

## CHAPTER X

### LAW AND ORDER AND JUSTICE

*F*rom ancient times, lofty social ideals like justice, morality and righteousness have received great importance in India. 'Punish the wicked, protect the good' was the fundamental duty of all ancient rulers. According to references made in ethical texts compiled by Manu, Yajnavalkya, Kautilya, Vijnaneshwara and others, it was the kings who dispensed justice. In ancient Karnataka too, justice was awarded by institutions like the Gramasabhas, Mahajanas and Agraharas which were under the control of the king. Starting from the Ganga and Kadamba regime, to that of Mysore Odeyars, who ruled Mysore until recently, the king remained the Chief Justice of the State.

#### **Judicial System during Ancient Period**

Udupi district, which had remained part of the undivided Dakshina Kannada district until 1997, was ruled by several dynasties before Tipu Sultan. But the judicial system in existence had always been in conformity with ancient religious beliefs. Being part of the Tulu Kingdom, Udupi was ruled by the Alupa dynasty from ancient times. According to information available through inscriptions about the system of justice prevalent during their rule, the severity of punishments given to traitors, who went against the king and to thieves, varied with the circumstances. They ranged from simple punishments to severe ones like ex-communication and exile. In the middle ages, during the reign of Alupas, the district was divided, for the sake of administration, into units called *rajya*, *vishaya* and *nadu*. Under this system of local administration, along with feudal chiefs

and petty kings, officials in charge of the region, would dispense justice on behalf of the king. The king himself was the chief of the state judiciary.

In early stone inscriptions found in Udupi district, there are references to the judicial system which prevalent during that period. In a seventh century stone inscription found at Vaddarse in Udupi Taluk, there is a mention of an official in charge of the province, by name Gundanna, giving efficient administration according to the judicial and moral code of the Alupa king, Kandavarma. In an inscription of 1204 A.D, there is a mention about the punishment meted out to those guilty of showing disregard towards donations and charitable grants. 'Among the four castes, if any wrong is committed by a Brahmin, he shall be excommunicated from the four castes; if a Vaishya commits, he shall be excommunicated by the entire community; if a peasant commits, he shall pay a fine of one thousand coins': says the inscription. Further, it goes on to say: 'A king, who does not inquire into it and offer protection, commits a sin equaling the slaughter of a thousand cows and a thousand Brahmins' at Rameshwar. Thus, serious offenders were excommunicated from their castes. Those excommunicated in this manner were labeled as 'outsiders'. Ordinary criminals were levied a fine and, as mentioned in the inscriptions, the king too was cautioned against dereliction of duty. In an inscription of 1325, found in Kapu village, and yet another, found at Hattiyangadi in Kundapura Taluk, and in the deed of charity lying in the Vinayaka temple of Udhyavara, there are mention of punishment meted out to those disrespecting deeds of charity.

Whenever there were disputes among officers, or between petty chiefs and officers, or between merchants and ordinary subjects, influential persons or associations would act as arbitrators and give impartial judgments acceptable to both parties. In an inscription of 1476, found in Barakur, there are details about the occupation and burning down of Shivalli by the governor Annappa Odeya, of Barakur, and the measures taken by the merchants and people's associations, acting as arbitrators, to compensate the loss to the village. In the Kodialabyly inscription of 1419, there are details about how, on learning of the destruction of five mosques by the Governor of Mangalore, the king had appointed Bychappa Danayaka to conduct an inquiry and how, in order to set right the wrong, he had reconstructed the mosques and given gifts and donations to the affected.

In 1468, the Governor of Mangalore, Vitharas, having burnt down the villages of Kodiyala and Neeruvvara, belonging to King Kamiraya of Bangavadi, had relinquished Ujire village (now Ujjre in Beltangadi taluk) as compensation. Details about this are found in the 1469 Ujjre inscription. But there is not a single mention of death penalty in any of the inscriptions found in Udupi district. Even a serious crime like murder appears to have received a simple punishment. For instance, when Maleya Dandanayaka was ruling Barkur, two fellows, by name Govinda and Krishna, responsible for the death of a Brahmin, were ordered by Dandanayaka to make a donation to the temple. This is mentioned in the Barkur inscription of 1342. Similarly, there is a mention, in the Basarur inscription of 1444, of those responsible for the death of Tiruma Hadavala and Bommasetty being ordered, by the Paduvakeri Settikara Sangha, which conducted the inquiry, to donate money and gold to the deity Nakhareshwara Mahadeva. In this way, the system of punishing offenders with payment of fine, exile and excommunication, was prevalent in all regions in Udupi district.

After the rule of Alupas, under the Vijayanagar Empire, the social system was based on the four castes of vedic origin. The king ruled according to the system of justice, moral code and the practice of Dharma as prescribed in the Dharmashastras. Accordingly, in villages of all the provinces, Brahmin *agraharas* were placed in the highest position. In an eighth century Shivalli inscription from Udupi, there is a mention of Shivalli Brahmins occupying the highest judicial office. Similarly, an eighth century inscription from Udyavara states that any attempt to destroy Shivalli, Varanasi and Banavasi centres is equivalent to committing the five most heinous crimes. In this way, starting from the province down to the smallest unit of administration, i.e. the village, administration was carried out according to the moral code and the set of rules laid down by Dharmashastras. This gives us an idea of how people were so pious and religious in those days. Besides this, every caste and community strove to guard the peace and wellbeing of society through its own set of rules and regulations.

Importance was given to the administration of justice even in villages, the smallest units of administration. In those days, people believed that the state could progress only if there was peace at the village level. '*Sarve janaha sukhino bhavantu, rajyabhivridhi pravardhamanam*' (Let all the people be happy. The state will progress well.) was the motto of the kings who ruled in those days. In a village,

the village council would act as the court of law. This council, consisting of village heads like the *gramani*, *madhyastha*, *janni* and *Heggade*, would settle common disputes in the jurisdiction of the village and safeguard peace in the village. There was also a system of every community in the village holding meetings headed by their own leader, known as *gurikara*, to dispense justice. If the verdict given by these local bodies was not acceptable, it could be challenged at the level of higher bodies known as *seeme*, *nadu* or *magane*. In these councils *Nadaprabhu* (Provincial Chief) would hear disputes and give verdict. Besides this, he possessed the power to reconsider or revise the verdict given by any village council in his jurisdiction. There are very few instances wherein these verdicts being challenged and appeal for justice being made at the provincial level. An official named *madhyastha* (mediator), who was part of these judicial bodies, would act as mediator in the dispute and thus play a prominent role in the administration of justice. In urban areas like Barakur, Basarur, Mangalore, Venur, Mudabidre, Karkala and so on, administrative disputes were resolved by municipal councils known as *halaru*. Disputes related to trading were resolved by *settikara sanghas*. Only in very serious cases were the disputes taken to the king. There are mentions in inscriptions of office-bearers of prominent merchants' and traders' associations such as *Nakhara*, *Settikara* and, *Nakhara Hanjamana* playing major roles in various fields including the administration of justice, during the Hoysala period. Associations such as *Settikaras* of Three Lanes from Barakur and *Settikaras* of Eight Lanes from Mudabidire used to play a prominent role in the commercial activities of the State. In the administrative system of Vijayanagara Empire, the official who gave justice was known as *Madhyastha*. Apart from him, several law enforcement officers known as *Kattaleyavaru* and *Samastha Kattaleyavaru* were also entrusted with the administration of justice. When it came to political or war crimes, the executive body itself acted as the judiciary.

