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## **THE DETECTION OF BURGLARY IN INDIA**



# **THE DETECTION OF BURGLARY IN INDIA**

BY

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**THACKER, SPINK AND CO., CALCUTTA**

1920

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## PREFACE

“WHOEVER commits lurking house trespass by night, or house breaking by night, in order to the committing of any offence punishable by imprisonment, shall be punished with imprisonment of either description for a term which may extend to five years, and shall be also liable to fine; and if the offence intended to be committed is theft, the term of imprisonment may be extended to fourteen years.”

Such is the law under section 457 of the Indian Penal Code. It is a very excellent law, but there is a much older practical law which has not been coded and to which it must yield pride of place: Thou shalt first catch thy hare, and then mayest thou cook it.

In connection with burglary, failure to catch the thief has been the rule rather than the exception. Hence burglary to-day is rife in India. The reason has been that the police as a force have dealt with it in the wrong way. They have regarded it as a crime to be left almost entirely to the station house staff, whereas its detection essentially demands direction such as only the heads of the department can give.

Fifty or sixty years ago the police had to confine their attention principally to the prevention and detection of violent crime. Thaggi, dakaity, murder for plunder and highway robbery were rife and in comparison nothing else mattered. Police efforts in this direction have been in the main successful. Gradually the criminal has been forced to give up violence and been compelled to adopt secret and more scientific methods. Thus burglary has rapidly gained favour with professional experts and has now become the most striking feature in our crime returns. Violent crime is no longer a serious evil, while burglary is fast becoming a danger to the State, and yet is ordinarily practised with impunity.

I have proved by personal experience that, if taken in the right way, burglary in its turn can be brought under control, and I propose to place on record the system by which this can be achieved and the reasons which led me to adopt it.

W. A. GAYER.

*March 1920.*

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## CHAPTER I

### **The Priority of Burglary in Crime Established**

**MANY** an old burglar has administered the severest of beatings to a hopeful son for lowering himself by taking part in anything so vulgar and unintelligent as a common, rowdy dakaity. No self-respecting artist in crime would adopt anything so degrading, or so certain to attract the whole unwelcome police force to his neighbourhood.

This is perhaps a somewhat startling reversal of accepted tradition. In police circles burglary has never been of any account, but dakaity has always been a matter of prime importance. By regulation it has to be reported specially to the Inspector-General or the Range Deputy Inspector-General. The superintendent has to visit the scene of the crime, and take a personal part in its investigation. How then can dakaity be merely a prehistoric survival? Yet the persons who regard it as such are the professional criminals of to-day, and they, after all, are the real connoisseurs. This divergence of opinion between the police and the professional criminal has justified the latter in substituting burglary

for thaggi or dakaity as a safer, a more scientific and a more profitable means of livelihood.

Thaggi in spite of its reputation for safety and profit ceased many years ago. The last authentic case was reported in the early eighties. At one time, however, this form of murder for plunder was most popular among professional criminals, and caused Government much serious anxiety. Its immunity from detection was notorious; everything was in its favour. In the days when railways, postal arrangements as we now know them and telegrams were non-existent, a small company would set out to perform a journey of many miles. Farewells would be taken with full knowledge that for several months at least no communication would be possible between the travellers and those left behind. Within a week the way farers might be joined by a gang of thags and all be murdered and buried. The first inkling of disaster would arrive six or eight months later when delay in return had begun to cause uneasiness. Confirmation of fears thus engendered would take much time, and after such delay no direct evidence could be hoped for. The date of the crime could never be fixed. The bodies could never be found or identified. Even the scene of the murders would remain unknown to any but the murderers. It would be difficult to imagine the existence of a road to

detection. The police of those days, however, found a way, and in time thaggi was suppressed. Its place was taken by dakaity but the same system broke that. We are now confronted by burglary which has succeeded dakaity and in its turn burglary must be extinguished.

Thaggi and dakaity were suppressed by the approver system. This was based on a law which granted conditional pardons to men who were willing to betray their accomplices, and give evidence against them.

Should these crimes again become prevalent and a source of serious danger, the system that broke them once can be adopted a second time, and if worked with care will not fail. It is, however, a dangerous system except in the hands of the most scrupulous investigators. For crushing burglary it is not needed, though where large communities of criminal tribes are systematically engaged in burglary it might be used with advantage in a modified form ; and the powers exercisable under section 337 of the Criminal Procedure Code for granting conditional pardons in cases triable exclusively by sessions, might be extended to burglary. The system hereafter described does not however depend upon approvers.

When it had been repeatedly demonstrated that thaggi and dakaity attracted too much attention and were too dangerous,

criminals took to burglary which attracted no attention and was usually more lightly penalised. Burglary is now the most common crime against property in India. It is at the same time a crime which has never been seriously taken in hand. Modern Governments have adopted special measures for stopping coining, forging currency notes, and so on, for these crimes directly touched the credit of the State. But burglary has been accepted as inevitable. It is an unobtrusive evil which has seemed impossible of effective control, and there has always been the fear that if the police were called to account for its growth without offering them a remedy, the result would probably be the burking of reports in many burglary cases.

It is quite clear that according to custom, police regulation, and judicial concurrence, burglary has been hitherto treated as an incidental crime, and as such has usually been dealt with singly as each depredation occurs. In addition to other arguments which support this statement, one stands out pre-eminently. It is assumed in every police administration report that fluctuation in burglary is due to the variation in the number of persons who commit burglary, according to increase or decrease in agricultural prosperity.

Statistics fully bear out this proposition. There is no doubt that in all forms of

crime committed for purposes of theft the number of cases does increase during years of scarcity. It is also true that increase and decrease in burglary takes place simultaneously with that in other forms of crime directed against property. The explanation that has always been accepted is that in years of agricultural prosperity men are not driven to crime; but that in years of scarcity the poorer classes are forced through hunger to obtain food by every manner of theft including burglary.

It is the inclusion of burglary with other classes of theft that has prevented recognition of true cause and effect. Unscientific, and therefore probably incidental crime such as theft, robbery, or grain dakaity, increase during times of famine or scarcity, because desperation from hunger lends the necessary animal courage needed for the commission of such crimes. In consequence a greater proportion of a famine stricken population adopt these crimes as a means of satisfying their immediate needs. The writers of police administration reports are therefore justified in the argument that severe agricultural distress must be the explanation of increase of crime under these heads. As regards burglary in its true form, however, it must be admitted that the argument is a fallacy. Burglary is an art learned with great difficulty; perfection is only attained after long months of work

and practice. It cannot be quickly taken up, and therefore cannot be adopted to combat a pressing need. A reformed burglar may occasionally be forced by hunger to take up his old profession again, but the chief explanation of the increase in burglary during bad seasons is that each burglary is less profitable, not always that more people are committing burglary. As such times the cost of living is high, and the burglar, to maintain the standard at which he lives, has to work oftener. Therefore though there may be more burglaries committed during a bad season, the existing burglar gangs are probably responsible for all of them. An inference more likely to be correct would be that during times of scarcity fewer persons would resort to burglary than in times of general prosperity. The profits are less, and the work harder; cribs are hard to find and consequently a greater area of country has to be exploited; villagers hoard very little money, and any jewellery which is not actually being worn has probably been sold for bread. Therefore loot which can be taken stealthily by a silent and skilful burglar is hard to locate, and much of his work is unproductive. A burglar may even be compelled to abandon his profession and commit dakaity, since he may find that in any case he must resort to force in order to remove ornaments which are actually being worn by his victims, and are the only loot available.

What has been said does not include technical burglary, since these cases for purposes of detection might be better classified as theft.

This fallacy regarding the cause of fluctuation in burglary has been harmful. It has misled the investigating police into the belief that increase in burglary during famine is a deplorable but quite a normal state of things for which they are not in any way responsible. In reality a famine by forcing burglars to incessant work weakens their position and increases the chances which the police need for their destruction. This chance should not be lost.

Under existing regulations there is no sub-classification of burglary except the very unprofitable distinctions which are drawn between burglary cases which have to be specially reported to the office of the Inspector-General of Police; those which need not be so reported; and those which need not be investigated. The feature which decides the category under which an individual case is to be classed, is the value of the property which has been stolen in that particular case. The dividing limits vary in each province, but are roughly that cases in which property of the value of Rs. 1,000 and over is stolen, must be reported to the office of the Inspector-General of Police; cases in which property valued between Rs. 10 and Rs. 999 which need not be so reported; and

cases in which property worth less than Rs. 10 is stolen which need not be investigated.

Hitherto the attempts to cope with burglary have not been carried out on any concerted plan, but have been confined as a rule to efforts to detect individual cases. The number of times success has attended these efforts, though small, is by no means evidence of want of efficiency. Many of our investigating officers are excellent. They may not possess the array of virtues and accomplishments stated by some to be needed to make a successful investigating officer. These are detailed in that very useful and interesting compilation entitled "Criminal Investigation" by the brothers Adams. These gifted authors say that an investigating officer should possess, "indefatigable zeal and application, self-denial and perseverance, swiftness to read men and a thorough knowledge of human nature, education and an agreeable manner, an iron constitution and encyclopædic knowledge." To junior police investigating officers, usually drawing about Rs. 50 a month, is confided, as a rule, the enquiry into burglary cases. The chances of uniform success are consequently not great.

The difficulties in the way of commanding any systematic mastery over the burglar by no means disappear even if a station house officer possessed of all this knowledge and

virtue were secured. We find as we read treatise after treatise on the investigation of crime that all teachings base the chances of success on three essentials:—immediate enquiry; accurate deduction; and swift action. In India delay in reporting, and distance in the majority of instances, prevent immediate enquiry, without that there is little hope of finding much on which to base correct deduction. On what then can swift action be taken?

A better ideal for an investigating officer in India is that he should be scrupulously particular as to his facts, sympathetic, and honestly determined to learn the truth. Such investigators are procurable. Well educated and honest Indians of good social position are being induced to enter the police, and it is entirely the fault of training, supervision and guidance if the majority do not retain their integrity.

Honest work on common sense lines then, it would appear, is all that is necessary to secure fairly consistent detection even in burglary. This standard it was hoped would be obtained when the improved pay and prospects suggested by the Police Commission of 1902-3 had been in force for a reasonable period. The results of the trial have disappointed this hope. The number of burglary cases was reduced, but this advance was achieved by indirect means. The reductions was due to a better

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understanding of the working of criminal tribes, and the great, but not sufficiently great, attempt which has been made for their reclamation. The excellent results obtained are encouraging and compel further effort in this direction.

The advantage which was thus gained is fast being lost by the progressive activity of those burglars who have not been brought under control.

The failure to recover property is increasingly conspicuous. As the police improve in morale burglars get clear away with more and more property. In proof of this assertion the figures are quoted of the year 1900, (about five years before the recommendations of the Police Commission came into force) 1910, (after these recommendations had had five years trial) and 1917, (the latest figures easily procurable.)

Year	True burglaries	Property stolen	Recovered	Recovery
1900 ..	185,955	4,441,550	746,776	16'8 per cent
1910 ..	157,823	7,319,128	1,177,441	16'0 "
1917 ..	171,625	9,391,936	1,079,553	11'9 "

No thoughtful policeman will therefore claim that any appreciable success has been obtained in the detection or prevention of the so called normal crime of this class. A little consideration will show that the reason for this is fairly obvious. A burglar creeps out on a dark night, makes for a crib

which he has previously reconnoitered, effects an entry, wakes no one, takes all that he can lay his hands on, and gets away unobserved. He then immediately buries his loot and goes home feeling that, after his good nights work, he is entitled to enjoy with a free conscience the well earned sleep of the industrious.

Next day the burglary is discovered and reported. Investigation is begun. No clue is found, there is no clue to find, and the case remains undetected. As a temporary result this is inevitable and does not necessarily imply any fault on the part of the investigator.

Occasionally a case may be detected through the agency of trackers of footprints, by finger prints, as a result of a quarrel between the members of a burglar's gang, or by mere accident. The small number of such detections, however, shows how seldom fortune favours the police, and how dependant they are on chance for success. Therefore consistent detection pure and simple in the majority of cases as they occur is now an ideal which is outside practical politics, and we must seek some fresh system by which to defeat the burglar. To do this we must study and analyse the systems of professional burglars in order to discover weak points which can be exploited to ensure this defeat.

## CHAPTER II

### **Disclosures by Burglars**

THE Indian burglar is an unobtrusive person. He is usually shy of recounting his exploits for he always lives in hopes of repeating them. No offer of pardon can be made to him as burglary is not one of those crimes which are exclusively triable by sessions, so he has no inducement to be communicative. Ordinarily, therefore, it is difficult to learn anything from him. Nevertheless burglary must be studied and thoroughly understood before steps for eradicating it can be devised on logical lines.

The law does not allow a policeman to join the profession and so learn all about burglary at first hand ; nor does it help him to learn it at second hand, since it permits of no inducement to burglars to divulge their knowledge. Consequently the science of burglary has remained to a large extent a closed book to both police and magistrates.

Under the old systems of the Thaggi and Dakaiti Department approvers were selected from among prisoners who were undergoing life sentences in jail, and whose detailed confessions of dakaities in which they had taken part had been made and recorded. Many of the more reliable and intelligent of

these confessing prisoners were subsequently enlisted as constables ; service and pension or land settlement were assured to them : their criminal life was finally over and they were content. Some of these were admittedly burglars by profession and had only committed dakaiti from time to time probably because a house which was impregnable from their professional point of view gave promise of enormous spoil. Some were found to be keen shikaris and under the all levelling influence of sport would chatter freely of their exploits in their old shikar, the looting of the rich. It is significant that the achievements in which pride was shown were invariably those connected with scientific burglary.

The information disclosed naturally relates to the methods found most suitable to the conditions of the locality in which the burglar lived. But they are sufficient to enable the thoughtful policeman to work out the theory of the particular methods adopted by burglars in his own province.

They make it clear that burglary needs far more skill, coolness, resource and pluck than is usually credited to its perpetrators.

Two anecdotes which were told with that gleam of pleasant memory in the eyes of the narrator which made it impossible to disbelieve their truth, will serve to illustrate this fact.

A burglar had broken into a large and crowded house and had entered a little room a few feet square in which a man and his wife were sleeping. Inadvertently he had made some noise which had awakened the woman, who was at the moment literally between his feet. She called out to her husband in a frightened voice. The man sat up, told her to be quiet and to listen. The burglar remained motionless for as long as he could hold his breath, and then imitated the squeak of a rat as if, while unprepared and listening for further movements of its human disturbers, it had been suddenly attacked by a more courageous enemy. He then ran his fingers along a beam above his head, and plunged his hand into the thatch, where he kept it, again maintaining breathless silence. The listening pair at his feet gave a sigh of relief, agreed that it was only rats, and settled themselves to sleep again. After a while the burglar finished his thieving without further mishap, securing a large amount of booty.

Another leader told how he drilled a hole through the outer wall of a house into an empty room. He had then passed through a second room in which several people were sleeping and into the kitchen. From the kitchen he had taken a number of brass vessels and dishes but had found nothing of much value. He had then re-entered the occupied room feeling round the wall for the cupboard which he was sure must be there.

He found it in the wall at the back of the room, and in it a small box heavy with its contents. While taking this out he made some noise with the brass utensils in his bundle, and this woke one of the sleepers who called to the others that someone was in the house. They all crouched together in the middle of the room and began clamouring for lights. The burglar was thus cut off from retreat and was almost certain to be captured directly the match was struck. There was no time to lose so he took a brass dish from those he held and threw it over the heads of the excited group into the doorway of the kitchen beyond. It fell with a crash just as the match lighted. As he had hoped the noise had so startled everyone that when the light disclosed things they were all staring fixedly away from him towards the kitchen door. They lighted the lamp and, one man holding it high, all moved together anxiously peering into the darkness of the kitchen. As they advanced they left his road clear and well lighted. He stepped past quickly and silently into the room through which he had come, and by the time the inmates of the house had decided that no one was in the kitchen he had passed his loot through the hole to his accomplice outside and had himself crawled through. He was never caught or suspected.

From the mass of information obtained from these approvers it became clear that burglary is a science in which few attain

perfection; that each separate system is carefully chosen by criminals for its intrinsic advantages or to suit local conditions; and that burglary in India is usually the work of a gang, seldom of an individual.

Only those who attain to comparative perfection can hope to become leaders. They have to be systematically successful in order to ensure the confidence, loyalty and implicit obedience of their followers, and they must measure and confine their work to the capacity of their gang in order to ensure the safety of its members.

There are other points of interest learnt from professional burglars which may serve as a guide to prevent wrong deductions. No gang under an efficient leader employs solicited help from servants or other inmates of a house which they intend to loot. Their knowledge is gained by the members of the gang themselves, and is often so accurate and detailed that unless on guard against such a notion, investigating officers are often convinced that some member of the household must have assisted the burglars. In the case of clumsy amateur work this may be a correct deduction; but when professional skill has been used the idea must be discarded. The reason is easily understood. A gang of several men settle in a locality and begin systematically to loot such houses in the vicinity which appear likely to repay their toil. Their one object is to ensure

that no information shall leak out which would lead to a knowledge of the true source of their income. No house robbed would be likely to yield sufficient loot to sustain in comfort for any length of time all the families of the several members of the gang, therefore during any year several houses would have to be broken into. If in each case a new accomplice had to be found and employed, leakage would inevitably follow and blackmail would certainly ensue, since a servant who had been disloyal to his master would not hesitate to bleed white a gang of robbers whom he could ruin at will.

