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Madras Criminals
Tribes Manual

MADRAS RECORD OFFICE
30 AUG 1935

MADRAS CRIMINAL TRIBES MANUAL

EMBODYING

CRIMINAL TRIBES ACT VI OF 1924, STATUTORY RULES AND FORMS, STANDING EXECUTIVE ORDERS ISSUED UNDER THE ACT, LIST OF CRIMINAL TRIBES SETTLEMENTS, ETC., ETC.

[All communications regarding errors or omissions which may be discovered in this Manual should be addressed to the Inspector-General of Police]

MADRAS RECORD OFFICE
30 AUG 1935

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MADRAS CRIMINAL TRIBES MANUAL.

THE CRIMINAL TRIBES ACT, 1924 (VI OF 1924) AS AMENDED BY THE CRIMINAL TRIBES (AMENDMENT) ACT, 1925 (XXXIII OF 1925).

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SCHEDULE I.

SCHEDULE II.

1. ACT No. VI of 1924.

PASSED BY THE INDIAN LEGISLATURE.

(Received the assent of the Governor-General on the 15th March 1924.)

An Act to consolidate the law relating to Criminal Tribes.

WHEREAS it is expedient to consolidate the law relating to criminal tribes: It is hereby enacted as follows:—

Preliminary.

Short title and extent.

1. (*1*) This Act may be called the Criminal Tribes Act, 1924. Sec. 1, Act III of 1911.

(*2*) It extends to the whole of British India.

Definitions.

2. In this Act, unless there is anything repugnant in the subject or context,— Sec. 2, Act III of 1911.

(*1*) "district" includes a Presidency town and the town of Rangoon; Sec. 2, Act I of 1923.

(*2*) "District Magistrate" means, in the case of a Presidency-town or the town of Rangoon, the Commissioner of Police;

(*3*) "prescribed" means prescribed by rules made under this Act; and

(*4*) "Superintendent of Police" means, in the case of a Presidency-town or the town of Rangoon, any officer appointed by the Local Government to perform the duties of a Superintendent of Police under this Act. Sec. 2, Act I of 1923.

Notification of Criminal Tribes.

Power to declare any tribe, gang or class a criminal tribe.

3. If the Local Government has reason to believe that any tribe, gang or class of persons, or any part of a tribe, gang or class, is addicted to the systematic commission of non-bailable offences, it may, by notification in the local official Gazette, declare that such tribe, gang or class or, as the case may be, that such part of the tribe, gang or class is a criminal tribe for the purposes of this Act. Sec. 2 (1) and (3) and sec. 3, Act III of 1911.

Registration of Members of Criminal Tribes.

Registration of members of criminal tribes.

4. The Local Government may direct the District Magistrate to make or to cause to be made a register of the members of any criminal tribe, or part of a criminal tribe, within his district. Sec. 1, Act III of 1911. Secs. 3 & 12, Act I of 1923.

Procedure in making register.

5. Upon receiving such direction, the District Magistrate shall publish notice in the prescribed manner at the place where the register is to be made and at such other places as he may think fit, calling upon all the members of the criminal tribe or part, as the case may be,— Sec. 5, Act III of 1911. Secs. 4 & 12, Act I of 1923.

(*a*) to appear at a time and place therein specified before a person appointed by him in this behalf;

(*b*) to give to that person such information as may be necessary to enable him to make the register; and

(*c*) to allow their finger-impressions to be recorded :

Provided that the District Magistrate may exempt any member from registration and may cancel any such exemption.

Sec. 6, Act III of 1911.

Charge of register.

6. The register, when made, shall be placed in the keeping of the Superintendent of Police, who shall, from time to time, report to the District Magistrate any alterations which ought in his opinion to be made therein, either by way of addition or erasure.

Sec. 7, Act III of 1911.

Alterations in register.

7. (*1*) After the register has been placed in the keeping of the Superintendent of Police, no person's name shall be added to the register, and no registration shall be cancelled, except by, or under an order in writing of, the District Magistrate.

(2) Before the name of any person is added to the register under this section, the Magistrate shall give notice in the prescribed manner to the person concerned--

(*a*) to appear before him or an authority appointed by him in this behalf at a time and place therein specified ;

(*b*) to give to him or such authority such information as may be necessary to enable the entry to be made ; and

(*c*) to allow his finger-impressions to be recorded.

Sec. 8, Act III of 1911.

Complaints of entries in register.

8. Any person deeming himself aggrieved by any entry made, or proposed to be made, in such register, either when the register is first made or subsequently, may complain to the District Magistrate against such entry, and the Magistrate shall retain such person's name on the register, or enter it therein or erase it therefrom, as he may think fit.

Sec. 9, Act III of 1911.

Power to take finger-impressions at any time.

9. The District Magistrate or any officer empowered by him in this behalf may at any time order the finger-impressions of any registered member of a criminal tribe to be taken.

Sec. 10, Act III of 1911.

Schedule I of Act XI of 1915.

Members of criminal tribes to report themselves or notify residence.

10. (*1*) The Local Government may, by notification in the local official Gazette, issue in respect of any criminal tribe either or both of the following directions, namely, that every registered member thereof shall, in the prescribed manner,

(*a*) report himself at fixed intervals ;

(*b*) notify his place of residence and any change or intended change of residence, and any absence or intended absence, from his residence.

Act XXXIII of 1925.

(2) Where a registered member of a criminal tribe in respect of which the Local Government has issued a notification under sub-section (1) changes his place of residence to a district other than that in which he has been registered (whether in the same province or not), or is for the time being in a district of a province other than that by the Local Government of which the said notification was issued, the provisions of this Act and of the rules made thereunder shall apply to him as if in pursuance of a direction made under section 4 he had been registered in that district ; and where that district is in a province other than that by the Local Government of which the notifications under section 3 and sub-section (1) of this section were issued in respect of such criminal tribe, as if the said notifications had been issued by the Local Government of such other province.

(3) Where any such registered member changes his place of residence to a district other than that in which he has been registered (whether in the same province or not), the relevant entry in the register shall be transferred to the Superintendent of Police of that district.

Restriction of Movements of Criminal Tribes.

Power to restrict movements of, or settle, criminal tribes.

11. (*1*) If the Local Government considers that it is expedient that any criminal tribe, or any part or member of a criminal tribe, should be— Sec. 2 and Schedule I, Act XXXVIII of 1920.

(*a*) restricted in its or his movements to any specified area, or

(*b*) settled in any place of residence, the Local Government may, by notification in the local official Gazette, declare that such criminal tribe, part or member, as the case may be, shall be restricted in its or his movements to the area specified in the notification, or shall be settled in the place of residence so specified, as the case may be. Sec. 12, Act I of 1923.

(2) Before making any such declaration, the Local Government shall consider the following matters, namely:—

(i) the nature and the circumstances of the offences in which the members of the criminal tribe or part or the individual member, as the case may be, are or is believed to have been concerned;

(ii) Whether the criminal tribe, part or member follows any lawful occupation, and whether such occupation is a real occupation or merely a pretence for the purpose of facilitating the commission of crimes;

(iii) the suitability of the restriction area, or of the place of residence, as the case may be, which it is proposed to specify in the notification; and

(iv) the manner in which it is proposed that the persons to be restricted or settled shall earn their living within the restriction area or in the place of residence, and the adequacy of the arrangements which are proposed therefor.

Power to vary specified area or place of residence.

12. The Local Government may by a like notification vary the terms of any notification issued by it under section 11 for the purpose of specifying another restriction area or another place of residence, as the case may be, and any officer empowered in this behalf by the Local Government may, by order in writing, vary any notification made under section 11 or under this section for the purpose of specifying another restriction area, or, as the case may be, another place of residence, in the same district. Sec. 13, Act III of 1911. Secs. 5 & 12, Act I of 1923.

Power of Local Government to restrict or settle criminal tribe in another province.

13. Any notification made by the Local Government under section 11, or section 12 may specify, as the restriction area or as the place of residence, an area or place situated in any other province, provided that the consent of the Local Government of that province shall first have been obtained. Secs. 6 & 12, Act I of 1923.

Verification of presence of members of tribe within prescribed area or place of residence.

14. Every registered member of a criminal tribe, whose movements have been restricted or who has been settled in a place of residence in pursuance of any notification under section 11 or section 12, shall attend at such place and at such time and before such person as may be prescribed in this behalf. Sec. 14, Act III of 1911.

Application of Act when criminal tribe is transferred from one province or district to another.

15. (*1*) Where, in pursuance of any such notification, any member of a criminal tribe is restricted in his movements to an area, or is settled in a place of residence, situated in a province other than that by the Local Government of which the notification under section 3 relating to the criminal tribe was issued, all the provisions of this Act and the rules made thereunder shall apply to him as if the notification under section 3 had been issued by the Local Government of such other province. Secs. 7 & 13 Act I of 1923.

(2) If any criminal tribe, or any part of a criminal tribe, which has been registered under section 4 in any district, or any member of such tribe or part, is restricted in its or his movements to an area, or is settled in a place of residence, situated in another district (whether in the same province or not), the register or, as the case may be, the relevant entries or entry therein shall be transferred to the Superintendent of Police of the last-mentioned district, and all the provisions of this Act and the rules made thereunder shall apply as if the criminal tribe or part had been registered in that district, and the District Magistrate of that district shall have power to cancel any exemption granted under section 5.

Settlements and Schools.

Sec. 16, Act III of 1911.

Power to place tribe in settlement.

16. The Local Government may establish industrial, agricultural or reformatory settlements and may order to be placed in any such settlement any criminal tribe, or any part or member of a criminal tribe, in respect of which or of whom a notification has been issued under section 11:

Secs. 8 & 12, Act I of 1928.

Provided that no such order shall be made unless the necessity for making it has been established to the satisfaction of the Local Government, after an inquiry held by such authority and in such manner as may be prescribed.

Sec. 17, Act III of 1911. Sec. 12, Act I of 1923.

Power to place children in schools and to apprentice them.

17. (*1*) The Local Government may establish industrial, agricultural or reformatory schools for children, and may order to be separated and removed from their parents or guardians and to be placed in any such school or schools the children of members of any criminal tribe or part of a criminal tribe, in respect of which a notification has been issued under section 11.

(2) For every school established under sub-section (1), a Superintendent shall be appointed by the Local Government.

VIII of 1897.

(3) The provisions of sections 18 to 22 of the Reformatory Schools Act, 1897, shall, so far as may be, apply in the case of every school for children established under this section as if the Superintendent of such school were a Superintendent and the children placed in such school were youthful offenders within the meaning of that Act.

(4) For the purposes of this section the term "children" includes all persons under the age of eighteen and above the age of six years.

(5) The decision of the District Magistrate as to the age of any person for the purposes of this section shall be final.

Sec. 18, Act III of 1911. Sec. 9, Act I of 1923.

Power to discharge or transfer persons from settlement or school.

18. The Local Government or any officer authorized by it in this behalf may at any time, by general or special order, direct any person who may be in any industrial, agricultural or reformatory settlement or school in the province—

(*a*) to be discharged, or

(*b*) to be transferred to some other settlement or school in the province.

Sec. 19, Act III of 1911. Schedule I, Act XXX—VIII of 1920.

Power to direct use of any settlement or school in British India for reception of persons.

19. Any order made under section 16, section 17 or section 18 may specify as the settlement or school in which any person is to be placed or to which he is to be transferred, as the case may be, any industrial, agricultural or reformatory settlement or school in any other province, provided that the consent of the Local Government of that province shall first have been obtained.

Rules.

Power to make rules.

20. (*1*) The Local Government may make rules to carry out the purposes and objects of this Act. Sec. 20, Act III of 1911.

(2) In particular and without prejudice to the generality of the foregoing power, such rules may provide for or regulate—

(*a*) the form and contents of the register referred to in section 4;

(*b*) the manner in which the notice referred to in section 5 shall be published and the means by which the persons whom it concerns, and the village-headmen, village-watchmen and land-owners and occupiers of the village in which such persons reside, and the agents of such land-owners or occupiers, shall be informed of its publication;

(*c*) the addition of names to the register and the erasure of names therein, and the mode in which the notice referred to in sub-section (2) of section 7 shall be given;

(*d*) the manner in which persons mentioned in section 10 shall report themselves, or notify their residence or any change or intended change of residence, or any absence or intended absence;

(*e*) the nature of the restrictions to be observed by persons whose movements have been restricted by notifications under section 11 or section 12;

(*f*) the circumstances in which members of a criminal tribe shall be required to possess and produce for inspection certificates of identity, and the manner in which such certificates shall be granted; Sec. 10, Act I of 1923.

(*g*) the conditions as to holding passes under which persons may be permitted to leave the place in which they are settled or confined, or the area to which their movements are restricted;

(*h*) the conditions to be inserted in any such pass in regard to—

(i) the places where the holder of the pass may go or reside;

(ii) the persons before whom, from time to time, he shall be bound to present himself; and

(iii) the time during which he may absent himself;

(*i*) the place and time at which, and the persons before whom, members of a criminal tribe shall attend in accordance with the provisions of section 14;

(*j*) the authority by whom and the manner in which the inquiry referred to in section 16 shall be held; Sec. 10, Act I of 1923.

(*k*) the inspection of the residences and villages of any criminal tribe;

(*l*) the terms upon which registered members of criminal tribes may be discharged from the operation of this Act;

(*m*) the management, control and supervision of industrial, agricultural or reformatory settlements and schools;

(*n*) the works on which, and the hours during which, persons placed in an industrial, agricultural or reformatory settlement shall be employed, the rate at which they shall be paid, and the disposal, for the benefit of such persons, of the surplus proceeds of their labour; and

(*o*) the discipline to which persons endeavouring to escape from any industrial, agricultural or reformatory settlement or school, or otherwise offending against the rules for the time being in force, shall be subject, the periodical visitation of such settlement or school and the removal from it of such persons as it shall seem expedient to remove.

Penalties and Procedure.

Penalties for failure to comply with terms of notice under section 5 or section 7.

21. Whoever, being a member of a criminal tribe, without lawful excuse, the burden of proving which shall lie upon him,— Sec. 21, Act III of 1911.

(*a*) fails to appear in compliance with a notice issued under section 5 or section 7, or

(*b*) intentionally omits to furnish any information required under either of those sections, or

(*c*) when required to furnish information under either of those sections, furnishes as true any information which he knows or has reason to believe to be false, or

(*d*) refuses to allow his finger-impressions to be taken by any person acting under an order passed under section 9, may be arrested without warrant, and shall be punishable with imprisonment for a term which may extend to six months, or with fine which may extend to two hundred rupees, or with both.

Sec. 22, Act III of 1911. Sec. 11, Act I of 1923.

Penalties for breach of rules.

22. (*1*) Whoever, being a registered member of a criminal tribe, contravenes a rule made under clause (*e*), clause (*g*) or clause (*h*) of section 20 shall be punishable with imprisonment for a term which may extend,—

(*a*) on a first conviction, to one year,

(*b*) on a second conviction, to two years, and

(*c*) on any subsequent conviction, to three years, or with fine which may extend to five hundred rupees, or with both.

(*2*) Whoever, being a registered member of a criminal tribe, contravenes any other rule made under section 20 shall be punishable,—

(*a*) on a first conviction, with imprisonment for a term which may extend to six months, or with fine which may extend to two hundred rupees, or with both ; and

(*b*) on any subsequent conviction, with imprisonment for a term which may extend to one year, or with fine which may extend to five hundred rupees, or with both.

Sec. 11, Act I of 1923. V of 1898.

(*3*) Any person who commits or is reasonably suspected of having committed an offence made punishable by this section which is not a cognizable offence as defined in the Code of Criminal Procedure, 1898, may be arrested without a warrant by any officer in charge of a police-station or by any police-officer not below the rank of a sub-inspector.

Sec. 23, Act III of 1911. XLV of 1860.

Enhanced punishment for certain offences by members of criminal tribe after previous conviction.