### **Matrineal (Aliya Kattu) System of Tulunadu**

'*Shivatatva Ratnakara*', written by Basavappanayaka, throws light on the judicial system during the rule of Keladi kings who took over after Vijayanagara Empire. There are references in this work about the unique law regarding 'Son-in-law Inheritance' prevalent among the Stone-cutters of Keladi. The same law existed in Udupi district as well. According to this, the woman was the head of the family and

the daughter possessed the right to property. Through her, the property came to the *Aliya* or the son-in-law. This system is known as matriarchy. It is also called '*Aliyakattu*'. In the neighbouring state of Kerala, this system known as '*Marumakkathayam*' had been in vogue from time immemorial. As mentioned by late national poet, Govinda Pai, matriarchal families existed in South America, among the aborigines in Hispaniola province, New Granada and Bogota, in Huron and Natchez in North America, among Negroes in Diger province in Africa, among Valaya tribals in the island of Sumatra, in the neighbourhood of Binfenne in Srilanka and among Kasis in the Sylchet Hills of East Bengal in India. In the royal family of Tripura province, the custom has been in practice since ancient times. So, the history of '*aliyakattu*' of Udupi district dates back to the times before Christ. The custom, which appears to have existed even before the rule of Alupa king, Bhoothala Pandya, might have been legitimised during his reign and given a set of rules and guidelines. Therefore, the custom has come to be known as '*Bhoothala Pandyakattu*'. According to this ancient custom, all rights over family, including property rights, go to the female progeny. The right is transferred from generation to generation through women. Though after a woman marries her husband gets possession of the property, his children do not have any right to it after his death. The wife too cannot make any claim over her husband's property. Instead, the right goes to his sister or his sister's daughters. This custom, wide-spread in the coastal district of Udupi for centuries, ceased to exist in the post independence era. In the fifties, with the passing of the 'Hindu Inheritance Act of 1956', when there was a complete revision of Hindu property rights, many of the provisions under '*aliyakattu*' came to be discontinued. As a result of the total revision of the above mentioned act in 2005, the custom has been completely abandoned. This custom, which was prevalent till 17.6.1956, survives to this day, in some undivided families, in matters relating to birth, death and social relationships.

### **Judicial System in Modern Times**

During Medieval Period, Udupi district came under the rule of Hoysalas, Vijayanagara empire, Keladi and Mysore Provinces and was later ruled by Haider and Tipu Sultan. In those days, the responsibility for administering justice lay with revenue officials. The same system was in practice until the beginning of British rule. It was during the time of the British that a separate judiciary came into existence. In 1763 A.D, the British East India Company, based in Bengal, introduced

the system of civil and criminal justice. In 1802, the same system was extended to Madras and other provinces of India. In the same year, Court of *Fauzdari Adalat*, Court of Circuit and District Magistrate Courts were also established in the Madras Presidency. The District Magistrate's Office was brought under the jurisdiction of the District Civil Judge. Four circuit courts were also established under the government of the Fort St. George. Later, in 1806, there was a change in the jurisdiction of these courts and these came to be known as Circuit Courts of Northern, Southern, Eastern, Western and Central Divisions or Provinces. As per this system, Udupi which used to be a part of Madras Presidency, along with Canara and Sonda provinces, came under the Western Division. The District Collector of Dakshina Kannada District, of which Udupi was a part, acted as the magistrate. In 1806, District Courts were set up in several districts of the Madras Presidency. During that time, District Courts of Canara and Sonda provinces were set up in Mangalore, the then district centre. It was customary to appoint British officials for the posts of Chief Justice and Magistrate. The District Collector was stripped of his magisterial powers. Prison staff was placed under the District Judge. A *Mufti* to oversee the administering of Muslim Law, a *Pundit* to oversee the implementation of Hindu Law and other clerical and judicial staff were also appointed. The District Judge was given several governmental perks. In 1808, the Magistrate's office was shifted from Mangalore to Honnavara. But later, in response to requests from important traders and wealthy persons, it was shifted back to Mangalore in 1812. In 1816, responsibilities of the District Magistrate and police duties were transferred from the District Judge to the District Collector. In addition, Criminal Courts were set up in every district under the chairmanship of the District Judge. In 1816, District Munsiffs were appointed in taluk centres and village chiefs selected for the posts. Registration Courts functioned under District Courts while Local Commissioners' Courts functioned under them. A government servant was appointed as Registrar. The Local Commissioner was chosen from among *jagirdars*, traders, *khajis* and other prominent persons. He was given the title of '*Sadar Amin*'. In 1843, he was re-named '*Chief Sadar Amin*'. These acted as Munsiffs in cases involving tenants and farmers.

In this way, the British judicial system gained popularity and led to the disappearance of the system of mediation practiced in India until then. *Madhyastha*, *Gowda*, *Patel*, *Zamindar*, *Jodidar* and others who had played a prominent role in the old system were completely

sidelined. The British system had the features of an organized institution. It provided detailed information about the nature of work, rights, responsibilities and perks of all the officials in judiciary according to their grade. This type of organized judiciary was the nucleus of colonial control and power in general. But, in the British judicial system, the process of justice, besides being slow, involved fees and penalties which the locals found too high. Though the system did not remain popular, because of the above reasons, it was continued to be practiced, by suppressing all the opposition from the people. There were even incidents of imprisonment of and legal action against local peasant leaders who opposed the system. Officials like Munroe argued that instead of having such a slow and corrupt judicial system, it was possible to dispense justice in a more organised manner, through judicial bodies involved local people. But locals were not appointed to the courts. Though, in course of time, by 1827, criminal and civil courts which employed locals were set up. But, these courts failed in their objectives because they did not have the power to punish Europeans.

Initially, judiciary was divided into two departments. These two departments, i.e., civil and criminal departments, were under the District Judge and the District Magistrate respectively, with the District Munsiff Court and the Stationary Sub Court functioning under them. Before Independence, the practice was to have these courts function in district and taluk centres while *Patels* acted as magistrates only in villages. Cases valued up to ₹500/- were decided by *Patels* themselves in village squares. Since *Patels* did not enjoy magisterial powers, they could settle disputes through compromise only. Under this village level judicial system, though disputes concerning property, water and passages were settled by *Patels*, their decisions were not considered final. Their decisions could be challenged in higher courts like Munsiff Courts. After the reorganisation of the states, with the passing of the Mysore Act of 1951, the system of *Patels* dispensing justice in *Gramasabhas* came to an end. Hereditary posts were abolished. In accordance with the Act, District Courts and Civil Courts at the District level and Munsiff Courts and First Grade Judicial Magistrate's Courts at the taluk level were set up. Later, in July 1964, with the passing of the New Mysore Civil Act, unicadres posts of judges were created. In the undivided Dakshina Kannada district, which was a part of the Madras Presidency, judges of different cadres were brought under the unicadre system in accordance with the Mysore

Act. Under this Act, taluk level subordinate courts functioned under the District Court. Districts have Civil Judges to settle civil disputes and Session Judges to settle criminal cases. In taluks, civil disputes were settled by Munsiffs and criminal disputes by magistrates. In addition to these, *Tahsildars* in taluks, Assistant Commissioners in sub-divisions also had limited powers in settling criminal cases. At the district level, Deputy Commissioner had the power to act as Magistrate.

