

Maritime Frontiers, Customs Department and Colonial India in Late Nineteenth Century

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Abstract

Customs controls of maritime frontier were transformed during colonial rule. They have been historically a site and source of state power even before the advent of west on the Indian Ocean. It was customs controls of the maritime frontier which helped shape the customs department as imperial revenue during colonial period as much as in postcolonial states in South Asia after 1947. Its discursive template was taken and adapted to the inland customs and frontier customs during the British period. This paper provides an understanding of the colonial customs controls as origins and trajectory of the customs department in post-colonial South Asia. Colonial trajectories of state power and practices with regard to customs controls on the frontier have largely been ignored by scholarship dealing with the colonial state and its bureaucracy. This paper primarily covers developments in the customs department in British India during the nineteenth century by highlighting some selected ordinary or constitutive moments in the trajectory of fiscal governmentality and state building in South Asia. The paper focuses on certain basic indicators of analysis of this

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maritime organization covering legal and organizational framework, entry, mobility, incentives, and identity composition of customs department.

Introduction

Historically, site and source of state power even before the advent of west on the Indian Ocean, customs controls of maritime frontier were transformed during the colonial rule. It was customs controls of maritime frontier which helped shape customs department during the colonial period as much as in the postcolonial South Asia. Its template was taken and adapted to the inland customs and frontier customs during the British period. This paper provides an understanding of the colonial customs controls as origins and trajectory of customs department in the post-colonial Pakistan. Traders, brokers and customs agents also provided ground for a more contingent and provisional trajectories of the organization. Similarly, transportation, particularly shipping and railways, and related technological transformations, geared the organization and law of the customs department in different ways.

The colonial trajectories of state power and practices with regard to customs controls on frontier have largely been ignored by scholarship dealing with colonial state and its bureaucracy. This paper largely covers developments in customs department in the British India during the late nineteenth century by highlighting some selected originary or constitutive moments of fiscal governmentality and state building in South Asia. The paper, instead of claiming to be exhaustive, selects certain indicators for its focus of study, covering law, organization, entry, mobility, incentives, service structure, functions, and related themes. Methodologically, the study is descriptive, exploratory, and also explanatory.

This study opens up directions for future study on customs, fiscal and commercial regulation, and maritime frontiers which has recently started coming up under different scholarly imperatives as agency of subordinate and

subaltern tiers of colonial state, Indian Ocean studies, trade organizations, business and trade communities, trade diaspora, business-politics relations, and regional economic structures and conditions.¹ However, these approaches still presuppose fiscal regulatory regimes (laws, organization, social constructions, etc.) as transparent, neutral, and mechanical, and without even some qualified agency. Trade is also 'believed' to be pushed and pulled by external factors outside fiscal state (or non-fiscal regulatory regimes of state) and/or outside the state itself (global factors of input, output and consumption). Such a belief itself is burdened and impregnated with modern rationalities and imperial imaginaries surrounding 'free trade'.

Despite standing at the center of violent colonial origins in India, Customs department has largely been left to the margins in scholarship on civil administration of colonial and postcolonial states and lost owing to the scholarly and political focus on higher bureaucracy, administrative controls of political action, land revenue, police, or recently on health, prisons, asylum, etc. with focus of the latter on construction of identities of different colonized groups. Fiscal governmentality has largely been consigned to abstract, empirical and technical aspects of taxation, ignoring discursive material processes and practices which shape

1 Sugata Bose. *A Hundred Horizons: The Indian Ocean in the Age of Global Empire* (Cambridge: Harvard University Press, 2009); Fahad Ahmad Bishara, *A Sea of Debt: Law and Economic Life in the Western Indian Ocean, 1780-1950* (Cambridge: Cambridge University Press, 2017); Amna Khalid, "Subordinate Negotiations: Indigenous Staff, The Colonial State and Public Health," in *The Social History of Health and Medicine in Colonial India*, eds., Biswamoy Pati and Mark Harrison (London and New York: Routledge, 2009); Dwijendra Tripathi, *Business Communities of India: A Historical Perspective* (New Delhi: Manohar, 1984); Tirthankar Roy, *A Business History of India: Enterprise and the Emergence of Capitalism from 1700* (Cambridge: Cambridge University Press, 2018); Claude Markovits, *The Global World of Indian Merchants 1750-1947: Traders of Sind from Bukhara to Panama*. Vol. 6. (Cambridge: Cambridge University Press, 2000); Maria Misra, *Business, Race, and Politics in British India, c. 1850-1960* (Oxford: Clarendon Press, 1999); Andrew Francis, *Culture and Commerce in Conrad's Asian Fiction* (Cambridge: Cambridge University Press, 2015).

taxation as sites of production and circulation of power and knowledge. In this case, colonial origins, particularly situation during nineteenth century, have not been attended to by scholars of state and bureaucracy.