23. (*1*) Whoever, being a member of any criminal tribe and having been convicted of any of the offences under the Indian Penal Code specified in Schedule I, is convicted of the same or of any other such offence shall, in the absence of special reasons to the contrary which shall be stated in the judgment of the Court, be punished,—

(*a*) on a second conviction, with imprisonment for a term of not less than seven years, and

(*b*) on a third or any subsequent conviction, with transportation for life :

Provided that not more than one of any such convictions which may have occurred before the 1st day of March, 1911, shall be taken into account for the purposes of this sub-section.

XLV of 1860.

(*2*) Nothing in this section shall affect the liability of such person to any further or other punishment to which he may be liable under the Indian Penal Code or any other law.

Sec. 24, Act III of 1911.

Punishment for registered members of criminal tribe found under suspicious circumstances.

24. Whoever, being a registered member of any criminal tribe, is found in any place under such circumstances as to satisfy the Court,—

(*a*) that he was about to commit, or aid in the commission of, theft or robbery, or

(*b*) that he was waiting for an opportunity to commit theft or robbery,

shall be punishable with imprisonment for a term which may extend to three years, and shall also be liable to fine which may extend to one thousand rupees.

Arrest of registered person found beyond prescribed limits.

Sec. 25, Act III of 1911.

25. (*1*) Whoever, being a registered member of a criminal tribe,—

(*a*) is found in any part of British India, beyond the area or place of residence, if any, to which his movements have been restricted or in which he has been settled without the prescribed pass, or in a place or at a time not permitted by the conditions of his pass, or

(*b*) escapes from an industrial, agricultural or reformatory settlement or school,

may be arrested without warrant by any police-officer, village-headman or village-watchman, and may be taken before a Magistrate, who, on proof of the facts, shall order him to be removed to such area or place or to such settlement or school, as the case may be, there to be dealt with in accordance with this Act or any rules made thereunder.

(*2*) The rules for the time being in force for the removal of prisoners shall apply to all persons removed under this section or under any other provision of this Act:

Provided that an order from the Local Government or from the Inspector-General of Prisons shall not be necessary for the removal of such persons.

Duties of village-headmen, village-watchmen and owners or occupiers of land to give information in certain cases.

Sec. 26, Act III of 1911.

26. (*1*) Every village-headman and village-watchman in a village in which any members of a criminal tribe reside, and every owner or occupier of land on which any such persons reside, and the agent of any such owner or occupier, shall forthwith communicate to the officer in charge of the nearest police-station any information which he may obtain of—

(*a*) the failure of any such person to appear and give information when required to do so by a notice issued under section 5; or

(*b*) the departure of any registered member of a criminal tribe from such village or from such land, as the case may be.

(*2*) Every village-headman and village-watchman in a village, and every owner or occupier of land and the agent of any such owner or occupier, shall forthwith communicate to the officer in charge of the nearest police-station any information which he may obtain of the arrival at such village or on such land, as the case may be, of any persons who may reasonably be suspected of being members of any criminal tribe.

Penalty for breach of such duties.

Sec. 27, Act III of 1911. XLV of 1860.

27. Any village-headman, village-watchman, owner or occupier of land, and the agent of any such owner or occupier, who fails to comply with the requirements of section 26, shall be deemed to have committed an offence punishable under the first part of section 176 of the Indian Penal Code.

Power to deport certain criminal tribes to States in India.

Sec. 12, Act I of 1923.

28. The Local Government, if it is satisfied that adequate provision has been made by the law of any State in India for the restriction of the movements or the settlement in a place of residence of persons such as are referred to in section 3, and for securing the welfare of persons so restricted or settled, may, with the consent of the Prince or Chief of that State, direct the removal to that State of any criminal tribe, or part of a criminal tribe, for the time being in the province, and may authorize the taking of all measures necessary to effect such removal:

Provided that no person shall be so removed if the Local Government is satisfied that he is a subject of His Majesty.

Supplemental.

Sec. 28, Act III of 1911.

Bar of jurisdiction of Courts in questions relating to certain notifications.

29. No Court shall question the validity of any notification issued under section 3, section 11, or section 12, on the ground that the provisions hereinbefore contained or any of them have not been complied with, or shall entertain in any form whatever the question whether they have been complied with; but every such notification shall be conclusive proof that it has been issued in accordance with law.

Sec. 29, Act III of 1911.

Repeals.

30. The enactments mentioned in Schedule II are hereby repealed to the extent specified in the fourth column thereof.

SCHEDULE I.

(*See Section* 23.)

CHAPTER XII.

The Schedule, Act III of 1911.

SECTIONS.

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SCHEDULE II.

(*See Section* 30)

Year.	Number.	Short title.	Extent of repeal.
1911	III	The Criminal Tribes Act, 1911.	So much of the Act as has not been repealed.
1914	X	The Repealing and Amending Act, 1914.	So much of Schedule II as relates to the Criminal Tribes Act, 1911.
1915	XI	The Repealing and Amending Act, 1915.	So much of Schedule I as relates to the Criminal Tribes Act, 1911.
1920	XXXVIII	The Devolution Act, 1920.	So much of Schedule I as relates to the Criminal Tribes Act, 1911.
1923	I	The Criminal Tribes (Amendment) Act, 1923.	The whole Act.

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2. STATUTORY RULES AND FORMS UNDER THE CRIMINAL TRIBES ACT.

In exercise of the powers conferred on the Local Government by section 20 of the Criminal Tribes Act (VI of 1924), the Governor in Council is pleased to issue the following rules in supersession of those published in Home (Judicial) Department Notification No. 749, dated 22nd September 1916, at pages 1169—1179 of Part I of the *Fort St. George Gazette*, dated 28th idem, as amended by subsequent notifications:—

RULES.

PART I.

Rule 1.—The register of the members of a criminal tribe shall be prepared in English in Form A annexed to these rules. A separate sheet shall be used for each member and all sheets relating to the members of one tribe in one district shall be kept together in a loose-leaf book.

Rule 2.—The notice required under section 5 shall be published—

(*a*) by insertion in the local District Gazette,

(*b*) by posting a copy of such notice

(i) at the place where the register is to be made and in a conspicuous place in every village or town in which it is known or believed that members of the criminal tribe reside or are secreting themselves,

(ii) in every police station within the local limits of which any such village or town is situated, and

(*c*) by serving a copy of such notice on the headman of every such village or town who shall thereupon cause it to be proclaimed in the village or town by beat of drum.

Rule 3.—The notice required by section 7 (2) shall be served in the manner provided in the Criminal Procedure Code for the service of a summons or in case the house or homestead in which the person ordinarily resides is unknown, in the manner prescribed in rule 2. In the case of any member who is in jail in the district, the registering officer shall secure his presence in the manner provided in the Prisoners Testimony Act as if such member were required to give evidence before the registering officer: provided that the District Magistrate may direct the Superintendent of the Jail to make the register in respect of such member.

Rule 4.—No person under 12 years of age shall be included in the register.

Rule 5.—(i) The Superintendent of Police shall supply the registering officer with a register sheet in Form A and a finger-print slip in Form B, both duly filled up as far as possible in respect of all members ordered by the District Magistrate to appear before the registering officer. The registering officer will complete the entries and take the finger-prints of each member and return the forms to the Superintendent of Police who will assign a serial number, place Form A in his loose-leaf book and forward Form B to the Finger-print Bureau which will acknowledge its receipt in Form C.

(ii) The district serial number shall be prefixed by the district abbreviation used for motor-car registration and the letter allotted by the District Magistrate for the tribe.

Rule 6.—(i) At the time of registration of members under section 5 or 7 of the Act it shall be the duty of the registering officer to explain to the members—

(*a*) their liabilities under the Act, and

(*b*) any orders or rules passed by the Local Government or any subsidiary rules issued by the District Magistrate with which they are bound to comply.

(ii) In the case of wandering tribes if orders under section 10 (1) (*a*) or 10 (1) (*b*) or both clauses have been passed prior to such registration, the members shall be supplied by the registering officers with an identification roll in Form H to which shall be attached a copy of the rules and orders which they are required to obey.

(iii) The officer carrying out the registration of a tribe or part of a tribe under section 5 of the Act shall, in cases where he is not himself the District Magistrate, submit to the District Magistrate the names of any members brought before him for registration with regard to whom he may have any doubt.

Rule 7.—(i) If the Local Government issues orders under section 10 (1) (*a*) or 10 (1) (*b*) or under section 11 subsequent to the registration under section 4, the District Magistrate shall cause information thereof to be given to the members concerned in the manner prescribed in rule 3 and shall direct the Superintendent of Police to make an entry to this effect in the appropriate place of the register in Form A after the prescribed intimation has been given.

(ii) In the case of wandering tribes the District Magistrate shall also cause to be delivered to every such member his identification roll in such manner as the District Magistrate may prescribe.

(iii) An acknowledgment of the receipt of this identification roll with the left thumb impression of the recipient attested by the delivering officer shall be attached to the member's sheet in the register.

(iv) The notice of obligation under section 10 (1) (*a*) or 10 (1) (*b*) or 11 shall be served in duplicate and the duplicate copy with the member's left thumb impression attested by the delivering officer shall be attached to the member's sheet in the register.

Rule 8.—The Superintendent of Police shall bring to the notice of the District Magistrate at least once a year the names of all persons who in his opinion may safely be removed from the register.

Rule 9.—(i) If a registered member permanently changes his place of residence to a district other than that in which he has been registered (whether in the same province or not) his sheet shall be taken out of the file in the Criminal Tribes Register and sent by registered post to the Superintendent of Police of the district to which he has moved, and the removal slip in Form D shall be inserted in its place to which should be attached the acknowledgment in Form E received from the district to which it has been transferred. The registered member will be renumbered in his new district in the series of that district for his tribe. Intimation of the new number will be given by the Superintendent of Police to the Criminal Investigation Department and the Finger-print Bureau and the acknowledgment referred to above sent to the district from which it has been received.

(ii) All other criminal tribe members changing residence shall continue to be borne on the register of the district from which they have come.

Rule 10.—Whenever the Local Government issues an order under section 10 (1) (*a*) of the Act in respect of any criminal tribe, every registered member thereof shall report himself at such intervals (not ordinarily more often than once a week) as may be prescribed by the District Magistrate, to the police or village authority in whose neighbourhood the registered member happens to be at the time.

Rule 11.—Every registered member of a criminal tribe who has been required under section 10 (1) (*b*) to notify his place of residence and changes therein shall immediately notify his permanent place of residence to the headman of the village in which such place is situated, or if he is temporarily

residing in another village, to the headman of that other village. This shall be entered in the register in Form F kept by the village-headman.

Rule 12.—Any registered member of a criminal tribe liable to the provisions of section 10 (1) (*b*) who intends to leave the village in which he is residing, with a view to change his residence permanently or temporarily, shall, before his departure, notify to the headman thereof or such other person as may be prescribed by the District Magistrate on this behalf the date on which he intends to start, the village and the house into which he is changing his residence, and the route by which he intends to proceed, and shall obtain a certificate of identity in Form G annexed to these rules. Immediately on arrival at his new residence he shall notify in person to the headman of that village that he has taken up his residence therein and shall show to him his certificate in Form G. He shall also report in person to the headman of every village or where there is a police station at the police station in every village in which he spends during his journey any night or part of a night, his arrival at, and departure from, the village and shall obtain signature in column V of Form G.

He will also notify the route and the time he will take in going to his destination and in case of temporary absences the probable period thereof and the route and the time he will take in returning to his village and shall not without good and sufficient cause deviate from the route notified or exceed the time notified in going to his destination or returning to his village or be absent for a longer period than the period notified as the probable period of absence. He shall also continue to fulfil the requirements of any order previously served upon him under section 10 (1) (*a*). On completion of his journey if the change of residence be permanent or of his return journey if the change of residence be temporary the certificate in Form G shall be given to the village-headman who shall send it to the police station in which his village is situated.

Rule 13.—If any registered member of a criminal tribe required to report himself under rule 10 or to give notice under rule 11 or 12 is prevented by illness or other sufficient cause from doing so in person, he shall inform the headman or other person appointed by the District Magistrate under rule 16 of the village, in whose limits he happens to be, of the fact by a written or verbal message containing the particulars he is required by the rules to furnish. The headman or that other person as the case may be shall report the fact to the police station.

Rule 14.—Whenever a headman or such other person as may be prescribed by the District Magistrate in this behalf receives a notice under rule 11 or 12, he shall grant to the person giving the notice a certificate in Form G annexed to these rules.

Rule 15.—When a headman or such other person as may be prescribed by the District Magistrate in this behalf receives information that a registered member of a criminal tribe liable to the conditions of section 10 (1) (*b*) intends to proceed to any village to reside there temporarily or permanently he shall forthwith give information of the fact in Form G annexed to these rules to the officer in charge of the police station within the limits of which his village is situated, giving the date on which the registered member intends to depart.

Rule 16 (i).—In places where there are police stations or police outposts, the reports required to be made under the preceding rules to the village headman shall be made to the officer in charge of such police stations or outposts.

(ii) In any particular area the District Magistrate may, by a notification in the local District Gazette, appoint or nominate any police officer or other person to receive the reports and to perform the duties under these rules in the place of the village-headman.

Rule 17.—(i) Every registered member who has been furnished with an identification roll shall carefully preserve it and produce the same at the time of his periodical attendance under section 10 (1) (*a*) and on every occasion covered by section 10 (1) (*b*).

(ii) The officer to whom the registered member shall report himself as aforesaid shall acknowledge the report by making suitable entries in the prescribed columns in the roll and shall make corresponding entries in his own registers.

(iii) The identification roll should also be produced for inspection when required by any magistrate, police officer, village headman or any other person who may be empowered by the District Magistrate in this behalf.

(iv) If a member loses his identification roll, he shall report the loss immediately at the police station within whose limits he is for the time being staying and the officer in charge shall (after such inquiries as may be necessary) prepare a fresh and certified copy of the roll and make it over to the member who shall either wait and take it or leave an address where it can find him. During this interval the member should provide himself with a temporary permit in Form H-1.

Rule 18.—Any registered member may be exempted by the District Magistrate from the obligations imposed by section 10 (1) (*a*) or 10 (1) (*b*) either totally, partially or conditionally. Such exemption may be varied or cancelled.

Rule 19.—Every registered member required to report himself under section 10 (1) (*a*) or notify his residence under 10 (1) (*b*), if undergoing imprisonment in a jail either at the time of registration or subsequent to it, shall immediately after release notify to the officer in charge of the Police station in the limits of which the jail is situated, his permanent place of residence and shall obtain from such officer a certificate in Form G.

Rule 20.—Any magistrate other than a village magistrate or any police officer not below the rank of sub-inspector may at any time inspect the residence of any member of a criminal tribe.

Rule 21.—Any police officer or village-headman shall be competent to pay domiciliary visits within their jurisdiction to any registered members to whom either or both clauses of section 10 (1) of the Act have been applied, with a view to verifying the presence of such registered member and it shall be the duty of such registered member to appear before such officer.

PART II.

Rules to apply to any criminal tribe or part thereof in respect of which a notification restricting its movements to a specified area has been published under section 11.

Rule 22.—Every registered member of a criminal tribe liable to the provisions of section 11, shall report himself at such intervals as may be fixed by the District Magistrate in this behalf to such person as the District Magistrate may direct. The intervals at which a registered member of a criminal tribe shall be required to report himself may be altered at any time by the District Magistrate. The District Magistrate may exempt a registered member from the obligation to report himself on such conditions as he may accept and may withdraw any such exemption at his discretion. The provisons of rule 7 shall apply to all orders passed under this rule subsequent to registration.

Rule 23.—In the case of every police station within limits of which any member of a criminal tribe aforesaid is permitted to reside, two lists shall be maintained—

(*a*) A roll of the members of the criminal tribes residing within the limits of the police station who have not been exempted under rule 22 by the District

Magistrate from reporting—Form I. All changes therein should forthwith be notified to the Superintendent of Police.

(*b*) A roll of all children between the ages of 14 and 15 of such sex as has not been exempted from registration in Form J annexed to these rules. This roll shall be revised annually.