District Judges are appointed by the Governor as per the advice of the High Court. Other judicial officers are appointed by the Governor in consultation with the Public Service Commission and the High Court. District and Subordinate Courts are directly controlled by the High Court. Until 1997, Udupi district was part of Dakshina Kannada district, and all judicial administration was carried out under the District Court of Dakshina Kannada district. The old system continued to be practiced even after the re-organisation of the districts, until the setting up of the District Court in Udupi. The District Court in Udupi was set up in 2001. Details of courts functioning in Udupi district at the end of March 2006 are as follows:

1. Principal District and Sessions Court, Udupi , since 18.12.2001
2. Fast Track Court, Udupi, since 20.5.2004
3. Principal Civil Judge (Senior) and Chief Judicial Magistrate's Court, Udupi
4. Additional Civil Judge (Senior) Court, Udupi
5. Principal Civil Judge (Junior) Court, Udupi
6. Additional Civil Judge (Junior) and First Class Judicial Magistrate Court, Udupi
7. II<sup>nd</sup> Additional Civil Judge (Junior) and First Class Judicial Magistrate Court, Udupi
8. Civil Judge (Senior) Court, Kundapura, since 1.12.99
9. Principal Civil Judge (Junior) Court, Kundapura
10. Additional Civil Judge (Junior) and First Class Judicial Magistrate Court, Kundapura
11. II<sup>nd</sup> Additional Civil Judge (Junior) and First Class Judicial Magistrate Court, Kundapura
12. Civil Judge (Senior) and Additional Judicial Magistrate Court, Karkala- since 26.3.2005



13. Principal Civil Judge (Junior) Court, Karkala
14. Additional Civil Judge (Junior) and First Class Judicial Magistrate Court, Karkala
15. Second Additional Civil Judge (Junior) Court, Karkala

### **District Court**

Four years after its separation from Dakshina Kannada District, on 18.12.2001, the district Court started functioning in Udupi. This court has powers to settle civil cases which are worth upto one lakh rupees. The District Judge, being the head of the judiciary in the district, has the power to oversee the working of subordinate courts and inspect them as well. Cases under the Copy Right Act of 1956, Trade and Merchandise Act of 1956, Right to Information Act of 2000 and cases relating to minor disputes (P & S. C) and to periodical government notifications come under the jurisdiction of this court.

Cases which come under the jurisdiction of the District and Sessions Courts

1. Cases of violation of law which according to the Penal Code (Cr.P.C) call for a punishment of over seven years.

2. Cases that are related to periodical government notifications regarding matters like Ganja, Petroleum, Atrocities against Scheduled Castes and Tribes and so on.

3. Appeals challenging judgments passed by Sub-ordinate Courts and Review Petition Applications.

**Table 10.1: Details of Cases in the District and Sessions Court**

<b>Year</b>	<b>Cases Filed</b>	<b>Cases Decided</b>	<b>Income</b>	<b>Expenditure</b>
<b>2001</b>	634	09	49519	1307943
<b>2002</b>	2607	2466	160693	3935727
<b>2003</b>	2911	2272	185423	5306352
<b>2004</b>	2810	2837	118002	5577110
<b>2005</b>	2475	3043	NA	NA

*Source: District Sessions Court, Udupi*

### Fast Track Court

Fast Track Courts were started, following recommendations of the Eleventh Finance Commission, set up by the Central Government, for the fast disposal of criminal cases, which have been pending in the existing courts for over two years. In Udupi, this was started in 20.5.2004. This court functions from a building in the District Court complex in Udupi and is subordinated to the District Court. The District and Sessions Court can transfer cases from any court under its jurisdiction to this court for fast disposal. Currently, there is only one Fast Track Court in the district with six employees working in it. Details of cases before this court are as follows:

**Table 10.2: Details of cases in the Fast Track Court**

Year	Cases Filed	Cases Decided	Cases Pending
2004	467	90	379
2005	78	229	228

### Civil Court (Senior)

This court decides all types of civil cases valued above ₹50,000 and petty civil cases worth less than ₹25,000. It also decides Appeals from Civil Court (Junior) and Review Petition Applications. Other cases which come under the jurisdiction of this court are Land Acquisition cases, Appointment of Foster Parents, Adoption Cases and Civil Cases related to notifications issued by the State Government from time to time, Criminal Disputes, in which punishments may range from a minimum of three years to a maximum of seven years, according to the Indian Penal Code. Apart from these cases, Appeals from lower courts and Review petition applications may also be settled here.

**Table 10.3: Details of cases in the Principal Civil Judge (Senior) and Chief Judicial Magistrate's Court**

Year	Cases Filed	Cases Decided	Income	Expenditure
1996	1894	3969	3,27,51,198	2,85,90,152
1997	878	560	3,97,13,747	3,44,40,561
1998	1220	1315	3,47,97,661	2,18,98,864
1999	1332	1824	6,07,78,704	2,37,41,558
2000	1284	1422	4,66,14,832	1,31,08,207
2001	1192	1338	5,38,84,004	1,30,23,110
2002	658	1033	5,71,52,466	2,13,36,977
2003	335	717	10,46,31,463	3,26,74,822
2004	447	575	11,82,21,265	2,43,65,783
2005	5942	816	5,90,74,868	1,33,07,356

**Civil Court (Junior):** This court settles civil cases valued below ₹50,000 and above ₹25,000 and Rent Control Cases.

**First Class Judicial Magistrate Courts:** Disputes which call for a punishment of up to 3 years and cases related to notifications issued by the Government from time to time, coming under the jurisdiction of this court, are settled here.

**Table 10.4: Details of Cases in the Additional Civil Judge (Senior) Court**

Year	Cases Filed	Cases Decided	Cases Pending
1996	3499	510	Since this is an Additional Court, there is no separate mention of income and expenditure. These have been mentioned in the accounts of the Principal Court.
1997	708	979	
1998	836	938	
1999	853	1265	
2000	834	857	
2001	801	1042	
2002	475	660	
2003	350	633	
2004	424	424	
2005	770	763	

#### 10.5 Principal Civil Judge (Junior) Court, Udupi (Number of villages within its Jurisdiction: 84)

Year	Cases Filed	Cases Decided	Income	Expenditure
1995	1100	600	16,20,672	14,96,931
1996	900	560	13,13,220	12,18,118
1997	790	510	15,12,220	13,25,243
1998	450	1600	35,853	9,500
1999	325	300	14,697	13,500
2000	300	280	22,74,450	18,66,604
2001	310	292	12,48,274	15,50,869
2002	540	140	1,40,553	7,90,107
2003	120	185	3,52,160	10,28,116
2004	95	140	2,80,600	6,30,110
2005	178	194	2,90,000	5,30,000

**Table 10.6: Details of Cases in the Additional Civil Judge (Junior) and First Class Judicial Magistrate Court, Udupi  
(Number of villages under jurisdiction: 84)**

Year	Cases Filed	Cases Decided	Cases Pending
1995	7272	5222	Since this is an additional court, no separate mention of income and expenditure has been made
1996	6105	4318	
1997	6061	4918	
1998	5666	4420	
1999	5704	4502	
2000	5820	3920	
2001	4760	3220	
2002	5425	3141	
2003	8300	5453	
2004	7105	5707	
2005	5782	4673	

**Table 10.7: Details of Cases in the Second Additional Civil Judge (Junior) and First Class Judicial Magistrate Court, Udupi:**

Year	Cases Filed	Cases Decided	Cases Pending
1995	890	837	Since this is an additional court, there is no separate mention of income and expenditure.
1996	922	921	
1997	949	667	
1998	1165	647	
1999	1033	1135	
2000	1098	807	
2001	1005	847	
2002	905	866	
2003	1123	1097	
2004	2080	1287	
2005	1235	1315	

**Table 10.8: Details of Cases in the Civil Judge (Senior) Court, Kundapura**

Year	Cases Filed	Cases Decided	Income	Expenditure
1999	1224	05	23,171	3,57,710
2000	1218	325	6,10,917	1,43,800
2001	1206	548	22,609	17,34,955
2002	1066	1202	5,19,866	17,10,659
2003	1083	1328	66,161	25,85,825
2004	1196	990	53,952	24,46,817

