

CHAPTER XII

LAW, ORDER AND JUSTICE

Early History

THE history of the police administration in respect of Gulbarga district may be broadly divided into two distinct periods, the period prior to 1947 and that subsequent to it. Under the Nizam's rule, Gulbarga was the divisional headquarters comprising the four districts of Gulbarga, Bidar, Raichur and Osmanabad. The police as the custodians of law and order were classed as regular Diwani forces and there were also the irregular forces administered by the various petty feudalistic pockets known as Jagirs and Paigahs. It is apparent that there was no administrative uniformity. The whole police force was not one entity. The Diwani police had regular training, whereas the same was not the case with those who were serving in the Jagirs, Paigahs and petty States. Prior to the abolition of Jagirs, Gulbarga district had a number of these feudal pockets. The maintenance of law and order in these Jagirs was the responsibility of the Jagirdars. They maintained their police force with no rigidity in rules, discipline or any definite methods of administration. For a very long time before the dawn of independence, Gulbarga was the centre of communal factions. Several serious flare-ups disturbed the peace and tranquillity of the district. Whenever the situation got out of control, the military had to be called in to restore order. The Arya Samaj movement in 1937 had its own impact on the law and order situation of the district. Thousands of Arya Samaj satyagrahis from all parts of the country marched towards Gulbarga from Sholapur, which was their headquarters. Apart from the regular groups of satyagrahis who offered civil resistance, a number of satyagrahis from other places in the Nizam's territory also came to the district. Later on, the political agitation for responsible Government in the State worsened the situation. The police had a tough time throughout this period. Gulbarga was a main centre for these agitations and top-ranking leaders including the State Congress chief were lodged in the Gulbarga Central Prison. Subsequently, the Razakar trouble which led to the police action added to the strain on the police force.

After the police action in September 1948, the Indian Union Government took over the responsibilities of administering the Hyderabad State. At that time, about 40 to 50 per cent of the Muslim officers left their jobs and migrated to Pakistan. In the interim period, it was a difficult problem indeed for the police to maintain law and order. Unwanted political organisations fomenting communal disharmony had to be rigorously suppressed, *goondas* and brigands had to be brought under control and order had to be maintained. The police force in Gulbarga was put on a solid footing with new recruits who were given good training. Then some order was restored and morale ensured. But a big communal riot suddenly flared up on 27th August 1954, following the hoisting of the Pakistani flag on the Ganesh Mandir in the Gulbarga saraf bazaar. The situation went out of control. Loot, arson and murder took place. Seven persons were killed and about 35 shops were looted. The Hyderabad State Reserve Police camped in Gulbarga for weeks to restore calm. Finally, peace and tranquillity were restored.

With the reorganisation of States in 1956, the Hyderabad State was trifurcated and the districts of Gulbarga, Raichur and Bidar were integrated with the Mysore State. Gulbarga was made once again the divisional headquarters. A number of reforms, and new regulations came into force in the wake of these changes. In 1959, the police reorganisation in the district saw the setting-up of three sub-divisions in Gulbarga, Shahabad and Yadgir. The number of police circles rose to seven.

The law and order situation in the district was now generally normal. There were no communal disturbances or occasions for communal tension anywhere after the 1954 disturbances. There are two major industrial concerns within the confines of the district with a large labour force, *viz.*, the Associated Cement Companies Ltd., at Shahabad and the M.S.K. Mills at Gulbarga. In the industrial area of Gulbarga, a hunger-strike incident in September 1961 created some tension, but order was restored soon. The reason advanced for this hunger-strike was the non-implementation of an award recommended by the All-India Textile Wage Board. The strike period remained peaceful and no untoward incident took place. There was a *satyagraha* by the Republican Party of India in Gulbarga town during the month of December 1964, protesting against the soaring prices of food-grains. The *satyagraha* which commenced on 6th December 1964 continued till the end of the month. With a view to maintaining law and order and restoring peace about 350 persons, including 120 women, were arrested and detained in judicial custody. They were released later.

**General
situation of
Law and
Order**

Cognisable offences under the Indian Penal Code have been **Incidence** classified into six separate categories for purposes of investigation. **of Crime**

The main classifications under the cognisable crimes are offences against the State, offences against persons, serious offences against persons and property, minor offences against persons, minor offences against property and other offences not specified above.