The reform reports in the colonial and postcolonial states are major sources. The Public Service Commission (Aitchison) Report (1888) and its Sub-Committee Report on Customs Department 1887² offer greater details and insights into sea customs, its service structure and conditions. These reports are major sources for Customs department during this period. The Annual Administration Reports on Sea Customs and Inland Customs have only limited information regarding the respective departments. Resolution 154—161-57 dated Calcutta, the 9th January 1906 titled “*Formation of an Imperial Service for the Administration of the Customs in India*” provides insights into the late nineteenth century customs department. Another major official source is G. Rainy’s report on customs administration.³

The secondary sources have been used to set the context and contours of the subject under scrutiny, particularly on the structures of colonial state and administrative histories, as Dewey, Heath, Khalid, Anderson, Keith, Ilhan Niaz, and others.⁴ Other secondary sources have been employed for

2 The Report of the Public Service Commission 1886-7 (Calcutta: Superintendent of Government Printing, 1888); and, The Proceedings of the Sub-Committee, Public Service Commission, Customs Department, 1887, <https://archive.org/details/dli.ministry.19228>. The first is termed hereafter as ‘1888 Commission Report’, and the second as ‘Subcommittee Report, 1887’.

3 G. Rainy, Memorandum on the Customs Department, The Royal Commission on Decentralization, Decentralization Committee, Government of India (Simla: Government Central Branch Press, 1907).

4 Clive Dewey, *Anglo-Indian Attitudes: Mind of the Indian Civil Service* (A&C Black, 1993); Deana Heath, *Colonial Terror: Torture and State Violence in Colonial India* (New York: Oxford University Press, 2021); Deana Heath, “Bureaucracy, Power and Violence in Colonial India: The Role of Indian Subalterns,” in *Empires and Bureaucracy in World History: From Late Antiquity to the Twentieth Century* Peter Crooks and Timothy H. Parsons (Cambridge: Cambridge University Press, 2016); George Anderson, *British Administration in India*, Macmillan, 2nd ed., 1920; Arthur Berriedale Keith, *A Constitutional History of India 1600-1935* (Routledge, 2018); Ilhan Niaz, *The*

richer understanding of the colonial subject, and include Cohn, Dirk, Ibbetson, Bellenoit, Misra, and others.⁵ Roy Moxham has outlined inland customs department while exploring and historicizing Customs Line and ‘the great hedge’ of India, and provides insights into the working conditions of inland customs.⁶ His approach though is anthropological rather than historical, yet significance of his work lies in his critique of colonial discourse through inland customs as material and discursive grids of colonial state.

After sketching historical context, this study takes up certain indicators along which customs organization in late nineteenth century colonial India has been taken up for examination. These indicators include legal trajectories, service structure, work conditions, entry, mobility, incentives, and personnel composition of the organization.

Historical Context

The customs department grew in and through different legal, organizational and spatial trajectories and was seen having distinct ‘identities’ defining the customs department(s) dealing with trade separately and to a greater extent exclusively undertaken through sea, land, frontier, and air; organizations and infrastructure of first three customs organizations i.e. sea customs department, inland customs department and frontier customs controls, had origins in precolonial imperial and native practices; customs controls along three lines – sea, inland and frontier – have long been critical infrastructures of the state in India since ancient

State During the British Raj: Imperial Governance in South Asia, 1700-1947 (Karachi: Oxford University Press, 2019); and others.

5 Bernard S. Cohn, *Colonialism and its forms of Knowledge* (Princeton: Princeton University Press, 1996); Nicholas B. Dirks, *Castes of Mind* (Princeton: Princeton University Press), 2011; *Panjab Castes* (Superintendent, Government Printing, Punjab, 1916); B. B. Misra, Bankey Bihari. *The Central Administration of the East India Company, 1773-1834* (Manchester: Manchester University Press, 1959); Anne McClintock, *Imperial Leather: Race, Gender, and Sexuality in the Colonial Contest* (London: Routledge, 2013).

6 Roy Moxham, *The Great Hedge of India*. No. NEA--7259. 2015.

times. Kautlya has discussed commercial-fiscal governance in his *Arthshastra* in greater detail.⁷ Mughal administration also gave impetus to such organizational controls of the trade and attendant revenues, as is evident from a dedicated chapter on this subject in Abul Fazal's *Ain-e-Akbari*.⁸ A rigorous system of customs revenue collection existed at ports such as Thatta and is provided in western chronicles and documents published as *English Factories in India*.⁹ Air customs, however, developed exclusively and only after first quarter of twentieth century with the rise and growth of air travel.

Similarly, separate trajectories of officer cadres and subordinate ranks are also evident in colonial India, which has long been a favourite subject of administrative and civil service histories. Regional trajectories also contributed to the development of distinct practices regarding Customs. With a movement from port-based customs organization to provincial controls, provincial boards of revenue emerged in three presidencies of Bengal, Bombay and Madras, whose jurisdiction included customs department besides other revenue domains as land revenue and excise. Customs remained a significant source of power and conflict in earlier relations of Indian states with western trading corporations, and particularly had a critical place in the origins of British colonialism in India. Yet it soon went to the margins of colonial fiscal state with trade and territorial controls by the British, its reliance on land revenue and attendant land relations, and preference system in which the British goods were given preference in tariff policy.¹⁰ The dawn of twentieth century saw, with Curzonian charisma produced

7 L. N. Rangarajan, ed., *The Arthashastra* (New Delhi: Penguin Books India, 1992).

8 H. Blochmann, trans., *Abul Fazl's Ain-i-Akbari* (Aadiesh Book Depot, 1965).

9 William Foster, *English Factories in India, 1646-1650: A Calendar of Documents in India Office Westminster* (Oxford: Clarendon Press, 1914).