**Table 10.9: Details of Cases in the Principal Civil Judge (Junior) Court, Kundapura**

<b>Year</b>	<b>Cases Filed</b>	<b>Cases Decided</b>	<b>Income</b>	<b>Expenditure</b>
<b>1995</b>	741	756	1,65,168	17,63,836
<b>1996</b>	711	1305	2,09,241	22,05,123
<b>1997</b>	562	851	8,38,342	4,49,972
<b>1998</b>	639	471	2,77,919	33,97,305
<b>1999</b>	434	452	1,09,108	33,96,331
<b>2000</b>	267	766	1,06,081	41,64,016
<b>2001</b>	222	671	1,50,051	22,11,782
<b>2002</b>	224	149	1,19,133	38,14,442
<b>2003</b>	213	385	1,61,099	38,05,812
<b>2004</b>	207	567	1,44,137	40,70,759
<b>2005</b>	215	374	98,948	32,34,667

**Table 10.10: Details of Cases in the Additional Civil Judge (Junior) and First Class Judicial Magistrate Court, Kundapura**

<b>Year</b>	<b>Cases Filed</b>	<b>Cases Decided</b>	<b>Income</b>	<b>Expenditure</b>
<b>1995</b>	741	756	1,65,168	17,63,836
<b>1996</b>	711	1305	2,09,241	22,05,123
<b>1997</b>	562	851	8,38,342	4,49,972
<b>1998</b>	639	471	2,77,919	33,97,305
<b>1999</b>	434	452	1,09,108	33,96,331
<b>2000</b>	267	766	1,06,081	41,64,016
<b>2001</b>	222	671	1,50,051	22,11,782
<b>2002</b>	224	149	1,19,133	38,14,442
<b>2003</b>	213	385	1,61,099	38,05,812
<b>2004</b>	207	567	1,44,137	40,70,759
<b>2005</b>	215	374	98,948	32,34,667

**Table 10.11: Details of Cases in the Second Additional Civil Judge (Junior) and First Class Judicial Magistrate Court, Kundapura**

Year	Cases Filed	Cases Decided	Cases Pending
1995	227	68	Since this is an additional court, there is no separate mention of income and expenditure .
1996	270	162	
1997	278	314	
1998	292	197	
1999	254	275	
2000	324	334	
2001	157	347	
2002	893	412	
2003	227	351	
2004	946	392	
2005	178	332	

**Table 10.12: Details of Cases in the Additional Civil Judge (Junior) and First Class Judicial Magistrate Court, Karkala**

Year	Cases Filed	Cases Decided	Income	Expenditure
1995	3192	2845	2,50,650	7,78,790
1996	2437	2906	2,62,088	8,35,917
1997	2258	3030	3,71,032	10,29,482
1998	2608	2395	4,19,617	9,93,943
1999	2137	2681	7,76,522	13,10,756
2000	3112	2928	7,42,271	12,11,129
2001	2746	3639	5,23,910	12,74,030
2002	2642	2396	3,94,018	10,48,427
2003	2435	2365	3,73,541	13,90,313
2004	2443	2481	7,46,995	12,70,705
2005	1191	1245	2,37,222	9,39,245

Source: Civil Court, Karkala.

**Table 10.13: Details of Cases in the Second Additional Civil Judge (Junior), Karkala**

Year	Cases Filed	Cases Decided	
1995	694	91	Since this is an additional court, there is no mention of income and expenditure.
1996	239	90	
1997	215	379	
1998	200	127	
1999	212	175	
2000	227	246	
2001	249	283	
2002	262	301	
2003	207	353	
2004	132	317	
2005	119	162	

**Table 10.14: Details of Cases in the Principal Civil Judge (Junior) Court, Karkala (Number of villages within its jurisdiction: 50)**

Year	Cases Filed	Cases Decided	Income	Expenditure
1995	492	823	1,41,384	19,79,859
1996	371	994	1,37,600	21,08,789
1997	326	617	1,05,059	23,09,254
1998	267	461	1,19,172	27,94,683
1999	288	373	1,17,413	32,60,918
2000	323	329	1,21,254	33,62,819
2001	290	343	1,12,836	37,82,939
2002	305	349	1,92,551	59,87,386
2003	295	501	1,54,311	41,79,666
2004	237	466	1,50,087	35,81,287
2005	275	332	1,01,334	26,19,474

Source: District and Sessions Court, Udupi

## JAILS AND PRISONS

The process of keeping those, who think or go against rules framed to protect the state and social welfare, away from mainstream of society, is an ancient practice. The chief method of keeping such accused or punished, away from the social system is to put them in prison. Jails have undergone gradual changes in their structure and purpose. In the past, prisons were used only for under-trial prisoners, to keep them under surveillance until the nature of punishment was decided. In course of time, jailing them itself became a punishment. Used for keeping enemies of the State and anti-social elements, prisons have played a significant role in preserving peace and order in society. Under imperialistic rule, dungeons within stone forts and caverns were used as prisons. Under British rule, modern buildings were constructed to be used as prisons and District Central Prisons were set up in all districts. Before re-organization of the state, the undivided Dakshina Kannada district, which included Udupi district as well, was under the rule of the Madras Presidency. The Madras Prison Manual, Madras Prisons and Reformatory Manual, Prison Acts 1894, Prisoners Acts 1871 and 1900, Evidence and Appearance Act 1869 and Reformatory School Act 1897 were in operation then. According to these, criminals who were sentenced to more than a month's imprisonment were housed in subsidiary prisons and those awarded a prison sentence of up to a year, kept in district prisons. A criminal, if undergoing prison sentence of more than a year, was generally transported to the Cannanoor Central Prison in Malabar.

Acts and rules regarding prisons, implemented after re-organisation of the states in 1956, were as follows: 1) Karnataka Prison Rules 1974, 2) Karnataka Prison Manual 1978, 3) Juvenile Criminals Act 1963, 4) Juvenile Reformatory School Rules 1963.

The prison is responsible for the safety and security of prisoners. There was no prison in Udupi District till March 2006. Sub-Jails are functioning in Udupi, Kundapura and Karkala. These are attached to the Revenue Department. The Deputy Tahsildar of the Revenue Department in the taluk acts as the Superintendent of the Sub-Jail. He is assisted by a First Division Clerk and attenders. Only under-trial offenders are kept in these three Sub-Jails.



**Administration of Sub-Jails**

None of the Sub-Jails in Udupi District have government approved staff. They have the Taluk Deputy Tahsildar (Administration) acting as In-Charge Superintendent and he is assisted by a Second Division Clerk and 'D' Group employees. ₹ 70,00,000 has been spent in the Sub-Jail in Udupi taluk between the years 1995 and 2005. A two storey building behind the Taluk Office serves as a Jail. In this building, which has 24 cells (12 on each floor), there are an average of 50 under trial prisoners a day. ₹35 is spent on each prisoner daily (₹25 towards food and ₹10 towards administrative expenses).

Under-trial prisoners can wear their own clothes. If prisoners have health problems, they can get free treatment in the Taluk Government Hospital and District Government Hospital. In case of more severe illnesses, patients are sent to Government Wenlock Hospital in Mangalore, KIMS in Dharwad, Kidwai and NIMHANS in Bangalore and so on. All under-trial prisoners are given nutritious food as long as they are in prison. Prisoners interested in reading are supplied with books and newspapers from the City Central Library. A television set is provided for their entertainment. They have facilities to play indoor games like chess, carom, kabaddi and volleyball. At night, there is provision for singing bhajans, keerthanas and prayers.