Rule 24.—(*a*) No member of a criminal tribe who has not been exempted under rule 22 by the District Magistrate from reporting shall leave the limits of the area to which his movements have been restricted unless he has been granted a pass under these rules, and he shall obey the conditions specified in the pass.

(*b*) The officer in charge of the police station within the limits of which any member resides, or other police officer who may be authorized by the District Magistrate or by the Subdivisional Magistrate, may grant to any member of a criminal tribe who has not been exempted under rule 22 by the District Magistrate from reporting leave of absence for a period not exceeding fifteen days. Leave of absence for any longer period may be granted by the Superintendent of Police. Not more than 10 per cent of the adult males may be allowed to be absent on leave at any one time without the sanction of the Superintendent of Police. Any pass granted under this rule may at any time be withdrawn by the authority granting it.

(*c*) The District Magistrate may suspend, modify or cancel any orders passed by the Superintendent of Police under clause (*b*).

Rule 25.—On leave being granted to any person, he shall be furnished with a pass signed by the police officer referred to in rule 24 (*b*) in Form K annexed to these rules. Any person who goes beyond the area to which his movements have been restricted without a pass or who, having received a pass, remains outside the limits of that area for a longer period than is specified therein, without sufficient cause, will be liable to the penalty prescribed by section 22 of the Act.

Rule 26.—The pass referred to in rule 25 shall be drawn up in English and in the vernacular of the district, in triplicate, the forms being numbered consecutively. The original shall be kept by the police officer issuing the pass, the duplicate handed over to the person who is granted leave and the triplicate sent to the officer in charge of the police station within the limits of which the place of destination of the person granted leave is situated.

The route to be taken by the person granted leave on the journeys to and from his destination shall be specified in the pass and he shall travel by no other route. He shall report himself to the headman of every village in which he halts overnight, and such headman shall affix his signature on the reverse of the pass noting therein the approximate hours of arrival and departure. In the event of a halt being made in a village where there is a police station the report shall be made at the police station. On arrival at his destination, he shall at once report himself to the village headman who shall forthwith report the arrival to the officer in charge of the police station within the limits of which the village lies and note this fact on the reverse of the pass. A person who has been granted leave shall show his pass to any magistrate, or police officer who may demand its production. On return to his notified area he shall report himself immediately to the officer in charge of the police station having jurisdiction and hand over the pass to him.

PART III.

Rules to apply to any criminal tribe or part thereof in respect of which a notification has been published under section 11 *and which has been placed in a settlement established by the Governor in Council under section* 16.

Rule 27.—The enquiry prescribed under section 16 of the Act shall be made by the Commissioner of Labour, acting in consultation with the Inspector-General of Police and the District Magistrates concerned.

Rule 28.—The management, control and supervision of the settlement shall be vested in the settlement manager, who will be appointed by Government either by name or in virtue of his office. Settlement managers and superintendents of schools appointed under section 17 (2) shall be responsible for the management of the institutions under their control and for the well-being of the inmates of those institutions, and may be removed by the order of the Local Government.

Rule 29.—In every settlement two lists shall be maintained—

(*a*) One shall be a roll of the members of the criminal tribes residing in the settlement (Form L). All changes therein should forthwith be notified to the Superintendent of Police and the officer in charge of the camp guard or, if there is no such guard, to the officer in charge of the police station or outpost having jurisdiction.

(*b*) The second shall contain the names of all children under the age of fifteen years together with the names of their parents or guardians (Form M). A similar list shall also be maintained at all schools established under section 17 of the Act and shall include all the inmates of the school of whatever age.

Rule 30.—When a criminal tribe has been distributed between two or more settlements, the managers of the settlements may mutually arrange for transfers of settlers from one settlement to the other, but they shall report every such transfer forthwith to the Superintendent of Police or Superintendents of Police concerned.

Rule 31.—(*a*) No member of a criminal tribe shall absent himself from the settlement unless he has been granted a pass under these rules, and he shall obey the conditions specified in the pass.

(*b*) The manager, or the assistant manager if previously authorized in this behalf by the District Magistrate, may grant to any member of a criminal tribe leave of absence from the settlement for a period not exceeding fifteen days. Leave of absence for any longer period may be granted by the Superintendent of Police. Not more than 10 per cent of the adult males may be allowed to be absent from the settlement on leave at any one time without the sanction of the Superintendent of Police. Any pass granted under this rule may at any time be withdrawn by the authority granting it.

(*c*) The District Magistrate may suspend, modify or cancel any orders passed by the Superintendent of Police under clause (*b*).

Rule 32.—(*a*) On leave being granted to any person, he shall be furnished with a pass signed by the manager, or the assistant manager if previously authorized in this behalf by the District Magistrate, in Form N annexed to these rules. Any person who goes beyond the settlement limits without a pass or who, having received a pass, remains outside the limits of the settlement for a longer period than is specified therein, without sufficient cause, will be liable to the penalty prescribed by section 22 of the Act.

(*b*) Members of criminal tribes who have been placed in settlements and who have been allowed to take up regular daily employment outside the limits of their settlements shall be given permanent passes specifying the hours of each day between which they are permitted to be absent from their settlements. A pass issued under this rule must be surrendered to the officer in charge of the settlement when the individual to whom it has been granted ceases to be employed on the work he has been permitted to undertake.

Rule 33.—(*a*) The manager, or the assistant manager if previously authorized in this behalf by the District Magistrate, shall report to the officer in charge of the police guard stationed near the settlement, or if there is no such guard, to the officer in charge of the police station or outpost having authority, the fact of the grant of leave to, or the absence without leave of, any member of a criminal tribe. Where possible, the grant of leave should be

notified at least three days before it is availed of. Absence shall be notified as soon as it is known.

(*b*) The fact of the return to the settlement of any person who had been previously reported as absent without leave shall also be reported by the manager, or the assistant manager if previously authorized in this behalf by the District Magistrate, to the police officer referred to in clause (*a*).

Rule 34.—The pass referred to in rule 32(*a*) shall be drawn up in English and in the vernacular of the district, in triplicate, the forms being numbered consecutively—Form N. The original shall be kept by the manager, or the assistant manager if previously authorized in this behalf by the District Magistrate, the duplicate handed over to the person who is granted leave, and the triplicate sent to the officer in charge of the police station within the limits of which the place of destination of the person granted leave is situated.

The routes to be taken by the person granted leave on the journeys to and from his destination shall be specified in the pass and he shall travel by no other route. He shall report himself to the headman of every village in which he halts overnight, and such headman shall affix his signature on the reverse of the pass noting therein the approximate hours of arrival and departure. In the event of a halt being made in a village where there is a police station the report shall be made at the police station and not to the headman. On arrival at his destination, he shall at once report himself to the village headman, who shall forthwith report the arrival to the officer in charge of the police station within the limits of which the village lies and note this fact on the reverse of the pass. A person who has been granted leave shall show his pass to any Magistrate, or police officer not below the rank of an officer in charge of a police station who may demand its production. On return to the settlement he shall report himself immediately to the manager, or the assistant manager if previously authorized in this behalf by the District Magistrate, and hand over the pass to him.

Rule 35.—Every member of the criminal tribe shall attend for verification of his presence before the manager or before some person authorized by him in this behalf, at such place and at such times or intervals of time as the manager may direct; provided that the manager may exempt any such member from attendance either on a specified occasion or generally.

Rule 36.—The manager may decide what domestic animals may be kept by settlers in the settlement and may frame rules to ensure that they are so kept as not to cause injury or danger to health, property or person. For any breach of these rules the manager may sell the animal or animals in respect of which the breach has been committed and the proceeds of the sale shall be given to the owner of the animals.

Rule 37.—(*a*) In agricultural settlements, where some form of agriculture is the main occupation provided, the settlers shall carry out such tasks for the purpose of improving the land or of growing a crop, as may be ordered by the manager. The terms of remuneration, the disposal of the produce, and the distribution of the land shall be decided by the manager, subject to the general or special orders of the Governor in Council.

(*b*) The manager may fix the hours during which inmates of agricultural settlements shall be bound to work. Such hours shall not exceed the following maxima:—

(i) Adults—nine hours a day.
(ii) Juvenile adults under 16—seven hours a day.
(iii) Children under 13—four hours a day.

The manager may, for special reasons, exempt any individual from working for the whole or part of the time prescribed for his class

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(c) In industrial settlements the settlers shall be provided with some one or other of the following forms of employment. The settlers shall carry out such tasks as the manager may allot to them. The rate of payment in these settlements shall be as far as possible by piece-work with a view to encouraging and rewarding diligence:—

silk worm rearing,
silk reeling, spinning and weaving,
wool spinning or weaving,
cotton weaving and warping,
carpet and durrie making,
carpentry and blacksmithing,
shoe making,
tailoring,
mat and basket making,
coir picking,
pottery,
fitting and metal work,
stone-breaking, dressing, quarrying or mining,
gardening,
building and repairing buildings,
making of treasure bags and boxes,
tending poultry and live stock,
scavenging,
sugar manufacturing, and
other duties connected with the up keep of the settlement.

Rule 38.—(i) Any settler who disobeys these rules, or refuses to obey any reasonable order given by the manager, or the assistant manager, shall be subject to any one or more of the following penalties:—

(a) a formal warning,
(b) additional or more arduous work at the discretion of the manager with loss of wages or reduced wages,
(c) cancellation or withholding of leave,
(d) loss of other privileges,
(e) daily roll-call,
(f) restriction of movements to any particular area within the settlement at the discretion of the manager,
(g) fine,
(h) prosecution.

All orders of punishment under this rule shall be passed by the manager and shall be liable to revision by the District Magistrate. No prosecution shall be instituted without the sanction of the District Magistrate.

(ii) Children may be punished for misbehaviour in accordance with the usual methods of school discipline. Cases of persistent misbehaviour or serious misconduct should be reported to the District Magistrate for prosecution or such other action as he may consider necessary.

Rule 39.—Managers of settlements may, at their discretion, reward members of criminal tribes for good conduct. Such rewards would include exemption from roll-call, more liberal grant of passes, increased payment for work, promotion to positions of responsibility, and allotment of land for separate cultivation.

Rule 40.—The Superintendent of Police of the district in which a settlement is located may, after consultation with the manager, grant to any member of the criminal tribe placed therein, who has given unmistakeable evidence of good conduct and sustained industry for a sufficient period, a pass permitting him to reside outside the settlement but within the district for the purpose of earning his livelihood. The issue of the pass is entirely discretionary with the Superintendent of Police. If a member of the criminal tribe wishes to reside in a district other than that in which the settlement is located, the Superintendent of Police of the district in which the member of the criminal tribe wishes to reside may grant the pass, but before doing so he shall consult the manager of the settlement and the Superintendent of Police of the district in which the settlement is situated. Such a pass shall not be granted until the manager of the settlement either provides the member of the criminal tribe with suitable employment or places him in circumstances which will enable him to earn an honest livelihood. All orders passed by any Superintendent of Police will be

subject to revision by the District Magistrate concerned. The District Magistrate may, without assigning reasons, revoke a pass so granted and require the member of the criminal tribe to re-enter the settlement. These passes shall be in Form O, shall be subject to the conditions specified therein, and shall be liable to be revoked for a breach thereof.

Rule 41.—The officer authorized to order discharges from settlements under section 18 of the Act shall be the Commissioner of Labour, acting in consultation with the manager of the Settlement and the District Magistrates concerned.

Rule 42.—If a member of a criminal tribe who is suffering from leprosy desires to be sent to a leper asylum established under the Lepers Act III of 1898 or otherwise, the Superintendent of Police of the district where the member resides or is settled for the time being may grant him a pass in Form O for the purpose of enabling such member to be sent to and to reside in such asylum. Such pass may contain a condition that the holder of the pass shall reside at the asylum for such time as may be specified in the pass or until further orders, and shall not leave the asylum without the sanction of such person as may be indicated in the pass. All orders passed by a Superintendent of Police shall be subject to revision by the District Magistrate concerned.

Rule 43.—(i) The settlement, and any residences therein or part thereof, may be inspected at any time by the Commissioner of Labour, District or Subdivisional Magistrate, or the Superintendent of Police, Assistant or Deputy Superintendent of Police, or by any person empowered by any of these officers in writing.

(ii) The manager shall keep a book for record of notes of inspection by inspecting officers and shall forward a copy of any notes made therein within 48 hours to the District Magistrate and the Commissioner of Labour.

Rule 44.—The following registers will be maintained by the managers of settlements :—

(1) Extracts from register of members of criminal tribes—Form A.
(2) A roll of the members of the settlement—Form L.
(3) Attendance register—Form P.
(4) Register of leave and pass holders—Form Q.
(5) Register of births—Form R.
(6) Register of deaths—Form S.
(7) Register of members of criminal tribes absent without leave—Form T.
(8) Register of transfers from the settlement—Form U.
(9) Register of punishments—Form V.
(10) List of visitors to the settlers—Form W.
(11) Inspection book.
(12) Children's register—Form M.

Rule 45.—The foregoing rules in Part III shall, as far as may be, apply to the City of Madras, the Commissioner of Police, Madras, exercising the functions assigned therein both to the Superintendent of Police and the District Magistrate. Rule 31 (c) of Part III of the rules shall not apply to the City of Madras.

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FORM A.

[Rule 1.]

(Register of members of criminal tribes.)

District Tribe

1. Serial number (with letters to denote district and tribe prefixed,
2. C.I.D. gang number and serial number, if any.
3. Name (with aliases and nicknames).
4. $\frac{\text{Father's}}{\text{Husband's}}$ name with aliases.
5. Description, estimated year of birth and identifying marks.
6. Nature of restrictions imposed.
7. Left thumb impression.

(Signature and designation of registering officer and date.)

8. Subsequent orders by Local Government or District Magistrate quoting number and date.

(Space in which to paste Finger Print Bureau acknowledgment serial No. Form C).

Convictions.

Serial number.	Name under which convicted.	District and court.	Date and calendar number.	Section.	Sentence.	Jail number.	Witnesses to prove.

FORM B.

[Rule 5.]

Finger print slip.

C.T.R. number (with district initials).

C.I.D. gang number and serial number (if any).

Name.

Classification No. F.P.B. serial No.

Right Hand.

Right thumb.	Right index.	Right middle.	Right ring.	Right little.

Left Hand.

Left thumb.	Left index.	Left middle.	Left ring.	Left little.

Left hand plain prints of the four fingers taken simultaneously.	Right hand plain prints of the four fingers taken simultaneously.

I certify that the above prints were taken in my presence and that they are the prints of the person named on the reverse.

Signature of registering officer

(designation and date).

Slip prepared on by Rank District.
Classified at Bureau by Date
Tested do. Dated

FORM C.

[Rule 5.]

(*To be attached to Form A.*)

(Acknowledgment by the Finger Print Bureau.)

Received the finger prints of C.T.R. No. of district.
Finger Print Bureau Serial No.

(Signature of officer in charge,

Finger Print Bureau, with date).

To

The Superintendent of Police,
District.

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FORM D.

[Rule 9.]

(Removal slip.)

District Tribe.

1. Serial number (with letters to denote district and tribe prefixed)
2. C.I.D. gang number and serial number, if any.
3. Name (with aliases and nicknames)
4. District to which forwarded and date

Space in which to paste receipt (Form E.)

FORM E.

[Rule 9.]

(Acknowledgment of Form A.)

Received from the Superintendent of Police,

District.

Register sheet (Form A) of (Name)

C.T.R. No. (with letters to denote district and tribe prefixed) with Form C attached thereto.

He has been assigned C.T.R. number in this district.

Superintendent of Police,
District Date

To

The Superintendent of Police,
District.

FORM F.

[Rule 11.]

(Register of members of criminal tribes required to notify place of residence and any change or intended change of residence to the village headman.)

[NOTE.—The entries in the first column will be made by station-house officer both in English and vernacular.]

1. Serial number (with letters to denote district and tribe prefixed).
2. Name (with aliases and nicknames).
3. Father's / Husband's name with aliases
4. Description, estimated age, identifying marks, sex, etc.

Movements on pass

Date.	To what place.	Remarks.

FORM G.

[Rule 12.]