Another fact treated as a maxim among burglars, the ignorance of which has often led to wrong deductions, is that it is easier to exploit the house of a Hindu than that of a Mohamadan. An investigating officer, unaware of this, frequently concludes that because only Hindu houses are being looted in a given locality the burglars must be Mohamadans. This however is a wrong deduction. The truth is that it is easier to gauge the value of the property likely to be in the house of a Hindu, and easier to take it.

The ornaments worn by a Hindu woman may be regarded as a fairly accurate criterion of the wealth of her family. She is not in purdah therefore her jewellery is in full view when she goes to the well or walks about the village. Moreover her house is open to

visitors. Any estimate made from such observations is not likely to be beyond the mark, as the Hindu is frugal and not given to ostentation. On the other hand the Mohamadan woman is purdah, her part of the house is closed to all outsiders and consequently no one knows what ornaments she possesses. A Mohamadan is often inclined to be pretentious. Hence there is little to guide the inquisitive, and what there may be is apt to be misleading.

Once inside a house, Hindu customs again assist the burglar, while Mohamadan household arrangements balk him. Among Hindus several members of a family usually sleep in one room; their cattle are not infrequently tethered in adjoining verandahs or court-yards; both women and men work in the open air and sleep heavily; they are not prone to be easily disturbed by noise or movement. Mohamadan women sleep alone; they never go out to work in the wind and fresh air; they are seldom physically tired; consequently they are quickly awakened by any noise, movement, touch or entry of fresh air.

It is well known in the profession that the exposed bangles, earrings and other ornaments worn by a sleeping Hindu woman can be removed from her person without waking her, and that she may then be pushed gently until she turns over in her sleep and so offers her remaining

articles of jewellery to her light fingered visitor. Such liberties are almost impossible with a Mohamadan woman, unless she is very young and still sleeps the sleep of babyhood.

If a Mohamadan's house has been burgled and thoroughly rifled, it is a fair deduction that no beginner, but a very expert burglar, is the culprit.

## CHAPTER III

### A Burglar's Training

THE leader of a gang of burglars—often termed the Naik—is no ordinary thief. He is a trained expert selected for a special qualifications, and is very difficult to replace. He is an autocrat possessing absolute power. He claims a double share of all loot as an acknowledged right. He selects cribs, determines the plan of campaign which has to be carried out according to his orders, disposes of all stolen property to receivers and distributes the profits among the members of his gang. The power he wields itself indicates that the gang recognise that he is indispensable.

When a Naik becomes old and knows that he cannot long command the full confidence of his men he has to look round for a successor. In his gang there is seldom any one capable of taking his place, for any member who has developed sufficient capacity for leadership is certain to have left the gang and to have started business on his own account. The Naik has, therefore, generally to train up a successor.

In order to ensure receiving part of the profits made by his gang after he has retired and so save himself from the

degradation of having to work honestly, he naturally tries to find to follow him, a promising candidate over whom he can exercise control. He preferably chooses a son, or adopts the child of some relation or dependant who seems to possess pluck and wit. Such a lad is easily won over by stories of gain and adventure and is quickly imbued with an intense longing himself to become a great and clever leader. He very soon becomes sufficiently keen to take infinite trouble to learn.

The system of training varies according to the class of burglary which the old leader has practised.

The aristocrats of the profession scorn the use of all lights, even the fitful spark offered by a Japanese match. They have adopted the system by which entry is made into a crib by means of a hole dug through the outer wall of a house. The process of training a novice in this art is therefore selected for description.

The embryo Naik is first with some ceremony introduced to the almost holy '*Ala Nakab*', or drilling tool. This he is taught to reverence and guard as his most sacred trust. He is told to bury it safely when not in use and never to speak of it to any one. He is then shown how with this *Ala Nakab* to dig a hole through a wall without making noise, or letting drop

particles of the mud and small stones of which the wall is composed. He is then allowed to practise himself.

These lessons are given in daylight and probably within the house of the teacher. The boy is taught how when digging a hole through a wall to leave the layer of the encrusted inner surface of the wall intact until the hole is completed except for the breaking away of this thin partition: then how to lift away this final obstruction little by little beginning at the top without letting any particles fall into the room which he wishes to enter.

When the novice has learnt to be fairly expert, he is blindfolded and made to work with a metal tray placed under where he is drilling his hole so that anything falling tumbles on it and makes a noise. At each such sound his tutor with a stick raps him smartly on the knuckles. To avoid this painful punishment he soon learns to take consistent care. In time he learns to complete the hole silently by feel alone. He is then taken by his tutor on dark nights and made to dig holes through garden walls, the walls of deserted houses, bullock sheds, and so on until he gets over his first nervousness of possible passers by, or of the arrival of the beat constable, and is capable of working with full confidence and skill while straining his ears for foreign sounds.

His next lessons are conducted under more trying circumstances. An open verandah on which persons are sleeping is selected. The tutor stands guard over the sleepers while the pupil has to dig a hole through the side wall of the verandah. In each successive lesson he digs his hole in a spot nearer and nearer the slumberers until finally he drills it immediately above the head of a sleeping man. When he had succeeded several times in doing this without disturbing the sleeper he realizes that he is proficient in this part of his duty and being full of confidence is allowed to take part in a real burglary.

He then learns the art of placing his gang to the best advantage enabling them to give warning of the approach of the police or other disturbers of the peace of burglars. He learns the meaning of calls and how to make them himself. He learns how to be prepared for hasty retreat, how to plan, that each member of the gang shall go a different way on being disturbed, and how to ensure their meeting again without trouble directly the danger is over. He also learns the enormous safety of being perfectly motionless if any disturbing element is heard approaching.

He is allowed eventually to dig the hole but not to remove the last partition. He is shown the necessity when that partition is being removed, of screening the hole with a

double blanket so as to prevent the entry of starlight into the blackness of the windowless inner room of an Indian house. He is made to stand screening the hole while his tutor enters and passes out to him the things he collects from within. Then comes his last lesson, after property has been removed and safely hidden or carried off by the other members of the gang. He is told by the leader exactly how the house is planned, where its inmates are asleep, how he can escape if disturbed. It is explained to him how he should always stick close to the wall since, people seldom sleep touching walls. He is then sent in to do a complete circuit of all the rooms in the house by himself. At first the novice is helped by the Naik in that this old expert has already unbolted all doors and windows before he enters so as to make escape easy should the inmates be disturbed. Later this aid is withdrawn. Finally comes the proud day when the boy is allowed to go first and take what he can find. His early searches are checked by the Naik who enters the house after he has finished to see that he has overlooked nothing of value. Eventually the Naik retires and the novice takes his place as an expert and leader of the gang.

Each retiring Naik teaches his own system to his successor with similar care. Those members of gangs who sever connection with their old associates have generally to teach themselves and choose their own method,

probably based on the one they have practised. Others strike out an independent line usually suggested by the trade of their parents which they themselves learnt during childhood. The work of each burglar, therefore, is certain to bear the imprint of his individuality to a greater or less extent, and under careful scrutiny is both recognisable and capable of identification.

## CHAPTER IV

### **Burglary Classified**

It has not been generally realised that burglary shows individuality, and therefore lends itself to classification according to the various systems followed by different gangs. Nor has it been recognised that such classification is essentially the basis of all systematic investigation; that though its process is easy it yet serves to expose and explain mysteries which have been regarded as beyond elucidation, and which have left the position of the burglar hitherto unassailable.

It stands to reason that work taught in the systematic manner followed by the retiring leader or Naik of a gang, and learned until it can be performed mechanically by the fingers while the brain is alert to all outside events, must bear characteristics of its own. It is almost equally certain that a man who from his childhood has learnt to do any particular thing in one way, and who finds that way eminently successful, will continue to follow the same method all his life unless his belief in it be radically shaken. Even should two men work according to the same plan, the results will be distinguishable through difference of individual traits in execution.

Burglary may be roughly classified for police purposes under five main heads:—

1. By manhole through a wall,
2. By manhole through a roof,
3. By drilling a small hole through the wall close to the fastening of the door,
4. By various kinds of lock breaking, and
5. By miscellaneous methods.

Such general classification will for fundamental purposes be sufficient, but each class may be subdivided indefinitely. For instance a hole through a wall may be made square by one *Naik* as that shape facilitates the passing out of boxes; or round by another as being less likely to collapse. Other systems bearing signs of originality which come to light may be registered in accordance with distinctive features noted.

Each class of burglary has its advantages and its disadvantages. These should be analysed and their significance appreciated as affording valuable information regarding the strength and personnel of the gangs engaged. Too much reliance however should not be placed on the importance of deductions made from any single case.

The method of digging a manhole through a wall is very safe but it is laborious. It is however the system preferred by artists in burglary, since it overcomes so many difficulties. It is silent, and if any noise be accidentally made it will be one that can

easily be put down as the scratchings of a rat. It does not involve the entry of fresh air, which, as affirmed by a very capable old naik, is likely to awaken more easily than one would think a sleeper in a stuffy room, and in any case make him disconcertingly restless. It does not entail the entry of the betraying light which any awakened sleeper would connect with the noise which had disturbed him. The spot where the hole should be dug can be selected with a view to safety from disturbance by inmates of the house going in or out, or from unexpected passers by. Most important of all, it provides a way of escape for the burglar which is unknown to the inmates of the house, and therefore not guarded should he be discovered and pursued. On account of its safety, therefore, valuable cribs may be exploited by this method and success humanly speaking assured.

The chief drawback of this method is that the gang should be at least four in number. The leader digs the hole, enters the house, and finds the loot. His second in command holds a blanket over the hole to prevent the entry of light and air, and takes the property as it is handed out, he is also responsible for giving danger signals to the leader, such as by squeaking like a rat or squawking like a cat as the danger is near or remote. In addition, even to watch either end of a straight road, two guards are necessary. Obviously the gang must be

larger than this if there is to be free choice of cribs, since there is usually more than one road to be guarded and the number of sentries must correspond to the number of danger points. A large gang however, entails one drawback: it means frequent work since the profits have to be divided among so many.

Burglary by manhole through the roof was a favourite system among those notorious criminals, the Moghias of Rajputana and Central India. It is chiefly resorted to in those parts of India where flat mud roofs are common.

The burglars climb up on to the roof by the most convenient means at hand. They are guided to the plan of the house by the ridges on the roof marking the line of each partition wall below. If there is a ventilator they remove its top and enlarge the hole until it is big enough to get through. Often there is no ventilator and a complete hole has to be dug.

The method described by an old Moghia was to dig a hole only a few inches in diameter, through this he would first pass his hand and feel for woodwork in order to make sure how to avoid obstructing beams. He would then insert an umbrella and open it inside so that it would catch any particles of mud or plaster that might fall, and at the same time obstruct the inlet of light. He would select the room which he had

previously ascertained to be the store room. Since it enjoyed the advantages of containing the valuables of the house, of being usually locked on the outside, and being unoccupied by sleepers. His accomplice was a small son. This boy was let down by a rope and was told to pass up to his father any thing in the room that he could lift. The old Moghia then carefully selected those things which were of value, and they decamped.

Their plan of learning the geography of any house marked down was ingenious. The father feigned blindness and pretended to be on a pilgrimage begging his way. His son led him with the rope used in their burglaries. They entered the house to beg, when inside the boy would inadvertently drop the rope, and the old man would blunder into the room which he wished to loot and have a look round; on which the small boy would run after him calling out that he was going the wrong way, incidentally having a good look round himself. In reality the father was a splendid tracker and had wonderfully keen sight combined with a trick of rolling his eyes upwards which gave him the appearance of being stone blind.

Roof breaking is not uncommon and there are probably many other ways of working it besides the one described here.

The advantages of roof breaking are that guards are not essential. Two men on a roof are sufficient to dig the hole and to keep a look out, while should any one pass below they have only to lie flat and need not bolt; it is more lucrative than the hole in the wall system as any loot obtained has only to be shared by two.

The drawbacks are the difficulty and danger involed in execution. These are so great that burglars resorting to this method almost invariably select unoccupied shops to loot, or at least only an empty room in a house. In an occupied house there is always fear of capture since escape by the roof is slow and difficult, and in case of disturbance, the doors even if previously unbolted by the thief are sure to be blocked by inmates shouting for help.

Burglary by drilling a small hole close to the fastening of the door of a house is as a rule the work of wandering gangs. It is a quick method. The hole made is only large enough to allow a man to insert his arm and reach bolts or chains fastening the door from inside. The door entry is then simple. Since however this method violates every principle held sacred by the elite of the profession it is scouted by them. It is resorted to chiefly by those who, though professional criminals, are indifferent to professional failure. They are on the move while working and therefore do not fear

identification by their victims since they are complete strangers in the villages they pass through. These men are generally very expert in their line, but they do not trouble to reconnoitre or to enquire about the houses they loot, entering any house that looks promising they chance success. If their first venture proves abortive or yields little profit, they try again and again entering even as many as half a dozen houses in the course of one night. They trust to their swiftness of foot for escape should any one be aroused and do not scruple to use violence to rescue any member of the gang should he be captured. If no untoward circumstance occurs, by the time their depredations are discovered and the police summoned they are miles away leaving no definite clue behind them. Therefore, if taken as isolated cases such burglaries must remain undetected.

House-breakings by this method are some times found to have been the work of a local bad character, self taught, and not always possessed of the niceties of reasoning and experiences distinguishing the more subtle craftman.

The various kinds of burglaries by lock breaking can not be set down as the trade mark of any particular class of criminals. It is not usually the work of the aristocrat, unless perhaps in a village deserted temporarily on account of an outbreak of plague.

It is noisy, and generally takes place in the unoccupied shops of poorly watched bazars.

As regards miscellaneous forms of burglary it is obvious that when common systems have been eliminated individuality becomes prominent. Original departures can usually be traced more or less directly to the trade with which the burglar has been associated during childhood. These, therefore, can be separated into classes of their own.

There are also the numerous unscientific burglaries of a technical nature, in which entry is made by climbing over a garden wall, or removing a mat screen. These, however, can be done by any thief.

The classification of burglaries committed in any one area will automatically demonstrate which cases should be accredited to any particular gang. These cases can be listed, and a campaign organised against their perpetrators. By thus dealing with cases collectively, not only will work be enormously reduced, but eventually success will be certain. In any one district there may be fifty gangs working. If each of these gangs commits on an average one burglary a month the record runs up to six hundred cases a year. At first sight this is appalling. It is obviously hopeless to anticipate six hundred detections, or to guide subordinate officers conducting the enquiries which

are expected to lead to them. The supervising officer must be swamped by the mass of reports received. He always has left these investigations, and he always will leave them, to be muddled through singly by the station house officer directly interested. The burglar usually avoids the error of committing a series of depredations in one police station area, and therefore the sub-inspector is limited by his circumscribed jurisdiction to the investigation of isolated cases perpetrated by each gang exploiting his charge.

When it is recognised that the real object in view is the capture of fifty gangs or in reality of fifty leaders, work is at once reduced by eleven-twelfths, and in place of six hundred case files there will be fifty gang files. Instead of bewildered chase after a Will o' the Wisp the drawing for each leader develops into a well organised hunt with the hounds in full cry and a breast high scent.

Individual failures will no longer constitute a corresponding number of possible black marks against the sub-inspector. He will no longer, therefore, be tempted to reduce the number of cases reported, or to represent them as false or, any way, as of doubtful truth. The inclination to minimise loss will disappear as there will be reasonable hope of eventually recovering most of the property stolen. The sub-inspector will

also be afraid, if any articles are omitted from the list handed in by the complainant, that in the event of recovery the prosecution will forfeit valuable evidence through difficulty in proving such articles in court. The absence of immediate success will not dishearten him. He will learn to look on each individual case as affording a fresh help to detection. Keeness to capture a gang will grow in proportion as the tale of unrecovered booty mounts up and the evidence of superior astuteness and cunning becomes more and more apparent. The longer a leader baffles the police the more determined will be the efforts of the police to bring him to book.

The importance of the investigation of each case as the only means of learning facts cannot be exaggerated. Each enquiry instead of being regarded as an end in itself must be conducted with a view to collecting facts which the burglar cannot help supplying for his own eventual undoing. Even should only one small clue be found, be it merely the impress of a drilling tool, a foot print, a finger mark, a forgotten lathi, or anything else apparently unimportant in itself, it will repay all trouble for it will be one more nail in the burglar's coffin when at length he is caught and is ready for burial.

## CHAPTER V

### Investigation of Burglary

FAR the greater portion of the criminal work of a police station at the present time is the investigation of burglary cases.

An enormous amount of labour is entailed by the existing system of continued investigation in each individual case in the hope of finding out something which may lead to its detection. As investigation after investigation has failed, reasons for such perpetual failure have been sought; and a common belief has grown into existence that the fundamental cause clearly is that the police have not time thoroughly to complete any one enquiry. Long before the station house officer has had a fair chance of ferreting out all the ramifications of one case, another occurs; if the second be a murder or dakaity, and the first a burglary, the burglary must be put on one side and the more important crime attended to; if the burglary be the second in rotation it must wait till the station house officer has time to see to it; if one burglary follows another the older case is left for the new, always in the vain hope that the new may be easier to detect. Consequently it has been perpetually argued that want of time is the real cause of failure.