Director General of Prisons, Inspector General of Prisons, Deputy Inspector General of Prisons, District Sessions Court judge, Chief Judicial Magistrate, Deputy Commissioner, District Police Superintendent and Assistant Commissioners visit the prisons and inspect the arrangements there. They accept appeals from prisoners, respond to them and ensure proper arrangements. Under-trial prisoners are allowed to have visitors once a week.

**Directorate of Prosecution and Government Litigation**

Government of Karnataka has established the Directorate of Prosecution and Government Litigation in 1972. This Directorate has been set up as per the recommendations of the 14<sup>th</sup> and 41<sup>st</sup> reports of the Law Commission. The above department has been set up to undertake the crucial responsibility of verifying whether the

information, collected by the police in criminal cases before the court, is complete and satisfactory and to handle criminal cases more effectively. The department functions in every district at the district level and at sub-division and taluk level.

In Udupi District the office of the Deputy Director of Prosecution has not been set up yet. Offices of the Prosecution Department functioning in the district are as follows: 1) Office of the Public Prosecutor – Udupi, 2) Office of the Senior Assistant Public Prosecutor- Udupi, 3) Assistant Public Prosecutor- Udupi, 4) Assistant Public Prosecutor – Kundapura, 5) Assistant Public Prosecutor – Karkala, 6) Additional Assistant Public Prosecutor – Karkala.

Officials of the above mentioned offices, along with their assistants, handle criminal cases in relevant courts on behalf of the Government and after the cases have been settled, submit their opinion about the cases and suggestions regarding suitable further action, to the Divisional Offices concerned.

Supervision of civil disputes involving the government, handled by Civil Judge Courts and Magistrate Courts, is also one of the tasks assigned to this department. Other tasks carried out by the department are as follows: Giving suitable advice and suggestion to the district police department and other departmental heads concerning investigation and prosecution in cases of civil and criminal nature; scrutinising decisions and directives given by Magistrate Courts and Session Courts and in deserving cases, recommending to the Government to appeal to the higher court against such a decision or directive or to apply for revision; Including the withdrawal of cases by the prosecution, in the interest of the general public, advising government departments on all matters relating to the investigation and prosecution of criminal cases.

The Public Prosecutor functions from the Prosecutor's Office in Udupi with a staff consisting of a superintendent, first division clerks, stenographers, attenders and *dalayats*. Among others, Kundapura and Karkala have Assistant Public Prosecutors who are assisted by typists and *dalayats*.

**Table 10.15: Details of Civil Cases in the District**

<b>Year</b>	<b>No. of Decisions and Directives Scrutinized</b>	<b>No. of Cases Recommended for Appeal</b>	<b>No. of Cases Recommended for Revision</b>	<b>No of Cases not Recommended for Appeal or Revision</b>
<b>2002</b>	45	04	-	41
<b>2003</b>	65	06	-	59
<b>2004</b>	58	07	-	51
<b>2005</b>	53	04	02	47
<b>Total</b>	<b>221</b>	<b>21</b>	<b>02</b>	<b>198</b>

**Table 10.16: Details of Criminal Cases in various Courts in the District**

<b>Year</b>	<b>No of Cases Disposed off</b>	<b>No of Cases Awarded Sentences</b>	<b>No of Cases Scrutinized</b>	<b>No of Cases Recommended for Appeal</b>	<b>No of Cases Recommended for Revision</b>	<b>Cases not Recommended for Appeal or Revision</b>
<b>2001</b>	08	-	-	-	-	-
<b>2002</b>	2532	812	595	11	-	584
<b>2003</b>	2797	844	691	08	01	682
<b>2004</b>	3326	1134	678	07	02	669
<b>2005</b>	3180	1358	505	04	-	501
<b>Total</b>	<b>11843</b>	<b>4148</b>	<b>2469</b>	<b>30</b>	<b>03</b>	<b>2436</b>

*Source: Directorate of Prosecution and Civil Litigation, Bangalore*

The above mentioned officials participate in legal aid programmes for people belonging to weaker sections of society, by joining hands with the office-bearers of the Legal Services Authority. For this purpose, the Assistant Director of Prosecution, attached to the District Police Superintendent, is appointed as a member of the District Legal Services Committee while the Assistant Public Prosecutor remains a member of the Taluk Legal Services Committee. The district level office of the Deputy Director of Prosecution has not been opened in Udupi yet. Offices of the Public Prosecutor and Assistant Director of Prosecution function at the district level while offices of the Assistant Public Prosecutor function at the taluk level.

### **Legal Aid Authority**

As per the government directives of 1997, the State Legal Services Authority was established in Karnataka and has been functioning since then. The above Authority has its state level office at Bangalore and renders its services at the district and taluk level through Legal Services Committees. Creating legal awareness in the general public, giving free legal advice to the deserving and rapid settling of disputes through Lok Adalat are the aims and objectives of the Authority.

Earlier, Legal Aid Committees used to render free legal aid to economically backward classes. It was after the termination of these committees that the present Legal Services Authority was created. The sitting High Court Judge is the Chairperson of the Authority. The Legal Services Authority in each district has the Principal District and Sessions Judge as the Chairperson and the Principal Civil Judge as Member Secretary. The Taluk Legal Services Authority has the Civil Judge (Senior) as Chairperson and Civil Judge (Junior) as Member Secretary. These institutions function under the guidance of a committee which consists of members nominated by the Government. The District Legal Services Authority in Udupi district, established in 2002, functions from the premises of the District Court. There are Taluk Level Legal Services Authorities functioning in Udupi, Karkala and Kundapura taluks which come under the jurisdiction of the above Authority.

**Table 10.17: Legal Services and Legal Awareness Camps Conducted in the District**

<b>Taluk</b>	<b>Year</b>	<b>No of Camps Conducted</b>	<b>Lectures Arranged</b>	<b>No of Benefi ciaries</b>	<b>Expen diture</b>	<b>Cases Receiving Legal Services</b>
<b>Udupi</b>	<b>2002-03</b>	7	23	2664	1700	8
	<b>2003-04</b>	10	42	3331	21800	6
	<b>2004-05</b>	26	82	7656	17880	7
	<b>Till Dec 2005</b>	33	65	8520	1100	8
	<b>Total</b>	<b>76</b>	<b>212</b>	<b>22171</b>	<b>42550</b>	<b>29</b>
<b>Kundapura</b>	<b>2002-03</b>	5	11	800	1663	0
	<b>2003-04</b>	9	23	1850	7606	2
	<b>2004-05</b>	26	75	6000	6780	2
	<b>Till Dec 2005</b>	22	62	8300	3095	0
	<b>Total</b>	<b>62</b>	<b>171</b>	<b>16950</b>	<b>19144</b>	<b>4</b>
<b>Karkala</b>	<b>2002-03</b>	2	3	350	1600	0
	<b>2003-04</b>	4	21	2000	12711	2
	<b>2004-05</b>	17	52	4450	13645	0
	<b>Till Dec 2005</b>	21	65	5400	6700	10
	<b>Total</b>	<b>44</b>	<b>141</b>	<b>12200</b>	<b>34656</b>	<b>12</b>

Scheduled Castes and Scheduled Tribes families whose annual income falls below ₹25,000 are eligible to receive services provided by this Authority. Besides these, the authority extends free legal advice and services to people who are mentally and physically disabled,

women, children, victims of natural calamities, persons who are in Remand/Caretaker Homes and Mental Hospitals, victims of communal atrocities, industrial labourers, sex workers, bonded labourers and orphans. In such cases the Authority bears all the legal expenses from the lower courts right up to the Supreme Court.