(Half foolscap size.)

Certificate acknowledging receipt of notice under section 10 (1) (b) of the Criminal Tribes Act, 1924.

Received from

×

Notice that

×

a registered member of the criminal

×

tribe of

×

* permanently resides at

×

* intends leaving this place on

× ×

to reside in

×

* has arrived in this $\frac{\text{village}}{\text{town}}$ to reside

× ×

herein at

×

Left thumb impression

Date × Village × Headman ×

* Strike out the clauses not wanted.

× ×

All entries to be made on the back and front of the 3 counterfoils by *issuing officers* must be in ink and not in pencil.

(To be printed on the reverse of this foil.)

(i) Serial number, name, C.T.R. number and C.I.D. gang number—

× ×

(ii) Purpose of absence—

×

(iii) Route and the time he will take in going to his destination—

×

(iv) Route and the time he will take in returning to his village—

×

[To be sent at once to the station-house officer of the station in the limits of which the member resides.]

FORM G.

[Rule 12.]

(Half foolscap size.)

Counterfoil No. 1.

Certificate acknowledging receipt of notice under section 10 (1) (b) of the Criminal Tribes Act, 1924.

Received from

×

Notice that

×

a registered member of the criminal

×

tribe of

×

* permanently resides at

×

* intends leaving this place on

× ×

to reside in

×

* has arrived in this $\frac{\text{village}}{\text{town}}$ to reside

× ×

herein at

×

Left thumb impression

Date × Village × Headman ×

* Strike out the clauses not wanted.

× ×

(To be printed on the reverse of this counterfoil.)

(i) Serial number, name, C.T.R. number and C.I.D. gang number—

× ×

(ii) Purpose of absence—

×

(iii) Route and the time he will take in going to his destination—

×

(iv) Route and the time he will take in returning to his village—

×

[To be sent at once by post to the station-house officer of the station of destination and to be returned by him to the issuing officer after verification of the member's arrival at the village of destination and departure therefrom.]

FORM G.

[Rule 12.]

(Half foolscap size.)

Counterfoil No. 2.

Certificate acknowledging receipt of notice under section 10 (1) (b) of the Criminal Tribes Act, 1924.

Received from

×

Notice that

×

a registered member of the criminal

× ×

tribe of

×

* permanently resides at

×

* intends leaving this place on

× ×

to reside in

×

* has arrived in this $\frac{\text{village}}{\text{town}}$ to reside

× ×

herein at

×

Identification marks.

Left thumb impression.

Date × Village × Headman ×

* Strike out the clauses not wanted.

× ×

(To be printed on the reverse of this counterfoil.)

(i) Serial number, name, C.T.R. number and C.I.D. gang number—

× ×

(ii) Purpose of absence—

×

(iii) Route and the time he will take in going to his destination—

×

(iv) Route and the time he will take in returning to his village—

×

(v) Intervals at which member is found to report under section 10 (*a*)—

× ×

(vi) Report and signature of station house officer of station of destination as to member's arrival and departure.

× ×

[To be given to a member reporting intention to go on a journey or to change his place of residence temporarily or permanently. Use a separate form for each person.]

FORM G.

[Rule 12.]

(Foolscap size.)

Counterfoil No. 3.

Certificate acknowledging receipt of notice under section 10 (1) (b) of the Criminal Tribes Act, 1924.

Received from

×

Notice that

×

a registered member of the criminal tribe of

× ×

* permanently resides at

×

* intends leaving this place on to reside in

× × ×

* has arrived in this $\frac{\text{village}}{\text{town}}$ to reside herein at

× × ×

Identification marks

Left thumb impression.

Date × Village × Headman ×

* Strike out the clauses not wanted.

× ×

* At the end of the journey the village headman must send this to the police station in which his village is situated.

(To be printed on the reverse of this counterfoil.)

(i) Serial number, name, C.T.R. number and C.I.D. gang number—

× × ×

(ii) Purpose of absence—

×

(iii) Route and the time he will take in going to his destination—

× ×

(iv) Route and the time he will take in returning to his village—

× ×

(v) Signature of the headman of the village in which the passport-holder stays for the night during the journey—

× ×

Date of reporting. ×	Hours of reporting. ×	Village of reporting. ×	Signature of officer receiving report.

(vi) Intervals at which member is bound to report under section 10 (1) (*a*)—

× ×

Note—Places where × mark is found are to be filled by a vernacular rendering of the words or sentences.

15

FORM H.

[Rule 6.]

Identification Roll.

[First page].

(This should be in a book form of white sheets $8\frac{1}{2}'' \times 6\frac{1}{2}''$ with linen cover.)

Ten leaves to be left for movements, pages to be ruled.

[Second page.]

Identification roll of members of *criminal tribes.*

1. Tribe.
2. C.T.R. number.
3. District.
4. Name and aliases with father's or husband's name.

[Third page.]

5. Description, age with year and identification marks.
6. Left thumb impression.
7. Signature and designation of issuing officer with date.
8. Losses of identification roll to be noted here with dates.

[Fourth page.]

Record of movements.

All occasions of reporting under section 10 (1) (*a*) or 10 (1) (*b*) will be entered.

Date.	Village or police station.	Signature of village munsif or station-house officer.

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FORM H-1.

[Rule 17.]

Certified that a person calling himself son of and whose description is given below, reported to me the loss of his identification roll on

Description with identification marks

C.T.R. number, if known, with district abbreviation

Left thumb impression of the member

Place

Date

Officer in charge of Police Station.

FORM I.

[Rule 23.]

Roll of members of a restricted criminal tribe residing within the limits of the police station.

Gang number and district letter.

Date of notification of restriction.

Area to which restricted.

Personal number in Criminal Tribes Register.	Name with aliases.	Father's / Husband's name.	Age and sex.	Where living.			Remarks.
				Present.	Out of view.	In jail.	

FORM J.

[Rule 23.]

Register of juvenile members of a restricted criminal tribe residing within the limits of police station.

Serial number.	Name.	Names of parents or guardian with C.T.R. number.	Date of entry in the register.	Remarks showing disposal.

[For File]

FORM K.

[Rule 25.]

Leave pass from restricted area.

Serial number

Name

Business on which proceeding

To

Via

To return on

Marks of identification

Left thumb impression.

[Reverse.]

Movements.

(Name of police station or village.	Date.		Signature of the station-house officer or the headman of the route villages specified in the pass.
	Arrival.	Departure.	

[To be sent to the local police station.]

FORM K

[Rule 25.]

Leave pass from restricted area.

Serial number

Name

Business on which proceeding

To

Via

To return on

The grant of this pass is subject to the following conditions :—

(i) The holder of this pass shall travel by the route specified therein and by no other route.

(ii) The holder shall report himself to the headman of every village in which he halts over night and obtain his signature on the reverse. If there is a Police station at the place where he halts, he will report there and not to the village headman.

(iii) On arrival at his destination, the holder shall at once report himself to the village headman, who will report the arrival to the officer in charge of the police station within the limits of which the village lies and note this fact on the reverse of the pass.

(iv) The pass should be shown to any Magistrate or Police officer who demands its production.

(v) On return to the notified area the pass should be immediately handed over to the officer in charge of the police station.

Breach of any of the conditions will render the offender liable to prosecution under section 22 (1) of the Criminal Tribes Act, 1924 (VI of 1924).

Marks of identification

Left thumb impression

[Reverse.]

Movements.

Name of police station or village.	Date.		Signature of the station-house officer or the headman of the route villages specified in the pass.
	Arrival.	Departure.	

[To be given to the criminal tribe member.]

FORM K.

[Rule 25.]

Leave pass from restricted area.

Serial number

Name

Business on which proceeding

To

Via

To return on

The grant of this pass is subject to the following conditions :—

(i) The holder of this pass shall travel by the route specified therein and by no other route.

(ii) The holder shall report himself to the headman of every village in which he halts over night and obtain his signature on the reverse. If there is a police station at the place where he halts, he will report there and not to the village headman.

(iii) On arrival at his destination, the holder shall at once report himself to the village headman, who will report the arrival to the officer in charge of the police station within the limits of which the village lies and note this fact on the reverse of the pass.

(iv) The pass should be shown to any Magistrate or Police officer who demands its production.

(v) On return to the notified area the pass should be immediately handed over to the officer in charge of the police station.

Breach of any of the conditions will render the offender liable to prosecution under section 22 (1) of the Criminal Tribes Act, 1924 (VI of 1924).

Marks of identification

Left thumb impression

[Reverse.]

Movements.

Name of police station or village.	Date.		Signature of the station-house officer or the headman of the route villages specified in the pass.
	Arrival.	Departure.	

FORM L.

[Rule 29.]

Roll of members of criminal tribes in the Settlement at _____

District gang number and letter.	Personal number in criminal tribes register.	Name with aliases.	Father's / Husband's name.	Age and sex.	Date of admission into the settlement.	Where living.				Date of removal from settlement.	Remarks.
						Present in settlement.	Out of view.	In jail.	Permitted to live outside the settlement with the period for which such permission is granted.		

FORM M.

[Rule 29.]

Register of juvenile members (_____ *) of criminal tribes in the settlement at* _____

Serial number.	Name.	Names of parents or guardians with number and district letter of gang and personal number in C.T.R.	Sex.	Approximate date of birth	Date of entry in the register.	Remarks showing disposal.

[To be retained by the Manager.]

FORM N.

[Rules 32 and 34.]

Leave pass from ——— *Settlement.*

Gang, district number and letter

Personal C.T.R. number

Name

To

Via

To return on

Marks of identification.

Left thumb impression.

[To be sent to station-house officer.]

FORM N.

[Rules 32 and 34.]

Leave pass from ——— *Settlement.*

Gang, district number and letter

Personal C.T.R. number

Name

To

Via

To return on

The grant of this pass is subject to the following conditions :—

1. The holder of the pass shall travel by the route specified therein and by no other route.

2. The holder shall report himself to the headman of every village in which he halts over night and obtain his signature on the reverse. If there is a police station at the place where he halts, he will report there and not to the village headman.

3. On arrival at his destination, the holder shall at once report himself to the village headman who will report the arrival to the officer in charge of the police station within the limits of which the village lies and note this fact on the reverse of the pass.

4. The pass should be shown to any Magistrate or Police officer (not below the rank of a station-house officer) who demands its production.

5. On return to the settlement, the pass should be immediately handed over to the Manager or the Assistant Manager, if previously authorized in this behalf by the District Magistrate.

Breach of any of the conditions will render the offender liable to punishment under rule 38 and liable to prosecution under section 22 (1) of the Criminal Tribes Act, 1924 (VI of 1924).

Marks of identification.

Left thumb impression.

[Back.]

Movements.

Name of police station or village.	Date.		Signature of station-house officer or the headman of the route villages specified in the pass.
	Arrival.	Departure.	

[To be given to criminal tribe member.]

FORM N.

[Rules 32 and 34.]

Leave pass from ——— *Settlement.*

Gang, district number and letter

Personal C.T.R. number

Name

To

Via

To return on

The grant of this pass is subject to the following conditions :—

1. The holder of the pass shall travel by the route specified therein and by no other route.

2. The holder shall report himself to the headman of every village in which he halts over night and obtain his signature on the reverse. If there is a police station at the place where he halts, he will report there and not to the village headman.

3. On arrival at his destination, the holder shall at once report himself to the village headman who will report the arrival to the officer in charge of the police station within the limits of which the village lies and note this fact on the reverse of the pass.

4. The pass should be shown to any Magistrate or Police officer (not below the rank of a station-house officer) who demands its production.

5. On return to the settlement, the pass should be immediately handed over to the Manager or the Assistant Manager, if previously authorized in this behalf by the District Magistrate.

Breach of any of the conditions will render the offender liable to punishment under rule 38 and liable to prosecution under section 22 (1) of the Criminal Tribes Act, 1924 (VI of 1924).

Marks of identification.

Left thumb impression.

[Back.]

Movements.

Name of police station or village.	Date.		Signature of station-house officer or the headman of the route villages specified in the pass.
	Arrival.	Departure.	

FORM O.

[Rule 40.]

Pass to reside outside _____ *Settlement.*

1. District number and letter of gang
2. Personal C.T.R. number
3. Name
4. To reside in
5. For the period from

to

_____

until further orders.

Left thumb impression

I

The grant of this pass shall be subject to the condition that the person to whom this pass is granted shall reside at the place specified above and shall not leave such place without the written permission of his employer or his employer's agent or of the District Superintendent of Police of . . . He shall be punctual and regular in attendance at work and shall lead an honest and industrious life.

NOTE.—If from sickness or other cause he wishes to leave the said place, he shall apply to the District Superintendent of Police of . . . for permission to return to the settlement at . . .

This clause is applicable only to those who are leaving the settlement for definite employment elsewhere.

or II

The grant of this pass shall be subject to the condition that the person, to whom it is granted, shall proceed to, and reside at, the place specified above, shall not leave such place without the written permission of the headman of the village or of the station-house officer for absence up to fifteen days and of the District Superintendent of Police of . . . for longer periods, shall report his arrival in, or departure from, such place to the village headman thereof or the station-house officer and shall lead an honest and industrious life.

This clause is applicable only to those who are permitted to reside outside the settlement on account of good behaviour.

or III

The grant of this pass shall be subject to the condition that the person to whom this pass is granted shall reside at the place and for the period specified above and shall not leave such place without the written permission of . . .

This clause is applicable only to those lepers in settlements transferred to an asylum at their wish.

Any breach of the provisions under which the pass is granted shall be punishable under section 22 of the Criminal Tribes Act, VI of 1924.

The conditions not required should be struck out.

18.

FORM P.

[Rule 44.]

Attendance register of members of criminal tribes in _____ *Settlement*

Month of _____ 192 .

District gang number and letter and personal C.T.R. number.	Name.	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	Remarks.

FORM Q.

[Rule 44.]

Members of criminal tribes granted leave and Form O passes.

District gang number and letter and personal C.T.R. number.	Name.	Period of leave granted or of permission to live outside.		Actual date of return.	Remarks.
		From	To		

FORM R.

[Rule 44.]

Register of births of members of criminal tribes in _____ *Settlement.*

Serial number.	Date of birth.	Names of parents of the child with number and district letter of gang and personal C.T.R. number.	Sex of child.	Name of the child.	Remarks.

FORM S.

[Rule 44.]

Register of deaths of members of criminal tribes in _____ *Settlement.*

Serial number.	Date of occurrence.	Name of the deceased with number and letter of district gang and personal C.T.R. number, if any.	Names of parents or husband with number and letter of district gang and personal C.T.R. number in case of unregistered persons.	Sex.	Age.	Cause of death.	Remarks.
					YRS.		

19

FORM T.

[Rule 44.]

Register of members of criminal tribes absent without leave from _____ Settlement.

Number and district letter of gang and personal C.T.R. number.	Name.	Date of absence.	Date of return.	Date on which arrested.	Action taken against the absentee.	Remarks.

FORM U.

[Rule 44.]

Register of members of criminal tribes removed from the _____ Settlement.

Serial number.	District gang number and letter and personal C.T.R. number.	Name.	Sex.	Age.	Date of admission.	Date of removal.	Reasons for removal.	Authority ordering the removal.	Remarks.
				YRS.					

FORM V.

[Rule 44.]

Register of punishments of members of criminal tribes in the _____ Settlement.

Serial number.	District gang number and letter and personal C.T.R. number.	Name.	Offence.	Details of punishment.	Date of punishment.	Remarks.

FORM W.

[Rule 44.]

List of visitors to the members of criminal tribes in _____ Settlement.

Serial number.	Name of visitor.	Father's name.	Village from which arrived.	Date of arrival.	Date of departure.	Purpose of visit.

(G.O. No. 2008-L., dated 21st December 1926.)

3. STANDING EXECUTIVE ORDERS ISSUED UNDER THE CRIMINAL TRIBES ACT.

(1)

G.O. No. 1022, Judicial, dated 4th May 1914.

(*a*)

Letter from the District Magistrate, South Arcot, No. R.O.C. 295/M.C., dated 13th March 1914.