The following table gives the number of crimes according to the above classifications for the years 1962, 1963 and 1964 :—

<i>Classifications</i>	1962	1963	1964
Class I—offences against the State, public tranquillity, safety and justice ..	67	102	103
Class II—serious offences against persons	309	247	268
Class III—serious offences against persons and property or against property ..	223	253	312
Class IV—minor offences against persons	57	43	49
Class V—minor offences against property	270	274	354
Class VI—other offences not specified above	10	18	20

During 1964, some categories of crimes showed an increase when compared to the figures of the previous two years and some decrease in respect of other classifications.

Grave Crimes

The increase of offences under Class II (serious offences against persons) and Class III (serious offences against persons and property or against property alone) as shown in the table above was perhaps due to bad seasonal conditions and unemployment. The number of cases of grave crimes, *viz.*, murder, dacoity, robbery, house-breaking and theft and ordinary thefts during 1964 is given below :—

Murder ..	59
Dacoity ..	33
Robbery ..	9
House-breaking and theft ..	209
Ordinary theft ..	211

The following is the classifications of murders according to motives :—

<i>Motive</i>	1962	1963	1964
Sexual Causes ..	9	9	20
Gain ..	..	6	2
Family quarrels ..	12	8	6
Faction feuds ..	17	10	9
Other causes ..	14	22	22
Total ..	52	55	59

Cases of infanticide registered by the police showed a downward trend in 1964 when compared to the two previous years. In 1963 there were nine cases while the number of cases in 1962 was 13. Infanticides were due to illicit sexual connections when the mothers, fearing social consequences, murdered their new-born babies.

Infanticide

As regards riots and disturbances which came in the way of public peace and tranquillity, there was a slight increase from 90 cases in 1963 to 95 in 1964. In 1962 there were only 64 cases of rioting. These cases usually arose out of land disputes and village feuds, but prompt action prevented these incidents from taking a serious turn.

Riots and Disturbances

In all, there were 199 cases of house-breaking and theft and 144 cases of ordinary thefts in 1961. The corresponding figures for 1964 were 209 and 211, respectively. The following table gives actual figures of property lost and recovered from 1957 to 1964 :—

House-breaking and theft

Year		<i>Property Lost</i>	<i>Property Recovered</i>
		Rs.	Rs.
1957	..	2,14,567.85	39,639.90
1958	..	1,30,747.77	47,970.00
1959	..	87,154.00	33,327.00
1960	..	1,12,415.00	44,753.00
1961	..	2,07,148.00	24,050.00
1962	..	2,04,892.00	41,120.00
1963	..	1,76,213.00	45,094.00
1964	..	3,35,874.00	43,546.00

There were only 10 dacoity cases in the district in 1963 ; but there was an unusual increase in this number in 1964 in that 33 cases were registered in various parts of the district. It was found that most of these offences occurred mainly in the bordering villages of the district. The main reasons adduced for this increase in the number of dacoities were adverse seasonal conditions and unemployment. The bulk of the crimes was attributed to border criminals.

Dacoity Cases

Only one case of counterfeiting was reported in 1960. There were no such cases from 1961 to 1964.

Accidental deaths

During 1964, 512 accidental deaths were reported as against 504 in 1963 and 430 in 1962. The break-up of these totals is given below :—

<i>Causes of death</i>	<i>1962</i>	<i>1963</i>	<i>1964</i>
Accidental drowning ..	139	177	146
Suicidal drowning ..	74	76	74
Suicidal hanging ..	75	98	88
Snake bites ..	46	69	62
Wild beast menace ..	..	1	4
Burns ..	6	17	20
Electric shocks ..	1	1	4
Lightning ..	9	9	4
Mining accidents ..	1	1	..
Motor accidents ..	1	..	9
Rail accidents ..	1	2	1
Fall from heights ..	2	2	8
Crushed by weights ..	1	1	8
Gun-shot accidents ..	..	..	..
Poisoning ..	2	1	7
Sunstroke accidents ..	1	..	..
Other causes ..	71	49	80
Total ..	430	504	512

It would be of interest to know that in 1961 there were 61 cases of sunstroke in Gulbarga district. This was due to the abnormal rise in the summer temperature, when the mercury shot up to 105 degrees Fahrenheit in shade. Gulbarga district situated as it is on the Deccan Plateau has sharp variations in temperature, chilly in winter months and very warm in summer months. There had not been any sun-stroke deaths in 1963 and 1964. Snake bites are common in the northern hilly areas.

The provisions of the Suppression of Immoral Traffic in Women and Girls Act of 1956 have been strictly enforced in the district. During 1964, 12 cases were booked as against 16 in 1963.