### Lok Adalat (Janata Nyayalaya)

The main objective of the Legal Services Authority is to get the weaker sections justice fast and free of cost. For this reason, the Authority dispenses justice quickly to the deserving through an institution called Lok Adalat. This reduces the pressure on ordinary courts as well. Here most cases are settled through arbitration and compromise. Since there is no question of appeal in cases of compromise, those in financial difficulties will not incur any further expenditure. The table shown below gives details of cases disposed in Lok Adalat in Udupi District between 2002 and December 2005.

**Table 10.18: Details of Cases the Disposed in Lok Adalat**

Taluk	Year	ಸರ್ವಾಂಗೀಯ ಅಧಿಕಾರಿ ರೂಪದಲ್ಲಿ	ಸರ್ವಾಂಗೀಯ ಅಧಿಕಾರಿ ರೂಪದಲ್ಲಿ	Cases decided				ಸರ್ವಾಂಗೀಯ ಅಧಿಕಾರಿ ರೂಪದಲ್ಲಿ	ಸರ್ವಾಂಗೀಯ ಅಧಿಕಾರಿ ರೂಪದಲ್ಲಿ	ಸರ್ವಾಂಗೀಯ ಅಧಿಕಾರಿ ರೂಪದಲ್ಲಿ
				ಸರ್ವಾಂಗೀಯ ಅಧಿಕಾರಿ ರೂಪದಲ್ಲಿ	ಸರ್ವಾಂಗೀಯ ಅಧಿಕಾರಿ ರೂಪದಲ್ಲಿ	ಸರ್ವಾಂಗೀಯ ಅಧಿಕಾರಿ ರೂಪದಲ್ಲಿ	ಸರ್ವಾಂಗೀಯ ಅಧಿಕಾರಿ ರೂಪದಲ್ಲಿ			
Udupi	2002-03	12	969	260	291	-	418	34041900	-	22255
	2003-04	13	1323	335	679	5	304	25282600	97847	23231
	2004-05	20	990	196	576	1	217	12799510	165813	18969
	Till Dec 2005	15	833	154	553	-	126	8968000	-	11622
	<b>Total</b>	<b>60</b>	<b>4115</b>	<b>945</b>	<b>2099</b>	<b>06</b>	<b>1065</b>	<b>81092010</b>	<b>263660</b>	<b>76077</b>
Kunda- pura	2002-03	8	402	89	119	-	194	16971612	-	1985
	2003-04	15	813	170	339	5	299	21469800	51996	7783
	2004-05	14	721	217	298	3	203	15445000	207055	10661
	Till Dec 2005	12	546	130	221	1	194	15059500	10844	12000
	<b>Total</b>	<b>49</b>	<b>2482</b>	<b>606</b>	<b>977</b>	<b>9</b>	<b>890</b>	<b>68945912</b>	<b>269895</b>	<b>3,24,26</b>
Karkala	2002-03	12	480	155	325	-	-	-	-	10090
	2003-04	10	434	137	297	-	-	-	-	7060
	2004-05	21	301	114	187	-	-	-	-	6206
	Till Dec 2005	<b>8</b>	<b>72</b>	<b>23</b>	<b>42</b>	<b>1</b>	<b>-</b>	<b>-</b>	<b>-</b>	<b>4035</b>
	<b>Total</b>	<b>51</b>	<b>1287</b>	<b>429</b>	<b>851</b>	<b>1</b>	<b>6</b>	<b>4,60,000</b>	<b>-</b>	<b>27391</b>

Source : Legal Aid Authority, Bangalore

### **District Consumers' Disputes Redressal Forum**

The Consumer Protection Act was passed in 1986 with the objective of preventing the exploitation of consumers. Under this Act, a Consumer Disputes Redressal Commission has been set up in the State and Consumer Disputes Redressal Forums are functioning in every district. This forum mainly receives complaints from consumers regarding goods purchased or services received and safeguards their interests.

The Chief Justice of the State High Court functions as the Chairman of the Commission. The Chairman of the District Forums are appointed by the State Commission. Normally, the District Judge or a person of equivalent status is appointed as Chairman of the District Forum. Of the remaining two members, one is a woman. To be a member, one must possess the following qualifications: a graduate, aged not below 35 years, with 10 years experience in the field of economics, law, commerce, mathematics, public affairs or administration. The District Consumer Disputes Redressal Forum has the power to receive and pass judgment about transactions worth up to ₹20 lakhs. In Udupi district the Consumer Forum was set up in 2004. The central office in Udupi has jurisdiction over the entire district. In 2004, 224 cases connected with the district were transferred from Dakshina Kannada District Consumers' Forum to Udupi District Consumers' Forum. Details are given in the table below.

**Table 10.19: Details of Cases handled by the District Consumers' Forum**

<b>Year</b>	<b>No of Cases Registered</b>	<b>No of Cases Decided</b>	<b>No of Cases Pending</b>
<b>2000</b>	02	02	-
<b>2001</b>	07	07	-
<b>2002</b>	12	12	-
<b>2003</b>	182	182	-
<b>2004</b>	386	386	-
<b>2005</b>	163	146	17
<b>2006</b>	48	03	45
<b>Total</b>	<b>800</b>	<b>738</b>	<b>62</b>

*Source: Udupi Consumers' Redressal Forum, Udupi*

## POLICE ADMINISTRATION

The police department has the responsibility of maintaining peace and order in the district, through solving crimes, protecting public property and giving people protection. Under the ancient system, at the village level the *talwar* was responsible for protecting the village. *Kotwals* provided protection in towns and cities.

**Ancient System:** In Tulunadu, which included Udupi, under the rule of Alupas, special emphasis was given to the protection of civilians. For the sake of smooth administration, the kingdom was divided into small regions known as *nadu*. The administration of prominent places, which were known as *nadu*, *nagara*, *nakara*, *pura* etc, was carried out by *Nayakas*. Village heads were known as *Odeyas*, *Gramani*, *Ooralva*, *Pergade* or *Heggade* were the other officials.

*Nayakas*, who looked after the administration of different regions of the State, were responsible for peace and order in their region. They would appoint guards known as *Kavalugaras* to work under them and give them the responsibility of guarding small areas. These *Kavalugaras*, belonging to the local criminal tribe, would take responsibility for preventing crimes from their people. Under them, they had watchmen called *Talawara*. This system, in which, like the proverb goes, 'Only a thief knows how to track another thief', one thief caught another, was known as '*Nayankara* system'. Dereliction of duty called for punishment. Payment for their labour was given in the form of land. Sometimes, the villagers would entrust the police duty or '*Padikkavalu*' to influential persons in the village. There are mentions in Tulunadu records about a person being awarded the right of '*padikkavalu*' by ruling kings on special occasions in return for his service. They were given gifts of land in return for their service, but were punished severely for their lapses. This system worked effectively even under the Vijayanagar Empire.

### Protection of Civilians in Modern Times

During the rule of Keladi kings, protection of civilians was the responsibility of local *palegars*. The same system continued even under the rule of Hyder, Tipu and Mysore Kings. It was after the advent of the British that the modern police system was evolved. The police system that was existant in Bengal was extended to the states of Madras Presidency as well. Under this system, every district in the

Canara region, which included Udupi, was divided into 20 square mile divisions and an officer known as '*Daroga*' and an assistant known as '*Thanadhar*' were given charge of each division. Village level defence was efficiently handled by the District Collector who had 35 to 50 armed policemen working under him. The District Magistrate handled the appointment of police personnel and punished criminals as per the advice of police officials. In 1808, the responsibility of the police department was shifted from the District Collector to the District Judge. Suitable set of rules to maintain law and order were introduced later, in 1812.