With reference to the notification published with G.O. No. 1193, Judicial, dated the 18th June 1913, declaring the Togamalai Koravas or Kepmaris as a criminal tribe under section 3 of the Criminal Tribes Act, III of 1911, I have the honour to enquire whether Kepmaris who may have their settlements in French limits but may visit this district can be brought within the sphere of the Government notification.

(*b*)

Opinion of the Advocate-General, No. 115, dated 24th April 1914.

Any member of the Togamalai Koravas tribe being a British subject who wanders into British India out of French territory comes within the sphere of the Government notification.

(*c*)

Order thereon, No. 1022, Judicial, dated 4th May 1914.

The Honourable the Advocate-General's opinion is communicated to the District Magistrate, South Arcot.

(2)

G.O. No. 2362, Home (Judicial), dated 2nd October 1916.

Section 7 of the Criminal Tribes Act, 1911, is not applicable to cases in which the registration of the members of a criminal tribe has not been completed and the register has not been placed in the keeping of the Superintendent of Police. The Government however consider it desirable that the District Magistrate should give further notice, in whatever form he considers expedient, to members of criminal tribes who, though once given notice under section 5 of the Act, could not be registered within a reasonable time. In order to prevent excessive protraction in the registration of members of criminal tribes in future, the Government are pleased to lay down that the registration should be closed and the register deposited with the Superintendent of Police within a period of three months from the date of the order directing the registration.

2. Registration of the members of a criminal tribe is one of the most important proceedings under the Act, and the Government desire that, if a District Magistrate is unable to do the work himself, he should direct an experienced First-class Magistrate to register all members of the notified tribe residing within the limits of the district.

3. The Government have no objection to the payment of batta to members of criminal tribes produced for registration. District Magistrates should however impress on registering officers the necessity of saving this expenditure by camping near the homes or haunts of the people concerned.

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(3)

Demi-official from the Hon'ble Diwan Bahadur R. Ramachandra Rao Avargal, Secretary to Government, Home (Judicial) Department, to all District Magistrates, and the Inspector-General of Police, dated 1st August 1917, No. 1859—A. 3.

Please refer to G.O. No. 1579, Home (Judicial), dated 1st August 1917, applying the provisions of section 10 (*a*) of the Criminal Tribes Act to certain criminal tribes. The Government desire that the notification should be enforced only in respect of adult males.

Note.—This instruction is intended to be of general application, though exceptions may be permitted for special reasons.

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(4)

G.O. No. 90, Home (Judicial), dated 15th January 1919—Extracts.

* * * * *

4. *Admission of members to settlements.*—A District Magistrate makes mention of the detention in one settlement of eleven women who were not registered members of criminal tribes. He states that such cases are in his experience rare and that the women in question were released immediately after he was made aware of their position at the time of his inspection. In paragraph 4 of G.O. No. 2309, Home (Judicial), dated the 11th October 1918, the Government have directed that, except in the case of a warrant under section 25 of the Act or of release from jail, no member of a criminal tribe shall be admitted into a settlement save on an order signed by the District Magistrate of the district where the settlement is situated. The Government desire that this direction should be strictly enforced so as to obviate indiscriminate registration and admissions.

5. *Maintenance of old and infirm settlers.*—Another District Magistrate suggests that certain specified individuals in a particular settlement may be exempted from the operation of the Act on account of old age and infirmity. There are obvious objections to the removal of such persons from a settlement; apart from the difficulties of maintenance they might act as receivers without actually participating in the commission of crime. The Government have decided to extend relief in the form of a compassionate allowance to all persons in settlements who are incapable of earning a living and who have no relatives in the settlement, able and bound by the custom of the country, to afford them support.

* * * *

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(5)

G.O. No. 271, Revenue, dated 2nd February 1920, paragraph 6.

The Government have decided to transfer to the Commissioner of Labour, the General control and management of criminal tribes settlements. The conduct of other operations under the Criminal Tribes Act, 1911, will remain with the Magistracy and Police.

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(6)

G.O. No. 3161, Home (Judicial), dated 17th December 1920.

The Government agree with the Commissioner of Labour that in regard to the prosecution of settlers the present system of obtaining the previous sanction of the District Magistrate under rule 12 (1)* of Part II of the rules framed under the Criminal Tribes Act must continue. District Magistrates and the Commissioner of Police should see that applications for permission to prosecute are dealt with promptly.

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(7)

G.O. No. 371, Judicial, dated 9th July 1921.

The District Magistrate of Chittoor has raised the question whether under section 7 (ii) of the Criminal Tribes Act he can order the registration, by Superintendent of the Central Jail, Vellore, of members of criminal tribes belonging to his district and serving sentences in that jail.

† 2. The orders conveyed in paragraph 2 of G.O. No. 2362, Home (Judicial), dated 2nd October 1916, that the registration of members of criminal tribes should be done either by the District Magistrate or by an experienced First-class Magistrate, apply also to cases of registration under section 7 of the Criminal Tribes Act. Under section 4 of the Act, the powers of a District Magistrate in respect of registration are confined to members of the criminal tribes within his district. The Government therefore consider that in the circumstances of the case as set out in paragraph 1 the best course would be to transfer the prisoners in consultation with the jail authorities, just before the expiry of their sentence to a sub-jail in the Chittoor district, where the District Magistrate may give them the required notice under section 7 (2) of the Act and order registration.

3. The further question has been raised whether the same procedure should apply in the case of adolescents belonging to notified criminal tribes who have served their terms in the Borstal Institute, Tanjore.

4. While inviting attention to the instructions ‡ contained in paragraph 3 of G.O. No. 2041, Home (Judicial), dated 17th August 1920, the Government do not consider it necessary to lay down any hard-and-fast rule for the exemption of such persons from registration under the Criminal Tribes Act. They, however, direct that the Inspector-General of Prisons should, when sending adolescents to the Borstal Institution, inform the Superintendent of the institution whether they are members of notified criminal tribes or not. The Superintendent shortly before release of any adolescent who is a member of such a tribe may, if he thinks fit, apply to the District Magistrate for his

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* Rule 38 (i) of present rules.

† Vide rule 3, present rules.

‡ That the Inspector-General of Police should issue instructions to ensure that released adolescents are not shadowed by the police.

exemption. District Magistrates will, in disposing of such applications, exercise the discretion vested in them under section 5 of the Act.

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(8)

G.O. No. 1145, Law (General), dated 10th April 1923.*

Under the provisions of section 18 of the Criminal Tribes Act, 1911 (III of 1911), as amended by Act I of 1923, the Governor in Council is pleased to authorize the Commissioner of Labour, Madras, to direct by special order any person who may be in a settlement or school for criminal tribes in this Province—

(*a*) to be discharged, or

(*b*) to be removed to some other settlement or school in the Province.

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(9)

CRIMINAL TRIBES—REFORMATORY SETTLEMENT—KAVALI—INCORRIGIBLES—DETENTION, REMOVAL, ETC., RULES.

The following rules are issued by Government :—

Incorrigibles from other settlements may be removed with their wives and children to the Kavali Reformatory Settlement under the orders of the Commissioner of Labour.

2. Incorrigibles shall ordinarily be detained in the Kavali Reformatory Settlement for a period of four years.

3. At the end of this period they shall be transferred, subject to such conditions as may be prescribed by the Commissioner of Labour, either to the settlement from which they were removed or to any other settlement, provided their conduct in the Reformatory Settlement during the period of their detention was in the opinion of the Commissioner of Labour uniformly good.

4. Where the Commissioner of Labour thinks that the conduct of a settler was fairly satisfactory, though not uniformly good, he may direct that the settler be detained at the Reformatory Settlement for a further period not exceeding one year in addition to the four years prescribed under rule 2 above. At the end of this period the settler shall be transferred, subject to such conditions as may be prescribed by the Commissioner of Labour either to the settlement from which he was originally removed or to any other settlement provided that his conduct during the further period at the Reformatory Settlement was fairly satisfactory.

5. No settler shall be transferred from the Reformatory Settlement without the orders of the Commissioner of Labour.

6. If an incorrigible is convicted of any offence and sentenced to a term of imprisonment by any Court the period of four years prescribed in rule 2 above shall be counted from the date of his release from prison.

7. The following rules shall be observed in the granting of passes :—

(*a*) *During first year of residence.*—No pass.

(*b*) *During second year of residence.*—If his conduct has been good, one pass for five days.

(*c*) *During third year of residence.*—If his conduct has been good, one or two passes, the total period not exceeding twelve days.

(*d*) *During fourth year of residence.*—If his conduct has been good, he may be granted one or two passes, the total period not exceeding fourteen days.

(*e*) *Future years.*—Passes as for the fourth year.

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* Vide also Rule 41 of the new rules.

22

8. Passes to settlers may be issued by the Manager of the Kavali Reformatory Settlement—though they are not due—for a period not exceeding five days at a time (excluding days of travel by rail) only in case of telegrams received from the Manager of any settlement of the sickness of the wife, or parents, or children of the settlers which may in the opinion of the Medical Officer end fatally. These days will be counted as leave in advance. In such cases the papers should afterwards be sent to the Commissioner of Labour.

9. The Manager of the Reformatory Settlement at Kavali is authorized to issue gate passes to such members as require hospital attention, which is available at the Kavali Local Fund hospital. He may also issue D* passes for such as must be sent to Ongole or Nellore hospital or elsewhere for advanced treatment. In each such case an escort should accompany the individuals, sufficient to give constant surveillance during their absence from the Kavali Reformatory Settlement.

10. For marriages and all other cases, leave must be obtained from the Commissioner of Labour in advance.

11. Wives who are sent to the Reformatory Settlement for the fault of their husbands shall be treated as regular members of the Kavali Settlement and allowed to go outside the enclosure daily for such work as may be available.

12. For the purpose of these rules the term "incorrigible" includes persons residing in settlements other than the Kavali Reformatory Settlement—

(1) who show no signs of reformation and who seriously retard the progress of the other settlers;

(2) who have absconded more than three times; and

(3) who have been removed from the Kavali Reformatory Settlement and who do not satisfy the conditions under which they have been removed.

Persons absconding from the Reformatory Settlement shall also be treated as incorrigibles.

13. The Managers of other settlements are requested to give notice of their intention to grant passes to settlers wishing to visit relatives at the Reformatory Settlement to the Manager of the Kavali Reformatory Settlement and to await his certificate that there is no objection before granting the passes. This procedure should be departed from only in urgent cases; and in such cases the intending visitor should be informed that he must go first to the Manager of the Reformatory Settlement and receive permission from him for the interview.

(G.O. No. 2929, Law (General), dated 23rd September 1925; P.G., dated 14th November 1925.)

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(10)

CRIMINAL TRIBES ACT VI OF 1924—SECTION 23.

The following order of Government is published for information:—

The Government have perused the judgment of the High Court in Reference No. 17 of 1924, dated 8th October 1924, in which it is held that an accused person must have been registered under the Criminal Tribes Act before he can be made liable to enhanced punishment under section 23 (1) of the Act. They would, however, draw the attention of the Agent to the Governor, Vizagapatam, to the judgment of the High Court in Criminal Appeal No. 21 of 1916 communicated in G.O. No. 1454, Judicial, dated 6th June 1916, and included in I.L.R., Madras, Volume XL, pages 923-925, and to the judgment of the Hon'ble the Chief Justice in Criminal Appeals Nos. 318 and 367 of 1925 which is appended.*

* (Printed in Supp. to P.G., dated 19th December 1925.)

2. The Government observe that under Act VI of 1924 any tribe, gang or class of persons may be declared by notification under section 3 to be a criminal tribe for the purposes of the Act. Notification under section 3 is different from

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* Form "N" of the new rules.

registration under section 4, as is clear from the fact that the provisions of section 11 become applicable on notification under section 3 and irrespective of registration under section 4. There seems, therefore, no reason why, proceeding on the language of the Act as it stands, section 23 should not be applicable irrespective of registration under section 4. This view is strengthened by the language of section 24 which specifically adverts to a registered member of a criminal tribe ; and it is a well-known rule adopted in the interpretation of statutes that a change of language in successive sections is to be presumed as involving change of intention.

3. In order to assist the Government in its endeavours to reform a criminal tribe and to convert its members into law abiding citizens, section 23 compels the Courts to remove to jail recalcitrant members of the tribe who would actively encourage other members to commit crime. A member who meant to continue in a course of crime would probably endeavour to avoid registration and to remain "out of view" ; it is resonable that this section should be applied to him when he is finally caught, even though he had not been registered.

4. The Government therefore consider that, when interpreting Act VI of 1924, Magistrates should not be bound by the decision in Reference No. 17 of 1924, dated 8th October 1924. It will not consequently be necessary for the Agent to the Governor, Vizagapatam, to apply to the High Court to modify the sentences passed on the 26 Oriya Dombs referred to in his letter.

(G.O. No. 23, Judicial, dated 9th January 1926.)
(P.G., dated 8th May 1926.)

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(11)

CRIMINAL TRIBES ACT—REVISED RULES.

The following extract from G.O. No. 2008-L., dated 21st December 1926, is published for information :—

* * * * * *

4. In issuing the revised rules, the Government think it desirable to state as clearly as possible their view of the scope and purposes of the Criminal Tribes Act and of the way in which it should be administered.

The spirit of the Act is preventive, not punitive. Its preventive aims are sought to be effected by a series of provisions by which persons of well-known criminal propensities are first publicly declared to be a criminal tribe, may then be required to register their names and other marks of identification with the magistracy or police, may next be required to report themselves periodically and to notify their changes of residence, and may further be restricted in their movements to a particular area. The Act provides also, in addition to or in lieu of some of the preceding provisions, for the settling of criminal tribes in organized agricultural or industrial settlements ; and this portion of the law, with its connected provisions, adds a remedial character to the Act, since the settlements are designed for the reformation of the inmates and their introduction to honest methods of earning their livelihood.

5. It is desirable to emphasize the gradual and progressive scheme of the Act, because an impression appears to prevail that no sooner has the first step been taken, viz., the notifying of a class of persons as a criminal tribe, than every successive stage should at once be applied.

6. It is also desirable to call attention to the description of the qualifications of a "criminal tribe" in the Act. The relevant provision is section 3, which clearly states that only those persons who are reasonably believed "to be addicted to the systematic commission of non-bailable offences" can be included in a notification under this section. The section expressly contemplates the application of the Act to a part only of a group of persons falling under a common tribal designation, thus making it clear that the criterion for inclusion

Page 41.—*Insert* the following on this page:—

(12) 23

CRIMINAL TRIBES ACT—RULES UNDER—RULE 10—INTERPRETATION.

The following extract from an order of Government is published for information:—

With reference to paragraph 2 of his letter read above, a copy of paragraph 1 of G.O. No. 1342-L., dated 22nd June 1927 (communicated with Chief office endorsement R.C. No. 452-Statl., dated 6th July 1927), is forwarded to the District Magistrate, Chittoor, and he is informed that he may use his discretion and pass orders directing the active members of the six criminal tribes to report more frequently than once a week according to their criminality.

(G.O. Mis. No. 2988-L., dated 29th November 1928.)
(P.G., dated 8th December 1928.)

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is not membership of the tribe but proved or reasonably certain association in crime.

7. No doubt, a strict observance of the limitations of the section imposes on officers recommending the application of the Act an obligation to scrutinize most closely the evidence against each individual whom it is proposed to include in the notification, and some difficulty may occasionally arise in defining precisely the part of a tribe which it is desired to bring under the Act. But unless the principles laid down here are strictly adhered to, the Act is liable to become (what in some quarters it is now regarded as being) an instrument of oppression.

8. The Government desire to lay down definitely that the responsibility for proposing the application of the Act in any case should rest upon the District Magistrates who should submit their recommendations to Government through the Inspector General of Police, or, in so far as the provisions relating to settlements are concerned, through the Commissioner of Labour. No doubt the information on which the recommendation is based will be collected and supplied to District Magistrates by the District Superintendents of Police, and to that extent the initiative will be with the Police Department, whose views and advice will no doubt largely influence the course taken by the District Magistrate. But the responsibility for acting on the information supplied should lie upon the latter.