Security cases

The numbers of cases booked under the various provisions of the Criminal Procedure Code during the period from 1960 to 1964 are given below :—

<i>Section</i>	<i>Cases put up</i>	<i>Number bound over</i>
107 Cr. P. C.		
1960 ..	91	26
1961 ..	110	14
1962 ..	118	40
1963 ..	81	8
1964 ..	96	11

<i>Section</i>	<i>Cases put up</i>	<i>Number bound over</i>
<i>109 Cr. P. C.</i>		
1960 ..	351	314
1961 ..	306	245
1962 ..	225	181
1963 ..	267	202
1964 ..	271	209
<i>110 Cr. P. C.</i>		
1960 ..	23	15
1961 ..	25	11
1962 ..	8	1
1963 ..	25	15
1964 ..	52	37

The following table indicates the total number of prosecutions **Prosecutions** launched by the police and the number which ended in convictions :—

<i>Year</i>	<i>Prosecuted</i>	<i>Convicted</i>
1962 ..	1,140	175
1963 ..	1,208	234
1964 ..	1,674	317

The low figure of convictions as disclosed in the statement is due to various causes like the paucity of eye witnesses, suppression of evidence and the like and besides, many of the prosecutions launched in courts were still pending.

The following table indicates the percentage of detection of **Detection of grave crimes** grave crimes in 1961.

Murders ..	18 per cent
Dacoity ..	25 per cent
House-breaking and thefts ..	50 per cent

The total percentage of detection of grave crimes in 1964 was 38.96, which was an improvement over the previous year's (1963) percentage of 25.37.

Only three habitual offenders had been registered in the **Habitual offenders** police stations of the district, the strength of known depredators in the district in 1964 was about 150. The provisions of the Habitual Offenders' Act, as in force in the district, were being followed to book the habitual offenders.

An intelligence branch is functioning in the district since 1960, **Intelligence Branch** manned by one Sub-Inspector of Police and six Head Constables. Upto 1964, 751 previous convicts had been brought on the *modus*

operandi index cards. During 1964, 82 advisory memos were issued in respect of property offences to the concerned investigating officers. Dossier sheets of district criminals were also being maintained and greater control was being exercised over their movements. In 1964 there were 53 district criminals in Gulbarga district as against 21 in 1961.

There is a Finger Print Bureau at Bangalore. The finger print slips of the arrested persons in property offences are sent to the Bangalore office to trace out any possible previous convictions. When there is evidence that a person was previously convicted, the fact is disclosed in the court for enhancement of punishments under Section 75 of the Criminal Procedure Code.

There is no fire-fighting unit working in the district managed by the district police. The industrial establishments have their own fire-fighting devices. In times of emergency, these units are requisitioned for quelling fire out-breaks.

There is no anti-corruption branch attached to the district police. There is a separate department functioning under the State Vigilance Commissioner in Bangalore. The Divisional Commissioner, Gulbarga Division, is the concerned authority to take measures in this respect.

Lock-ups

Generally, all the police stations in Gulbarga district have two separate lock-ups, one for men and the other for women. These lock-ups are kept in good condition and are guarded by police constables.

Traffic control

Many of the roads in the urban areas in the district are narrow. As a measure of traffic control, the police have introduced, wherever possible, one-way traffic and traffic islands. The traffic staff attached to the district police check all the motor vehicles periodically. With the aid of the town police, they also make surprise checks once in a quarter. The flying squad attached to the traffic section periodically carries out checks to stop over-speeding.

Prevention of Smuggling

With a view to preventing smuggling of food grains, etc., across the border, the State Government have established 11 check-posts at strategic places on the borders of the Gulbarga district. The staff attached to these check-posts promptly check all the vehicles going towards the borders of neighbouring States and *vice-versa*. Any one found contravening the rules is prosecuted under appropriate sections of law.

The Mysore Police Act, 1963 (Mysore Act No. 4 of 1964), was adopted and brought into force throughout the State with effect

from 2nd April 1965, replacing the earlier Hyderabad Police Act which was in force in Gulbarga district.