It is true that a station house officer seldom has leisure to complete the tasks now imposed upon him and therefore he very often wastes his time by beginning cases which he is unable to finish. It is however a fallacy to ascribe failure entirely to lack of time; it would be more accurate to put it down as due to misuse of time. There is no necessity for a sub-inspector to be burdened with or impose upon himself all the work connected with individual investigations in burglary cases.

The plausible and hitherto unrefuted argument that time only is needed has led the authorities quite rightly to take steps to relieve the station house officer of some of the burden attaching to his work. In some instances the desired relief has been given by doubling the number of investigating officers in police stations. Under present systems, as far as burglary is concerned, this is a mistake. The senior officer, as instructed by regulations, classifies burglaries according to the value of property lost and any thus labelled unimportant he relegates to his junior, with the inevitable result that such cases have never again been of interest to the senior sub-inspector, or to any inspecting officer. Cases which are the work of one gang have thus been split up and investigated independently by different men, and all the possible aids to the detection of that gang have been dissipated.

The same object, the economy of time, has often led Inspectors-General to urge that a larger use be made by the police of the discretionary powers vested in them under section 157 (b) of the Criminal Procedure Code. Superintendents have been told to prevent their sub-inspectors from wasting time by visiting the scenes of attempts at burglary, or by investigating cases in which little or no property has been lost, or in which the chances of detection are manifestly negligible.

These measures defeat their object, for they help burglary to prosper.

The official argument which has guided attempts at improvement is that the police have on their side power, co-operation, organisation and experience. Had they time to use their great advantages they must win, therefore this time must be given to them. It is not, however, the official conclusion that matters, but the opinion of the burglar. There is a world of difference between the two. From the burglar's point of view sub-inspectors are chained within the limits of a very small area and are therefore of little account, since they can easily be avoided; the general police organisation means nothing to him, for he has never experienced from it any inconvenience. He knows that sub-inspectors, who represent to him the whole police force, are usually jealous and some-

times corrupt. He remembers they may even fight for him if he is tactful and selects his cribs outside the police station area in which he lives. He feels that their experience is as nothing in comparison with his own. He would not for any consideration have them change their systems. These systems, thanks to his father's teachings, are well known to him. They suit him very well. Long may they live.

It grows increasingly obvious that existing police methods for detecting burglary are all in the criminal's favour. Should he be unlucky, and have to run for his liberty because a child wakes or a dog barks before he has finished his work, he need not be anxious; he may realise that he has left several unobliterated footprints, and the pattern of his "*Ala Nakab*" impressed all round the hole which he had begun, but he knows that it is unlikely that any policeman of experience will come to find those clues, and that probably no policeman will visit the place at all. Should the burglar have over estimated the plunder to be obtained in the house he has looted, and secured little booty, he knows that the enquiry will be feeble in proportion to his bad luck or judgment. The only occasions when he need be careful are when he has made a big haul, and then care is well worth while.

If existing systems are all against the police and in favour of the burglar, they

must be abolished. The resources in favour of the police must be marshalled, and a new procedure adopted.

A burglar is of necessity improvident. Improvidence means nothing to him. The world is his bank. He can draw on it when and as often as he pleases. His balance is unlimited. Any accumulation of wealth in his house must be a danger, therefore experience teaches him not to hoard; and until the locker is running low he refrains from a new enterprise. It is not an unreasonable proposition then to conclude that should an attempt at house-breaking be made and fail, the burglar will very shortly try again. Consequently such a failure should be to the police a trumpet call, warning them that a particular gang is on the war path. This is the moment when the burglar's position is weakest. He is out of funds, and therefore he is forced to take the field whether the police are on the alert or not. Hitherto the police have been discouraged from going to see which gang is on the prowl, and in a hurry for supplies. This must be corrected. The subordinate police do not think deeply for themselves, and will seldom disobey existing instructions which tend to lessen immediate labour. Thus the benefit of the accidental disclosure of the burglar's impending attack is missed. Section 157 (b) of the Criminal Procedure Code is the burglar's joy and salvation.

It is clear that reduction in the waste of valuable time in futile investigations is imperative, but this reduction should be achieved by the elimination of non-essentials from each investigation made, and should not involve or lead to any shirking of responsibility.

The labour of a station house officer in most burglary cases can quite safely be limited to:—

(1) learning the system followed by the burglars for forcing, or attempting to force, entry into the house attacked;

(2) drawing a plan of the house looted with its surroundings to help in determining the number of thieves responsible;

(3) a close search for footprints or other clues which may eventually be of use as evidence against the gang when captured;

(4) enquiry regarding more or less recent visitors to the village, or to the house exploited; and

(5) the registration of a complete list of property lost.

Should such enquiries lead to a promising clue to the identity of the burglars, the investigating officer should of course follow it up immediately, and work it out to a conclusion. In the event of no definite clue being discovered such an investigation would only take a few hours, for it would

cease on the completion of these enquiries, and the desired saving of the time of the station house officer would be achieved. His report, if reliable, will supplement information regarding the gang concerned already with the superintendent or other officer, and evidence adduced will be definitely recorded.

There is no need to anticipate that such a termination of the responsibility of a station house officer will lead to slackness. If his work be bad its weakness will be self evident and detected at once, for the superior to whom he reports will be dependant on the information supplied for his own success or failure. That superior will then naturally see to it that his work is not handicapped by any laziness on the part of his subordinate. Once the station house officer understands that with reporting his responsibility ceases, he will no longer fear to report truthfully, and so will easily be made to report quickly.

Besides saving the time of the station house officer there are other and greater advantages in focussing his work on the several points given above.

It has to be admitted that in order to secure a conviction in court and the approbation of departmental superiors, unscrupulous sub-inspectors are prone to invent circumstantial corroboration to strengthen available evidence. Circumstantial evidence

therefore, commands far less credence in our courts than it rightly deserves. It is after all the only testimony that cannot lie, and which is open to incontrovertible check. It must at the same time also be admitted that when such check is possible, the average Indian subordinate may be trusted to an almost unlimited extent. The implicit trust safely placed in Indians of all grades and classes in banks, treasuries, and business firms when large sums of money are daily passing through the hands of all, gives strong corroboration of the truth of this assertion. Neither cash nor small notes are identifiable, so nothing is easier to steal. There is no check except the check of closed accounts, and yet every anna is safe. Establish therefore a check on circumstantial evidence equally cogent and the sub-inspector in his turn may be relied on to reproduce it with similar safety.

An examination of the definite points to which it is urged that the station house officer's energies should be directed, will demonstrate that such check is possible, and consequently renders the evidence which he produces eminently reliable.

Investigation under points (1) and (2) affords no inducement for false reporting. Both are concerned with facts regarding which ocular proof is available at any time.

The check in connection with points (3) and (4) is not so definite but is equally

effective. Here again there is little inducement for fabrication as in no single case will the station house officer anticipate that his report will be the only one considered when the gang involved is finally brought to book. Moreover, the discovery of evidence which may eventually lead to the actual identification of individuals will have been reported, and the reports recorded, before anyone knows who those persons may be. Questions of enmity or spite at this point therefore are non-existent. All evidence under these four points could in consequence be accepted by the Courts without demur.

As regards point (5) the present difficulties are two-fold. First, as the chances of getting back stolen property are small the victim of a burglary often prefers to forego those chances and avoid the worry of a prolonged and probably fruitless investigation by the police; consequently he reports that he has suffered no loss. Secondly, the sub-inspector in order to reduce his own supposed responsibility in connection with the annual return of unrecovered stolen property in his jurisdiction, is himself inclined to minimise loss. Both these difficulties will be considerably lessened. The complainant may be assured that the main investigation of the burglary in his house will be conducted independently of his particular case, and that unless property be recovered he will not again be harassed, whether his loss be great or small, by any prolonged local enquiry.

The sub-inspector will quickly learn that accurate reporting is essential, since the only thing for which he will be held responsible is that he tells the truth, and that the actual value of property stolen is a matter of no moment as regards his reputation.

The whole question of the work of the station house officer in the investigation may now be regarded from quite a different point of view. His burglary enquiries will no longer cause him dismay, or prompt him to dishonesty. They will be well within his capacity and will be short. The information gained will be reliable and convincing. It will also be sufficient for the needs of final detection by more senior officers; the complainant will be protected from the petty annoyances of the present police investigation; and the burglar will discover that the station house officer no longer constitutes for him the whole police force, but that he has to reckon with unknown powers beyond; with organisations possessing mysterious knowledge, and working by methods about which his father has told him nothing; and with a police unknown to previous generations of burglars.

## CHAPTER VI

### The Map System

THE campaign will, at this point, be taken out of the hands of station house officers and responsibility be transferred to their seniors. The units of information have been supplied. The task of co-ordinating these and of working them out to a successful issue constitutes the opportunity of the more competent officers of the force. The capacity of these officers has hitherto largely been allowed to remain dormant.

It may be argued that superintendents are already so overworked that any such increase in their direct responsibility, as would be entailed by actual detective duties, must inevitably result in fiasco. Cases, therefore, which once had a small chance of detection under the sub-inspector, will lose even that chance, and be finally relegated to oblivion.

This is not so. It will be granted that the work of supervising officers will be reduced to a minimum as regards the tedious and generally unprofitable duty of scrutinising quantities of case diaries, since these will now seldom number more than one for each investigation. Further these diaries will give certain specific facts and no more.

The matter for decision now is how those facts are to be utilised, and it will be found that in spite of the addition to detective duties, which are always interesting, the bulk of work falling to the lot of senior officers will be considerably reduced.

In the Hyderabad State the Criminal Investigation Department deals largely with ordinary crime in any area where the District Police seem to be out of their depth. This use of the department puts it on its mettle, and when faced originally with the apparently insoluble problem of an overwhelming amount of burglary in a particular district the author, who was head of the department, felt that he had to evolve some scheme which would reduce chaos to order quickly, and have definite and permanent effect.

The department was naturally in ignorance of the local knowledge possessed by the District Police. It had only very recently come into existence, and had not previously worked anywhere in connection with burglary. The language of the district was new to most of the officers; the local police resented the innovation of a foreign force interfering in their jurisdiction; everything predicted failure. A previous attempt had been made by wholesale prosecutions under the preventive sections, but had naturally only caused a very temporary check. Burglary had increased rapidly

after the men thus arrested had been released, no advantage had been gained, and it seemed clear that this course could not be the correct solution. After many theories had been discarded a solution suggested itself.

The plan evolved was first applied seriously in sub-division D of the maps given later. In that taluk the record for the twelve months prior to the visit of the Criminal Investigation Department had been 96 burglaries, nearly all untraced. A section of the Criminal Investigation Department worked in the taluk for some weeks and then moved on. During that time many gangs had been accounted for and instructions had been given to the local police for rounding up the rest. The burglary record for the next twelve months was 17, all of which cases were the work of one gang. This gang was accounted for the next year. It was headed by a constable, which perhaps explained the failure of the local police to carry out the orders for its arrest in the first instance. The number of burglaries recorded during 1918 in this district was 174, which is a fair average for the last ten years. The average before this had been about 400 per annum.

The system for the detection of burglary cases which has proved so successful is based on maps, but not the stereotyped crime maps now in torpid existence in most districts.

The regulation crime map is a large affair, occupying a table to itself. It is stuck all over with flagged pins, the colour of each flag denoting the crime to which it refers. These pins are inserted into the dot representing the village where it took place. Murder, dakaity, cattle-theft, burglary, all struggle with each other for possession of any dot indicating a fairly large village. After the first month of each year this map becomes a most bewildering conglomeration of colour; most of the flags have been knocked over by the duster of the office chuprassi and replaced at his discretion. The superintendent of police may give it a cursory glance before the annual inspection of the D. I. G. but he will probably be quite content to trust that the D. I. G. will not check it. For the practical purpose of detection such a map can be of no use to anyone, and may be abolished. It should be replaced by several maps, a separate one being prepared for each classification of crime. The easiest and cheapest way of supplying these is by tracing them on sufficiently thin paper from a small district map. On the tracing no names need be entered originally, but as each case occurs the name of the village where it took place should be inserted in its proper position, and the date noted. These maps should be kept with the block of files which relate to the entries made. Chaos immediately disappears; delayed or incomplete investigation or

reporting become intolerable and, therefore, are quickly stopped; organized work for the detection of the individuals responsible for each series of crime becomes the rule; the resulting benefit of the capture of a gang is made apparent; and police work becomes the most interesting employment in the world.

The key to the whole problem is a liberal provision of skeleton maps. The supply of these must be unstinted. It is essential that a separate one be prepared for the record of each class of burglary reported in the district concerned, and later for the work of each gang of burglars.

Each district should be supplied with a series of standard maps of the whole district and of each sub-division. The names of all villages and of all physical features should be inserted. These will serve as key maps, and should not be marked or spoiled, as if kept carefully they will last for many years. The scale should be such that each map can be printed on an open double sheet of foolscap paper; the object being that when folded once the map will be of even size with any ordinary file.

A plentiful supply of facsimile skeleton or blank maps containing no names should also be provided for each district. These skeleton maps should be printed on reliable paper which is at the same time fairly thin,

so that through it when placed on the key map the names of villages can be deciphered.

The object in view is that a separate skeleton map should be devoted to each separate class of burglary. On this map should be entered in their correct places the names of those villages in which has occurred any burglary belonging to the particular class to which it has been dedicated. The date of the burglary should be neatly entered under the name. A second burglary of the same class occurring in the same village would be indicated by the entry of a second date. Should two or more burglaries occur in the same village on one night the fact can be indicated by the entry of the date followed by the multiplication sign and the number of burglaries to be noted.

The mere fact of selecting the allotted map and making the entry will probably reveal geographical proximity with entries relating to other cases of the same class reported perhaps weeks before, entries which, under the present system, would be forgotten. Since information emanates from different centres, there is ordinarily nothing to recall to the memory of a superintendent the forgotten reports or to suggest to him that the cases may be closely connected with each other. The map before him, devoted to this special class of case, affords

ocular demonstration that this must be so. He will then at once be able to give his subordinates valuable and effective orders from the store of information gleaned during previous investigations. Before long one case will almost certainly provide the final and conclusive evidence against the gang for which he has been waiting, and he will decide that time for prosecution is ripe, and issue explicit instructions to the station house officer most directly concerned.

The superintendent has hitherto felt increasingly non-plussed in proportion as the mass of records in his office dealing with undetected burglaries has steadily grown. There has been nothing to indicate to him the direction in which solution lay. It has seemed impossible to find means of combining into a limited number of problems the disconnected items of information gathered from the quantity of single reports received. No other system has ever successfully dealt with this heterogeneous mass of useful information; information which, up to date has been wasted.

The expenditure incurred by the preparation and printing of the maps described will be infinitesimal in comparison with the benefit that must inevitably result. Should Government prove willing to help in the matter considerable time must elapse before the assistance invoked can take concrete

form, and existing maps be adopted to foolscap size, printed and issued.

It is by no means necessary to postpone the initial adoption of the scheme until such time as it is possible to obtain the aid of the series of printed maps suggested. Every district and police station in British India is already supplied with a map from which facsimiles in outline can be traced by hand. This has had to be done by the Criminal Investigation Department in Hyderabad State for the past ten years. The Hyderabad Government is, however, now supplying the necessary maps. This is the first step towards official recognition which has up to date been gained. It should be understood that the system advocated has not hitherto existed in any complete form in the State. It has been systematically used only by the Criminal Investigation Department.

The author has taken over charge of His Exalted Highness' District Police and is now adopting the complete system.

The fact that the system is not yet in force in the districts is emphasised in order to explain why official records and statistics are not available for illustrating the success of the scheme.

The data needed for the preparation of the maps given in the next chapter had to be gleaned from innumerable case diaries, since

the suggested limitation to essentials in the enquiries of station house officers has not been enforced.

The Crime Map given is a true representation of the Crime committed last year. The year 1918 has perforce been chosen as no more recent data could conveniently be obtained. The district was selected haphazard without any previous knowledge of the Crime which would be disclosed, but since there seemed to be no reason for choosing any particular district, as the police of all still worked on the old plan, preference was given to the one in which the scheme was first tried.

## CHAPTER VII

### **The Use of Maps Demonstrated**

THE series of maps given in this chapter are of particular interest. Although the data given were called for, classified, and mapped for the purposes of this book only, the results prove to be of practical value, and will be actually utilised immediately. The burglary of the district dealt with has not called for the attention of the Criminal Investigation Department during recent years, since it has been less heavy than in many others. It will be seen, however, that burglary of a high professional order is particularly light. This is because the superintendent in spite of being handicapped by old regulations, has made use of the map system to a certain extent and has been successful with the aristocrats of the trade. That he has not made full use of it will become clear, but he is hindered in that he still has to wade through confused masses of case diaries. He has, therefore, missed several good chances of successful work.