(P.G., dated 8th January 1927.)

(12)

V Lis

4. LIST OF SETTLEMENTS.

Name of the settlement and district. (1)	Nearest Railway Station. (2)	Nearest Police Station. (3)	Postal address. (4)	Subdivisional Magistrate or other officer in whose jurisdiction the settlement lies. (5)
1. Sitanagaram, Guntūr district.	Tadapalli ..	Mangalagiri.	Tadapalli Post.	Subdivisional Magistrate, Guntūr.
2. Stuartpuram, Guntūr district.	Stuartpuram.	Bapatla ...	Bapatla Post Office.	Subdivisional Magistrate, Ongole.
3. Siddapuram, Kurnool district.	Nandyal (40 miles from Settlement).	Atmakur ...	Siddapuram (via) Atmakur.	Subdivisional Magistrate, Nandyal.
4. Pallavaram, Chingleput district.	Pallavaram ...	Pallavaram.	Pallavaram ...	Subdivisional Magistrate, Saidapet.
5. Perambur, Madras district.	Perambur ...	Perambur Barracks G-3 Police Station.	Cook's Road, Otary, Perambur Barracks Post Office.	Commissioner of Police, Madras.
6. Kavali (including Allur and Bitragunta), Nellore district.	Kavali Town.	Kavali ...	Kavali	Subdivisional Magistrate, Kavali.
7. Aziznagar, South Arcot district.	~~Alapakkam~~ Oomangalam ..	Oomangalam.	Aziznagar, U. Mangalam Post Office.	Subdivisional Magistrate, Chidambaram.

Pages 43.—52, *List of Criminal Tribes registered under sections* 3 *and* 10 *of the Criminal Tribes Act.*—*Insert* the following in the list against the districts noted in column (1) :—

(1)	(2)	(3)	(4)	(5)
Nellore.	Donga Yanadis.	...	45-L., 7 Jan. 1928.	45-L., 7 Jan. 1928.
Kurnool.	Madigas ...	...	872-L., 27 Mar. 1928.	872-L., 27 Mar. 1928.
North Arcot.	Ponnai Koravars.	...	749-L., 13 Mar. 1928.	749-L., 13 Mar. 1928.
	Dubbai Korachas.	...	1538-L., 18 June 1928.	1538-L., 18 June 1928.
	Uppu Koravars or Settipalli Koravars.	...	2359-L., 25 Sep. 1928.	2359-L., 25 Sep. 1928.
Trichinopoly.	Telungapatti Chettis.	...	1557-L., 21 June 1928.	1557-L., 21 June 1928.
	Punnam Vettuva Goundans.	...	2834-L., 10 Nov. 1928.	2834-L., 10 Nov. 1928.
Tanjore.	Vettai karans ...	...	452-L., 13 Feb. 1928.	452-L., 13 Feb. 1928.
Cuddapah.	Pichiguntlas ...	...	1289-L., 11 May 1928.	1289-L., 11 May 1928.
Chittoor.	Donga Woddars.	...	2146-L., 28 Aug. 1928.	2146-L., 28 Aug. 1928.

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Pages 43—52, List of Criminal Tribes registered under sections 3 and 10 of the Criminal Tribes Act.—Against the following districts and Criminal Tribes, *insert* in column (6) the remarks noted against each:—

Page.	District.	Criminal tribes.	Remarks.
43	Ganjām ...	Dandasis	Section 11 of the Act has been applied to certain members of the tribe—G.O. No. 2468-L., dated 5th October 1928.
45	Kurnool ...	Donga Woddars ...	Section 11 of the Act has been applied to certain members of the tribe—G.O. No. 1433-L., dated 31st May 1928.
47	Chittoor ..	Donga Dasaris ...	Section 11 of the Act has been applied to certain members of the tribe—G.O. No. 1836-L., dated 4th August 1928.
48	Chingleput ...	Kepmaris	Under section 11 of the Act two members of the tribe have been settled in Aziznagar Settlement, South Arcot District—G.O. Mis. No. 2622-L., dated 22nd October 1928.
52	General ...	Kanjar Bhats ...	Under section 11 of the Act members of this tribe found in Ganjām, Vizagapatam and East Gōdāvari districts are restricted in their movements in the said districts to the areas outside the "Agency Tracts"—G.O. No. 2286-L., dated 13th September 1928.

Page 83, list of criminal tribes registered under sections 3 and 10 of the Criminal Tribes Act.—Insert the following in column No. (6) "Remarks" against "Telaga Pamulas" noted against Ganjām, Vizagapatam and Gōdāvari districts:—

"Under Section 11 of the Criminal Tribes Act, members of the Tribe who may be found in the districts of Ganjam, Vizagapatam and East Godavari, shall be restricted in their movements in the said districts to the areas outside the Agency tracts."

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Page 42, *List of Settlements.—Substitute* "Oomangalam" *for* "Alapakkam" in column 2 against item 7.

(P.G., dated 7th July 1928.)

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Pages 43—52, *list of criminal tribes registered under sections* 3 *and* 10 *of the Criminal Tribes Act.—Insert* the following in the list against the districts noted in column (1) :—

(1)	(2)	(3)	(4)	(5)
Jeypore.	Dombs commonly known as Audiniya Dombs.	...	1386, L., 27th June 1927.	1386, L., 27 June 1927.
Nellore.	Donga Yanadis.	...	1388, L., 27 June 1927.	1388, L., 27 June 1927.
Kurnool.	Malas commonly known as Jamullapalli Malas.	...	2522, L., 2 Nov. 1927.	2522, L., 2 Nov. 1927.
	Sugalis (Lambadis).	...	2519, L., 2 Nov. 1927.	2519, L., 2 Nov. 1927.
Bellary.	Picharis	...	1799, L., 18 Aug. 1927.	1799, L., 18 Aug. 1927.
	Donga Yerukalas.	XIII	.....	2402, L., 20 Oct 1927.
Anantapur.	Telaga Pamulas or Peddeti Gollas.	XXIV	1464, L., 7 July 1927.	1464, L., 7 July 1927.
	Donga Korachas known as Dabbala Korachas.	V	1465, L., 7 July 1927.	1465, L., 7 July 1927.
Cuddapah.	Pedda Boyas commonly known as Kaivatala Boyas.	...	1369, L., 10 June 1927.	1369, L., 10 June 1927.
	Muthurachas known as Yarlas.	...	1387, L., 27 June 1927.	1387, L., 27 June 1927.
[illegible]	Mukas	...	1883, L., 27 Aug. 1927	1883, L., 27 Aug. 1927.
North Arcot.	Oddars	...	1814, L., 22 Aug. 1927.	1814, L., 22 Aug. 1927.
Chingleput.	Adi-Dravidas ...	...	1590, L., 25 July 1927.	1590, L., 25 July 1927.
Trichinopoly.	Telungapatti Chettiés.	...	1798, L., 18 Aug. 1927.	1798, L., 18 Aug 1927.

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5. LIST OF CRIMINAL TRIBES REGISTERED UNDER SECTIONS 3. AND 10 OF THE CRIMINAL TRIBES ACT.

District.	Name of criminal tribe.	C.I.D. Gang number	Government Order applying sections 3 and 10 (*b*), Criminal Tribes Act.	Government Order applying section 10 (*a*), Criminal Tribes Act.	Remarks.
(1)	(2)	(3)	(4)	(5)	(6)
Ganjam.	Telaga Pamulas.	XXIV	160, Home (Judl.), 23 Jan. 1917.	160, Home (Judl.), 23 Jan. 1917.	
	Dandasis ...	...	116, Judl. (Police), 13 Mar. 1923.	116, Judl. (Police), 13 Mar. 1923.	
	Donga Yenetis.	...	28, Judl., 15 Jan. 1926.	28, Judl., 15 Jan. 1926.	
Vizagapatam.	Konda Doras ...	...	1583, Judl., 21 July 1914.	1579, Home (Judl.), 1 Aug. 1917.	
	Rellis	...	965, Judl., 4 May 1915.	Do.	
	Paidis	...	1891, Judl., 27 July 1916.	Do.	
	Telaga Pamulas.	XXIV	160, Home (Judl.), 23 Jan 1917.	160, Home (Judl.), 23 Jan. 1917.	
	Kintali Kalingas.	...	473, Home (Judl.), 4 Mar. 1921.	473, Home (Judl.), 4 Mar. 1921.	
Jeypore.	Oriya Dombs ..	...	439, Home (Judl), 16 Feb. 1920.	439, Home (Jud l., 16 Feb. 1920.	
Godavari.	Nakkalas ...	...	2120, Judl., 21 Oct. 1913 (sec. 3) and 1123, Judl., 21 May 1915 (sec. 10-*b*).	1579, Home (Judl.), 1 Aug. 1917.	
	Telaga Pamulas.	XXIV	160, Home (Judl.), 23 Jan. 1917.	160, Home (Judl.), 23 Jan. 1917.	
	Anippai Malas...	...	48, Home (Judl.), 7 Jan. 1920.	48, Home (Judl.), 7 Jan. 1920.	
Kistna.	Donga Dasaris ..	III	924, Judl., 10 May 1913.*	.....	* The members were removed to the Kavali Settlement, Nellore district.
	Donga Yerukalas.	IV, VI, VIII and IX.	917, Judl., 10 May 1913.	816, Judl., 31 Oct. 1921.	

District.	Name of criminal tribe.	C.I.D. Gang number	Government Order applying sections 3 and 10 (5), Criminal Tribes Act.	Government Order applying section 10 (a), Criminal Tribes Act.	Remarks.
(1)	(2)	(3)	(4)	(5)	(6)
Kistna—contd.	Donga Woddars.	XI and XIV.	1161, Judl., 12 June 1913 and 1279, Judl., 10 June 1915.	816, Judl., 31 Oct. 1921.	
	Telaga Pamulas.	XXIV	160, Home (Judl.), 23 Jan. 1917.	160, Home (Judl.), 23 Jan. 1917.	
Guntur.	Donga Yerakulas.	VI, VIII and IX.	917, Judl., 10 May 1913.	1579, Judl., 1 Aug. 1917.	
	Donga Woddars.	XI	1161, Judl., 12 June 1913	349, Judl., 14 Mar. 1922.	
	Telaga Pamulas.	XXIV	160, Home (Judl.), 23 Jan. 1917.	160, Home (Judl.), 23 Jan. 1917.	
	Gundlapad Woddars.	...	450, Judl. (Police), 30 Aug. 1923.	450, Judl. (Police), 30 Aug. 1923.	
	Jaruguballi Madigas.	...	585, Judl. (Police), 2 Nov. 1923.	585, Judl. (Police), 2 Nov. 1923.	
	Chakala and Pamula Budabukkalas.	...	656, Judl. (Police), 18 Dec. 1923.	656, Judl. (Police), 18 Dec. 1923.	
	Lambadis ...	...	648, Judl., 16 Nov. 1925.	648, Judl., 16 Nov. 1925.	
	Donga Yanadis.	...	10, Judl., 5 Jan. 1926, and G.O. Mis. 1806-L., 29 Nov. 1926.	10, Judl., 5 Jan. 1926, and G.O. Mis. 1806-L., 29 Nov. 1926.	
Nellore.	Donga Dasaris.*	I, II, and III	924, Judl., 10 May 1913.	... ...	* Restricted to Kavali Settlement.
	Donga Yerakalas.	V, X and VIII	917, Judl., 10 May 1913.	1937, Judl., 13 Sep. 1917.	
	Dommaras ...	VII	1639, Judl., 13 Aug. 1913.	1937, Home (Judl.), 13 Sep. 1917.	
	Voyalpad or Nawabpeta Korachas.	XV	918, Judl., 10 May 1913 and 1796, Judl., 5 Sep. 1913.	1649, Judl., 19 July 1919.	
	Jogulas (Jogis).	...	109, Judl., 19 Jan. 1915 and 461, Judl., 21 Feb. 1914.	1937, Home (Judl.), 13 Sep. 1917.	
	Telaga Pamulas.	XXIV	160, Home (Judl.), 23 Jan. 1917.	160, Home (Judl.), 23 Jan. 1917.	
	Donga Woddars.	XXV	1161, Judl., 12 June 1913 and 2859, Judl., 27 Dec. 1918.	1937, Home (Judl.), 13 Sep. 1917.	

District.	Name of criminal tribe.	C.I.D. Gang number.	Government Order applying sections 3 and 10 (b), Criminal Tribes Act.	Government Order applying section 10 (a), Criminal Tribes Act.	Remarks.
(1)	(2)	(3)	(4)	(5)	(6)
Nellore—*cont.*	Anneboyinapalle Malas.	...	676, Judl. (Police), 23 Dec. 1924.	676, Judl. (Police), 23 Dec. 1924.	
	Donga Yanadis.	...	678, Judl. (Police), 27 Dec. 1924.	678, Judl. (Police), 27 Dec. 1924.	
	Do.	...	622, Judl., 7 Nov. 1925.	622, Judl., 7 Nov. 1925.	I List. II List.
Kurnool.	Donga Yerakalas.	XIII	917, Judl., 10 May 1913.	1579, Home (Judl.), 1 Aug. 1917.	
	Donga Woddars.	XIV	1161, Judl., 12 June 1913.	Do.	see II List
	Boyas (1) ...	...	1120, Home (Judl.), 13 May 1918.	1120, Home (Judl.), 13 May 1918.	
	Boyas (2) ...	...	824, Judl., 3 July 1922.	824, Judl., 3 July 1922.	
	Nirshikaris ...	...	1245, Judl., 7 Nov. 1922.	1245, Judl., 7 Nov. 1922.	
	Sugalis	...	623, Judl. (Police), 28 Nov. 1923.	623, Judl. (Police), 28 Nov. 1923.	
	Malas	...	344, Judl. (Police), 27 June 1924.	344, Judl. (Police), 27 June 1924.	
	Madigas		Do.	Do.	
	Tak Woddars ...	...	140, Judl., 21 Mar. 1925.	140, Judl., 21 Mar 1925.	
	Boyas	..	157, Judl., 31 Mar. 1925.	157, Judl., 31 Mar. 1925.	I List. II List.
Bellary.	Rallapad Korachas.	XVI	[illegible], 3 July 1913.	1579, Judl., 1 Aug. 1917.	Removed to Sitanagaram Settlement.
	Donga Yerakalas.	XIII	917, Judl., 10 May 1913 and 1714, Judl., 4 July 1916.	.....	
	Donga Dasaris...	XVIII	681, Home (Judl.), 26 Mar 1917.	681, Home (Judl.), 26 Mar. 1917.	Removed to Hubli Settlement.
	Nirshikaris	...	1245, Judl., 7 Nov. 1922.	1245, Judl., 7 Nov. 1922.	
	Sugalis	...	240, Judl. (Police), 21 May 1923 and 582, Judl. (Police), 30 Oct. 1923.	240, Judl. (Police), 21 May 1923 and 582, Judl. (Pol.), 30 Oct. 1923.	
	Do.	...	343, Judl., (Police), 27 June 1924.	343, Judl. (Police), 27 June 1924.	
	Boyas	...	531, Judl., 19 Sep. 1925.	531, Judl, 19 Sep. 1925.	
	Do.	...	666, Judl., 23 Nov. 1925.	666, Judl, 23 Nov. 1925.	I List.