In order to efficiently manage the police administration of the Mysore State, the districts are divided into police ranges, Gulbarga district coming under the northern Belgaum range administered by a Deputy Inspector-General of Police, who has his headquarters at Belgaum. In Gulbarga, as in other districts, there are the local police and the armed police called the armed reserve wing. The Deputy Commissioner of Gulbarga district has control over the district police as far as maintenance of law and order is concerned. But the Inspector-General of Police guides, controls and supervises the recruitment, training, housing and equipment of the police in the district. The usual functions of the district police include the prevention and detection of crimes, maintenance of law and order, the apprehension of criminals, guarding of private and public property and the prosecution of offenders. They also perform many other duties including the control of traffic, service of summons in sessions cases and other security precautions. The Superintendent of Police is the head of the police force in the district. He exercises general control and supervision over his subordinates. Immediately under the Superintendent of Police, there are the Deputy Superintendents of Police in charge of sub-divisions. Next in the hierarchy are the Circle Inspectors, Sub-Inspectors, Assistant Sub-Inspectors, Head Constables and Constables.

**Organisation
of the
police force**

Gulbarga district has been divided into three sub-divisions, viz., Gulbarga, Shahabad and Yadgir, which are supervised by Deputy Superintendents of Police. There are seven police circles, one each in Gulbarga town, Shahabad, Aland, Chincholi, Yadgir, Shorapur and Jevargi, managed by Circle Inspectors.

Police stations are located at the following places :—

<i>Circle</i>	<i>Police Stations</i>	Police Stations
Gulbarga town	(1) Station Bazaar (2) Chowk (3) Jagat (4) Gramin (5) Mahagaon	
Shahabad	(1) Shahabad (2) Chittapur (3) Seram (4) Mudhol	
Aland	(1) Aland (2) Naron (3) Afzalpur (4) Nimbargi (5) Revoor	

Chincholi	(1) Chincholi
	(2) Sulepet
	(3) Ratkal
	(4) Kalgi
Yadgir	(1) Yadgir town
	(2) Yadgir rural
	(3) Gurmatkal
	(4) Saidapur
	(5) Wadgera
Shorapur	(1) Shorapur
	(2) Kodekal
	(3) Kembhavi
	(4) Shahapur
Jevargi	(1) Jevargi
	(2) Gogi
	(3) Farhatabad
	(4) Yedrami
	(5) Nilogi

**Strength of
police force**

There were four gazetted police officers in the district, *viz.*, one Superintendent of Police and three Deputy Superintendents of Police in charge of Sub-Divisions in 1964-65. In the inspectors' cadre, there were seven Circle Inspectors and two other Inspectors, *viz.*, Reserve Inspector and Special Branch Inspector. Besides, there were 36 sub-inspectors of police, 6 assistant sub-inspectors, 157 head constables and 1,070 constables in the district.

**Armed
Reserve Wing**

Attached to the Gulbarga district police, there is a separate armed reserve wing consisting of one Reserve Inspector, seven sub-inspectors, six assistant reserve sub-inspectors, 43 head constables and 260 constables. In addition to this permanent strength, 15 head constables and 25 police constables are put under temporary establishment.

**Special
Branch**

The Special Branch attached to the Gulbarga district police deals with confidential information concerning political parties, trade unions, communal organisations, agrarian associations and the like. This branch is managed by an inspector who works directly under the Superintendent of Police.

**Welfare of
the police**

The police officers and men have been provided with housing facilities. Construction of residential quarters for officers and men at Gulbarga town, Kamalapur, Saidapur, Gogi, Nilogi, Chincholi, Nimbargi and Gurmatkal has been completed. Among the other welfare measures may be mentioned the District Police Benevolent Fund which extends financial aid to policemen in cases of illness and deaths and also for the education of their children; the ration shops which supply foodgrains to the members of the

police force at fair prices; the milk centre and the Police Co-operative Society which supply wholesome milk and articles of daily utility, respectively at reasonable rates. Besides, a poultry farm, a swimming pool, a children's park and clubs for officers and men of the police force, are also provided.

The railway police force in Gulbarga district consists of one sub-inspector who is stationed at Wadi railway junction, eight head constables and 30 constables. There are three police stations under the railway police in Gulbarga district at Wadi junction, Shahabad and Gulbarga. The different kinds of railway thefts in the district are theft of passengers' properties in running trains, theft of railway property such as coal and other materials used for the track, theft of goods from wagons and picking the pockets of passengers on railway platforms. In order to check these evils, the railway police are on constant vigilance.

**Railway
Police**

The total cost of the district police force in 1964-65 was Rs. 17.88 lakhs.