In 1814, the board of directors of Madras Presidency argued that the '*daroga* system' was unsatisfactory. It opined that a village police system was better for maintaining peace locally. In order to strengthen the police system in villages, it was recommended that the magistrate be relieved of the responsibility of the police department and the same returned to the District Collector. With this, following the report of the head of a special commission, the office of the Chief of Police was separated from the office of the District Magistrate and merged with the office of the District Collector. The post of '*daroga*' was abolished. In 1816, the police force was placed under the control of *Patels* in villages, *Tahsildars* in taluks and District Collectors over the districts. This system was in practice in Canara region until the first half of 19<sup>th</sup> century. But it was replete with corruption, violence and exploitation.

The Madras Government set up an enquiry commission in 1854, with E.F. Elliot, H. Strokes and John Bruce Norton as its members, to find out the truth about the exploitation of locals by revenue officials, the judiciary and the police. The commission submitted its report in 1855. The report stated that there was extensive corruption in the police and revenue departments and that there were several incidents of violence, especially in the revenue department. The report suggested suitable measures to improve the system.

Following the recommendations of the commission, in 1859, the police department was separated from the district revenue department



and made an independent department. In the beginning, only European officials were appointed as chief of the department. In every district, a police force of suitable size was put to work under the control and supervision of the District Police Superintendent. The Indian Penal Code was created in 1860 and put into operation from 1862. Before this, the police used to torture criminals cruelly during investigation. They would investigate using barbaric methods like chopping off their limbs, plucking out their eyes, whipping them or branding them. Such methods were believed to be effective in preventing crime. With the introduction of the Indian Penal Code, there were significant changes in the nature of punishment. Violent and barbaric punishments were abolished and only five kinds of punishments were accepted. They were - hanging, exile, imprisonment, confiscation of property and fines.

According to the Imperial Gazetteer (1908), at the beginning of the twentieth century, in all the states of Madras Presidency, there was one regular policeman per every six square mile area and for every 1558 people, and a village policeman for every 1612 people. The Inspector General of Police was the chief of the department. He was assisted by a Deputy Superintendent. The other personnel under him were Inspectors, Sub-inspectors, Head Constables and Village Police. In those days, the Superintendent was the head of the Police Department, which had its head-quarters in Mangalore. There were 10 Inspectors, 558 policemen and 50 police stations in the district. The khaki cloth, used for making uniforms for the police and is the popular choice for making certain other staff uniforms, was designed by a British engineer named John Hall who used to work in the Basel Mission Weaving Factory in Mangalore. In 1997, Udupi district was separated from the erstwhile Dakshina Kannada district and started operating as a new district. The District Superintendent of Police Office was set up in August 1997. At the end of March 2006, the district had two sub-divisions viz., Udupi and Karkala. Details about the police stations existing in the three taluks are given in the table below.

**Table 10.20: Details of Police Circles and Their Police Stations**

Sl.No	Police Circle	Sl.No	Police Station
	<b>Udupi Sub-division</b>		
<b>1</b>	<b>Udupi</b>	1	Udupi Town
		2	Udupi Mobile
		3	Malpe
<b>2</b>	<b>Manipal</b>	1	Manipal
		2	Shirva
		3	Padubidri
		4	Kapu
<b>3</b>	<b>Brahmavara</b>	1	Brahmavara
		2	Kota
		3	Hiriyadka
<b>4</b>	<b>Kundapura</b>	1	Kundapura
		2	Shankaranarayana
		3	Gangolli
		4	Kundapura Women's Station
<b>5</b>	<b>Bynduru</b>	1	Bynduru
		2	Kolluru
	<b>Karkala Sub-division</b>	1	Karkala Town
<b>1</b>	<b>Karkala Circle</b>	2	Karkala Rural
		3	Hebri

There are two out-posts in the district. They are situated in Manipal Konkan Railway and Katpadi. They are staffed with a Police Sub-Inspector, a Head Constable and five constables. Each sub-division is under the supervision of a Deputy Superintendent of Police and each circle is under the supervision of Circle Inspectors. A station is staffed with Sub-Inspectors, Assistant Sub-Inspectors, Head Constable and Constables. The total number of staff in the department in March 2006 was 1104.

### **District Armed Reserve Police Force.**

The District Armed Reserve Police Force functions under the supervision of the District Superintendent of Police. Their main function is to maintain peace during unexpected riots, strikes, processions and during elections. Serving as order leys to top officials, guarding the head-quarters, providing protection to VIP's, being in the

police band, transporting convicts to court and prison are among the other duties of this police force. The force is headed by a Police Inspector. The staff consists of a Sub-Inspector, a Head-Constable, Constables and others. The force includes a Transport Section, District Armoury and a Dog Squad.

### **District Dog Squad**

The district police Dog Squad plays a significant role in the investigation of crimes and detection of criminals. Dogs have the unique ability to identify criminals through smell. They are trained in this aspect. Trained dogs are used in detecting bombs and other explosives and criminals. In Udupi district the dog squad began its operations in 1999. A Head-Constable and two constables are in charge of these dogs. At present the squad has three dogs by name Seema, Blackie and Bruto.

**Table 10.21: Details of Crimes Detected by the Dog Squad until 2006**

Sl. No	Year	Explosives	Crimes
1	1998-1999	10	-
2	1999-2000	12	-
3	2000-2001	12	01
4	2001-2002	10	22
5	2002-2003	08	17
6	2003-2004	38	45
7	2004-2005	12	83
8	2005-2006	09	45
	<b>Total</b>	<b>111</b>	<b>213</b>

There are altogether 86 vehicles in the district police department. In the year 2005-06, ₹8,59,33,695-00/- have been spent towards salaries to the staff, office maintenance and other expenses.

### **Police Welfare Fund**

Police Welfare Fund has been set up for the welfare of the district police staff. Educational aid given to children of police personnel is as follows: ₹200/- a year for students from Standard one to Standard

seven, ₹300 for students from Standard eight to Standard ten, ₹400 for students in P.U.C., ₹400 for those in degree classes and ₹1000 for post-graduate students. Engineering and Medical students are given ₹5000 in the first year, ₹10,000 in the second year and ₹1000 a year thereafter.

**Table: 10.22: List of Superintendent of Police in the District**

Sl.No	Name Sri/Smt.	Period	
		From	To
1	Savitha Hande I.P.S.	25.08.1997	03.07.1998
2	M.A.Saleem I.P.S.	04.07.1998	13.06.2000
3	Amrit Pal I.P.S.	16.06.2000	25.07.2003
4	S.Murugan I.P.S.	25.07.2003	10.05.2006
5	Dr.A.Subrahmanyeshwara Rao I.P.S.	29.05.2006	08.10.2007
6	Devajyothi Ray I.P.S.	09.01.2008	14.07.2008
7	Praveen Madhukar Pawar I.P.S.	04.09.2008	

The fund is accumulated through monthly contributions collected from all the staff in the district. In a given year, a maximum of ₹5000 is sanctioned to meet medical expenses. Colonel Helkins was appointed in 1860 as the first police chief of the undivided Dakshina Kannada district. Mr. M. Subbarao, who occupied the chair in 1911, had the honour of being the first Indian to occupy the position. Mr. M. Singaravelu became the first police chief of the district after independence. Mr. N.S. Megharic was the chief of police just before Udupi became a separate district. Details about police chiefs occupying the position after the formation of the new district are as follows:

### **Details of Staff who have received Awards from the Government**

From 1998 till March 2006, a Chief of Police and an Deputy Superintendent of Police have received bravery award from the President. Among the 12 officers who have received the Chief Minister's medal are two Inspectors, one Sub-Inspector, four Head-Constables and five Constables.

### **Main Incidents Relating to Law and Order**

In 2004, there were a lot of objections from the public to lorries carrying heavy manganese loads from Udupi to Mangalore by road. When this gradually began to turn into a violent protest, the district administration intervened and cleared the air after holding a joint

meeting of representatives, members of the Lorry Owners' Organization and the public.