District.	Name of criminal tribe.	C.I.D. Gang number.	Government Order applying sections 3 and 10 (*b*), Criminal Tribes Act.	Government Order applying section 10 (*a*), Criminal Tribes Act.	Remarks.
(1)	(2)	(3)	(4)	(5)	(6)
Anantapur.	Donga Woddars.	XIV	1161, Judl., 12 June 1913.	1140, Home (Judl.), 1 May 1920.	
	Voyalpad or Nawabpetta Korachas.	XV	918, Judl., 10 May 1913 and 1796, Judl., 5 Sep. 1913.	1649, Home (Judl.), 19 July 1919 and 2497, Home (Judl.), 29 Oct. 1919.	
	Donga Dasaris ..	XVIII	681, Home (Judl.), 26 Mar. 1917 and 2293, Home (Judl.), 7 Oct. 1919.	681, Home (Judl.), 26 Mar. 1917 and 2293, Home (Judl.), 7 Oct. 1919.	
	Donga Yerakalas.	XIII	110, Judl., 27 April 1921.	110, Judl., 27 April 1921.	
	Jutur Mixed gang.	...	161, Judl., 12 May 1921.	161, Judl., 12 May 1921.	
	Donga Ur Korachas.	...	52, Judl., 31 Jan. 1923.	52, Judl., 31 Jan. 1923.	
	Donga Ur Korachas.	..	381, Judl., 10 July 1925.	381, Judl., 10 July 1925.	
	Sugalis	...	241, Judl. (Pol.), 21 May 1923.	241, Judl., (Pol.), 21 May 1923.	
	Do.	...	606, Judl., 31 Oct. 1925.	606, Judl., 31 Oct. 1925.	
	Do.	...	621, Judl., 7 Nov. 1925.	621, Judl., 7 Nov. 1925.	
	Do.	...	647, Judl., 16 Nov. 1925.	647, Judl., 16 Nov. 1925.	
	Dommaras ...	..	658, Judl. (Police), 15 Dec. 1924.	658, Judl. (Police), 15 Dec. 1924.	
	Ur Korachas ...	...	62, Judl. (Police), 1 Feb. 1924.	62, Judl. (Police), 1 Feb. 1924.	
	Do. ...	...	396, Judl. (Police), 21 July 1924.	396, Judl. (Police), 21 July 1924.	
	Do. ...	...	566, Judl. (Police), 11 Nov. 1924.	566, Judl. (Police), 11 Nov. 1924.	
	Ur Korachas ...	..	592, Judl., 20 Oct. 1925.	592, Judl., 20 Oct. 1925.	
	Pedda Boyas ..	...	9, Judl. (Police), 8 Jan. 1925.	9, Judl. (Police), 8 Jan. 1925.	
	Do. ..	...	623, Judl., 7 Nov. 1925.	623, Judl., 7 Nov. 1925.	
	Boyas		387, Judl., 14 July 1925.	387, Judl., 14 July 1925.	
Cuddapah.	Donga Woddars.	XXIII	1161, Judl., 12 June 1913.	243, Judl. (Police), 3 May 1924	
	Thogamalai, Koravars or Kepmaris.	XXII	1193, Judl., 18 June 1913.		
	Hired Assassin.	...	700, Judl., 21 Mar. 1914.		
	Donga Dasaris. .	XIX	681, Home (Judl.), 26 Mar. 1917.	681, Home (Judl.), 26 Mar. 1917.	

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District.	Name of criminal tribe.	C.I.D. Gang number.	Government Order applying sections 3 and 10 (*b*). Criminal Tribes Act.	Government Order applying section 10 (*a*), Criminal Tribes Act.	Remarks.
(1)	(2)	(3)	(4)	(5)	(6)
Cuddapah—*cont.*	Voyalpad or Nawabpeta Korachas.	XV	918, Judl., 10 May 1913, 1796, Judl., 5 Sep. 1913 and 414, Home (Judl.), 20 Feb. 1918.	2497, Home (Judl.), 29 Oct. 1919.	
	Donga Yerakalas.	V	917, Judl., 10 May 1913 and 1635, Judl., 15 July 1918.	378, Mis., Judl., 8 July 1925.	
	Jutur mixed gang.	...	161, Judl., 12 May 1921.	161, Judl., 12 May 1921.	
	Donga Yerakalas.	XIII	323, Judl., 16 June 1925.	323, Judl., 16 June 1925.	
	Sugalis	..	546, Judl., 2 Oct. 1925.	546, Judl., 2 Oct. 1925.	
	Yanadis	...	6, Judl., 4 Jan. 1926.	6, Judl., 4 Jan 1926.	I List. II List.
Chittoor.	Voyalpad or Nawabpeta Korachas.	XV	918, Judl., 10 May 1913.	1649, Home (Judl.), 19 July 1919 and 2497, Home (Judl.), 29 Oct. 1919.	
	Venganur Pariyas.	..	381, Judl., 14 Feb. 1914.	1579, Home (Judl.), 1 Aug. 1917.	
	Jogis	...	461, Judl., 21 Feb. 1914.	.....	
	Donga Dasaris...	XX	681, Home (Judl.), 26 Mar. 1917.	681, Home (Judl.), 26 Mar. 1917.	See II List.
	Nattam Korachas.	...	390, Home (Judl.), 18 Feb. 1918.	390, Home (Judl.), 18 Feb. 1918.	
	Amagunta Poligars.	...	640, Judl., 21 Sep. 1921.	640, Judl., 21 Sep. 1921.	
	Domaras ...	...	266, Judl., 11 June 1921.	266, Judl., 11 June 1921.	
	Bhattu Turkas .	...	51, Judl., 31 Jan. 1923.	51, Judl., 31 Jan. 1923.	
	Sugalis	...	71, Judl., 17 Feb. 1923.	71, Judl., 17 Feb. 1923.	
	Boyas	..	272, Judl. (Police), 23 May 1924.	272, Judl. (Police), 23 May 1924.	
	Yanadis... ...	...	227, Judl. (Police), 21 Apr. 1924.	227, Judl. (Police), 21 Apr. 1924.	
	Do. ..	...	147, Judl., 26 Mar. 1925.	147, Judl., 26 Mar 1925.	I List. II List.
North Arcot.	Thogamalai, Koravars or Kepmaris.	XXII	1193, Judl., 18 June 1913.	1579, Home (Judl.), 1 Aug. 1917.	
	Salem Melurnad Koravars.	...	1645, Judl., 14 Aug. 1913 (Sec. 3) and 872, Judl., 27 April 1917 (Sec. 10-*b*).	1390, Home (Judl.), 28 Aug. 1919.	I List.

District.	Name of criminal tribe.	C.I.D. Gang number.	Government Order applying sections 3 and 10 (*b*), Criminal Tribes Act.	Government Order applying section 10 (*a*), Criminal Tribes Act.	Remarks.
(1)	(2)	(3)	(4)	(5)	(6)
North Arcot—*contd.*	Venganur Pariyas.	...	381, Judl., 14 Feb. 1914.	1579, Home (Judl.), 1 Aug. 1917.	
	Jogis	...	461, Judl., 21 Feb. 1914.	Do.	
	Sakkaraitamadai Koravars.	...	101, Home (Judl.), 15 Jan. 1917.	1142, Judl., 12 Oct. 1922.	
	Thottia Naiks ...	XII	616, Judl., 13 May 1922.	616, Judl., 13 May 1922.	
	Dommaras ...	...	1141, Judl., 12 Oct. 1922.	1141, Judl., 12 Oct. 1922.	
	Irulars	..	7, Judl., 4 Jan. 1926.	7, Judl., 4 Jan. 1926.	
Chingleput.	Togamalai Koravars or Kepmaris.	XXII	1193, Judl., 18 June 1913.	1579, Home (Judl.), 1 Aug. 1917.	
	Jogis	...	461, Judl., 21 Feb. 1914.	Do.	
	Kal Oddars ...	...	396, Judl., (Police), 3 Aug. 1923.	396, Judl., (Police), 3 Aug. 1923.	
	Nokkars ...	...	645, Judl. (Police), 10 Dec. 1924.	645, Judl. (Police), 10 Dec. 1924.	
	Koravars ...	..	8, Judl. (Police), 8 Jan. 1925.	8, Judl. (Police), 8 Jan. 1925.	
	Yanadis ...	...	147, Judl., 26 Mar. 1925.	147, Judl., 26 Mar. 1925.	
Salem.	Salem Melurnad Koravars	...	1645, Judl., 14 Aug. 1913 (Sec. 3) and 872, Judl., 27 Apr. 1917 (sec. 10-*b*)	2009, Judl., 5 Sep. 1918.	
	Attur Kilnad Koravars.	.	2086, Judl., 13 Oct 1913 (sec. 3), 872, Judl., 27 Apr. 1917 (Sec. 10-*b*).	1579, Judl., 1 Aug. 1917.	
	Thalli Koravars (Hosur taluk).	...	1817, Judl., 9 Aug. 1918.	1817, Judl., 9 Aug. 1918, 72 Judl., 10 Feb. 1926.	
	Attur Melnad Koravars.	..	805, Judl., 28 Oct. 1921	805, Judl., 28 Oct. 1921.	
	Pennagaram Perumbalai Koravas.	...	812, Judl., 31 Oct. 1921.	812, Judl., 31 Oct. 1921.	
	Uppu Koravars.	...	581, Judl. (Police), 30 Oct. 1923.	581, Judl. (Police), 30 Oct. 1923.	
	Do.	...	31, Judl. (Police), 12 Jan. 1924).	31, Judl. (Police), 12 Jan. 1924.	
	Do.	...	646, Judl. (Police), 10 Dec. 1924.	646, Judl. (Police), 10 Dec. 1924.	
	Saragapalli Koravars.	...	282, Judl. (Police), 28 May 1924	282, Judl. (Police), 28 May 1924.	
	Monda Koravars.	...	342, Judl. (Police), 27 June 1924.	342, Judl. (Police), 27 June 1924.	
	Koravars ...	...	72, Judl., 10 Feb. 1926.	72, Judl., 10 Feb. 1926.	

(1) District.	(2) Name of criminal tribe.	(3) C.I.D. Gang number.	(4) Government Order applying sections 3 and 10 (b), Criminal Tribes Act.	(5) Government Order applying section 10, (a) Criminal Tribes Act.	(6) Remarks.
Madura.	Vaduvarpatti Koravars.	...	1890, Judl., 29 July 1916.	1579, Home (Judl.), 1 Aug. 1917.	
	Piramalai Kallars.	...	1331, Home (Judl.), 5 June 1918.	1331, Home (Judl.), 5 June 1918.	
	Salem Melurnad Koravars.	...	470, Home (Judl.), 4 Mar. 1921.	470, Home (Judl.), 4 Mar. 1921.	
	Thottia Naicks.	XII	616, Judl., 13 May 1922.	616, Judl., 13 May 1922.	
	Valayars ...	..	499, Judl. (Pol.), 18 Sep. 1923.	499, Judl. (Pol.), 18 Sep. 1923.	
Rāmnād.	Chettinad Valayars.	...	919, Judl., 1 May 1915.	1579, Home (Judl.), 1 Aug. 1917.	
	Vaduvarpatti Koravars.	...	1890, Judl., 27 July 1916.	Do.	
	Thottia Naicks.	XII	616, Judl., 13 May 1922.	616, Judl., 13 May 1922.	
	Piramalai Kallars.	...	1172, Judl., 18 Oct. 1922.	1172, Judl., 18 Oct. 1922.	
	Karumbaravas.	...	53, Judl., 31 Jan. 1923.	53, Judl., 31 Jan. 1923.	
	Sembanad Maravars.	...	72, Judl., 17 Feb. 1923.	72, Judl., 17 Feb. 1923.	
Tinnevelly.	Uppu Koravars (Anavaradanallur and Koilpatti).	...	2494, Judl. 12 Oct. 1915.	.....	
	Koravars (Mela Eral, etc.).	...	1834, Home (Judl.), 1 Sep. 1917.	.....	
	Koravars of Vaduvarpatti (Rāmnād district) (1).	...	1890, Home (Judl.), 27 July 1916.	1579, Home (Judl.), 1 Aug. 1917.	
	Koravars of Vaduvarpatti (Rāmnād district) (2).	...	553, Judl., 28 Apr. 1922.	553, Judl., 28 Apr. 1922.	
	Maravars of Poolam.	...	405, Home (Judl.), 18 Feb. 1919.	405, Home (Judl.), 18 Feb. 1919.	
	Thottia Naicks.	XII	616, Judl., 13 May 1922.	616, Judl., 13 May 1922.	Sec. 10 (a) only has been put in force.
Coimbatore.	Salem Melurnad Koravars.	...	1645, Judl., 14 Aug. 1913 (sec. 3), 872, Judl., 27 Apr. 1917 (sec. 10-b).	1203, Home (Judl.), 18 May 1918.	

District.	Name of criminal tribe.	C.I.D. Gang number.	Government Order applying sections 3 and 10 (*b*), Criminal Tribes Act.	Government Order applying section 10 (*a*), Criminal Tribes Act.	Remarks.
(1)	(2)	(3)	(4)	(5)	(6)
Coimbatore—*cont.*	Valayars 1 ...	...	1385, Judl., 26 May 1916.	1579, Home (Judl.), 1 Aug. 1917.	
	„ 2 ...	...	404, Home (Judl.), 19 Feb. 1917.	624, Home (Judl.), 18 Mar. 1918.	
	„ 3 ...	...	405, Home (Judl.), 19th Feb. 1917.	624, Home (Judl.), 18 Mar. 1918.	
	„ 4 ...	...	2026, Home (Judl.), 28 Sep. 1917.	2026, Home (Judl.), 28 Sep. 1917.	
	„ 5 ...	...	2027, Home (Judl.), 28 Sep. 1917.	2027, Home (Judl.), 28 Sep. 1917.	
	„ 6 ...	...	18, Home (Judl.), 4 Jan. 1918.	18, Home (Judl.), 4 Jan. 1918.	
	„ 7 ...	...	147, Home (Judl.), 18 Jan. 1918.	147, Home (Judl.), 18 Jan. 1918.	
	„ 8 .	..	232, Home (Judl.), 28 Jan. 1918.	232, Home (Judl.), 28 Jan. 1918.	
	„ 9 ...	...	233, Home (Judl.), 28 Jan. 1918.	233, Home (Judl.), 28 Jan. 1918.	
	„ 10 ...	...	482, Home (Judl.), 25 Feb. 1918.	482, Home (Judl.), 25 Feb. 1918.	
	„ 11 ...	...	714, Home (Judl.), 25 Mar. 1918.	714, Home (Judl.), 25 Mar. 1918.	
	„ 12 ...	...	1320, Home (Judl.), 4 June 1918.	1320, Home (Judl.), 4 June 1918.	
	„ 13 ..	...	1593, Home (Judl.), 6 July 1918.	1593, Home (Judl.), 6 July 1918.	
	„ 14 ...	...	1618, Home (Judl.), 12 July 1918.	1618, Home (Judl.), 12 July 1918.	
	„ 15 ...	...	184, Home (Judl.), 24 Jan. 1919.	184, Home (Judl.), 24 Jan. 1919.	
	„ 16 ...	...	186, Home (Judl.), 24 Jan. 1919.	186, Home (Judl.), 24 Jan. 1919.	
	„ 17 ...	...	1035, Home (Judl.), 9 May 1919.	1035, Home (Judl.), 9 May 1919.	
	„ 18 ...	...	1350, Home (Judl.), 13 June 1919.	1350, Home (Judl.), 13 June 1919.	
	„ 19 ...	...	1514, Home (Judl.), 4 July 1919.	1514, Home (Judl.), 4 July 1919.	
	„ 20 ...	...	2246, Home (Judl.), 1 Oct. 1919.	2246, Home (Judl.), 1 Oct. 1919.	
	„ 21 ...	...	377, Judl. (Police), 26 July 1923.	377, Judl. (Police), 26 July 1923.	
	„ 22 ...	...	397, Judl. (Police), 3 Aug. 1923.	397, Judl. (Police), 3 Aug. 1923.	
	„ 23 ...	...	655, Judl. (Police), 18 Dec. 1923.	655, Judl. (Police), 18 Dec. 1923.	
	Valayars ...	..	549, Judl. (Police), 31 Oct. 1924.	549, Judl. (Police), 31 Oct. 1924.	
	Thottia Naicks.	XII	616, Judl., 13 May 1922.	616, Judl., 13 May 1922.	
	Gudu Dasaris ...	XXI	616, Judl., 13 May 1922.	616, Judl., 13 May 1922.	