From early records it is seen that Gulbarga town had a jail under the control of the former reigning monarchs. Since Gulbarga was the capital city of the Bahmani Sultans, for some time, they had a jail, the administration of which was conducted on somewhat primitive methods. Prisoners who were lodged in the jail were kept in fetters throughout the period of their imprisonment. The disciplinary punishments were severe in character. From that crude state of affairs, the present system of prison management was evolved through continuous reformatory changes. The jail reforms were first introduced in 1897 by Mr. Hankin, who was the Director-General of Prisons of the Nizam's Government. He was the founder of the modern system of prison administration. He organised district jails and compiled a manual for the administration of prisons. Many reforms were introduced during Mr. Hankin's management of the State prisons. The prisoners were provided evening recreation, and a system of parole was introduced in favour of the convicts who conformed to the strict discipline of the jails. He also established a discharged prisoners' aid society.

Prison

Gulbarga district has a central prison situated in the midst of Gulbarga town, at a little distance from the district offices. It is an old prison serving as a central jail for the three districts of the Hyderabad-Karnatak area. It is the only prison house for the whole district. There are no sub-jails or judicial lock-ups except, of course, the police station lock-ups, which are meant for apprehended offenders.

**Gulbarga
Central
Prison**

The Central Prison has a total area of about 40 acres with capacity for lodging 750 prisoners of all categories. The hospital attached to the prison has 40 beds. The administration of the Central Prison is governed by the Hyderabad Jail Manual (Hyderabad Prison Rules, 1955). The prisoners lodged in the jail are classified into three district categories, *viz.*, A, B and C, according to the convicts' previous character and antecedents and also their work and conduct in the prison. The convicts are closely observed at regular intervals and the observations are recorded on the personality trait forms. The classified prisoners are lodged in separate barracks during nights. They are also given identity badges of different colours according to the nature of classifications decided. As on 1st December 1965, there were 140 'A' class, 377 'B' class and 10 'C' class prisoners in the Gulbarga jail.

Women convicts

The women convicts are lodged in a separate enclosure inside the Central Prison. There are four matrons who look after their welfare. The tasks allotted for these convicts are one-half or two-thirds of those prescribed for male convicts. The rules which govern the lodging of women convicts are detailed in Chapter XX of the Hyderabad Jail Manual. As on 1st December 1965, there were in all 23 female prisoners, of whom two were serving life imprisonment and five were under-trial prisoners.

Death Sentences

Death sentences are not executed in the Gulbarga Central Prison. Prisoners admitted into this prison for sentence of death are transferred to the Central Jail at Bellary.

Training

Training in crafts like weaving, carpentry, dyeing, smithy and tailoring is provided generally for the convicts. As soon as a convict is admitted, his previous occupation is ascertained. The majority of the prisoners are known to have pursued agriculture as their main occupation. However, each convict is closely observed before he is entrusted with a particular occupation. Prisoners are given training in such crafts as are suitable to their aptitude.

Dress

Prisoners who are sentenced to rigorous imprisonment are provided with the following jail dress, the cloth being manufactured in the jail factory :—

Sleeveless/half arm cotton shirts	..	Two per year
Cotton pyjamas	..	Two per year
Towels	..	Two per year
Caps	..	Two per year

Under-trial prisoners are not given any dress. They are allowed to wear their own clothes. If they do not have their own they are provided with stripeless clothing.

The prisoners are given food three times, rice kanji in the morning, a meal between 9-45 A.M. and 10-15 A.M. and the next meal in the evening between 4-30 P.M. and 5-30 P.M. For those who are in the habit of taking non-vegetarian food, mutton is supplied once a week. Rice is given on Wednesdays and Sundays at the rate of five chataks, two tolas and six mashes per person. On the other days the convicts are allotted jowar bread or wheat bread, at the rate of 12 chataks of flour each daily. In addition the rations include salt, tamarind, chillies, garlic and onions, tur dhal, green dhal, moong dhal, gur, groundnut oil, curds and vegetables in prescribed quantities.

Diet

The Central Prison, Gulbarga, is noted for its quality carpets and tents manufactured by the inmates of the jail. Besides these, wooden and rattan furniture, textiles like towels, bed-sheets, mosquito curtains and bandage cloth, washing soap and phenyle are also manufactured in the prison. In 1963, articles worth Rs. 4,42,324 were manufactured in the prison, while the value of articles produced in 1964 was Rs. 5,74,128.

Jail Industries

Careful attention is paid to sanitation inside the prison. All the barracks and departmental quarters are kept scrupulously clean. Latrines are daily washed with copious quantities of phenyl, occasional D.D.T. spraying and by other methods. Night-soil is disposed off through the bucket system. All the drains inside the prison are daily cleaned with phenyl.