10 R. B. Tomlinson, *The New Cambridge History, Economic History of India, 1860-1970*, Vol. III (Cambridge, Cambridge University Press, 1993), 132.

discursively, consolidation and extension of customs controls 'worthy of an empire', as Lovat Fraser would term it.¹¹

Complex and nuanced trajectories of this colonial organization were materialized through interventions for reforms particularly by the two governor generals - Warren Hastings and Cornwallis: Cornwallis is particularly credited with lowering of tariffs, abolition of inland customs or transit duties, controls over corrupt practices, specialization of revenues as land and customs revenues, elimination of Mughal high officials, and division of work amongst revenue collection, magistracy, and police work.¹² However, the last phase of such reforms during the late nineteenth century was credited to Curzon, though it materialized only in early twentieth century.¹³ These reforms focused centralization, imperial customs service, betterment of subordinates, and greater documentation and reporting.

Colonial infrastructure of the three - customs houses, chambers of commerce and industry, and port trusts - constituted grids of commercial-fiscal network, and also provided with three necessary sites of power and institutional basis for extension to India of global commercial circuits and governmentality of maritime frontier. It is this commercial-fiscal network which is gaining interest and attention from South Asian historians and other scholars.¹⁴ This paper offers insights to fill this gap regarding fiscal discipline and governmentality regulating maritime frontier.

11 Lovat Fraser, *India Under Curzon & After* (New York: H. Holt, 1911), 316.

12 Niaz, *The State During the British Raj*, 97-98; Keith, *A Constitutional History of India 1600-1935*; Others.

13 Thomas Raleigh, *Lord Curzon in India: Being a Selection from his Speeches as Viceroy & Governor-General of India 1898-1905*. Vol. 1 (London: Macmillan and Co., Limited, 1906), 138.

14 This includes studies on Indian Ocean, trade organizations, business communities, and related themes of (pre- to post-) colonial India from a host of perspectives, from what Sugata Bose would term as 'hundred horizons'.

Legal Trajectories

Emergence and changing patterns of customs related laws and practices reveal provisionality and contingency of colonial fiscal discipline and governmentality through its movement from origins to greater political controls. Genealogies of these legal practices and instruments of fiscal discipline revealed on the one hand, growing patterns of consolidation (from piecemeal, contingent and provisional instruments and practices to consolidated ones),¹⁵ centralization (from port and provincial basis to central government basis) and standardization (from differentiations and variations of doing things in and about customs department at each port towards greater homogenous practices spread across ports and regions along Indian Ocean); they also reveal on the other hand, constitutive factors being internal and external sources i.e. imperial interests as well as chambers of commerce.

Origins and genesis of customs law and organization in modern South Asia are yet to be explored and examined by the scholars and historians, particularly fiscal regulatory regimes regarding maritime trade which emerged on the interstices of power struggles of foreign actors, native maritime states, and central imperial authority (Mughals). Earlier available legislation on the subject of Customs dates from the Bengal Regulation XLII of 1793 regarding Collector of Customs, in Bombay from 1799, and in Madras from 1803.¹⁶ It was followed piecemeal and provisional legal interventions. Customs had long emerged under provincial board of revenue as an independent and distinct fiscal sphere from a previously combined revenue regime

15 W. P. Williams, ed., *The Unrepealed Regulations of the Government of Fort St. George, The Acts of the Government of India, Applicable to the Madras Presidency, and the Acts of the Government of Madras, Relating to Revenue Matters, from 1802 to 1869, with a Copious Index*. Higginbotham, 1870. Madras Regulation 1802 onwards and other such Regulations confirm this as to how different pieces of law emerged as piecemeal acts.

16 Rainy, Memorandum on the Customs Department, 1; hereafter referred to as Memorandum on the Customs Department.

alongside land revenue.¹⁷ Legal world regarding maritime fiscal governance attracted significant attention after 1810. The Charter Act, 1813 made customs duty collection by the Company expressly legal, and an Act of Parliament in 1814 validated all acts and regulations made so far by the Company regarding Customs matters.¹⁸ After 1833, 'a very large number of regulations' followed regarding customs duty collection and functions of customs officers. Presidency based regulations were finally consolidated and centralized in the 'first general Customs Act' 1863, which was consolidated through the Sea Customs Act, VIII of 1878, supported and supplemented with tariff acts. It provided basis for postcolonial states in South Asia, and was repealed for new Customs enactments in 1962 and 1969 (in India and Pakistan respectively).

Service Structure

George Anderson notes in his *British Administration in India* that "For the purpose of carrying out this (Customs) work, a Customs Service has been constituted, which is administered by officers recruited either in England or India, and a Subordinate Staff."¹⁹ Sea customs department were provincial governments structures organized and administered as local port based. The provincial governors or governor-in-council who either directly, or through commissioners as in the case of Bombay and Sind, controlled the department as chief collector authority over the customs collectors; the latter were empowered as chief executive officers of the customs department. These all three categories of office holders came overwhelmingly from the covenanted or Indian Civil Service, serving with three presidencies which regulated maritime frontier and sea trade.