For printing facilities the maps prepared have been reduced to the very small scale of 30 miles to an inch. The dotted lines indicate sub-divisions or taluks. These are lettered for convenience in reference A B C D E F G. Each should be again

sub-divided into two or three station house areas; these, however, are not shown as it is desired to keep the map as clear as possible. The district is bordered all along the south by a British Province.

The taluks in which crime used to be heaviest are C D and E. Taluks E and D were notoriously bad, and in them burglary was at one time overwhelming.

Map I is the Crime map as now prepared according to regulations, except that, for lack of data, only Murder, Dakaity, Robbery and Burglary have found entry. Each class of Crime is specified by its initial letter.

This map has perhaps some use in showing roughly where crime is heaviest, but for the purposes which it is supposed to answer, it is not only useless but is likely to mislead. To afford any aid in detection it must be divided up as previously suggested in Chapter VI.

Map II marks off the Murders, and except as an indication to show which sub-inspectors need help to enable them to devote time to these cases, it is in this instance of little value, since murder for loot has not occurred.

Map III gives all dakaity cases. It needs studying carefully and to be sub-divided in the light of details regarding each case if it

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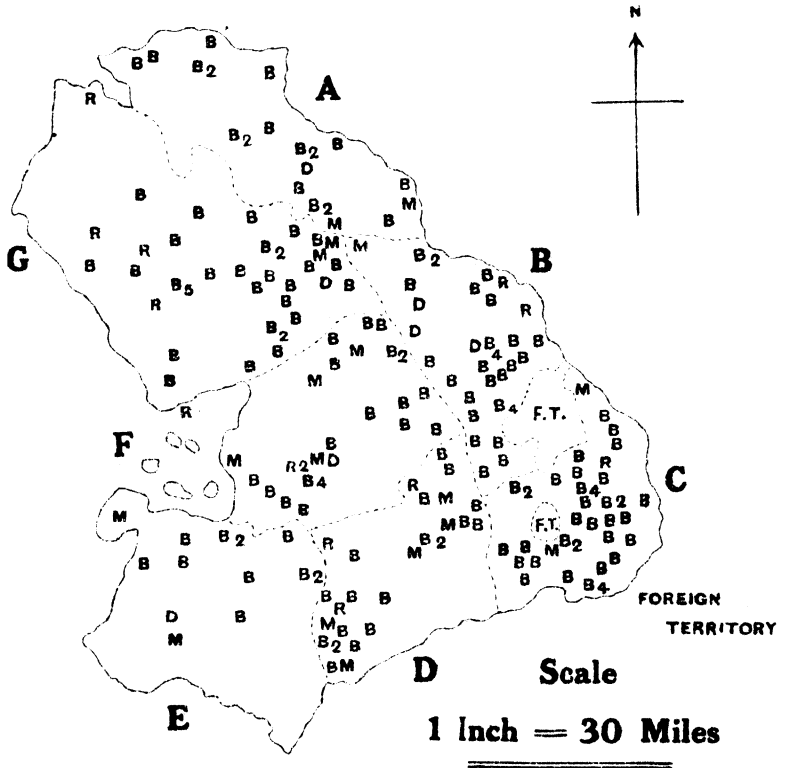
\* M = Murder : D = Dakaity, etc.

# MAP 1

## District Crime Map

(As now prepared)

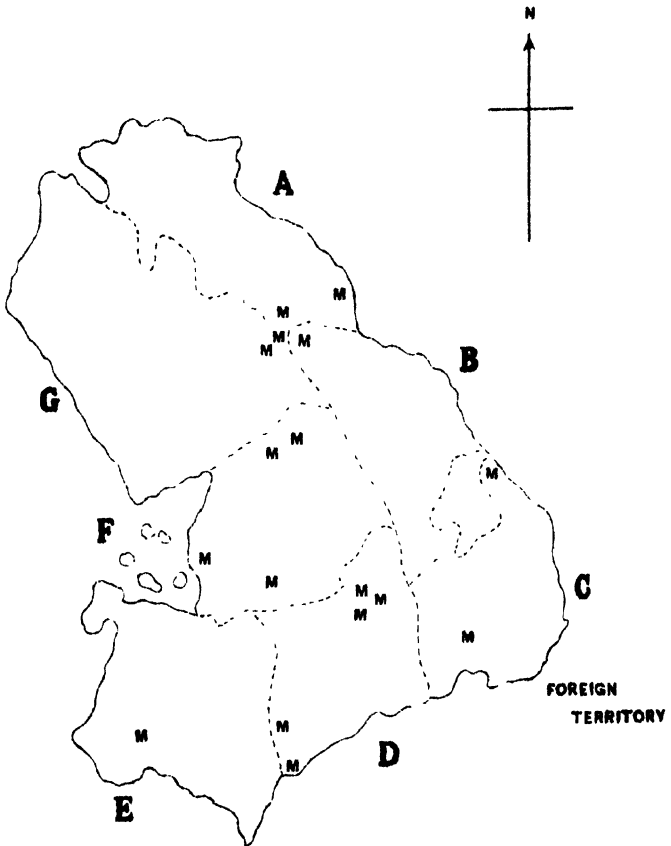
1918



**N. B.—Cattle theft, riots and miscellaneous crimes are all omitted for want of data**



**MAP II**  
**MURDER**  
**1918**



**Scale**

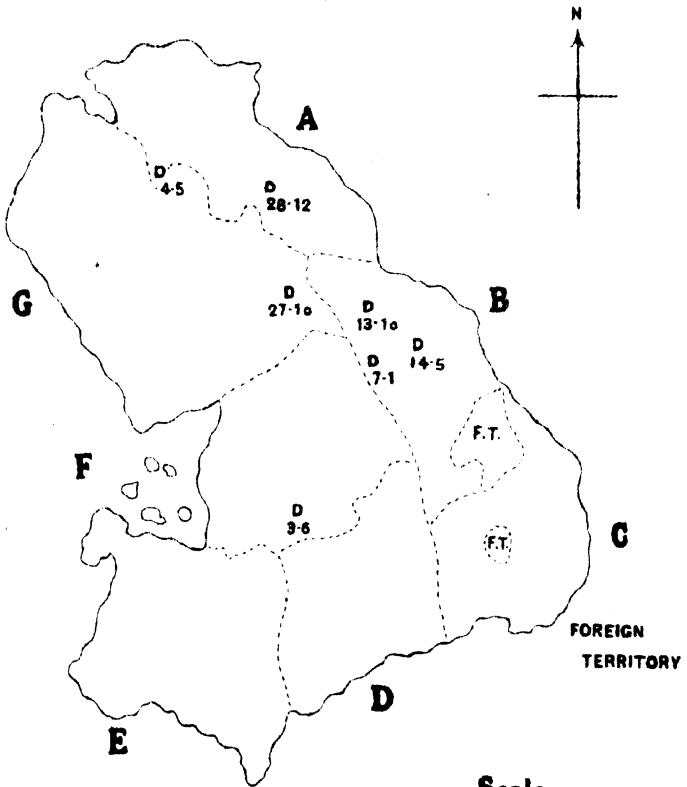
**1 Inch = 30 Miles**

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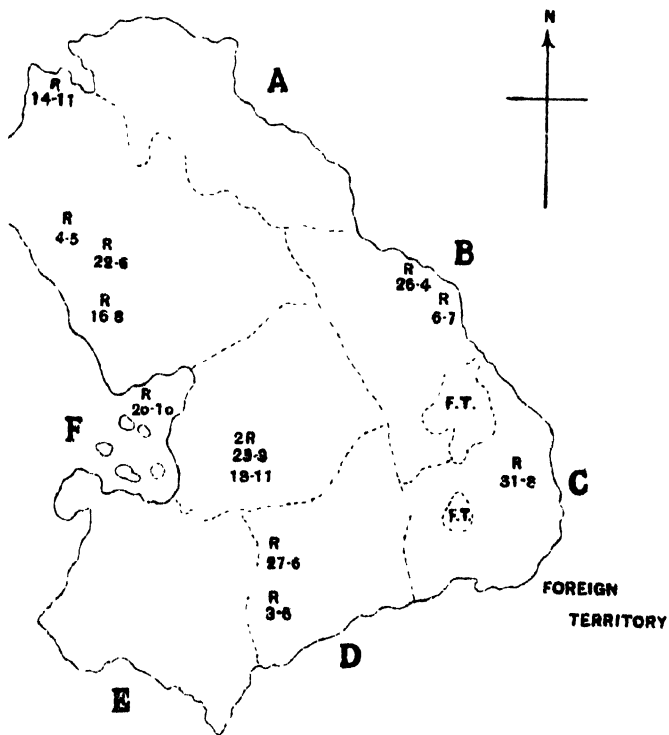
**MAP III**  
**DAKAITI**  
**1918**



**Scale**  
**1 Inch = 30 Miles**



**MAP IV**  
**ROBBERY**  
**1918**

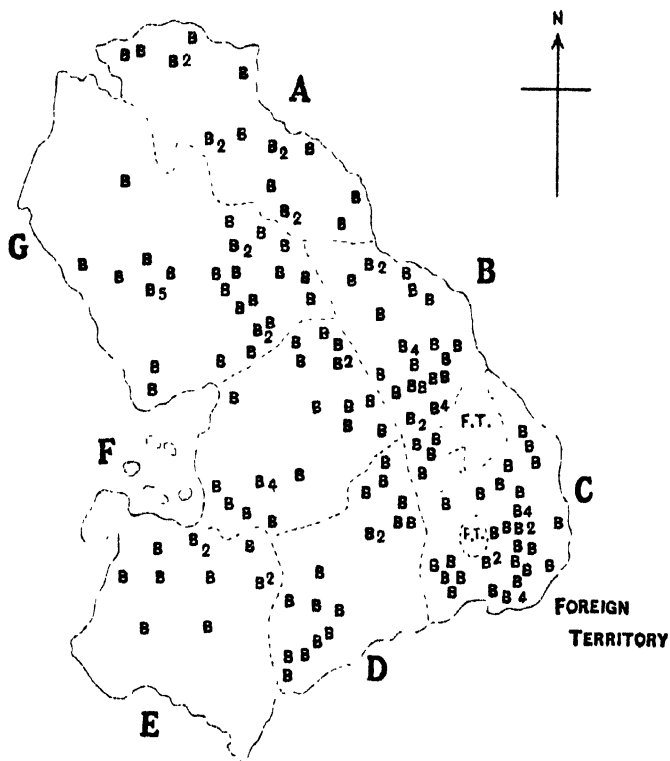


**Scale**

**1 Inch = 30 Miles**



**MAP V**  
**BURGLARY**  
**(General Map)**  
**1918**



**Scale**  
**1 Inch = 30 Miles**



is to be of value. It is not proposed, however, to do this here, but everything said later is applicable to real dakaity, poison for plunder, robbery, coining, and in fact all crime by which criminals earn a livelihood.

Map IV, dealing with robbery, is not examined either, as none of the cases therein appear to have had any connection with burglars. It very often happens that, with the capture of a leader, a series of burglaries ceases, but that the unarrested subordinate members of the gang have then to take to robbery, being unable to carry on their more scientific profession. Consequently a local outbreak of robbery begins. When this occurs a comparison of the robbery with the maps of the burglary which has just stopped reveals the true inference.

Map V is the burglary map of the district for the year. It fully bears out the contention that this crime is the prevailing evil with which the police have to deal, and must occupy the bulk of the time of station house officers. It must also be the cause of the enormous congestion in the crime branch of each superintendent's office. When it is remembered that this map represents only 174 cases in a district which used to record some 400 before burglary was treated by systematic methods, the above contention would, were it necessary, be further strengthened.

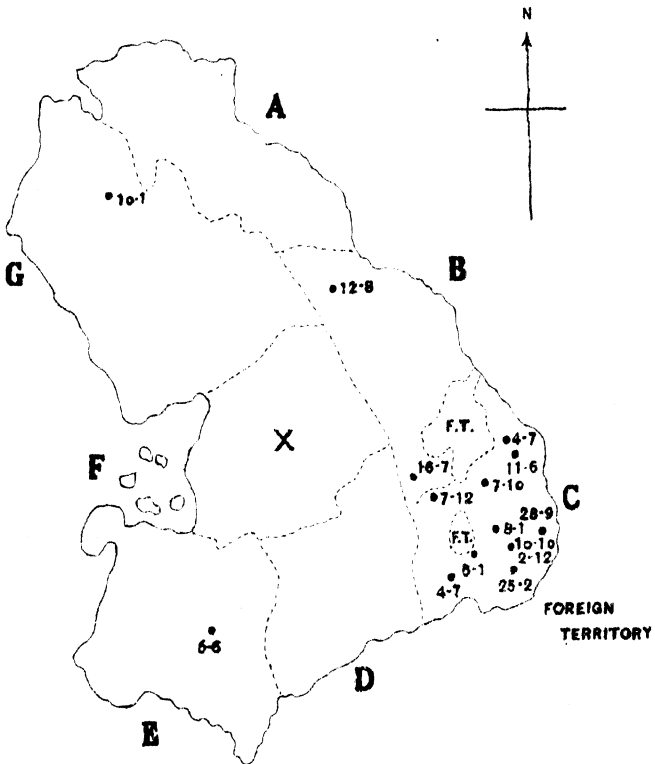
This map as an aid to detection is of course of little more value than the stereotyped crime map. The crime entered on it is simply recorded as flags would show it. There are no dates, and the addition of a "C" for each conviction, to correspond with the bead now used to indicate detection on a flagged map, would offer no further assistance and only lead to congestion. The danger of using such a map is that any burglar caught redhanded in any one case, may be held responsible for surrounding cases of all classes. He probably being innocent in five out of the six cases, would know that the police are acting by guess work. He would get off in Court on a proved *alibi* in the cases which he did not commit, thus throwing doubt on the truth of the evidence in the one which he did commit. If this map is to be of any practical use it must be divided up according to the broad classifications suggested on page No. 27.

Map VI shows only those burglaries among the numerous cases on Map V in which a manhole through the wall has been the mode of entry. Each dot denoted the position of an exploited village. The adjacent figures give the date and month of the burglary.

It will be seen that these burglaries group themselves into four divisions. Three of these consist of isolated cases only. Each of these three should have led to immediate

**MAP VI**  
**BURGLARY**  
**(Hole in Wall)**

**1918**



**Scale**

**1 Inch = 30 Miles**



enquiry outside the district. They all remained untraced. In the case dated 10th Jan. in Taluk G. the perpetrator was without doubt a burglar who, with three of his gang, escaped from a jail within the district while under trial for several similar cases. The jail is situated where a × has been inserted. The gang should be looked for in districts north of the one given. Whether they have been captured yet is not known as the regular police are not so far working on the map system. Directly it is started, if they are still at large, the gang must as experience has shown, be brought to book.

The case in Taluk E, dated 5-6 is certain to be the work of a Waddar lately released after a long sentence, who headed a gang which originally exploited this area. Although at present lost to view, he also will be found later in some other district when the map system is fully established.

The isolated case in the centre of Taluk A, was probably the work of a gang, recently captured, which was committing similar crime in the bordering district. This case, not having been previously mapped, was not at the time recognised as their work.

The important group in the south-east corner now alone remains. This group is split into two clumps by an unexploited belt of country. (It must be remembered that the map is on a scale of 30 miles to the inch,

and that 10 miles is a long walk.) A chronological list of the northern clump of burglaries shows the dates of occurrence, and opposite each date is given a brief note of any fact known.

11-6.....Untraced.

4-7.....Untraced.

16-7.....In this case property to the value of Rs. 50 was lost. A suspected Pussalwar was arrested and the whole of the property was found. He was prosecuted and for some unknown reason was acquitted, being released the following September. In the interval no fresh cases of this class occurred in that vicinity. They began again on his release.

7-10.....Untraced.

7-12.....Untraced. The Pussalwar is still at large. He is said to be hiding in the British territory close to the borders of which his cases have been committed. This appears to be a reasonable supposition. It is of course true that more detailed information is necessary before any definite conclusion can be arrived at, or action taken. *Prima facie* a case exists against the Pussalwar on the evidence of the map.

The southern clump gives the following dates from the beginning of the year and, as above, opposite each brief notes are added.

6-1.....Attempt.

8-1.....Untraced.

25-2.....Yerkelwars captured and convicted to four months' imprisonment and released on 15-9.

28- 9.....Untraced.

7-10.....Attempt.

10-10..... Untraced,

3-11..... Untraced.

2-12.....In December this series of burglaries came to the notice of the Criminal Investigation Department, and orders were given for the released Yerkelwars to be re-arrested. The gang fled to British India where the leader was shot, as he showed fight on being brought to bay. This series of burglary has now ceased.