Sanitation

The general health of the prisoners is quite satisfactory. This is largely due to the fresh air, good and wholesome food, and the healthy environment they have. In order to maintain the general health of the prisoners, mental and physical recreation facilities like sports and games are provided. The out-door games provided are volley ball, basket ball and Kabaddi. The indoor games are carrom and chess. Cultural activities such as drama, group singing and *kolata* are also organised by the prisoners.

General health

A special feature of the Gulbarga Central Prison is that nearly 75 per cent of the inmates are life prisoners convicted for the offence of murder under Section 302 of the Indian Penal Code. As on 1st December 1965, there were 286 life prisoners in the Central Prison. All prisoners who are awarded life sentences in the three districts of Bidar, Raichur and Gulbarga are lodged in the Gulbarga Central Prison. The maximum period that a life prisoner can be lodged in the jail is 15 years.

Life prisoners

The short-term prisoners who are lodged in the jail are daily sent out on extra work under the security of guards. There were 250 male and 16 female short-term convicts in the prison as on 1st December 1965.

Short-term prisoners

Juvenile prisoners are confined in a separate barracks attached to the Central Prison. As on 1st December 1965, four children were committed to the juvenile barracks.

Interview regulations

Prisoners are allowed interviews with their parents, wives, husbands and children once a fortnight. They are also allowed to see their friends and relatives once a month. Convict overseers and convict warders as also convict-watchmen are also allowed interviews with their parents, wives, husbands and children once a fortnight. As there are three types of classified prisoners, *viz.*, A, B and C, interview rooms are also of three types. In the 'A' type interview room, one table and benches on the sides are arranged for the prisoners to sit on one side and their people to sit on the other side. The 'B' type interview room has a frame with iron bars fixed on a parapet wall where the prisoner sits on a bench on one side and the relatives on the other side. An executive officer of the jail is present at the time of the interview. In the 'C' type of room, there is also a frame fixed similar to that of 'B' type with glass and wire-net shutters. Prisoners classified as 'C' type are allowed to talk with their relations and friends, through the duo-phone. In this room also benches are provided on both sides. The duration of interviews cannot be for more than 20 minutes. The Superintendent of the Jail may, at his discretion, grant interviews for longer periods than are provided in the rules, if he considers that special or urgent grounds exist for such an interview. Under-trial prisoners are allowed interviews once a week with their relatives and friends.

Enforcement of discipline

The general discipline and daily routine of the Central Prison are governed by the rules detailed in chapter XXIX of the Hyderabad Jail Manual. The nature of punishments for jail offences are enumerated in chapter XXX of the Hyderabad Jail Manual which are (1) formal warning, (2) change of labour to irksome or severe form for a specified period, (3) hard labour for a period not exceeding seven days to a prisoner who has not been sentenced to rigorous imprisonment, (4) forfeiture of remission already earned, (5) exclusion from the privileges of the remission system for a specified period, (6) forfeiture of classification, prison privileges or deferred pay, (7) temporary reduction from a higher to a lower classification, (8) separate confinement and (9) cellular confinement. All these punishments are awarded by the Superintendent.

Ticket-holders

Convict-warders, convict-overseers and convict-night-watchmen are given allotted duties, having regard to their conduct. These are life prisoners who have to serve a long term of rigorous imprisonment. After some years, the Superintendent of the jail selects some of these convicts for special duties. They are given tickets and then they are called ticket-holders. As on 1st December 1965, there were, in the Central Prison, 49 convict-warders, 34 convict-overseers and 28 convict-night-watchmen. The

dress of the convict-night-watchman is the same as that of an ordinary convict except that the cap worn by him is of a round shape and three inches high. The cap is white or black according to the category of the prisoner, *viz.*, casual or habitual. The dress of convict overseers is the same as that of an ordinary convict except that the cap is again of round shape and three inches high. He wears a belt with a zinc plate 3 inches by 2½ inches on which the words "convict-overseer" are engraved for purposes of identification. The dress of a convict-warder consists of a white coat, with five plain zinc buttons, canary yellow knickers, trousers with or without patties according to the climate, canary yellow turban and leather belt with a zinc plate on which the words "convict-warder" are engraved. The convict-warder is also provided with a baton.