17 Misra, *The Central Administration of East India Company*, 444. He reports both 'Collectors of Revenue or Customs' holding other jurisdictions as well in 1826.

18 Rainy, Memorandum on the Customs Department, 1.

19 Anderson, *British Administration in India*, 116-17.

The story of customs service is, therefore, no different from the ICS whose officers supervised earlier colonial establishments of a variety of revenues including salt, opium, and excise, besides land revenue. Imperial customs service was created to give leadership to the customs organization longer stability, as too frequent transfer postings afflicted the ICS.²⁰ Ilhan Niaz also notes 'an arbitrary transfer regime' which 'undermined effectiveness and integrity of India's civil service'.²¹ The department's subordinate ranks, however, continued to have local and provincial basis till first quarter of the twentieth century. However, historical scholarship has ignored the trajectories of subordinate ranks in colonial state generally, and in customs department particularly, exceptions being works as Roy Moxham on inland customs.

At the time of the Commission 1886-7, there were three collectorships at each major presidency port and one assistant collectorship at Bombay. It needs not be overemphasized that by Cornwallis time, appointments of Collector of Customs had become 'capital appointment' in terms of salary and status, along with Secretaries of Government and various Boards.²² The 1886-7 Commission recommended Bombay and Calcutta Collectorships to be continued to be covenanted civil service preserve, while others i.e. Collector Madras and Assistant Collector Bombay to be allowed otherwise.²³ With creation of Imperial Customs Service in 1906, collectorships had become six, for port cities of Calcutta, Bombay, Madras, Rangoon, Karachi and Chittagong, besides Assistant Collectorship at these ports,

20 Dan Banik, "The Transfer Raj: Indian Civil Servants on the Move," *The European Journal of Development Research* 13, no. 1 (2001): 106-134. Other writers on colonial state also observed this as Heath, *Bureaucracy, Power and Violence in Colonial India*, 376-77

21 Niaz, *The State During the British Raj*, 261.

22 Philip Woodruff, *The Men Who Ruled India: The Founders*, Vol. I (Oxford: Oxford, Alden Press, 1955), 169.

23 *The Report of the Public Service Commission 1886-7* (Calcutta: Superintendent of Government Printing, 1888), 97.

and the posts of Superintendent of Preventive Service. The Resolution also noted that "Its cadre will not at present provide for the administration of the Customs at the minor ports, but arrangements will be made for securing more efficient supervision over the subordinate officers stationed at these ports by inspections conducted by the members of the Imperial Service."²⁴

The Imperial Customs Service was formed to address problems posed by the general service of ICS officers under the provinces and their miscellaneous functions, frequent rotation, non-specialized experience, and consequent adverse effects to the maritime trade. The ICS was inadequate and insensitive to the needs and dynamics of the trade community engaged in maritime trade and its regulation. This gradually paved the way towards development of customs service which would be special, exclusive and central.

Work Organization

Spatial understanding of historical processes has been brought to focus by many historians, including those of Indian Ocean studies, as Sugata Bose invokes a contact zone of an interregional arena with 'hundred horizons'. Maritime regulatory regimes, including that of fiscal-commercial controls, also offers such spatial insights. Moxham's work on Customs Line as grids of colonial state also opens up a spatial view of fiscal colonialism. Besides being produced legally and functionally, the customs organization needs also be viewed spatially. The Sea Customs was an affair put and placed at the ports, with spatial ordering of Indian Ocean ports hierarchically categories and organized into binaries of chief and subordinate, major and minor ports. This determined ports' status and ranking, personnel size and categories, workload

24 Resolution No. 154-161-57, dated 9th January, 1906, Calcutta, titled "Formation of an Imperial Service for the Administration of the Customs in India", Customs, Department of Commerce and Industry, Government of India, 1-2.

and revenue, and also acted vice versa. Some ports were signified as eligible for Collectorship, while many in far reaches of hilly ghats of Madras, for example, were not even superintendent ports, where officials held overlapping authority for customs along with port and shipping related work.

Traditionally, customs work has remained further divided spatially between port and custom house: customs work at sea ports was related to examination of goods being imported and exported, warehouses and bonds, and preventive work of dealing with cargo traffic in both licit and illicit trade on official and unofficial landing sites or otherwise along the coasts of Indian Ocean and Arabian Sea. Appraising of goods, and other related activities and processes such as passes, permit, challans, drawback and refunds, besides regular secretariat work of overseeing and reporting, were conducted at and through the custom houses. Coastal trade constituted bulk of maritime trade regulated by customs house and customs staff at port. During the earlier phase of colonial state, maritime entry and exit from and to the port towns were only through the custom houses.²⁵ The colonial ports and custom houses were sites of power and, therefore, of struggles along racial and communal lines, as they provided state resources to the employees, and greater access and control over the persons and goods of traders and passengers, both British and natives, as well as between maritime interests of British territories and princely states.