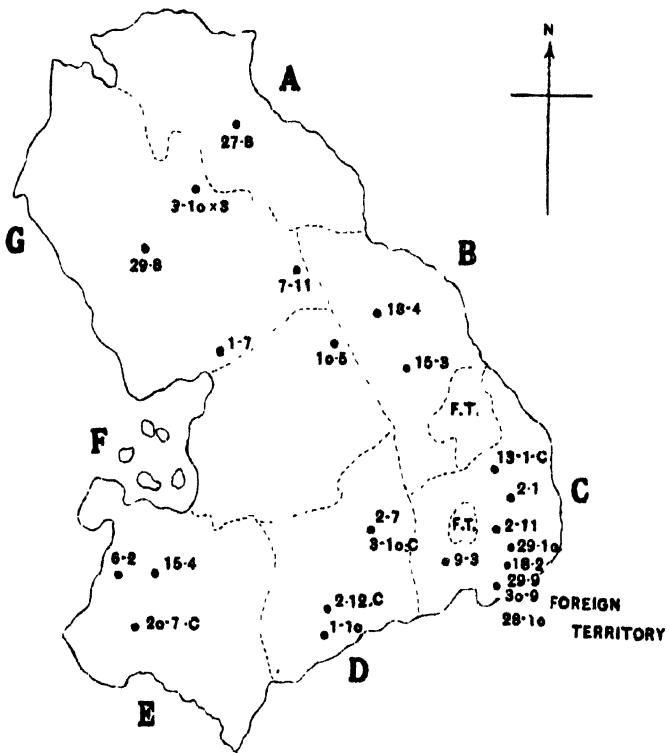
This last gang came over surreptitiously from British India. The members all had previous convictions, and the sentences given in February were stupid, being based on the supposition that the Yerkelwars were only responsible for one case, and that a case in which only a small amount of property had been stolen. Such reasoning

is not uncommon on the part of many magistrates, and is perhaps only to be expected, although obviously unsound, since under present systems the police, through ignorance, only supply a tithe of the evidence available. The prosecution in this case was locally conducted, and completed before information had reached the superintendent. If maps are used such a result is by no means fatal, since the gang can be caught again if the punishment prove insufficient.

Map VII, showing the work of roof-breakers, is interesting and affords abundant information. The data on which it is based are very scanty, and emanate from many sources, some reports being intelligent, some detailed, some worthless.

The first point to notice is that there must be not less than three gangs at work. It will be seen that on 1-7 a case occurred in Taluk G, and that on 2-7 one took place in Taluk D, 40 miles distant as the crow flies. There are no railways between these places, so the distance establishes the fact of the existence of a northern and a southern gang. The southern gang must again be divided into two. On 6-2 a case occurred on the extreme west of Taluk E. Nineteen days before and sixteen days later cases occurred in the extreme east of Taluk C, a distance of nearly 100 miles as the crow flies; it is therefore unlikely that any

**MAP VII**  
**BURGLARY**  
**( Hole in Roof )**  
**1918**



**Scale**  
**1 inch = 30 Miles**



burglar would take two marches of such length in a direct line to commit one burglary, when there were many good towns on the way in none of which similar burglaries occurred.

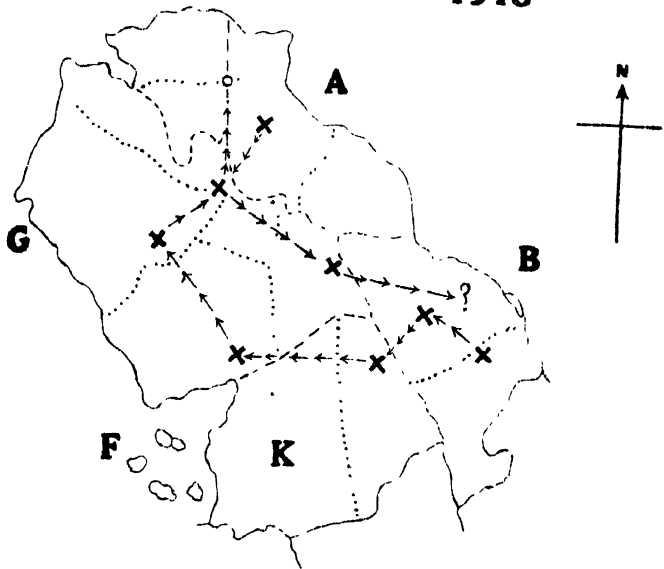
Following this deduction the three batches of cases should be taken separately. The northern group begins with a case in Taluk B, on 15-3. The sub-inspector of the police area looted captured a wanderer on suspicion. The sub-inspector was notoriously corrupt, and has since been dismissed. He let the wanderer go, gave no name or description, merely reporting that he "looked like a cultivator," and said he had not evidence sufficient to warrant prosecution. The next case occurred on 18-4 in the next police station jurisdiction. No help was asked for or proffered, and the case remained untraced. Across the border in Taluk F, a similar case occurred on 10-5. This too was treated as an isolated case, and remained undetected. In Taluk G, another case of roof-breaking was committed on 1-7; this also remained undetected. Later, in a large town to the north of the same taluk, still another case took place on 29-8. This time a man, possibly our friend of case No. 1, was arrested and convicted to three weeks rigorous imprisonment. He was released at the latter end of September, evidently went further north and met with

a gang, probably of caste fellows, who had presumably come to join him. It may be assumed that this gang had, on the way, committed the burglary of 27-8. On 3-10 the two gangs had an orgie in crime looting three houses in one night. The new comers must have returned north and recrossed the border without exploiting the district further. The wanderer seems to have started home again travelling south-east, and incidentally committed the case of 7-11, (also untraced.) This itinerary is traced in Map VII-a.

Under the advocated system this theory would have suggested itself as cases occurred and were entered on the map. The capture of 29-8 would have been utilised with a better result than a mere three weeks sentence. Later cases would then have been prevented.

Incidentally, to demonstrate the care some burglars take to avoid looting the same police station area more than once, Map VII-a has been fully divided into station house areas. It will be noticed that this burglar never commits two cases in one jurisdiction; further that he seldom misses looting each new area through which he passes. The blank in the police station marked K is therefore possibly due to burking. This is made more likely as the police station unfortunately happens to be situated in the extreme south of its

**MAP VII (A)**  
**(Northern portion)**  
**BURGLARY**  
**(Hole in Roof)**  
**1918**



The crosses indicate the site of each case

Scale

1 Inch = 30 Miles



jurisdiction and the sub-inspector suffered a great deal from fever during last year.

The procedure followed in putting such a theory to practical test by the Criminal Investigation Department is to send an officer straight to the spot from which it is certain that information can be obtained. In this instance such a spot would be the police station in the jurisdiction of which the burglary of 15-3 took place. There a proper descriptive roll would be prepared. As an enquiry along the supposed route would delay matters, and possibly now result in nothing, as so long a time has elapsed, the investigator would go to the sub-jail in Taluk G. and see if the man convicted answered to the description given. If so, he would know that intermediate steps could be left out. From the jail records the descriptive roll could be fully supplemented, and armed with this he would at once begin a rapid enquiry up the road to the scene of the case of 3-10, and then again steadily on to the scene of the burglary of 7-11. The wanderer will have lived well, and will have been at little pains to conceal himself in villages which he has not looted; his tracks, therefore, will be more or less easily picked up. From the last burglary his line of march will probably continue south-east and can be followed without trouble. Fresh clues offered by new cases further down the line will make the chase easier, and it will become hot at

the scene of the burglars next exploit. His actual capture is a simple matter. He is not on the alert, and some property is sure to be recovered. The chase is well worth while. The burglars record is probably twelve or thirteen burglaries in the year, and with his conviction a reduction of such a number will be permanent.

In the ordinary course such cases should not devolve upon the Criminal Investigation Department. The superintendent with his district force already on the spot is far better equipped to carry out the enquiries. One brief report from each sub-inspector would alone be needed. As each was received from different police stations, the case to which it referred would be entered on its own map. The map system then asserts itself; it saves work, and compels intelligent thought. The education and logical reasoning of the senior officer must inevitably triumph over the cunning of the uneducated burglar. The amount of property stolen would frighten no one. The fear of failure to detect would vanish.

Let us now turn to the original crime Map No. 1, and see what cases among the mass entered would probably be placed to the credit of the burglar who was captured in connection with the case of 29-8. It would be impossible definitely to credit him with any particular cases, and the most likely presupposition would be

that he was responsible for those committed in the vicinity of the one for which he was convicted. It was on account of this danger that warning was given against the use of such a map for practical police purposes.

As regards the second gang of visitors, the details of the case in Taluk A. of 27-8 would be sent to the superintendent of police of the district in the North, and the gang left to him to deal with. He would be glad of the knowledge of its occurrence, as that would help him to complete his chain of evidence, and to discover were this gang had been. Under such procedure inter-district jealousy and suspicion would quickly give place to willing co-operation, and the exchange of explanatory maps would become general.

The cases in the south of the district are more complicated. They offer scope for the deduction of very useful data and disclose an interesting situation. It will be remembered that a gang of Yerkelwars, whose method was to dig a hole through the wall, had exploited the same Taluk (*vide* Map VI). This gang had evidently worked in conjunction with the roof-breakers, whose cases are now being discussed. In this instance it appears that the leader of the roof-breaking gang is a man of some resource, and is well worth



- 30- 9 . . . Roof-breaking. Untraced. Suggests that after his enforced rest funds were needed.
- 7-10 . . . Hole-in-the-wall. Attempt. }  
 10-10 . . . Hole-in-the-wall. Untraced. }  
 Apparently the roof-breaker had gone home with his loot on urgent private affairs, for he did no work for a month.
- 2-11 . . . Roof-breaking. Untraced.
- 3-11 . . . Hole-in-the-wall. Untraced.
- 2-12 . . . Hole-in-the-wall. Gang captured, leader shot. This class of burglary ceased.
- 23-12 . . . Roof-breaking. Untraced, showing that this astute leader had again escaped. His original gang will shortly be released. They will doubtless join him and we shall hear of them again.

This disposes of the burglary in Taluk C. The two pairs of cases in Taluk D. were evidently the work of local amateurs who were caught and convicted.

The three cases in Taluk E. are probably the work of the man convicted for the burglary dated 20-7, since after that conviction no further cases are reported. In the last venture he secured Rs. 1,193 of which Rs. 514 was recovered. His sentence has been severe. Had he been captured in either of his two previous cases he would have got

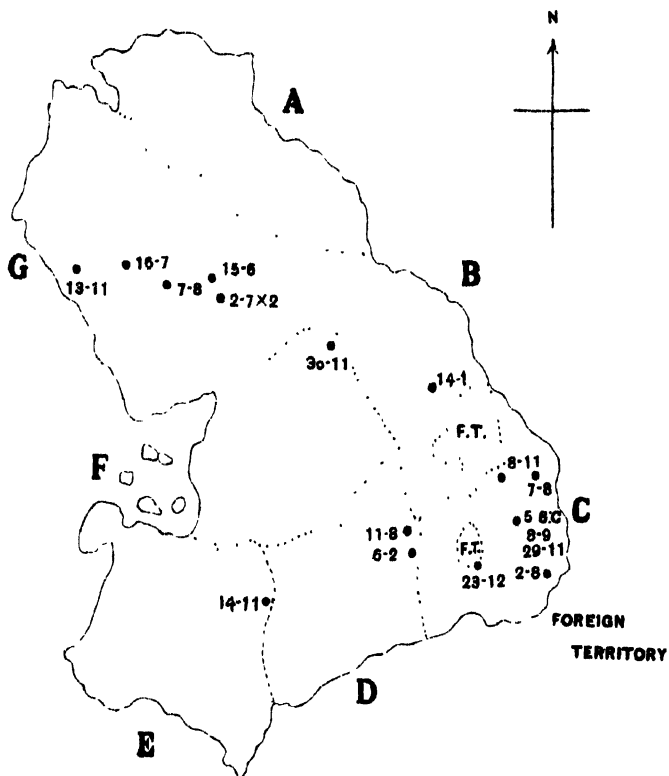
off more lightly since in both cases he had had bad luck. There were several similar cases across the western border for which he may have been responsible. The burglary of that district, however, has not been mapped.

Map VIII shows burglaries by drilling a small hole through the wall close to the door fastening. At first sight this map does not give much information; but it is of some interest in light of the fact that these burglaries used to account for a third of the house-breaking record of the district. Gang after gang have been run down on the lines given previously in connection with the roof-breaking gangs which wandered through the northern portion of the district. This map indicates that a gang of this class may also be captured in the same way.

The case of 15-6 in Taluk G. can be eliminated from the burglaries of that subdivision. The culprit was a notorious burglar; he travelled by rail, committed the burglary, was followed, caught and convicted. The remaining cases are worth studying. It is reported that the case dated 14-1 of Taluk B. was detected, seven Waddars were captured, and much property was recovered. Three were convicted to seven months, and three to six months rigorous imprisonment. They were sent to jail in Taluk F. but were released before expiry of their sentence to celebrate and emphasise an occasion of public rejoicing. They managed to evade police

**MAP VIII**  
**BURGLARY**  
**(Hole in Side of Door)**

**1918**





surveillance and disappeared. They probably went North fearing to return home at once, and had a fling on 2-7, effecting two burglaries in one night and so secured decent clothing. They then evidently committed the undetected cases of 16-7 and 7-8. They finally secured some Rs. 3,500, in their venture of 13-11. This haul attracted attention, and they appear to have thought it advisable to go home. They therefore started off in the direction of Taluk B. and apparently through sheer *joie de vivre* committed the burglary of 30-11, just before leaving Taluk F. This years' returns will doubtless give their further history; and if they are still at large the Criminal Investigation Department may again interfere.

The Crime in Taluk C. is apparently the work of three gangs. The convicted case was committed by amateurs. They looted a neighbour's house, were caught, and everything was recovered from them. The two untraced cases dated 6-2 and 11-8 in Taluk D. are probably the work of a gang living in Taluk C. who are careful not to loot in their own police jurisdiction. There is no data yet to show who or what they are. The above is merely suggested by the geographical position of the villages looted. This leads to the consecutive series of cases listed below :—

7— 8 . . . . .	Untraced.
8— 9 . . . . .	do
29—11 . . . . .	do
23—12 . . . . .	do

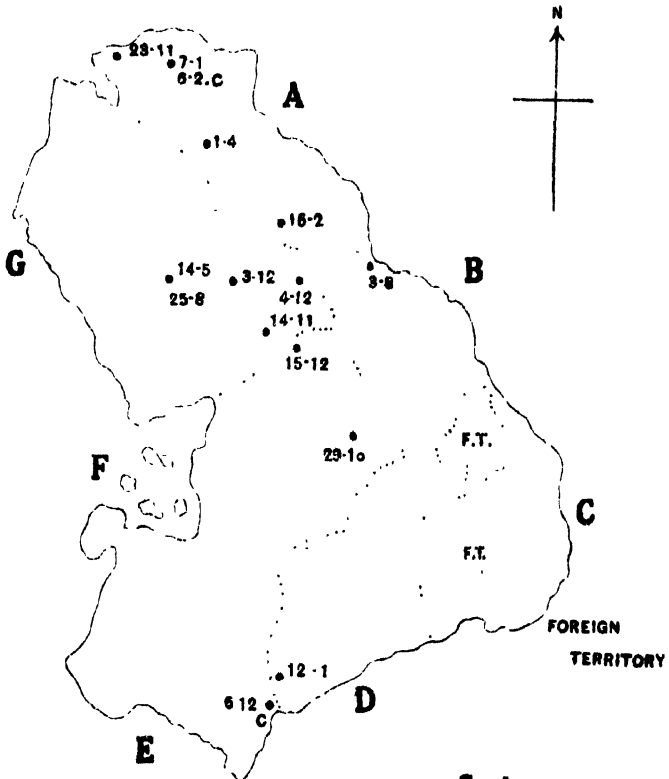
It will be noted that the capture of other gangs has not affected this gang. This is made clear by the fact that the two gangs previously shown to be working in this taluk committed a burglary on 23-12, ten miles distant from the scene of the burglary of the same date in the above list.

This gang is looting two police station areas and appears careful to utilise the advantages offered by boundary limits. Its members are probably under surveillance in British India since each of their cases is near a British border. None of these cases have so far been detected, but now that the presence of a working gang has been established, a separate map should be started for the entry of their future depredations and local enquiry must eventually result in their identification.

This leaves only the case on the border of Taluk E. dated 14-11. It is evidently a new departure and is probably the work of men living in Taluk D. The case can be regarded with equanimity as the returns of 1919 will show if the perpetrator is still working. Immediate enquiry will give a good idea as to who he may be, and watching his movements will achieve the rest.

