

CHAPTER LXXIII.

Judicial Reforms—Police re-organisation—Education and Local Self-government.

Judicial Reforms.

Under the revised judicial system introduced by Bowring the number of courts increased from 103 to 125. The Huzur Adalat and the courts of Sudder Munsiffs were abolished and 8 courts of Deputy Superintendents, 10 of European Assistant Superintendents and 15 of Native Assistant Superintendents were established. Two Small Cause courts were newly brought into existence. A departmental test was prescribed for the native assistants. A simple code of procedure connected with civil suits based partly on the Punjab rules and partly on the Act VIII of 1859 was compiled and furnished to the Amildars for their guidance. The Penal Code and the Code of Criminal Procedure were introduced for the first time defining offences and giving the measure of punishments to be awarded. The Criminal Procedure Code also regulated the procedure without entirely excluding the co-operation of Panchayets. The system of fees was abolished from the 1st November 1862 and in lieu of it stamp rules were introduced which made it incumbent upon litigants, except in the case of pauper suitors, to pay an institution fee in the shape of a stamp paper on which the plaint was written and which was of value corresponding with the sum claimed. The Superintendents of Divisions were vested with the powers of Sessions Judges and the court of the Judicial Commissioner was made the highest court for purposes of revision and appeal.

It was during the time of Bowring that for the first time a differentiation came to be maintained between the legislative and executive functions of Government. Mysore being regarded as a Native State, the legislative enactments of the Government of India did not apply to it automatically as they did in British India. When therefore the extension to Mysore of any legislative enactment of the Government of India or of the Governments of Madras, Bengal or Bombay was considered necessary, a special application was made to the Governor-General in Council for the extension of the

same to Mysore. Some of the most noticeable enactments introduced during this period were—Copy Right of Books, Small Cause Courts, Railway Act, Abkari Revenue, Acquisition of land for public purposes, Civil Procedure Code, Breach of contract, Indian Penal Code, Regulation of Police, Criminal Procedure Code, Indian Stamp Act, Bills of Exchange, Arms and ammunition, Trading Companies, Registration of Assurances, Regulation of printing presses, Limitation Act, Court fees, Indian Coinage, Bombay Act for the Survey, Demarcation, Assessment and administration of lands.

In 1867 certain rules were brought into operation for oral hearing and written judgments in appeal cases and for the enrolment of pleaders. From the beginning of 1867 two important alterations were made in civil procedure, namely, that no decree should ever be passed on appeal without giving the parties an opportunity of appearing on an appointed day and the decision should invariably be written by the presiding judge. Formerly parties to appeal were sometimes heard and sometimes not. No great regularity was observed in hearing appeals on fixed days. Pleadings were admitted only by permission of the judges. It was the practice in several of the superior courts for the facts of the case being stated by subordinate officials and occasionally decisions also were written by them, the judge concerned only signing them.

Police re-organisation.

A regularly organised police force except the Kandachar or the armed militia did not exist in Mysore prior to Bowring's time. From the Amildar down to the lowest taluk peon the officials were employed promiscuously as police in serving judicial processes, in supplying the wants of travellers and in revenue duties of all kinds. Bowring now felt the need of reforming the police and the first step taken by him towards this end was the introduction in 1866 of the Madras Act V of 1861 into the Bangalore district and the appointment of an officer to the charge of the district. A reduction was made in the number of Kandachar peons, the rates of their pay were increased, and inefficient men were removed. A separation also was made between revenue and police peons and the latter

were confined strictly to their duties. Special police establishments were sanctioned for Bangalore, Mysore, Tumkur and Shimoga towns instead of the former system of detaching men in rotation from the taluks or from a separate establishment attached to the division headquarters.


After a year's working however, the Madras system was found to entail a considerable increase of expenditure and it also possessed the radical defect of overlooking the existence of the village police and it was therefore felt desirable to remodel the old Kandachar system. Accordingly it was decided that the Kandachar should be formed into a regular constabulary in all parts of the State having the village police as its basis but who were to act as auxiliaries only. It was also considered that there was no need to regularly arm and drill the constabulary, as there existed the local Barr force which in case of need could be readily used for purposes of suppressing any disturbances that might arise.

Education.

Early in the year 1867 the attention of the Government of India was attracted to the want of sufficient number of suitable institutions in the Mysore State for the education of the mass of the people and that Government called on the Commissioner to submit a scheme for the purpose. Bowring found that the Government maintained at the time a training school for Kanada schoolmasters, besides an agency for the publication of elementary school books. There were also other schools in different parts of the State managed by Christian Missions. There were in all these institutions together about 6000 pupils including girls and 22,000 in indigenous schools—altogether about 28,000 pupils. Taking the male population at above 21 lakhs and assuming $\frac{1}{9}$ of that number to be of school going age, it was calculated that about 2 lakhs of boys were without education. The scheme now proposed by the Commissioner consisted of establishments for instruction, for inspection and for the training of masters. These figures however were of questionable accuracy, as they were subjected to no scrutiny. As regards instruction, it was proposed to adopt the

taluk sub-divisions called hoblies as the unit and to establish a school in each. There were at the time 645 hoblies with an average area of 41 square miles and a supposed population of 6040 persons. The advantage of having a school in each hobli centre was, it was considered, that the farthest distance from the school would not exceed about $4\frac{1}{2}$ miles. The masters were to be selected from among the most intelligent and influential of the existing indigenous teachers. The supervising agency was to consist of eight sub-deputy inspectors or one for each district averaging 3400 square miles. The indigenous teachers of what were called matas were generally regarded as ignorant of arithmetic and geography and as having no knowledge of organisation, discipline or method. An institution for training masters was therefore considered necessary and the instruction imparted was to be entirely in the Kanada language and was to consist of reading, writing, the elements of arithmetic and geography. Fees were to be collected from those whose relations did not contribute to the educational fund and the school was to be open to both boys as well as girls. Local committees were to be formed consisting of some of the respectable and influential residents of the hobli with the village officials for purposes of general supervision. To defray the expenses of this scheme as well as for other local purposes a cess assessed at 1 anna in the rupee on the land revenue expected to yield about Rs. 80,000 a year was to be levied. The whole of this scheme was sanctioned by the Government of India and in the same year came to be introduced in several parts of the State.

Bowring unlike Cubbon was an enthusiast for the spread of education. The latter, as we have seen, cherished the opinion that to educate the natives was to weaken British rule. But Bowring was more broad-minded. The eagerness of the people for education rapidly increased and it was found that at the end of about a year after the introduction of Bowring's scheme, considerable difficulties were felt to provide buildings and teachers as fast as they were required. Elementary school books were circulated where schools had not sprung up by sending them to all the Amildars with instructions to expose them for sale in their taluk cutcherries.



Local Self-government.

Municipal Committees were first experimentally formed in 1862 at Bangalore and Mysore and what was regarded as an experiment for enlisting the help of non-officials for managing local affairs thereby began. The experiment proved a success and by 1864-65 each of the eight district headquarter stations possessed a municipal committee. The measure was next extended to taluk Kasabas or headquarters and eventually to other large trading towns and villages. In Bangalore where the municipal operations were conducted on a large scale and their control and direction required special attention and involved much labour, there was a salaried president in charge. In the other district headquarter municipalities no salary was attached to the office of the president, a selected Government official of the station being entrusted with the charge in addition to his other duties. In all these municipalities regularly organised boards were formed consisting of influential residents. In the smaller towns where it was found difficult to constitute regular boards, municipal regulations were introduced and enforced through the agency of revenue officers.