Jurisdiction and Functions

The functions of a collector of customs, assistant collector, superintendent customs preventive, and head appraiser have been spelled out by the Sub-Committee Report. Covering both customs and non-customs tasks, the functions collector included collection of duties and taxes

25 Albert William Hughes, *Gazetteer of the Province of Sind* (Lahore: Sang-e-Meel Publications, 2005), (1876). "... the Custom House ... through which the traffic passes". 354

over imports and export regulating marine trade both licit and illicit and included vast coastal trade, beside collecting Port and Light dues, enforcing law for protection of life at sea, regulating emigration. In the case of Bombay, collector headed other departments also such as excise, opium, salt, land revenue besides stamps and stationery. The Public Service Commission report particularly noted that 'unconnected' assignments of collector of customs in Madras be divided amongst two other provincial officers;²⁶ but no such need was felt for any such change in the case of Bombay.

Assistant collectors headed stations and sections of the department as wharves and docks under the collector, and were supposed to grow to become collector in due course of time, and thus represented collector at micro level, as a deputy collector of a district represented provincial 'governor or a cabinet minister'.²⁷ His duties included examining and appraising goods, gauging liquors and collecting customs duties, besides other assignments. Customs department at some ports were headed by assistant collectors. Deputy Collector is mentioned at the place of assistant collector in Madras²⁸, while the former post was abolished in Bengal in 1882.²⁹ Head appraisers, leading appraisers' branch, held technical task of determining customs duties and taxes on goods examined at docks and wharves. Their technical knowledge was central to their position and placement in the department, and their background experience and training in some merchant houses were appreciated and accounted towards their eligibility for such appointment.³⁰

26 The Report of the Public Service Commission 1886-87 (Superintendent of Government Printing, Calcutta, 1888), 97

27 Niaz, *The State During the British Raj*, 92.

28 The Report of the Public Service Commission 1886-7, 1888, 95.

29 Sub-Committee Report, 7.

30 Commission Report 1888, 96.

Superintendent Preventive headed customs force to guard maritime frontiers, safeguard trade cargo on ships at ports before they paid customs duties on import or exports, regulated vast streams of transshipments along coast lines, and illicit trade. Witnesses to the 1886-7 Commission iterated the imperative of a European nature of preventive organization as it had to deal with 'European ship commanders and crew, and travelling women, besides diverse trade community and agents'.³¹ This officer also held other customs, salt and port related assignments with regional variations.

Recruitment

Recruitment allowed and required greater discretion to the recruiting officers to reproduce and perpetuate a system of patronage for reciprocating political favours to certain groups against other natives, and reorganizing and reifying social hierarchies.³² European or Eurasian dominance was so complete by then in customs department in Bengal that the Collector being departmental representative declared confidently that "Natives do not apply for admission as Appraisers or Preventive officers. There doesn't appear to be any class in Bengal, except among Europeans and Eurasians, that could supply men fit for the duties to be performed."³³ Collectors made bulk of the subordinate appointments, recruitments and promotions in the department, as these departmental heads were allowed and expected very vast discretion.³⁴

31 Sub-Committee Report, 31.

32 Niaz, *The State During the British Raj*, 97.

33 Sub-Committee Report, 8

34 Sub-Committee Report, 8. Bengal Customs department representative considered that "the officer in charge of the Custom House (the collector) must, in the interests of the government, be left a pretty free hand in the selection". While referring to avoid the native recruitment legally required by the Queen's Proclamation and Parliament, it continued: "This is not a case where it would be prudent to jeopardise the safety of the revenue by any experiment in the interests of a class." Most Europeans mentioned in the 1886-87 Commission had this view.

Prior to the creation of Imperial Customs Service, officer's cadre or civil service for Customs department was provided by the ICS. Two patterns can be discerned from its trajectory: racial dominance of the service and entry through competition principles of nomination and selection for recruitment in the raj. However, customs remained less attractive assignment for the ICS officers who preferred and privileged becoming district officer.³⁵ Their frequent transfers, lack of interest, inability to carry knowledge and expertise to other ports, and hostility towards trade community led to pressures from Chambers of commerce, which resulted in creation of Imperial Customs Service, report writers on Curzon and official records.³⁶

Officers as collectors of customs, assistant collectors and superintendent preventive were appointed by the provincial governors. Four port collectors (Calcutta, Bombay, Madras and Rangoon) were the ICS, and assistant collectors and the collectors of Karachi and Chittagong ports were recruited locally for each port.³⁷ Besides recruiting customs subordinate staff locally, provincial governments provided staff for minor ports and outposts where customs staff was not available.³⁸

Historically, maritime trade regulatory regimes existed and flourished throughout and provided basis for western recruitment. Such recruitment was provided by certain castes having centuries of accumulated knowledge and skills in trade and tax, who acted in both public and private domains with same sets of knowledge and skills in scribal and accounting literacies.³⁹ While the Collector of Customs

35 Lovat Fraser, Ilhan Niaz, BB Misra, Keith, Dewey, others.

36 Fraser, *India under Curzon & After*, 315; Raleigh, *Lord Curzon in India*, Vol. I, 284, in an address by Curzon to Bombay Chamber of Commerce on November 8, 1905; *The Resolution* 1906.