Map IX might be amalgamated with Map X as after all anyone can break a lock. The separation was made chiefly in the hope of clearing Map X which still remains a hopeless muddle. There is no reason at all why

**MAP IX**  
**BURGLARY**  
**(Lock Breaking)**  
**1918**

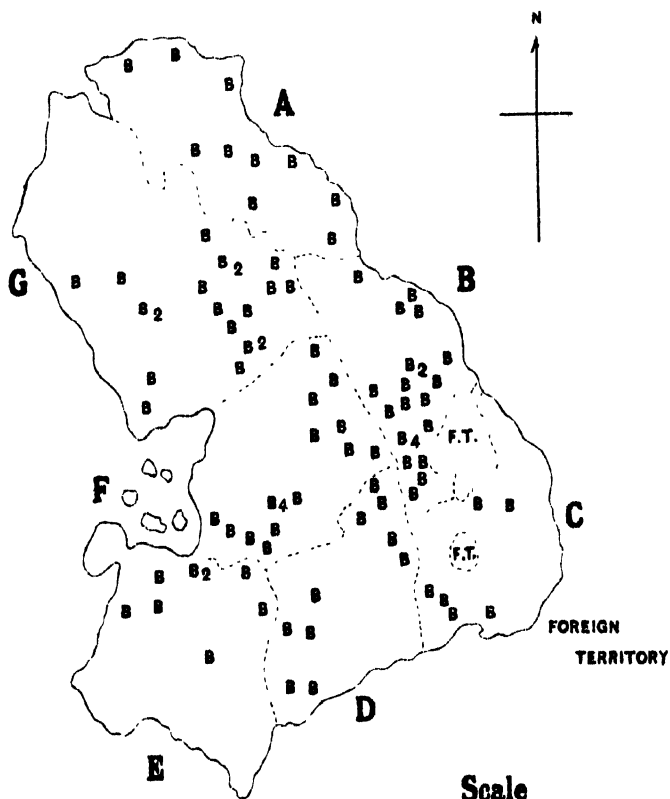


**Scale**

**1 Inch = 30 Miles**



**MAP X**  
**BURGLARY**  
**(Miscellaneous)**  
**1918**



**Scale**  
**1 inch = 30 Miles**



it should continue to be so since probably all the true burglary cases may lend themselves to sub-division and allow of the gangs perpetrating them being dealt with separately. There will be a residue of unimportant cases which would probably be classified in British India as theft from a dwelling house. In Hyderabad all these are counted as burglary.

The data for the sub-division of this map had not been called in. They could be collected, but this has not been done as the maps already given, and the cases followed up, will have demonstrated with sufficient clearness the methods which have proved consistently deadly to the erstwhile invincible burglar.

Although it is not intended to labour the point further by going into a detailed examination of Maps IX and X, some general instances are given showing the way in which similar maps have in past years been utilised and sub-divided, with the result that almost every case has been assigned to its rightful gang.

Among the entries shown on a miscellaneous map is a series of undetected cases in which the lower bar of the shutters of several shops had been burned away to allow of the shutters being removed. This system of banking a cow-dung fire against the wooden bar suggested stone Waddars, who use this method for splitting granite.

The map automatically disclosed the whereabouts of the gang. There was but one settlement of such Waddars within the radius of the villages which these burglars looted. The Waddars were searched and much of the loot recovered. They were convicted and these burglaries ceased.

At another inspection a series of cases in which windows had been removed disclosed themselves on the "Miscellaneous" map. The perpetrator, a carpenter, on the last occasion had stolen a sack of grain and in getting it through the hole made by the removed window-frame had in the dark unconsciously torn a hole in the sack. He left a heavy trail of grain leading to his temporary asylum and was caught by the villagers early the following morning while still asleep. He had been convicted for this offence, and was still in jail at the time of inspection. With his capture the series had ended. He had been sentenced to four years rigorous imprisonment, because he was charged with having committed several other burglaries in the same town, none of which really were his work. Had the map system been in use he could have been convicted for fifteen cases which were all his handiwork, instead of, as happened, for six, in five of which he was innocent. Three and a half years later he was released and disappeared. At a police meeting some months after his discharge from jail a police superintendent mentioned during

discussion that a lot of burglaries of this kind had occurred in his district. The carpenter's descriptive roll was sent to him, the same man was caught, and that series stopped.

In another set of cases noted on a similar map the burglar broke into houses in the day time, and had been successful on nine or ten occasions. All the cases were untraced. The facts in each case were much the same. A stranger visiting the village, sought work, was taken on by a resident and did well. One day, after a week or so, he left work saying that he felt unwell. He went to his employer's house, the inmates of which he had left in the field, broke the lock, looted everything and decamped. The cases followed a regular track, each occurring in a fresh police station area. At the time of the inspection he had completed a circuit and had committed a burglary not far from his original starting point. The first complainant was easily persuaded to go and look for him with a constable in adjacent villages. He was caught and brought in within forty eight hours, and later was identified without difficulty all along the line. Nothing was recovered from him, but he got two years under section 110 C. P. C. and that class of cases ceased.

The illustrations given are merely typical instances of the regular course which the professional burglar follows in order to gain

his livelihood, and the maps show with what unerring accuracy his methods lead to his own undoing. If studied in conjunction with available information they must inevitably disclose both his whereabouts and his identity. All successes so far have been secured on the most meagre knowledge, although it has been maintained by sub-inspectors that many of the individual investigations which have been unsuccessful have occupied days of strenuous work.

The deductions made may appear to be far-fetched and open to fair criticism as so many other theories than the obvious may be equally correct and disqualify the solutions which have been offered. This is true; but it must be remembered that we are not dealing with the subtle intelligence of the gentleman cracksman in fiction, but with the simple cunning of uneducated and ingenuous men of very ordinary calibre; men who are merely carrying on subterfuges which they have hitherto found perfectly safe although in reality palpably transparent.

Burglars travel by railways, bullock carts, or on foot like ordinary people. It is therefore tedious to go by any but the most direct route, and they make little attempt to hide their tracks. They are unused to pursuit of any kind, other than perhaps that of a police sowar who gallops up the road and asks everyone he overtakes, including the

burglar, if they have seen a thief going that way. The idea of any silent and ordered pursuit is quite foreign to the burglar's mind, and will remain so for many years yet in conservative India. For these reasons the deductions made may be accepted as roughly correct and as such utilised quite safely as a basis for operations.

The number of maps to be kept by any superintendent will vary according to the number of different classifications of crime against property which come under his notice, sub-divided according to the work of identified gangs. Each of these maps however will be so clear, and the work connected with it so light, that no one need fear its burden. Similar maps should be maintained by circle inspectors or sub-divisional officers who under supervision can easily deal with any series of crime which takes place entirely within the limits of their taluk. Any gang working both in and beyond their jurisdiction should be taken over by the superintendent or his deputy. The superintendent will decide to which subordinate he should give the order to round up the gang. All border cases between districts should be reported to the Range Deputy Inspector-General who in his turn should decide which district can eventually deal best with the gang.

The police organization for the overthrow of criminals who live by loot will then be

complete, and crime against property need never in future cause anxiety.

As each gang is captured, prosecuted, and convicted the files connected with it will cease to have any immediate use, since the crime for which the particular gang were responsible will cease. The file itself is, however, of the greatest future value. It should be both available and conspicuous at the time of the release of the gang to which it refers. To ensure that it be in evidence when needed, its production at that time should be automatic. In each superintendent's office there should be a burglary almirah for recorded cases. This almirah should be divided into 14 partitions. Each partition should be labelled for one of each of the next 14 years. The file of a convicted gang should be pigeon-holed in the partition marked for the year on which the prisoner can be first released, should he obtain all the remission possible for good conduct in jail. It can later be shifted according to jail reports. On the 1st of April the files referring to the following 12 months should be extracted, and placed with the current year's burglary files. The emptied pigeon-holes will be freshly labelled with a date 14 years on.

The original map will then be in evidence from the date of release. The gang responsible for the crime recorded on it will be automatically and at once under effective

surveillance, since if immediately on its release the same class of depredations begin after a cessation of several years, the deduction will be obvious and action can be taken forthwith. Should prosecution under 110 C. P. C. be found necessary, the evidence is practically complete ; but with the information already collected and originally established in court, such burglaries should be detected at once.

In this way all previous knowledge will be ready at hand, and the loss of information now occurring through the inevitable change of officers between conviction and release, will be prevented, or at least minimised.

If on release a prisoner elects to live in a new district the whole file should be sent to the superintendent of that district, so that the burglar shall gain no advantage by his move.

If after the release of a gang the year passes without a further outbreak of the burglary to which that gang is addicted, it may be presumed that the offenders have learned their lesson, and are now safe. The file should then be recorded under the head "Famine" and kept for reference should distress occur, as then possibly a reformed burglar may take up his old profession from sheer need. At such times known burglars, who are reformed, should get special help from Government.

## CHAPTER VIII

### Town Burglary

THE same theory which has been advocated for the eradication of burglary in districts, is equally applicable to towns. There is, however, a fundamental difference in practical working.

In a town maps are of little use as areas are restricted. In the districts, as has been seen, two separate gangs working on the same method, usually work in different areas; detailed scrutiny of minutiae in workmanship is therefore not always imperative, since intervening distances alone are sufficient to separate gangs. In towns the work of two or more gangs will almost certainly overlap, and only the closest observation of individual traits in their methods of working any one system can differentiate between them. The town police however are always so close to the scene of crime that they can visit it immediately, and note facts in detail while they are fresh.

Maps therefore are not needed, but careful classification becomes of the utmost importance, as each classification may have to be sub-divided several times before the work of separate gangs can be indentified.

This sub-classification will be made possible by noting the idiosyncracies of each leader in different cases of the same general class.

In towns, therefore, the system could be inaugurated without delay. As soon as current burglary has been classified records can be studied to ascertain from what date each series began. The town police have the advantage over the district police in that all data are ready to hand, and any missing fact may yet be established without great trouble by a reinvestigation; whereas in districts distances would render this impossible. Further advantages which town police should fully exploit are the greater facilities which they possess for catching even an unknown burglar red handed, and the opportunities which offer of obtaining assistance from the public to this end.

It is self evident, therefore, that the system explained in the last chapter adapts itself to town work equally well as to district work. All that is needed is to substitute a file for each map used in districts. The first page of this file should contain a brief description of the method adopted by the gang, and the distinctive features by which its work can be recognised. All cases then ascribed to the gang will find place on that file. The case diaries will be of the same brief nature as those

sent by the district subordinate police in their cases.

For purposes of illustration a description is given below of the successful working of two or three cases detected in towns by the help of such classification.

In a large town it was found that a number of burglaries by means of a hole drilled near the door frame had taken place. This being a system generally used by wanderers, each case as it occurred had been put down to mendicants and all had remained untraced. A search of the records, however, showed that the series had only started some two years previously. Further, the records showed that in many of these cases, though not in all, an old man had visited the house looted two or three days prior to the occurrence. Another distinctive feature was that on every occasion the burglar had selected a corner house. This suggested the inference that the burglar worked alone and chose his crib so as to have a corner to run round should any one approach from either direction.

Taking the average of loot obtained, it appeared that the burglar's income per month amounted to what he could get out of the sale of property worth about Rs. 100. If he secured Rs. 600 he would not work again for five or six months. If he only

gained fifty he committed two burglaries in one month. On this calculation it appeared that a burglary was due about the time at which the cases came under special notice. All corner houses in which anyone of moderate wealth resided, which had not already been exploited, were therefore marked down. These did not amount to as many as would be supposed, since at some corners stood open sheds and at others big stone buildings all of which could be discarded for the purpose in hand. It was therefore possible to interview each threatened householder. Each was told in turn, very confidentially, that information had been received that his house had been marked down by a dangerous gang of burglars, but that it was under the protection of the police who were watching the gang. He was instructed that the sign that the date for the burglary had been fixed would be the arrival of an old beggar at his house, who would ask alms and enter in spite of remonstrance. He was further told that when this occurred no fuss was to be made but the police were to be informed immediately; and that a guard would be supplied provided that he kept silent. Each householder being duly impressed results were awaited, and anticipations were realised. In a few days the owner of a corner house arrived breathless at the nearest police station and reported that the old man was in his house. Selected constables were sent

at once in plain clothes to track the beggar to his home. They found that he made his way more quickly than would be expected to the house of a well known released convict, a man with several previous convictions for burglary, but whose character was said now to be good.

From that time three constables kept guard every night inside the corner house which had been visited. They were instructed that if the burglar came he was to be allowed to dig his hole and insert his arm until his elbow was flexed, that his arm was then to be siezed from inside and held till a sub-inspector or some senior officer could come and record the necessary evidence. The capture was effected as sketched and the burglar, the old offender himself, stood pinned to the wall while the panch-nama was made.

In another head-quarter town a series of cases was taking place, and causing both the police and the public a good deal of trouble. The burglary record was not high but a remarkable feature was that the majority of cases had been returned as false. As the city inspector was a very good officer, deliberate burking was not likely. Each case had occurred in the house of one of two relations who were known to be on bad terms with each other. Further marks of similarity were that in all these cases the hole made in the wall was

rough, resembling the work of a beginner; and impressions of strokes that had missed their mark appeared on the inside of the wall near the hole, evidently to give the idea that it had been dug from inside. In each case as evidence of the identity of the burglar, a shoe, a pugree, or some part of the clothing of the man at enmity with the complainant, was invariably found lying near the hole.

Usually the complainant himself refused to prosecute, and the case was dropped as false on the supposition that it had been concocted to get the enemy into trouble.

It seemed incredible that several persons should tediously work out such a conspiracy simply to get a quarrelsome relative into trouble, and then refuse to carry out the plan to a finish.

A search was made of previous records and it was found that the apparent mania for making false burglary charges had suddenly begun some eighteen months before. In several of the records perused the name of a certain Mahomedan appeared as a witness to the quarrel between the parties concerned. Enquiry elicited the information that the Mahomedan was a retired police constable. He was reported to be much interested in detection, to be very helpful, and to have assisted in these cases as an outsider, with much experience and astuteness.

Investigation disclosed that the ex-constable had in reality not retired at all but had been dismissed and convicted for burglary in another district. He had been released shortly before his arrival in the town, and had evaded surveillance. This discovery made the final stages easy. Constables in plain clothes were called in from outside police stations and given a room opposite to two adjacent houses occupied by two families who were at the time quarrelling with each other. The ex-constable duly burgled one of the houses and after he had finished the roughly made hole and had gone inside, the constables on watch captured him. He went back to jail and those burglaries ceased.

On two other occasions learners were captured by the same method. Both times the police were much exercised by the perpetual recurrence of holes being dug from the open road into bullock sheds, through garden walls, and into the sides of open verandahs. The suggestion was made that all available constables should be sent on night rounds barefooted, and without lanterns. A very silent and careful "draw" would thus be made of the whole town. One such "draw" was supervised by a keen young superintendent who directed the 'beat' on his bicycle carrying no light. The police on that occasion caught an old released convict teaching a girl of fourteen. There was some subtlety in the choice by

the leader of a low caste girl to succeed him. Should she be caught in the room of a Bunia, when by chance a burglar had drilled a hole through the wall of his house, that Bunia would probably keep quiet. However, the girl was caught as well as her tutor and the burglary classes ceased.

In the other case, in the same way, an old hand was caught teaching a boy.

One great advantage in working the gang-map system is that when wanderers do enter towns their presence is at once detected if they try to commit burglary, and the help of the surrounding districts can be requested.

Superintendents of large towns do not at present always know when to ask for assistance, and as they cannot be constantly calling for help, they seldom ask at all. They often complain, however, that the district police never give them any information. It should not be thought that this is because the district police are slack and disinclined to help, the reason lies rather in the number of suspects perpetually avoiding surveillance. Since they have naturally no idea where these men have gone the district police, in their turn, are unable to decide to whom they should give information.

In respect of burglary the principle of classification according to gangs will remove present difficulties of this nature. Both

district and town police will recognise the arrival of fresh gangs, and the Force in need will ask for help rather than expect that it should be supplied. They will find that it is always willingly given when definite questions are asked about definite persons, whether known or unknown, but who can be recognised by their acts.

The police of every town and district are faced with the same difficulty. None can ordinarily tell where their absconders are taking refuge. The position should be that the police in charge of the jurisdiction to which the absconder has fled, and in which he begins a series of burglaries, should advertise his arrival stating the distinctive features noted in connection with these new cases. The police from whom the suspect has escaped will probably recognise his work, and will be able to give his name, history, and descriptive roll.

The medium of exchange for such information should be the office of the Range Deputy Inspector-General.

## CHAPTER IX

### Plan Drawing

PLAN drawing must be regarded as an essential feature of the original investigation carried out by a sub-inspector at the scene of a freshly committed burglary.

The principle on which plans should be prepared is not usually fully taught. Similarly the advantage to be gained by a personal visit to the scene of a burglary, even after considerable delay, is often not fully explained.

Arguments which, though true in themselves, are not necessarily of paramount importance, have been allowed to carry undue weight. It has been asserted that all benefits which might accrue from immediate investigation at the scene of burglary are annulled when such visit cannot be paid for many hours after the crime has occurred. Rain, wind, passing cattle and pedestrians, it is pleaded, have frustrated every chance of picking up tracks; and as the house looted has already been visited by everyone in the village, all foot prints, finger marks, etc., it is urged, have been obliterated or rendered useless.

It should be understood that the visit is not advocated in the hope that it may lead

to the discovery of a minute particle of cigarette ash, or of a hair smelling of a particular brand of cocoanut oil, but to learn palpable truths. The matter then changes its aspect, and it becomes obvious that only such facts as will prove to be of practical utility to the superintendent need be ascertained. While conventional details which are patently useless may be set aside without compunction, attention should be focussed on those points, knowledge about which will be essential for deductions and classification, such as the probable number of burglars; their system of committing burglary; the nature of the tools they have used; whether they appear to be old experts or amateurs; and whether they were successful, or failed to obtain loot.

It is not uncommon to see plans of burglaries which have been made by quite good investigating officers consisting of a carefully ruled square, the size of a full sheet of paper, and in the centre of the square an indifferently drawn circle, and below, in a carefully written note, the entry.—‘This is the hole by which the burglar entered.’ Regulation orders have thus been carried out in the letter; the conscience of the station house officer is clear; but the superintendent is no wiser.

