhuti (khaddar) or two pairs of mill dhotis, two bedsheets, one mosquito net, two pillows, four pillowcases, one mattress, three gamchas, four langgoties, two ganjis, one trunk, one woollen rug, and two blankets, one woollen suit or a coat or alwar, two pairs of woollen socks, one sweater, two flannel shirts, one overcoat, and a pair of gloves.

The British government constituted new rules for the ex-detainees who had already completed their imprisonment time. Amiya Kanta Maitra, Tarapada Deb, Mani Mohan Ray, and Niranjan Mohan Das were involved in the Rajshahi jute department.³⁵ Interestingly, the government used several techniques for the treatment policy towards detainees. Moreover, the mainstream jail policy did not apply to the Buxa, Hijli, Berhampore, and Deoli detention camps.

In these circumstances, the two official reports mainly focused on the rules and discipline in jail. 'The Jail of Bengal 1878' and another report were delivered to Parliament in London, 'East India Jails Committee, 1919-20'. Both reports adhere to jail standards. However, there was no paperwork about detention camp rules. After the Bengal Criminal Law Amendment Act of 1930, it was necessary to codify detention procedures. Various laws and orders were issued to alter the British government's incarceration policies and implement the Buxa, Hijli, Berhampore, and Deoli detention camps.

Conclusion

In colonial times, there were no vibrant regulations or laws regarding how detainees were treated under BCLA 1930. After the establishment of detention camps, the government saw the necessity to formalize its policies concerning these camps.

As ultra-nationalism surged in Bengal, several regulations were introduced to manage the treatment of detainees and the functioning of detention camps. These camps were pivotal in every significant event in the history of colonial India. They mirrored British views on detention policies in India. Both British and Indian scholars offered independent evaluations of these policies during the colonial period. The British government implemented various reforms to improve legal standards and regulations. While many detention camps were set up throughout India, the Buxa (Duars) and Deoli (Rajasthan) camps were located far from the mainland, while Berhampore and Hijli were strategically positioned within colonial Bengal.

Notes and References

- 1 Cambridge English Dictionary defines the term '*detainee*'(noun) plural: '*detainees*' as a person who has been officially ordered kept temporarily in imprisonment for political reasons with or without trial.
- 2 *Prison Discipline Committee 1837, 1864, Lok Sabha. nic. in*, Collected from Lok Sabha archive and website, 2023.
- 3 Eric Stokes, *The English Utilitarians and India*, Oxford University Press, 1959.
- 4 Ghosh, Durba, *Gentlemanly Terrorists: Political violence and the colonial state in India, 1919-1947*, Cambridge University Press, 2018.
- 5 *Sedition Committee Report 1918*, Superintendent government printing press, Calcutta, 1919.
- 6 Narahari Kaviraj, *Swadhinata Sangrame Bangla*, National Book Agency, Kolkata, September 1957.
- 7 Michael Silvestri, *Policing 'Bengali' Terrorism in India and the World, Imperial intelligence and revolutionary Nationalism, 1905- 1939*, Palgrave Macmillan, U.K, 2019.

- 8 West Bengal State Archival (Intelligent Bureau) File no – 78/1930, nos. 171/ 30, '*General orders of action under the BCLA 1930 Ordinance.*'
- 9 Ananda Swarup Gupta, *The Police in British India 1861-1947*, Concept Publishing Company New Delhi, 1979.
- 10 National Archive of India, New Delhi, (Home-Political) File no. 327/30, *Confidential letter dated 1 July 1930 from Bengal Government to the Home Secretary.*
- 11 WBSA (IB) File) – 78/1930, 171/ 30 '*General orders of action under the BCLA 1930 Ordinance.*'
- 12 WBSA (IB) File – 78/1930, 171/30.
- 13 Ghosh, Durba, *op. cit.*
- 14 WBSA (IB) File nos. 78/1930.
- 15 WBSA (IB) File nos. 78/1930, 171, (Political Department) To commandant *Buxa, Hijli, Deoli* (11/12/1934).
- 16 WBSA, (IB) File nos. 78/1930, 171/30.
- 17 WBSA (IB) File nos. 78/1930.
- 18 WBSA (IB) File nos. 78/1930.
- 19 WBSA (IB) File nos. 78/1930.
- 20 WBSA (IB) File nos. 78/1930.
- 21 WBSA (IB) File nos. 78/1930.
- 22 WBSA (IB) File nos. 78/1930.
- 23 WBSA (IB File) – 78/1930, 171/ 30 '*General orders of action under the BCLA 1930 Ordinance.*'
- 24 WBSA (IB File) – 78/1930, 171/ 30 '*General orders of action under the BCLA 1930 Ordinance.*'
- 25 WBSA, (IB File) – 46/1930, 167/30), Confidential 16th March 1932 '*Supply of magazines books, newspapers, etc. to the state prisoners and Detenus.*'
- 26 WBSA (IB File) nos. 78/1930.

- 27 WBSA (IB File) nos. 748/33 '*Successful detenu candidate in university exam.*'
- 28 WBSA (Home-political) 664/31 '*Disposal of bodies of dead Detenus.*'
- 29 Das, Nalini, *Swadhinata Sangrame Dwipantarar Bandi*, Manisha, Kolkata, 12th Magha, Bangabda: 1380.
- 30 WBSA, (Home-political) nos. 664/31, '*Disposal of bodies of dead Detenus.*'
- 31 WBSA, (IB File) nos. 1341/32 '*Rules and order regarding escort Detenus and state prisoners on transfer.*'
- 32 WBSA, (IB) File nos. 1341/32. See, Nos. 5002-5005x.
- 33 WBSA, (IB) File no. 1341/32.
- 34 WBSA, (IB) File no. 1341/32.
- 35 WBSA, (IB) File no. 981/40 '*Questions of the employment of ex-Detenus.*'