The prisoners lodged in the Central Prison are allowed to write letters to their relatives and friends and also receive letters from them as per prescribed rules. They are also released on parole and furlough according to the Jail Manual. There is a full-time teacher directly working under the Superintendent, to conduct adult education classes. Prisoners are encouraged to attend these classes. The teacher also imparts lessons in Hindi. As on 1st December 1964, 15 prisoners had passed the Hindi "Bhushana" and one, the "Sahitya-Visharada" examinations, which are equal to Intermediate and B.A. examinations in Hindi, respectively. A library with Kannada, Hindi and English books is provided for the use of the prisoners. In their spare time, the convicts are allowed to work the Ambar Charkha and the amount so earned is credited to their account.

Welfare of prisoners

The Central Prison at Gulbarga is managed by a whole-time Superintendent who is directly responsible to the Inspector-General of Prisons at Bangalore. In the day-to-day work, the Superintendent is assisted by one Assistant Superintendent and a Chief Jailer. The Executive Jailer and the Factory Jailer are allotted tasks as per rules 177 to 184 of the Hyderabad Jail Manual. The preventive and the curative side of the health of the convicts is looked after by a medical officer who has under him compounders, ward-boys and peons. The ministerial work is handled by a Manager who is assisted by clerks and typists.

Prison Administration

In order to preserve strict security conditions in the Central Prison, there are four chief warders, seven head-warders, 105 men warders and four women warders.

An advisory committee for the review of cases in respect of long-term prisoners has been constituted under the orders of the State Government. This Committee consists of the District and Sessions Judge as chairman, the District Magistrate, the Deputy

Visitors' Board

Commissioner, the Superintendent of Police and two nominated non-officials as members. The Committee generally meets once in six months, *i.e.*, in October and April to review the cases of convicts sentenced to five years or more. The Committee, after going through each case, recommends premature releases or postponement of the review. In case premature releases are suggested, the recommendation is submitted to the State Government through the Inspector-General of Prisons. Detailed rules are framed in this connection in the Hyderabad Jail Manual in Chapter XXXI.

Receipts and Expenditure

The total receipts and expenditure for the year 1964-65 in respect of the Central Prison came to Rs. 1,83,530 and Rs. 7,76,877 respectively. The receipts included the sale of products manufactured at the Jail factory.

The State Government have since decided to remodel and convert this Central Prison into a super-market.

ADMINISTRATION OF JUSTICE

Early history

Prior to 1866, Gulbarga district had no separate judicial courts. The revenue officers had powers to dispense civil justice. In 1863, the whole of the Nizam's dominion was divided into districts. Then, separate city courts were established to entertain cases of a civil nature. In 1870, the powers to decide civil cases were taken away from all the revenue officers except the Tahsildars who still retained civil powers as there were no civil courts in taluk headquarters. On the criminal side, the Talukdar and the police patils disposed of magisterial work. The Subedar of Gulbarga was the highest judicial officer in addition to his revenue duties. Before 1951, there was only one District Court for the entire Gulbarga Suba which included the three Karnataka districts, *viz.*, Gulbarga, Raichur and Bidar. The District Judge, Gulbarga, was the presiding officer for all these three districts. After April 1951, the Suba court was abolished and each district in the Hyderabad-Karnataka area was provided with a District and Sessions Court. In the intervening years, the judicial and executive functions were fully separated and every taluk, wherever possible, was given a whole-time judicial officer who exercised both civil and criminal powers. The districts in their turn were each given a District Judge. Along with these, one Sessions Court was established in each of the divisions. In this way, the revenue officers were relieved of the work of a judicial nature.

After a lapse of some years of the introduction of this change, a committee was appointed by a royal *Firman* to go through and report on the working of the separation scheme. The committee, after full deliberation, reported in favour of the retention of the

scheme, mainly on the ground that the reforms had proved beneficial to the people in many respects. A significant feature of the reforms had been the reduction of duration of both civil and criminal cases. While formerly the Subedars and revenue officers used to take much longer time in disposing of the cases as they also had other duties, besides judicial, to perform, after separation the judicial function was the sole responsibility of presiding officers of courts. In the districts civil judges were individually invested with small cause powers wherever necessary. The jury system was introduced in 1932. In addition to the above courts, the *Sarf-e-Khas Mubarak*, *Paigahs* and *Jagirs* had their own courts of law which administered justice under the supervision of the Hyderabad High Court.