37 Rainy, *Memorandum*, 2.

38 Rainy, *Memorandum*, 2.

39 Dirks, *Castes of Mind*; Hayden Bellenoit, "Paper, Pens and Power between Empires in North India, 1750-1850," *South Asian History and Culture* 3, no. 3

used the principle of selection for the recruitment of subordinate staff and positions, some significant native Indian groups, as Bengalis and Parsis (concentrated in Bombay), pressed for competitive entry principle, being central question of the public service commission in 1886-7.

Appointment in the branch of appraisers/examiners in Bombay was made from the clerical staff. Appointments to the non-gazetted posts were made by the commissioner and collector, divided on pecuniary basis of salary.⁴⁰ Recruitment of native subordinates was overwhelmingly for a salary below Rs.100 as the sub-committee report recorded that except five top officers - all Europeans or Eurasians, "No other officer (native) in this Department enjoys a salary of Rs.100"⁴¹ while actually native salaries were usually in the range of Rs.10-25. First appointments and promotions were made by the Collector. Examination were essential prerequisites for entry; and included tests related to official work (customs, salt, opium, excise, tobacco, and ports)⁴² as well as languages of maritime provinces.⁴³

Mobility

Mobility in colonial state infrastructure was plagued with disparity between Europeans/Eurasians and the native. Natives, and many of Eurasians too, could only rise to the higher ranks of the subordinate service. Scholarship on subordinate staff in different organizations, focusing on the potential and qualified agency of such subordinate ranks, has noted that despite the fact that this bulk of the colonial state was constituted of the native subordinate ranks, and

(2012): 348-372; Manan Ahmed Asif, *The Loss of Hindustan: Invention of India* (Harvard University Press, 2020); and Others.

40 Sub-Committee Report, 22.

41 Sub-Committee Report, 23.

42 Sub-Committee Report, 21.

43 Sub-Committee Report, 34. These included Hindustani, Gujrati, Marathi and Tamil.

provided for mass of what colonial state did and (re)produced,⁴⁴ the issues of work condition and mobility of native subordinate staff have been largely left to margins by such scholarship. Much of claims for consideration of native demands from inside the colonial state or from outside it by nationalists and others, were either focus primarily on Indians' share in higher civil service positions and increased group or communal representation,⁴⁵ or otherwise were only left to some service reform commission, until the changes wrought by the interwar period.

Besides frequent claims and commitments for Indianization of colonial state, a variety of regimes were evolved and experimented for the purpose of controlled mobility of the officers and staff, which kept mobility of the natives checked and dwarfed. Native subordinate officials even when in technical domains, had 'limited post-recruitment horizontal and vertical mobility'.⁴⁶ Many experiments over the long colonial history were undertaken for different groups of subordinate and officers in tiers, ranks and grades. Grimley's graded system was introduced in 1880s, and was criticized by the customs officers before the Commission 1888-7. Promotions were dependent on limited positions and controlled by the European superiors. Reform commissions focused reform of officer cadres rather than subordinates.

Bengal Customs Collector reported to the Commission that "higher appointments are invariably filled by selection from the Appraisers; and it appears that hitherto only persons of those classes have been deemed qualified for the duties of that branch."⁴⁷ Though the Commission agreed to this principle of higher appointment being made by selection from existing higher subordinate staff, it also iterated the need to bring fresh recruitment directly to such higher posts

44 Khalid, "Subordinate Negotiations," 45-73.

45 Niaz, *The State During the British Raj*, 99.

46 Niaz, *The State During the British Raj*, 97.

47 Commission Report 1888, 96.

on probation till satisfactory performance and tests.⁴⁸ Preventive officers were enrolled as 'extra' (44 at the reporting moment), and were made 'permanent' after a short trial 'to supplement the permanent staff when more hands are required'. In Bombay Customs, promotion of subordinate staff was based on seniority rather than selection.⁴⁹

Rewards and Remuneration

Rewards and remuneration covered a wide range of salary, rewards, furlough, leaves, allowances, housing, messing, medical, pensions, etc. Heath notes "a much lower salary scale and less liberal rules of leave" for servants other than the ICS.⁵⁰ Furlough, leave and pension were very generous for the European officers.⁵¹ "... the opening of the Suez Canal brought more English women and more frequent leave,"⁵² Woodruff particularly noted the change for Europeans in British India. Roy Moxham particularly noted lower salaries and lowly conditions of subordinate native staff in inland customs,⁵³ a subject glaringly missing from official texts, while all emphasis went to the production and circulation of corruption related tropes in and through which native subordinates of colonial state, and Indians as collective subject, were identified.⁵⁴

In Bengal Customs, two European covenanted officers – collector and assistant collector – received monthly salary of

48 Commission Report 1888, 97.

49 Sub-Committee Report, 22.

50 Heath, "Bureaucracy, Power and Violence in Colonial India Bureaucracy," 376.

51 Sub-Committee Report, 3.

52 Woodruff, *Founders*, 170.

53 Roy Moxham, *The Great Hedge of India*, 62.

54 Clive Dewey, Deana Heath, Amna Khalid; and Mitchell, Lisa, Conclusion, in Bjorkman, Lisa, *Bombay Brokers* (Duke University Press, 2021); and others. Identification of native subordinate staff with corrupt practices has long been produced and circulated in and through colonial discursive practices, which covered texts which were official and unofficial, reports and fiction, etc.