Such a plan is of course useless for any purpose and its preparation is mere waste of time and paper.

The plan needed must represent more than the house looted, its object being to explain any theory being propounded regarding the facts of the case.

It has been pointed out that in every burglary a line of retreat is arranged for by the leader, and that some system of warning is decided upon to prevent surprise by an unexpected visit from the night watchman, constables, or casual passers by. The plan prepared should demonstrate how this was provided for, and afford ocular proof for the deductions arrived at.

A plan is given of the scene of a burglary concerning which questions arose first regarding the truth of the case, and later as to the number implicated. A visit to the scene though it was paid some six weeks after the burglary had occurred, led to the discovery of a great deal of information, and it eventually led to the tracing of the gang.

The complainant at first denied having lost any property. The original investigating officer pointed out that the hole must have been made from inside because it had been dug through the back wall of the room at a place where a set of shelves had been let into the wall. This reduced the wall to the thickness of one brick only at the back of the shelves, whilst it was much thicker elsewhere. A similar set of shelves was let in further along the same wall. From outside

there was no apparent way of locating this exact position of the shelves.

That a man would first dig a hole through his own brick wall, report that his house had been burgled, and then deny the loss of anything seemed pointless, and that theory was quickly discarded.

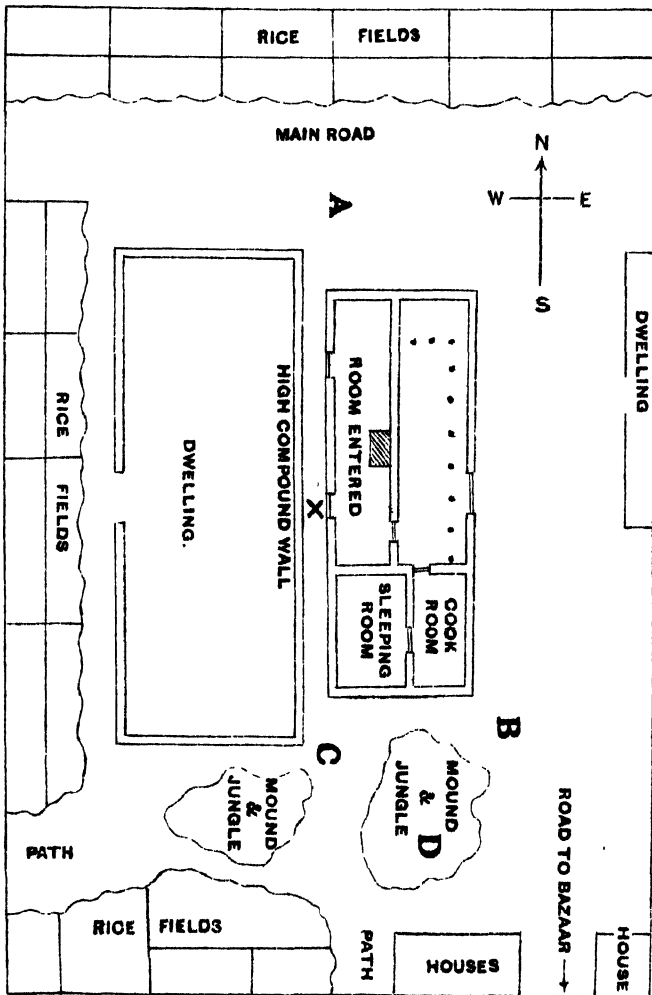
Another suggestion in favour of the case being false was that the door of the room entered was exactly opposite to the hole made. If the case were true why had not the burglar chosen the other shelf? This was more sensible, but the burglar's reason was obvious. The spot he chose was in the middle of a narrow lane passing between the blank wall at the back of the house looted and the high wall of the compound of the next house.

By making the hole where he did, therefore, he gave himself an equally good chance of escape from either end, whereas had he chosen the other weak spot in the wall he could easily have escaped to the North but would have had a long run to get clear to the South. The narrowness of the lane made this latter possibility undesirable.

It seemed most unlikely that the burglar, who was evidently an experienced rogue, would be so foolish as to take all this trouble for nothing, and a careful inspection of the windowless room broken into showed the marks of a large box having stood for some time against the centre of the wall opposite the hole.

# PLAN I

## PLAN OF BURGLARY



*Burglars made a hole at X*



The complainant was asked for the box and said that as it was empty he had put it in his living room. It seemed improbable that an empty box could have been left in this room so long, but questions elicited no satisfactory replies. It then transpired that some three or four months before the burglary the complainant's only daughter had been married. His wife was then asked to show the jewels that she had worn at this wedding. She lived in a nice house, and there were large stores of rice in big baskets on the verandah, which facts indicated wealth. She was still young, was nicely dressed, and would ordinarily have had plenty of ornaments. She volunteered that they had been stolen, but said as the "Sirkar" would never be able to get them back it was useless to complain. The value of the jewellery lost was about Rs. 600.

An inspection outside showed that positions marked A B C on the plan all needed guards for the protection of the leader. One officer present argued that A and D would be sufficient. It was demonstrated that from the West, anyone approaching would get between D and X before the guard on D could see him and give warning. He then reluctantly conceded that the gang might probably comprise five men.

A scrutiny of the back of the untouched cupboard divulged no means whereby the burglars could have ascertained from outside

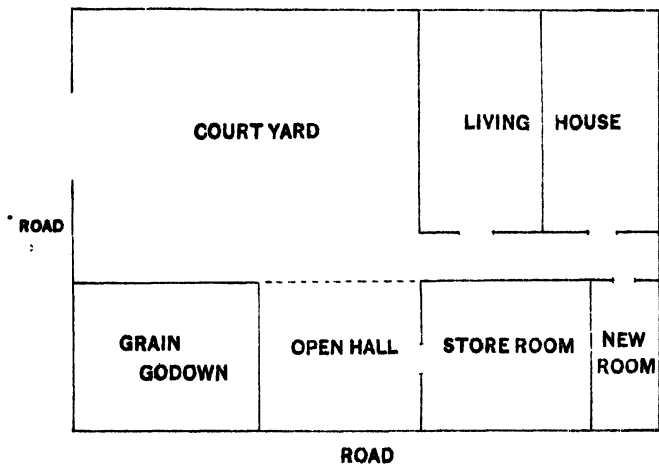
where it was situated. The idea of counting the rafters projecting beyond the wall gave a clue, for in counting them it was noticed that they were newer than the wall appeared to be. This led to further enquiry and to the discovery that five Waddars had renewed the roof some two months prior to the burglary. The descriptive rolls of these five men were recorded as nearly as they could be ascertained, and the case was put under the classification. "Cases by five Wadders who renew the roof of the house of an intended victim at a cheap rate at their own suggestion." A notice was issued to this effect but gained no response until quite recently, when the report of a similar case enabled the Criminal Investigation Department to locate the gang.

In another instance complaint was made by a wealthy man that he had reported an attempt at burglary in his house, but that the police would not believe his assertion that nothing had been stolen, and were annoying him.

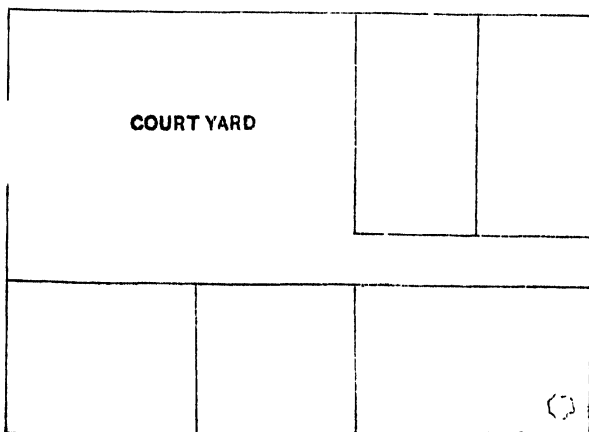
The case was by roof breaking. The burglars had climbed on the roof by putting a bullock cart against the wall with its shafts pointing upwards like a fire escape. The hole which they had made had been filled in at once by the complainant before the police had reached the spot. The plan of that part of the house burgled was simple. Two long rooms flanked either side of a large

# PLAN II

## PLAN OF INSIDE OF HOUSE



## PLAN OF ROOF AND HOLE.





open central hall in which the owner did business; the room on the left was full of grain; the one on the right was used as a store room in which the complainant kept his money and valuables. Opposite this store room, separated by a narrow passage, was that part of the house usually lived in.

Recently one of the sons of the complainant had married. The end of the store room had been divided off, a separate door let in, and the son and his wife had occupied the new room. From the central hall this room was not noticeable; the door was at the far end and the store room was dark.

The burglars had evidently visited the owner on supposed business, had got the general internal arrangement of the house, and had intended to break into the store room where the valuables were kept. When on the roof they had been guided as usual by the low parapets corresponding to the walls below, and had dug their hole in the corner farthest from the door. They had been careless, thinking that they were drilling down into an empty room, and a lot of mud and dust fell on the sleeping pair below. The partition between that room and the store room had been an after thought and consequently had no corresponding parapet above; the burglars were therefore misled, and had dug into an occupied apartment instead of into an

unoccupied store room. The fact that this was an attempt was established, and the complainant was not again bothered, though he was warned of the likelihood of another attempt later.

## CHAPTER X

### **Section 110 of the Criminal Procedure Code**

It may often occur that a gang of burglars has been located, but through bad reporting on the part of investigating officers, or through original failure of complainants to admit loss, the police are forced to resort to prosecution under section 110 of the Criminal Procedure Code. On such occasions, under the map system, the prosecution will find its work already half done.

The map which has led to the location of the gang will, in itself, be indisputable evidence of the perpetration of crime against property. This crime can reasonably be placed to the credit of any persons residing in that neighbourhood who are found to be living beyond their legitimate income, and yet who are not in serious debt.

The difficulty in such cases with which the police have always had to contend has been that the persons whom they would prosecute are well off, and have apparently ample means of subsistence. This is a difficulty which must be expected. When a case under section 110 is justly launched against a gang of burglars it will almost always arise. The reason is obvious. Burglars are not usually poor people; they can get as much money as they want. No one

likes being poor; so burglars maintain as high a standard of living as is compatible with safety.

Up to date a man living at the rate of Rs. 100 a month has been practically immune from prosecution under this section. This need no longer be the case. The map, police reports, lists of stolen property, and plans of the scene of each crime can prove that a gang of a limited number of burglars has committed 10 or 12 burglaries, and by this means each member of the gang has secured an income of Rs. 75 to Rs. 100 a month. This at once puts the case on a right footing, and explains why seemingly well-to-do persons are being asked to show cause why they should give security for good behaviour. The higher the unexplained income of the suspect, the simpler becomes the case for the prosecution and the more difficult that of the defence.

First of all the whole village community can give evidence to prove the apparent wealth and respectability of each member of the gang. It should be remembered that a burglar seldom attracts attention to his own village by committing burglary there. He does not proclaim himself a cracksman, and is often cheery, generous, and hospitable. Therefore any attempt to obtain evidence in his village in direct proof of his bad character will be useless. All evidence from his village may appear to be in his favour, but

in reality will strengthen the hands of the police by proving that he has money and spends it right royally. A great point is thereby gained.

The next step is to ask the suspect to account for this wealth. The richer he has represented himself to be, the more difficult will be his explanation. He will probably show "Pattas" proving that he is in possession of land. These may be genuine, but are not always so. If they are genuine they may again be a help to the police, for they lead to a demand for an explanation as to the origin of the purchase money. In any case further investigation will probably show that all land owned is let out on lease, and though the acreage is ample to account for the man's income if he worked his own fields, the rent alone is obviously insufficient to account for an income of Rs. 1,000 to Rs. 1,200 a year. A man must be a fairly big zemindar to get such an income from rents.

This will probably finish the tale of the burglar's honest sources of income, and will be insufficient to account for his wealth. For further explanation he will in all probability resort to lying, as he is fairly certain to have done previously in the village, and he will represent himself to be the owner of land in other villages. Enquiry in the villages named will expose his lie and further defence will be hopeless.

It is unnecessary to strive for evidence of bad repute, for a burglar's reputation among his acquaintances is probably good, and no proof may be forthcoming.

The time to put in a case against a gang under section 110 should be carefully chosen. The average income of the gang is known, the date of its last burglary and the value of the property then obtained are also known. The prosecution should be launched as nearly as possible just before the perpetration of a fresh burglary may be expected. This is the time when the burglars are short of funds, and when they are therefore at the greatest disadvantage. There is, however, another reason for selecting this opportunity, for if arrest and prosecution prevent the expected case, the fact of its non-occurrence is further indication that the gang captured is really responsible for the series of burglaries which led to its prosecution.

If a gang whose prosecution has been thus timed gets off, it must start work again immediately. Its members will have incurred debt to vakils and to their receiver; both will bring pressure to bear. If the police follow up their first attack by close supervision sensibly organised, they should catch the gang red-handed. Should the gang outwit the police, and successfully bring off two or three more burglaries, they provide the police with a still stronger case

for their next attack. The evidence previously amassed is ready to hand, and is strengthened by the fact of the cessation of crime while prosecution lasted, as well as by the fresh outbreak following release. It would be an unreasonable court that would acquit a second time unless it doubted the truth of the evidence supplied. There should be no ground for such doubt, as every step can be strongly established. The chances of original acquittal are, however, small for the evidence available is too conclusive.

Conviction generally involves incarceration, because any magistrate is justified in demanding high security from persons who swear that they are well-to-do, and are the owners of private means. It is here that the strategic value of a well selected moment for attack asserts its self. Their receiver will be in a difficult position, and probably will be disinclined to produce a sufficiently large sum to release the whole gang. It would avail nothing to release the leader only, as unaided he is helpless. The burglars themselves will have empty lockers. The only course remaining is the sale of the fields which have been so useful a barrier against suspicion. This takes time and the cessation of crime in the interval is eloquent.

.The gang may find money and get out of jail, but the police are unfit for their

appointments if they cannot make it fairly difficult for its members to commit crime again at once without being caught in the act. The members of the gang may abscond, and try their luck elsewhere. If maps are being used—let them try.

In any case the value of the preventive action taken is immediately evident as no addition is made to the map on which the prosecution was inaugurated during the time when the gang is in jail, or even later if it shifts its quarters.

## CHAPTER XI

### Recovery of Property

THE police are now prepared to go as far as their sphere permits to eradicate burglary, but the consummation of their work must lie with the courts. There is little doubt but that, under the system described, the professional burglar will constantly be brought to book. It rests with the magistrates to complete his downfall. It is to them that appeal is therefore made for the sympathetic help which they are doubtless more than willing to give.

This help is imperatively needed in assisting to raise the tone of the subordinate police. These will no longer be left to struggle unassisted against difficulties hitherto insuperable, but will be working on logical and sensible lines under the direct control of their superior officers.

The aid magistrates could then give would be especially effective in stamping out diffidence on the part of investigating officers when producing true evidence, unadorned by the stereotyped embellishments now so frequently introduced.

Those magistrates who read this book will recognise that no expert burglar who

may be captured is ever likely to be a first offender in the real sense of the term. He has trained himself in and learned his art deliberately for many weeks and has gradually become efficient. Therefore, when caught committing burglary it is most unlikely that he will be caught in his first venture, for at that time he would be under expert guidance. If he be a novice his youth will generally proclaim the fact. Ordinarily his first arrest will be due to over confidence engendered by habitual success. Should he be captured through the methods of the map system it will be logically certain that he has committed the series of burglaries that have led to his undoing. He is therefore at the time of his arrest a professed and deliberate thief. As such he never acts under sudden and grave temptation but is invariably carrying out a plan, choosing his time, and making his opportunity. Such a man should never be given a light sentence, and if he is to be deterred from repeating his offence he must be made to understand that his crime is a serious one, and one for which heavy punishment will always be meted out. Any burglar who makes manholes through the walls of other people's houses, who makes holes in roofs, or holes in the side of a door-frame, or follows any other deliberate method for burglariously entering houses for theft, should never get less than half the maximum sentence possible under section

457 of the Indian Penal Code. The amount of property he secures should have nothing whatever to do with the length of his sentence. If he commits such a burglary it is because he hopes for a large amount of loot. If he only secures property worth Rs. 5 his disappointment should not count to him for righteousness. It shows him no less a criminal for he has taken all he could get, and had he found diamonds worth a lakh of rupees he would have taken them also. No conscientious scruples have constrained him to steal within limits. The point that matters is, not what he actually obtained, but what his intentions were when committing the burglary.

This all becomes so obvious in the light of the knowledge of what a confirmed criminal the burglar really is, that to emphasise the point seems superfluous. A glance at the sentences given in each case of conviction recorded in the previous chapters, however, will make it abundantly clear that the point urgently needs attention. It has been unquestionably established that burglary is the crime which is causing to-day more insecurity and loss than any other. It flourishes through faulty treatment at the hands both of magistrates and police.

By virtue of their position magistrates complete all work that the police begin. Therefore they are equally responsible if a preventable abuse becomes a crying evil.

This is seldom sufficiently recognised. If the subordinate police are to be helped to work honestly and justly, with efficiency and with zeal, they must be confident that the magistrates will help by taking their fair share in completing their joint duty. A just magistrate will try his case on the assumption that the police have *prima facie* honestly done their best, and have used clean methods. He will adopt an attitude of absolute neutrality giving the prosecution as sympathetic a hearing as he does the defence.