The District Judge is the highest judicial authority in the district. He is also the Sessions Judge of the district and is appointed by the State Government in consultation with the High Court of Mysore. As District and Sessions Judge, he is the presiding officer of the District and Sessions Court. He is also an appellate authority over the decisions of the Munsiffs in civil cases and Magistrates including the District Magistrate in criminal cases. Besides the judicial functions as the Head of the district and Unit Officer, he has administrative jurisdiction and exercises general supervision and control over the judiciary in the district. Powers of appointment, transfers and sanction of leave and pensions to the members of the staff functioning under his control, are vested in the District and Sessions Judge. He can also impose punishments in cases of indiscipline. He is empowered to inspect the subordinate courts once in a year or so. **District Judge**

In his judicial capacity, he performs appellate functions over the judgments delivered by the lower courts. Original civil suits of the pecuniary value of over Rs. 20,000 are also disposed of by the District Judge. Besides, he hears and disposes of special appeals under various special Acts, such as the Rent Control Act and other State Acts.

Formerly, there was an Additional District and Sessions Judge for Gulbarga and Raichur. He was sitting at Gulbarga to hear cases arising in Gulbarga district and at Raichur to look into the cases arising in Raichur district. This Additional District and Sessions Judge's Court was abolished with effect from 1st of April 1965.

Consequent on the implementation of the Mysore Civil Courts Act from 1st July 1964, the powers of the District Judge of entertaining suits as the Court of first instance have been transferred to the Civil Judge. The District Judge's Court is now an appellate court, which entertains civil appeals against the decrees in cases in which the property is worth over Rs. 10,000 but does not

exceed Rs. 20,000. The District Judge continues to exercise the powers under the special Acts as before.

Civil Judge

There is a Civil Judge's Court at Gulbarga. He is also the District Magistrate of the district performing specified duties under appropriate Acts.

Under the Mysore Civil Courts Act, the Civil Judge has unlimited pecuniary jurisdiction with reference to original civil suits. Besides, he has appellate jurisdiction to hear appeals from the decrees and orders passed by the Munsiffs with reference to suits whose value does not exceed Rs. 10,000.

Munsiff-Magistrates

The Munsiff-Magistrates have their courts in Gulbarga town Shorapur, Chittapur, Aland, Yadgir, Seram and Chincholi. An additional post of Munsiff-Magistrate has been created temporarily at Shorapur with effect from July 1965. There are two other Munsiff-Magistrates' Courts in Gulbarga called the First Additional Munsiff-Magistrate's Court and the 2nd Additional Munsiff-Magistrate's Court. These Munsiff-Magistrates dispense both civil and criminal justice as specified in the respective codes. On the criminal side, they exercise powers of a First Class Magistrate under the Code of Criminal Procedure, in their jurisdictions. Munsiff-Magistrates are responsible to the District Judge in all administrative matters. But under the Code of Criminal Procedure they are also answerable to the District Magistrate.

Consequent on the implementation of the Mysore Civil Courts Act, the Munsiffs have been empowered to entertain civil suits up to the value of Rs. 10,000 within their jurisdictions.

There are no separate juvenile courts in the district but the Principal Munsiff-Magistrate in Gulbarga town is invested with powers of a juvenile court.

Executive Magistrates

The Deputy Commissioner of the district is also the Additional District Magistrate empowered to maintain law and order. The Assistant Commissioners who are in charge of sub-divisions and the Tahsildars of revenue taluks perform certain magisterial work as specified in the Code. All the subordinate Executive Magistrates are responsible to the Additional District Magistrate.

A perusal of the records of the civil courts reveal that, in the main, property disputes, partition suits, declaratory suits, pecuniary and fiscal cases and mortgage disputes are filed and disposed of.

Statistics

During 1964-65 a total number of 1262 suits were instituted in all the civil courts in the district. There were also some pending cases. During the same year, 1,438 suits were disposed of, their

total value being Rs. 2,05,180. At the end of 1965, there were 962 cases pending in civil courts. Arising out of these suits, 814 appeal petitions were pending in the district court. The Sessions Court did not pass any death sentence in 1964-65, but it dealt with 51 cases involving life imprisonment and 68 cases involving imprisonment and fine. There were no cases under the Anti-Corruption Act.

There were about 170 lawyers practising in the district in 1961. There were also some first and second grade pleaders practising, and in their cases, their sanads were renewed every year by the District Judge under the provisions of the old Pleaders' Act.

There is a Bar Association in Gulbarga housed in a room in the District Court Premises and all legal practitioners working in the district are eligible to become members of this Association. The Association has its own President, Secretary and Treasurer and it has also its own library. A separate building is under construction for the Association. Since 1961, the Bar Associations are being sanctioned separate grants by Government to purchase books and furniture. There are also Bar Associations in each of the Taluk Courts at Shorapur, Chincholi, Seram, Chittapur, Aland and Yadgir.

**Bar
Association**