Rs. 2000 and Rs. 600-1000, and the European Superintendent Preventive that of Rs. 800-1000. Things had not changed much even at the time of Islington Commission Report, 1914 which referred to salaries of the Collector and Assistant Collector of Customs to be Rs. 2,050-2,500 and that of the Assistant Collector to be Rs. 1,150-1,400.⁵⁵ The gap between salaries of these officers and their subordinate officials, let alone lowly functionaries was very wide and alarming. The Assistant Collectors, divided in eight grades and totaling 40, received salaries which ranged between Rs.350-550 and Rs. 70-125 in descending order of 1st to 8th grades. One of the eight Inspectors of the preventive service received salary of Rs.450, while the rest of the seven Inspectors Rs. 300-400.

Salary of Bengal preventive officers, totaling one hundred in strength and divided in nine grades, was Rs. 300-100. 'Extra' preventive officers enrolled on probation were paid by the day or by the job instead of salary.⁵⁶ Assistant Collector, a European, informed that 'lowest pay for the fourteen or fifteen hands in his Import section, was Rs. 20; and they are mostly natives'.⁵⁷ However, some Eurasians in his branch also got as low as Rs. 50 to 60; while his immediate subordinate, a native Christian, got Rs.75-150. One native witness of 'good standing' however, suggested to the commission that Rs.150-350 was a sufficient range of salary for the native appraiser.⁵⁸

These officers only accounted for half of the total 303 strength of the customs department of Bengal where salary of the most of the employees was not more than Rs.100; "... none of the higher paid appointments in the Customs

55 Royal Commission on the Public Services of India (Islington Commission), Report of the Commissioners, Vol. I, (Calcutta: Superintendent Government Printing, 1914), xxix.

56 Sub-Committee Report, 7.

57 Sub-Committee Report, 14.

58 Sub-Committee Report, 20.

department were held by pure Asiatics, ... majority of these appointments belonged to the Preventive Service, ... pure Asiatics were not suited for the duties incumbent on the Preventive officers".⁵⁹ Even when European officers and private members witnessing before the Commission agreed to the employment of natives in for example preventive, they did so on 'at a reduced salary: the present pay having been fixed with reference to the European habits of the existing staff.'⁶⁰

In Bombay, salaries of commissioner, collector and assistant collector amounted to Rs. 3000-3500, 2325, 900 with travelling or local allowance of Rs. 250 and 100 each for other two, respectively. Remaining grades of assistant collectors and preventive superintendent received Rs. 550-350 and Rs. 400-600, respectively; while gauging staff between 250 to 100, appraisers and examiners between 200-100 and preventive staff between 250-125. It is interesting to note that collectors generally held multiple jurisdictions and gained their attendant remuneration and rewards which appear only in the margins of the relevant texts: full separate salary of Rs.1200-1500 in the case of charge of Assistant Collector Salt in Bombay, and separate allowances in case of Madras. Collector in Madras received Rs. 2333 in salary along with two allowances of Rs.100 and 400 from Emigration and Port respectively. Deputy Collector received Rs. 500 with 200 allowance. Superintendents received between Rs. 130-70, and at out-ports, officers and staff were given Rs. 50 and upwards⁶¹; however, they received some portion of emoluments from port establishment. 'None of the preventive officers at Madras port received more than Rs. 90'.⁶²

59 Sub-Committee Report, 3.

60 Sub-Committee Report, 7.

61 Sub-Committee Report, 33.

62 Sub-Committee Report, 34.

Racial, Ethnic and Religious Composition

McClintock noted the 'rationed privileges of race'⁶³ which explains well the position of power being reserve and preserve of the Europeans through imperially controlled and close system of covenanted or Indian civil service. Dewey, Heath and other scholars on either side of the colonialism have affirmed this colonial character of the state in British India. One witnesses this European exclusivity in the officer cadres of customs service as well. The commission noted though in the case of Bengal but was particularly relevant to all customs formations, that "the (subordinate officer) heads of the branches are usually Europeans or Eurasians".⁶⁴ Similarly, it notes that "All the covenanted officers in the Department are Europeans."⁶⁵ This was not just a 'fact' narrated and reported by the departmental representatives from customs department. Rather many witnesses particularly from Bengal, strongly desired the need for European, or at the least Eurasian, heads of department and even preferred this racial stock in case of preventive officers, as natives officials were seen in and through lack of what constitutes a European.