The police at present shoulder all the obloquy. Magistrates are looked up to as the rescuers of the innocent from police oppression. This high conception of their office is justifiable where police oppression exists, and certainly should be maintained at all costs. Magistrates should be careful, however, that they do not err on the other side and should not hastily protect the criminal to the danger of the public and the detriment of the police. They should insist on the burglary map being produced in court, and proved with other important prosecution papers, and see that they understand it.

The problems with which the police have to deal do not end with the capture of the burglar. They are still faced with two difficulties:—(1) the task of convincing magistrates of the necessity for an adequate

sentence to ensure, as far as may be, the protection of the public, and the regeneration of the burglar; and (2) the recovery of loot which has been annexed.

To-day these two issues are very nearly related. It has almost become an axiom that unless property be recovered, and produced in court in order to establish the guilt of the accused, no conviction can be expected. It cannot be realised by those magistrates who have helped to establish it, that this understanding is responsible almost entirely for the fabrication of evidence, torture, and consequently for police degeneration. This fact can be proved as nearly as it is possible to prove any truth in support of which chapter and verse cannot be quoted.

Under police methods of to-day the professional burglar is almost immune from any chance of detection. His only danger of capture lies with the owner of the house he loots, not from the police, except perhaps very occasionally in towns where a carefully planned beat system is being temporarily enforced with unexpected energy by some keen officer.

When a burglar is caught redhanded by a complainant he is naturally captured in the act of stealing, and any articles of which he has already possessed himself are at once taken from him by their indignant owner. Therefore, when the police arrive and the

thief is made over to them, he is bereft of all incriminating circumstantial evidence, the only proof being the oral evidence of the complainant and his household. The other witnesses are only witnesses to collateral points. They heard shouts for help and found the complainant holding the thief; the complainant *told* them that the man had been caught inside his house with their property in his possession; he showed them a hole near the door frame which he *said* had not been there before. In India, where lying is not unknown, such evidence is weak. The accused, with an equal right to be believed, says that he was passing innocently outside the complainant's house, found the door open, called the complainant to give him friendly warning, and, to his surprise, was at once seized as a burglar. No property was found on him, why then should he be punished for doing a friendly act and being misunderstood? The real burglars must have disappeared long ago, in fact it was only because he saw three men running away that he was inspired to call the complainant.

On the spot such a story is palpable nonsense; in court some days later when put forward in a place far distant from the village by a vakil whose profession it is to make such a story appear true, as instructed, the absurdity of it is not so apparent.

The matter thus resolves itself into a tug of war between the police and the vakil.

The police know that the vakil is merely acting under instructions, and with no proof on his side; the vakil has the advantage of not having to prove his client innocent, while on the other hand the police must prove him guilty if they are temporarily to be rid of him and of the ever increasing tale of burglaries with which he is spoiling their returns.

The police are aware that most magistrates will acquit unless property is proved to have been recovered from the accused. They know that their case is true and to their undeveloped sense of honour, therefore, crooked work is forced on them if they are to prove it. Incidentally they know also that their prestige in that jurisdiction will suffer if an acquittal should be obtained in so palpably true a case, while the prestige of the vakil will rise proportionately. They, therefore, begin an elaborate business of forcing the burglar to take back and secrete on his person some part of the owner's property. This they presently recover from him in due form in the presence of selected and respectable witnesses, and thus prepared with stereotyped, if manufactured evidence, run him in before an approving court. Their reputation is not only saved but enhanced.

A more ambitious and less scrupulous policeman would probably try to make better use of the piece of luck presented by

the capture. He, therefore, holds the thief responsible for all other cases which have occurred in the vicinity. A remand is applied for and probably granted. Persuasion may first be resorted to; if it fails torture, mild or violent, will be tried to extort a confession, compel the disclosure of the names of accomplices, and above all to force the prisoner to disgorge property. No confession alone is of any use, so at all costs property must be given up. The only means of gaining this object are by torture or persuasion.

The burglar knows that he has been caught by sheer accident, and not by police wit. He knows that the police are in absolute ignorance of his past burglaries. He is not such a fool as to give away his receiver who will, if he goes to jail, support his family till his release; nor is he such a fool as to disclose where he has a store of loot hidden, for by so doing he will only increase his own sentence, and impoverish himself to no good end.

Such a system teaches the burglar how to be absolutely safe. He learns that if he refrains from taking anything but cash, he is as safe from molestation as a High Court Judge. The burglar soon learns too that if his victim complains the police say that it is useless for them to do anything since money cannot be identified even if recovered. When such a doctrine has been propounded

once or twice in any given area, it gets known in all surrounding villages. On the next occasion that cash alone is stolen the complainant refuses to admit loss. The police then make no attempt to investigate. From that time onwards the burglar's task is simple.

The police are expected to recover property. Torture is not only the quickest and most effective way of doing this, it is probably the only way; therefore, whatever may be said in camouflage, the police are left to think that they are expected to torture in a mild way. Mild torture leads to severe torture.

Persuasion may be successful with a first offender. Persuasion means promises, and as a sub-inspector has no authority to give promises, and no power to redeem them, he probably makes them with no intention of fulfilment. Both torture and such persuasion are degrading and ruin a sub-inspector's self respect and character; they make him cruel and callous and in fact turn an honourable police officer into a dishonourable criminal. The imposition on the police of the duty of the recovery of stolen property is one of the most prolific causes of police degradation.

In this connection the higher grades of the police are to blame. They are professionals, and forget, as do other professionals, how ignorant is the lay mind of matters which are to themselves affairs of daily

occurrence and ever present trouble. They have, or should have, recognised the evil of expecting their subordinates to recover stolen property, but they have not realised that it is their professional duty to say so and claim for their subordinates exemption from the responsibility imposed by present custom. If a policeman were given legal power to say that he could mitigate the sentence awarded by a court if the offender gave up property, he would be glad to undertake the burden of its recovery. If he be given no power to alter a sentence, the court which awards it, and not the policeman, should be responsible for inducing the culprit to return his loot.

It must be admitted that some police officers have been much too apprehensive of possibly injurious results to their returns if they instruct their subordinates that it is unnecessary to strive either to obtain convictions or to recover property. Even the well-intentioned have "let 'I dare not,' wait upon 'I would'."

The whole responsibility, however, by no means rests with the police alone. Magistrates must admit and accept their share of the burden, and help to eradicate the evil which they have unintentionally nurtured.

Officialdom has shielded itself behind the contention that the public good must be considered, and if the help and sympathy of the public are not to be lost, their property

must be safeguarded. Government must stand as the protector of the millions. How this protection is to be achieved is not specified. The question has always been shelved by the plausible commonplace that obviously the police are responsible, therefore it can be left to them. The police with equal lack of thought have accepted the responsibility.

The situation, therefore, becomes an anomaly. The subordinate police are definitely instructed to treat their prisoners with such consideration as is compatible with safety. They are at the same time made to understand that there must be no slackness about getting back property from the burglar and that the percentage of property they recover will be carefully noted to their advantage. Their problem is to discover the real meaning of 'consideration.' Does it imply that no marks must be left on him, or that he must be asked civilly to hang himself? Obviously it cannot mean the second, as no one could seriously suppose that a hardened criminal would be so considerate for the welfare of the police as to comply; they are therefore at a loss to know what they should do. If they fail to recover property every return proclaims their incapacity. If they torture cleverly, no one will be able to prove it. The eventual choice will probably be a mild resort to threats and then force. Thus degradation begins.

It is the duty of the police to detect thieves. If in doing so they recover property, well and good ; but they should be given clearly to understand that they are only expected to recover it at once on arrest, or, better still, prior to arrest. Once the thief is arrested, and his house and person have been searched, the police are, or should be, under the present law, powerless to recover further property should he deny his guilt. The custom of giving remands for the recovery of property should be discouraged ; it is during this interval that all evil practices occur.

The argument that Government is responsible for the protection of life and property is sound, and should not be lost sight of for a moment. The police are only the protecting agency and as such are not infallible. They are also the agency for the prevention of crime ; here too they must often fail. When they fail to prevent crime, but find the offender, the law steps in and punishes to assist prevention. In like manner when the police fail to protect property but find the thief, the law should step in and assist in its recovery.

The law gives the magistrate the right to inflict punishment, why should it not give them the powers to coerce the criminal by further conditional punishment to disgorge his ill gotten gains ?

Surely magistrates are safer judges than the station house officers whether the screw should be applied, and to decide the nature of the screw. They would apply it judicially after conviction; the station house officer can only apply it illegally prior to the guilt of the accused being established.

The law can help the magistrate. The punishments sanctioned in all sections referring to theft already allow the imposition of a fine in addition to imprisonment. When a fine is imposed a further award is given in case of non-payment. In the same way the law might, and it seems should, allow the issue of an order to return specified loot, or in default allow the imposition of a further term of imprisonment. A sentence could then quite justly run thus:— Three years rigorous imprisonment and an additional three years unless the property stolen (to be specified) is returned, or such information given as will lead to its recovery. A sliding scale could be introduced according to the promptness of compliance. The whole matter would then be dealt with carefully and thoughtfully by a judicial officer after argument. During the time of original sentence it would be easy for the police, under magisterial instruction, to ascertain whether the information given justified the remission promised.

The effect would be far-reaching. There would no longer any inclination on the part of complainants to compound felony, minimise loss, or refuse to report crime. No complainant would resent the inconvenience of attending court because his angle of vision would be changed; he would no longer feel that he had to go simply to bring about the punishment of some unknown thief, but would be provided with the prospect of regaining his lost possessions after the trial.

The present system, sometimes resorted to, of inflicting a fine and, from it, paying compensation for property stolen can never quite meet the case. It is an axiom in political economy that the value in use is a very different thing from value in exchange. In estimating, therefore, the loss sustained through failure of protection from theft definite elements, which have no money equivalent, require consideration, such as difficulty of replacement, personal affection, feelings of religious or other sentiment, collector's valuation, antiquity, etc.

The effect of the suggested alteration of the law would not only be beneficial to complainants, but would go deeper, for it would annihilate the receiver. The receiver is the chief obstacle to all reformation of thieves. He forces the released burglar to return at once to the practice of his profession. He bleeds him and forces him to

double his exertions. He points out cribs, and it is he who gains most by the burglar's skill. He bribes the subordinate police, and pays vakils. He saves for future profit the goose which lays the golden eggs ; he sees to it that the eggs shall be numerous.

If the suggested change in law were adopted, the receiver would no longer dare to buy loot, for he would know that if captured the burglar would not hesitate, in order to save his own skin, to denounce him. As the fact dawned on the receiver that burglars were being almost invariably captured sooner or later, and that his careful secretion of their loot no longer availed to save them, he would realise that his number was up. He would then have to reform, or seek some less precarious system of knavery as a means of livelihood.

It is abundantly clear, therefore, that fines in addition to imprisonment in no way meet the situation. These can always be paid by a receiver, and recovered with adequate interest later. Fines thus increase the receiver's hold on the burglar, who will find himself forced on release to burgle with still greater energy in order to meet the ever increasing interest which the receiver demands.

A further beneficial result will follow quickly on the annihilation of the receiver, for burglars will be forced to steal cash only.

This will reduce the number of available cribs. Clothing, ornaments, and valuables generally will be practically safe.

Eminent lawyers have been consulted as to the legal aspect of this suggested alteration of the law. They have invariably said that in principle there is nothing against it. The author some time ago published a letter on this subject in the '*Pioneer*,' by kind permission of the Editor, and asked for criticism. Since no criticism was made, apparently no one had any real objection to offer. Possibly the suggestion is unpalatable, or no one was sufficiently interested to care.

## CHAPTER XII

### Summary

It has been established by previous admissions, statistics, and incontrovertible facts that burglary is the crime which to-day most urgently calls for the careful consideration of every police administration in India; a crime which more than any other demands the adoption of measures which will not only bring burglary under control, but will finally seal its doom.

It is equally clear that burglary has both defeated the police and forced Governments to accept the most feeble results, if not with complacency, at least with a certain amount of equanimity. Solutions have been sought, but owing to the want of any ordered plan of campaign, all attempts have been half-hearted, have probably been worked on wrong hypotheses, and have, therefore, been productive either of little good, or of more harm than good.

Towards the end of his service the senior police officer may have realised that the units of information received by subordinates are merely links in a chain which, if connected up, may lead straight to success. By this time, however, he is about to retire, and the results he might have

achieved had he recognised this earlier are relegated to the realms of the might-have-been. Meanwhile junior officers are still struggling with the same problems and still failing to elucidate them for similar want of guidance born of the experience of past generations.

Burglary has been treated as an incidental crime, difficult to detect, and equally difficult to prevent. It has not been recognised as a crime worked according to deliberately organised lines, such as were Thaggi and Dakaity.

Prevention and detection of burglary form the bulk of police criminal work. It, therefore, stands to reason that the ever recurring and monotonous failure to cope with its perpetrators has had a very deteriorating effect on police morality. Perpetual defeat has retarded that improvement in police morale for which Governments and police administrations alike have so earnestly striven. It is feared that it has had a demoralising effect on officers of all grades, has led them to be slack in control, and half unconsciously to avoid recognition of possible evil.

A scheme has been put forward which is based on a close observation during a service of thirty two years of the methods employed by burglars. This has led to the final conviction that burglary is a crime which is

carefully taught and carefully learned; deliberately planned and deliberately executed; that it is usually the work of gangs, that the work of each gang can be identified, classified, and countered by the police; and that the commission of burglary can be rendered so difficult and dangerous that it can be eradicated root and branch.

The law limiting pardons to crimes exclusively triable by sessions, might with distinct advantage be made to include burglary. The chief use of such pardons lies in the general information afforded by confessions. Had the law been thus enacted originally burglary might have been crushed long ago. Policemen would have been cognisant of burglar's methods; magistrates would have been enlightened, and general mismanagement have been impossible.

Following this principle, the system now evolved is based on admissions made to the author by pardoned dakaits, who were also burglars. It has been shown that such pardons are not essential for the suppression of burglary, but it is conceivable that the granting of these might prove to be of the greatest use in crusades against large criminal organisations such as Bhamptas or the Chandrebedis.

The law that prevents the trial of more than three cases of the same kind against the same offender at one time should not apply to burglary.

It will be readily understood, from instances previously given, that a series of burglaries may amount to ten or fifteen cases before the gang responsible is brought to book. The accumulated evidence of all ten or fifteen cases would most probably prove ample for conviction, whereas the evidence in even the three strongest cases taken alone may fail to convince the magistrate. The law which forces the breaking up of such cases into small groups defeats justice, since it destroys the continuity of evidence against the accused, fatally weakens the evidence against him, and gives him the tremendous strategic advantage of being able to demolish the forces against him piecemeal.

Burglary must be crushed by the capture of gangs, captured as the result of the accumulated evidence afforded by a series of crimes. It is essential that the police should be able to present their evidence as it has been collected. Otherwise the advantages that accrue from systematic and logical investigation are lost, and the outwitted burglar is once again in a strong position. The police by being forced to break up their sequence of evidence, and to choose their three strongest cases only, are compelled to forego all they have gained by their scientific work.

Burglars have themselves revealed that they work by gangs, and that they commit

burglaries perpetually and systematically while at large. Law makers, in ignorance of this, have so framed the law so that it helps the burglar and shackles when it does not frustrate police effort. It is therefore, clear that the system propounded can only be given full scope if the law on this point can be altered.

It is true that now each member of a gang of burglars can be prosecuted under section 401 I. P. C. for being a member of a gang associated for purposes of theft, but the sentence under the section is limited to seven years. Anyone proved to be guilty of the actual crime for the perpetration of which the gang is associated, can be punished with imprisonment for fourteen years. If the law stands as at present, either the police prosecute for burglary and forego the production of the bulk of their evidence or they prosecute under section 401 I. P. C. and forego benefit of the deterrent effect of a possible fourteen years' sentence. Moreover if the police are satisfied to prosecute under 401 they stand to prove no particular burglary against the accused, who therefore cannot be held responsible for the return of any particular articles of stolen property. The public are in consequence badly served. The prosecution should end in a conviction in respect of each case of a series, and the order of the court should be for the return of all the property stolen in that series.

With regard to the question of stolen property, it has been demonstrated that the principle of expecting the police to effect recovery is not only useless, but must be stigmatised as both dangerous and wrong. It has therefore been urged that the law should be so adjusted as to enable the magistrates to recover property after trial. This question has already been discussed at length and need not be further emphasised.

If these suggested alterations in the law meet with approval, and the scheme for detecting burglary be adopted and put into practice, a fourfold object will have been gained. Burglary will have been suppressed, the receiver exterminated, the public will enjoy security, and police work will become easy and congenial, for apathy and failure will be superseded by efficiency and success.

FINIS

*By the same Author*

## **Stepping Stones to Police Efficiency**

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- ۱۔ اگر کوئی عین حق تعالیٰ سے توبہ کرے اور اس کی توبہ قبول ہو جائے تو اس کی توبہ قبول ہو جائے اور اس کی توبہ قبول ہو جائے۔
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