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District.	Name of criminal tribe.	C.I.D. Gang number.	Government Order applying sections 3 and 10 (*b*), Criminal Tribes Act.	Government Order applying section 10 (*a*), Criminal Tribes Act.	Remarks.
(1)	(2)	(3)	(4)	(5)	(6)
South Arcot.	Veppur Parayas.	...	1098, Judl., 4 June 1913.	* 2258, Home (Judl.), 2 Oct. 1919.	*To those not placed in settlement.
	Thogamalai Koravars or Kepmaris.	XXII	1193, Judl., 18 June 1913.	665, Home (Judl.), 21 Mar. 1918.	
	Attur Kilnad Koravars.	...	2066, Judl., 13 Oct. 1913 (Sec. 3) and 872, Judl., 27 Apr. 1917 (sec. 10-*b*).	1930, Home (Judl.), 28 Aug. 1919.	
	Jogis	...	461, Judl., 21 Feb. 1914.	...	
	Vellayankuppam Padayachis.	...	2490, Judl., 14 Nov. 1914.	70, Judl. (Police), 17 Feb. 1923.	
	Sakkaraitamadai Koravas.	.	1089, Home (Judl.), 26 Apr. 1920.	1089, Home (Judl.), 26 Apr. 1920.	
	Gudu Dasaris ...	XXI	616, Judl., 13 May 1922.	616, Judl., 13 May 1922.	
	Thottia Naicks...	XII	Do.	Do.	
	Irulars	...	54, Judl. (Police), 2 Feb. 1925.	54, Judl. (Police), 2 Feb. 1925.	
	Dommaras ...	...	640, Judl., 12 Nov. 1925.	640, Judl., 12 Nov. 1925.	
Tanjore.	Gandarvakkottai Koravars.	...	2553, Judl., 9 Dec. 1913 (Sec. 3) and 2357, Home (Judl.) 14 Nov. 1917 (Sec. 10-*b*).	2357, Home (Judl.), 14 Nov. 1917.	
	Thottia Naicks.	XII	616, Judl., 13 May 1922.	616, Judl., 13 May 1922.	
	Koottappal Kallars.	...	26, Judl., 6 Jan. 1915.	1579, Home (Judl.), 1 Aug. 1917.	
	Salem Melurnad Koravars.	...	450, Judl. (Police), 29 Apr. 1924.	450, Judl. (Police), 29 Apr. 1924.	
	Jambuvanodai (Mixed Gang).	...	96, Judl. (Police), 24 Feb. 1925.	96, Judl. (Police), 24 Feb. 1925.	II List.
Trichinopoly.	Uraligoundans.	...	811, Judl., 19 Apr. 1917.	811, Judl., 19 Apr. 1917.	
	Thogamalai Koravars.	XXII	1193, Judl., 18 June 1913.	665, Judl., 21 Mar. 1918.	
	Salem Melurnad Koravars.	...	1645, Judl., 14 Aug. 1913 (Sec. 3) and 872, Judl., 27 Apr. 1917 (Sec. 10-*b*).	1930, Home (Judl), 28 Aug. 1919.	
	Attur Kilnad Koravars.	...	2066, Judl., 13 Oct. 1913 (Sec. 3) and 872, Judl., 27 Apr. 1917 (Sec. 10-*b*).	Do.	

District.	Name of criminal tribe.	C.I.D. Gang number.	Government Order applying sections 3 and 10 (b) Criminal Tribes Act.	Government Order applying section 10 (a), Criminal Tribes Act.	Remarks.
(1)	(2)	(3)	(4)	(5)	(6)
Trichinopoly—*cont.*	Koottappal Kallars.	...	26, Judl., 6 Jan. 1915.	1579, Home (Judl.), 1 Aug 1917.	
	Thottia Naicks.	XII	616, Judl., 13 May 1922.	616, Judl., 13 May 1922.	
	Varaganeri Koravars.	...	117, Judl., (Pol.), 13 Mar. 1923.	117, Judl. (Police), 13 Mar. 1923.	
	Moottakampatti Ambalagars and Ambalagars of Suriyanur.	...	226, Judl. (Police), 21 Apr. 1924.	226, Judl. (Police), 21 Apr. 1924.	
	Vettuva Goundans.	...	Do.	Do.	
	Ambalagars ...	...	131, Judl. (Police), 17 Mar. 1925.	131, Judl. (Police), 17 Mar. 1925.	I & II List.
Madras City.	Koravars ...	...	367, Judl. (Police), 4 July 1924. (Sections 3 and 11 applied).	540, Judl. (Police), 29 Oct. 1924.	Movements restricted within the City under Section 11, Criminal Tribes Act.
General.	Kanjar Bhats ...	...	148, Press, Judl. (Police), 13 Mar. 1924.	148, Press, Judl. (Police), 13 Mar. 1924.	All District Magistrates are authorized under Section 4, Criminal Tribes Act.
	Iranis ...	...	506, Judl. (Police), 7 Oct. 1924.	506, Judl. (Police), 7 Oct. 1924.	Do. I & II List

6. LEGAL OPINIONS.

(1)

OPINION OF THE LEGAL REMEMBRANCER OF BIHAR AND ORISSA ON CERTAIN LEGAL QUESTIONS RELATING TO THE ADMINISTRATION OF THE CRIMINAL TRIBES ACT (III OF 1911).

Questions.

1. Sections 5 and 6 appear to contemplate that only such members of a tribe declared, who may appear in accordance with the notice issued, shall be registered. Can names of members who fail to appear be entered in the register from information the police may have on record regarding them?

Illustration.—Magahiya Doms of Tirhut have been declared. Notices were duly published, but a considerable number who are wandering about this province and Bengal failed to put in an appearance on the date fixed. Their names were registered from police records.

2. Under section 5, the Magistrate issues a notice and fixes a date for registration; any member of the tribe to be registered failing to appear is liable to prosecution. Are members of the tribe who at the time of publication of notice and date of registration are away in another district or province liable to prosecution for no appearance, should they at any later date enter the jurisdiction of the Magistrate who issued the notice?

Opinion.

1. The register is made by the District Magistrate of such members of the criminal tribe as are within his district. His notice calls on all members who are in his district to register themselves. If any member omits or refuses to come, he can be punished under section 21 (*a*).

It is not intended by section 5 (*b*) that names should be registered merely on information; the member must appear. If he has had notice, his failure is punishable; if he has not had notice, notice should be served on him. It is necessary to get the finger-impressions. It would not be possible to convict a member who has not appeared, unless it can be proved that he has had notice.

In the case of your illustration, only Doms who happened to be in Tirhut at the time notice was given could be prosecuted for failing to appear when they had had notices. Doms wandering outside Tirhut would not be affected. After the register had been completed, the names of these wanderers could be added to the register on their entry into Tirhut only after notice has been given to them under section 7 (2).

2. My answer to question 1 meets this. In the case in your illustration notice would have to be served on their entry into Manbhum under section 7 (2).

Questions.

In other words, does the notice cease to be in force after date fixed in it for registration, or has a notice once issued, permanent validity? Section 7 would appear to indicate that the notice under section 5 expires and that thereafter notices have to be served on individuals by name.

Illustration.—Karwal Nuts have been declared in this province. The Magistrate, Manbhum, issued a notice and fixed a date and on that date the Karwals in his district were registered. Later on other Karwals entered the district who were not there on date fixed for registration.

3. Section 6 lays down that the register when made shall be placed in the keeping of the Superintendent of Police. In the case of a wandering tribe the register is useless to any particular Superintendent, as the members of the tribe registered may never enter that particular district again. The register of wandering tribes who have no headquarters in this province should be kept by the Deputy Inspector-General of Police, Crime. Can this be done?

4. If the answer to the above point is in the affirmative, the register becomes a provincial rather than a district register. Under section 7 (i) no addition can be made to the register without the orders of the Magistrate. A wandering tribe is registered in half a dozen districts in the province; can the Deputy Inspector-General of Police make one register of the several district registers received by him and add to it or alter it on reference to any one Magistrate?

Note.—It may be mentioned that the United Provinces would appear to have got over the difficulty of registration of wandering tribes by not applying sections 4 and 5 but merely getting the tribe declared, and in cases where stricter surveillance is necessary applying the provisions of sections 11 and 12 to certain gangs or members of gangs and then registering such gangs for purposes of sections 25 and 26 of the Act.

Opinion.

3. There is no provision enabling the register to be kept by the Deputy Inspector-General of Police, Crime. The register relates to the district only. The only remedy against altogether wandering tribes is to restrict the area of their residence under section 11.

4. No register can be maintained by the Deputy Inspector-General of Police under the Act; but there is nothing to prevent him getting copies of several registers where a wandering tribe had been notified in several districts and compiling one register from them and from time to time adding to it. It would be merely for his own use and for enabling him to communicate the wanderings of a member from one district to another. He could not prosecute a member for not being registered in his register.

The United Provinces system seems to be the proper one in case of wandering tribes.

(2)

OPINION OF THE ADVOCATE-GENERAL OF BENGAL ON CERTAIN LEGAL QUESTIONS RELATING TO THE ADMINISTRATION OF THE CRIMINAL TRIBES ACT (III OF 1911).

Questions.	*Opinion.*
1. Whether in the case of members of a criminal tribe declared under section 3 of the Criminal Tribes Act in any other province of British India, who have been residing in Bengal, before such declaration, or who have removed to Bengal after such declaration but before registration, the Government of Bengal may direct the Magistrates of the districts in which they are residing to make or cause to be made a register of such members under section 4 of the Act without further declaration under section 3?	1. In the case of members of a criminal tribe declared under section 3 of Act III of 1911 in a province of British India other than Bengal, who have been residing in Bengal before the declaration or who have removed to Bengal after the declaration but before registration in such other province, the Government of Bengal may legally direct the Magistrate of the district in which they are residing to make a register of his members of such criminal tribe within his district under section 4 without further declaration under section 3. The Act extends to the whole of British India [section 1 (2)]. A "criminal tribe" means a tribe, gang or class of persons declared to be a criminal tribe by notifications under section 3. It follows, therefore, that when any Local Government makes a declaration by notification as to criminal tribe, the members of that tribe, gang or class of persons are members of a criminal tribe throughout British India, and may be registered in any district where they may be found.
* * * * *	
5. Whether a member of a tribe declared criminal under section 3 of the Act can be lawfully registered in his absence?	5. In my opinion a member of a criminal tribe cannot be registered in his absence. Section 5 requires the presence of the particular member of a tribe upon whom the notice is served. Section 21 lays down the penalty for non-appearance. Section 5 (*c*) shows that finger-impressions are to be recorded. Having regard to the scheme of the Act, and in particular to the information necessary for the preparation of the register, I am of opinion that an absent member cannot be registered.
6. Whether a District Magistrate upon receiving a direction under section 4 of the Act in respect of a criminal tribe can cause the registration by the District Magistrate of another	6. I do not think the delegation in the manner suggested in question 6 is valid. Section 4 again only authorizes the Magistrate to make or cause to be

district (of the same or another province) of such of its members as are residing in the latter district, but the District Magistrate of which has not been authorized by Government to register them under the provision of the same section of the Act.

made register of the members of any criminal tribe or any one of such criminal tribe within his district.

This is a Penal Act and the powers must be construed strictly.

Sections 11 and 15 also support this view.

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(3)

CRIMINAL TRIBES ACT—RULES—RULE 12 OF PART I—PLACE OF RESIDENCE—MEANING OF—ADVOCATE-GENERAL'S OPINION.

OPINION No. 9, DATED 31ST JANUARY 1924.

In this case the question referred to me is whether a registered member of a criminal tribe who was found to be absent from his house in Bezwada between 1 and 2 a.m. without duly notifying his intention to be so absent—but who did not leave the village—can be said to have "absented himself from his place of residence between sunset and sunrise" within the meaning of rule 12 of Part I of the rules under the Criminal Tribes Act. On a reading of the rules it appears to me that a person would be guilty of such absence under the above rule only if he is absent from his village of residence without so notifying. The latter part of rule 12 which deals with cases of temporary absences says, amongst other things that he (the person concerned) will notify "the time he will *take in returning to his village* . . . " thereby showing that the absence must have been in another village. This view is confirmed by rule 13 which says that "any such person shall, immediately upon his arrival in the village in which he intends . . . to spend any time between sunset and sunrise, notify to the headman of that village . . . " For these reasons I am of opinion that the view of the Additional Deputy Magistrate that the accused is not guilty of a violation of rule 12 is correct.

(P.G., dated 29th March 1924.)

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(4)

CRIMINAL TRIBES ACT—USE OF SECTION 10—ADVOCATE-GENERAL'S OPINION.

OPINION No. 242, DATED 8TH APRIL 1925.

Criminal Tribes Act, Section 10, provides for two directions being given. (1) Every registered member of the tribe may be directed to report himself at fixed intervals. (2) He may be directed to notify his place of residence or any change or intended change of residence and any absence or intended absence from his residence. Whether one direction is given or both, this section is not intended to restrict the movements of the member of the tribe. Sections 11 and 12 provide for the manner in which movements of the tribe may be restricted by special orders of the Government. So long as steps have not been taken under sections 11, 12, 13 and 14, it is not the intention of the Act to restrict their free movement.

Page 57.—(1) *Add* the following as item No. (5):— 37

(5)

CRIMINAL TRIBES ACT—APPLICABILITY OF SECTION 24—ADVOCATE-GENERAL'S OPINION.

Opinion No. 151, dated 31st July 1928.

I think it could not be said that the Sessions Judge was wrong in his view of section 24 of the Criminal Tribes Act VI of 1924. Section 24 would apply to cases " where any member of a criminal tribe is found in any place under such circumstances as to satisfy the court:

(*a*) that he was about to commit or aid in the commission of theft or robbery, or

(*b*) that he was waiting for an opportunity to commit theft or robbery". The section thus applies to the case of members of criminal tribes found under suspicious circumstances, but when in fact no theft or robbery was committed. In the present case, the case of the prosecution being that a theft was committed, section 24 would seem not to apply.

(P.G., dated 11th August 1928.)

(2) *Add* the following as item No. (6):—

(6)

CRIMINAL TRIBES ACT—SECTION 23—INTERPRETATION—ADVOCATE-GENERAL'S OPINION.

In my view the meaning of the words "any other such offence" occurring in section 23 (1) of the Criminal Tribes Act VI of 1924 is any other offence specified in Schedule I and that the Act of 1924 did not work out any material change from the previous Act III of 1911 in this respect. The amendment effected in this respect by Act VI of 1924 is in my opinion only a drafting amendment and that the words "any other such offence" mean only "any other offence specified in Schedule I." I do not find any warrant in the section to construe these words as meaning "any other offence of a similar nature" as suggested; nor can I agree with the further suggestion that the clue to find out the offence of a similar nature is furnished by the mention of certain chapters in Schedule I.

(P.G., dated 15th December 1928.)

Now turning to the rules, the member of the tribe may report himself at a different place from the one in which he was registered (rule 9-*b*). He can notify his permanent place of residence to the headman of that village or to the headman of the village in which he happens to be temporarily (rule 11). Under rule 12, change of residence, temporary or permanent, or absence from his place, has only to be mentioned to the headman and he takes precautions on the route and in the village of destination by communication to the necessary authorities. And rule 13 requires him to report himself at his destination. Rules 16 and 17 seem to me to indicate that he is to report himself in the new village which is to be his temporary or permanent residence.

To construe rules 8 and 17 as restricting his movements within such limits as would permit of his reporting himself to a specified headman or other person is to make section 11 *et seq* applicable to every case under section 10 whether or not the procedure under sections 11 and 12 has been initiated. However plausible an argument in favour of reporting himself to the headman of a specified village may be on the language of the rules, the sections of the Act show that, subject to his notifying his movements to the headman so as to permit of his being properly watched, he is not to be hampered or restricted in movements unless section 11 *et seq* are applied to his case.

I have seen the judgment in the criminal revision case 502 of 1924 but it is not clear if it was a case in which orders had been passed under section 11 and the following sections. I find the accused had in that case been directed to sleep at a particular place. The view above set forth is unaffected by the judgment which does not consider this point of view at all.

NOTE.—The rules referred to in opinions Nos. 3 and 4 are the old rules.

(5)

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