Amongst Indians, Bengalis and Parsis being advanced in English education, dominated many sectors of the colonial state and, therefore, of the customs department: Bengalis for appraising, examining and clerical work, and Parsis for these and also as gaugers or for tasting and testing of alcohols and other such food related goods, being major imports in colonial India, which constituted some form of prohibitions for other natives. Amongst Hindus, however, Brahmins, Kayasthas and other clerical castes were dominant.⁶⁶ Uncovenanted officer from Tagore family had also held the post of Assistant Collector for four years in 1880s. A Parsi

63 McClintock, *Imperial Leather*, 6.

64 Commission Report 1888, 96.

65 Commission Report 1888, 95.

66 Commission Report, 1888, 35-41.

was a 3rd Assistant Collector in customs department in Bombay at the time of the 1886-7 commission, as was a preventive officer in Madras.⁶⁷ Parsis were gaugers as well as examiners and appraiser in the department in Bombay.⁶⁸

Recruitment and mobility of native Indians in technical assignments of the Customs department as appraisers or examiners (as for the articles related to machinery, metals, chemicals, alcohol, arms and ammunition, and drugs) were particularly looked through racial perspective by colonial administrators considering them lacking in such technical knowledge of goods mainly produced in the west, and primarily signifying lack of will or desire of the natives to learn new knowledge to be gained through exposure to the west, suggesting it to be a central source of their subordination.⁶⁹

Out of eight grades of subordinate officers of customs in Bengal, "in each of the first three grades, there is one non-domiciled European officer; the other twenty-six officers are Statutory Natives, five being domiciled Europeans, thirteen Eurasians, and eight Hindus. Of the Hindus, one is in the 5th grade and seven are in the 8th grade".⁷⁰ In case of customs in Sind, collector was European while subordinate officers were Eurasians.⁷¹ Muslims are noted for their marginal presence in the department, identified for their lack of knowledge and skills in numerical literacies,⁷² and referred to at the lowliest tier of '*laskars*' in preventive service.⁷³

67 Commission Report 1888, 95.

68 Commission Report 1888, 96.

69 Sub-Committee Report, 1887. Witnesses in Bengal before the Subcommittee asserted this aspect.

70 Commission Report 1888, 96.

71 Commission Report 1888, 96.

72 Sub-Committee Report, 25.

73 Sub-committee Report, 32.

Preventive service was of particular interest, as colonial officers as well as private witnesses before the 1886-7 Commission presented orthodox Hindu prohibitions and prejudices related to seafaring and working at sea in the preventive service. However, the Commission noted in its report that native Christians and one Hindu native were working efficiently in the preventive service in Bombay and Madras, respectively without any adverse influence of such native prejudices.⁷⁴ Muslims despite their historical presence in sea trade and physical prowess making them suitable for colonial organizations such as army and police, were least represented in customs preventive service, except as *laskars*.

However, such liberal and non-discriminatory persuasions for the administrators of the colonial state had remained only marginal and insignificant statistically and politically. The Commission though recommended that recruitment be made from all classes qualifying for the post irrespective of any 'race disqualification', however, move towards inclusive colonial state started emerging only with Indianization during inter-war period.⁷⁵ One reason for European and Eurasian domination of the sea customs service was its very geographic nature: foreign element was stronger along the coasts and ports of the Indian Ocean and Arabian Sea, rather than the mainland and mountainous frontiers of the British India.

Conclusion

The study describes and examines the organization of customs spread along the ports of Indian Ocean during the late nineteenth century. Customs controls constituted fiscal discipline and governmentality of maritime frontiers to which both traders and travellers on the one hand, and employees of the colonial state on the other hand were subjected. This

74 Commission Report 1888, 97

75 Keith, *A Constitutional History of India 1600-1935*, 284; Roy, Kaushik Roy, *The Indian Army in the Two World Wars* (Leiden: Brill, 2011).

study captures a particular period in colonial history and brings to light the organization of sea customs department through a set of indicators with an aim to overview rather than producing an exhaustive history. Colonial commercial regimes of discipline and governmentality have only come up only in the margins of South Asian history writing, as emphasis has overwhelmingly been invested in political relations based on land and land revenue. Customs, though critical to the imperial control of commercial and fiscal resources, sites and groups, has largely been neglected in scholarship on colonial history writing of south Asia. It is through the history and study of this colonial disciplinary regime that one can look into, and relate with, the practices and processes of colonial state and its rationality, coalescing with and complementing the operations of broader enlightenment project undertaken by imperial interests and imaginaries. The study fills this gap in literature and provides an arena of colonial state infrastructure for further and detailed examination by south Asian scholarship.

The study brings up the nature and scope of strengths and weaknesses, and disparities and gaps in customs organization in British India; it also traces the trends towards the fiscal governance as centralizing and standardizing, and shows the structure and composition of the organization which acted as guardians of maritime frontiers in economic as well as ideological terms. Disparities were not only in terms of higher and subordinate offices, but also in the domains of entry, mobility, incentives, and other aspects. Discursive and material markers of identity on racial, ethnic, caste and communal grounds pervaded the organization and its practices.

Customs controls and fiscal disciplinary regime were not primitive in the late nineteenth century, yet they were considered ripe for imperial interventions in line with privileged international discursive practices and internal lines of default. Twentieth century, particularly interwar period, brought large scale changes in and outside British India, and also in customs department; however, long time legacies

have been perpetuated and reinforced in and through fiscal discipline and governmentality as embodied in legal and organizational practices, and thus continued in postcolonial states in South Asia. And it is here that the agenda for future scholarship on postcolonial states lies.