The ancient tower of the holy Sri Krishna Mutt in Udupi was demolished on 17.12.2004 to make way for a new tower that had been planned. When a number of organisations, which were protesting against the demolition, tried to lay siege to the temple, 400 of them were arrested for defying the court order and later released. There have been no untoward incidents since the inauguration of the new tower on 11.5.2005. The atmosphere remains peaceful.

In Udupi taluk, in the jurisdiction of the Padubidri Station, locals had planned a fierce protest rally against the setting up of the Nandikur Thermal Power Project. The installation of the above unit has been assigned to Nagarjuna Company based in Hyderabad. When the area was being surveyed for this purpose, the M.L.A from Kapu and a few other leaders, along with the public, had arranged a protest march. Under Section 144 C.R.P.C, all those who participated in the protest, transgressing the prohibitory orders, were arrested and then released. According to police sources, the dispute is still alive and is likely to become serious.

In Baikadi village in Brahmavara, the Co-operative Sugar Factory has stopped functioning due to various reasons. 200 workers working in the factory, deprived of their wages were struggling without any means of livelihood. In August 2004, these workers, led by Richard Mascaranes, had gone on a strike demanding their wages. Though the district administration has intervened and cleared the air, no alternative arrangement has been made to satisfy the workers.

In September 2003, auto drivers of Hiriyaadka had complained against the schedule of a bus driven by one Abdul Khadir. They suspected that there was a collection of fatal weapons in the above mentioned bus and had filed an appeal to the police to confiscate it. Accusing the police of failure to investigate and seize the bus, a crowd of 300-400 people had surrounded the Hiriyaadka Police Station and indulged in stone throwing. The police van which had brought additional forces to bring the situation under control was set on fire. Slowly, the situation became peaceful. In connection with these riots, 23 people have been arrested and produced before the court.

**Incidents of Communal Riots in the District**

1. On 6.3.2001, at Hoode market in Malpe area, in an incident of saving cows brought for slaughter to provide meat during Bakrid, a person was attacked by a few members of another community. In connection with the communal clash that followed, nine cases have been filed in Malpe station.

2. On 24.2.2002, near Jumma Masjid, in the jurisdiction of Gangolli station, there was a dispute in connection with some buffaloes brought to slaughter for meat and this resulted in a clash between two communities. Six people incurred ordinary injuries during the clash and three communal riot cases were filed in the station

3. On 31.3.2002, in the jurisdiction of Kundapura station, during the Nandikeshwara Temple fair in Asodu village, some youth belonging to a particular community pricked girls belonging to another community with needles. A rumour, that the needles carried the AIDS virus, led to severe communal riots in the surrounding areas. Properties belonging to members of both the communities were damaged. Several people were injured in the riots. The police took timely action and brought the situation under control. In this connection, 82 cases have been registered in Kundapura station.

4. On 15.5.2003, in Gangolli market, in the jurisdiction of Gangolli police station, communal clashes began in connection with banners put up on the occasion of Id Milad. Six people incurred minor injuries during the clashes. In the matter above, 19 cases have been registered in Gangolli station.

5. On 3.3.2004, in Kadlur market, in the jurisdiction of Kundapura station, in relation to banners about the inauguration of *Bhajarangadal* unit, there were clashes between two communities. Eight people were injured in the incident. In connection with this, four cases have been registered in Kundapura station.

6. On 13.3.2005, in Adi Udupi in the jurisdiction of Udupi station, in connection with the transportation of cows, two members of a community were attacked and stripped by members of another

community. In this regard, a case has been registered in Udupi station. In connection with this, on 26.3.2005, during the 'Ban Cow Slaughter' demonstration, activists from the District Welfare Forum (Jilla Hitarakshana Vedike) damaged shops belonging to members of another community. In this regard, 24 cases have been registered in the town police station.

**Table 10.23: Details of Murders, Robbery, Extortion and Other Crimes in the District**

Year	Murders	Robberies	Extortions	Thefts	Other Cases of Stealing	Rape Cases
1995	17	5	13	238	92	8
1996	07	5	9	153	79	4
1997	11	1	12	173	76	5
1998	16	1	4	161	82	2
1999	14	4	8	147	64	5
2000	12	2	4	118	77	11
2001	16	1	12	115	92	2
2002	15	2	11	143	64	1
2003	13	3	9	136	81	5
2004	16	9	12	122	92	-
2005	26	6	15	136	88	7

**Table 10.24: Details of Crimes Detected**

Year	Sexual Disputes	Crimes for Profit Motive	Family Disputes	Enemity	Other Crimes
1995	2	321	5	6	9
1996	1	226	-	1	8
1997	-	243	1	3	13
1998	1	231	3	2	7
1999	1	204	-	6	10
2000	1	186	-	2	17
2001	-	211	2	3	11
2002	-	207	1	7	8
2003	2	212	2	4	12
2004	-	221	3	5	5
2005	2	232	5	5	13

**Table 10.25: Details of Stolen Goods Found and Returned**

Year	Value of Goods (in Rupees)		
	Stolen	Recovered	Percentage
1995	5819355	1286646	22.10
1996	7410069	1586598	21.41
1997	4842641	2457231	50.374
1998	4585482	3624650	79.04
1999	6284526	4456720	70.91
2000	7569919	6628370	87.56
2001	47179907	3009074	6.37
2002	8957588	1301793	14.53
2003	7691234	1572323	20.44
2004	9962557	2639994	26.49
2005	17393277	5267230	30.28

**Table 10.26: Details of Crimes Proved through Investigation**

Year	Crimes Reported	Crimes Investigated	Crimes Proved
1995	2355	1904	830
1996	2000	1658	691
1997	2050	1608	759
1998	2358	1656	796
1999	2375	1813	946
2000	2385	1792	997
2001	2711	2157	1065
2002	2945	2365	1371
2003	2776	2232	1308
2004	3034	2355	1249
2005	2921	2302	986



**Table 10.27: Details of Accidental Deaths and Causes of Death**

<b>Year</b>	<b>Suicide</b>	<b>Drown- ing</b>	<b>Snake- bite</b>	<b>Electric shock</b>	<b>Struck by Lightning</b>	<b>Motor Accidents</b>	<b>Fall From Height</b>	<b>Fire</b>	<b>Other Causes</b>
<b>1995</b>	266	108	3	2	-	135	6	14	81
<b>1996</b>	255	100	3	2	3	140	10	2	76
<b>1997</b>	306	99	4	3	3	137	12	13	80
<b>1998</b>	284	95	3	8	-	130	10	10	89
<b>1999</b>	323	91	-	4	4	164	12	18	96
<b>2000</b>	302	107	6	1	3	128	18	22	68
<b>2001</b>	302	96	3	7	2	136	14	18	96
<b>2002</b>	348	88	2	6	5	137	9	14	75
<b>2003</b>	352	102	4	6	4	128	7	10	85
<b>2004</b>	318	102	2	8	2	163	11	10	70
<b>2005</b>	324	69	1	6	2	162	19	11	77

**Table 10.28: Details of Reported Cases of Gambling, Betting and Smuggling**

<b>Year</b>	<b>Betting</b>	<b>Gambling</b>	<b>Illicit Liquor</b>	<b>Smuggling</b>	<b>Others</b>
1995	166	31	3	-	30
1996	63	24	9	-	24
1997	148	33	12	-	26
1998	103	49	41	4	59
1999	182	48	23	2	59
2000	194	57	10	3	32
2001	258	66	36	4	23
2002	247	73	23	2	17
2003	250	37	7	3	3
2004	323	57	7	1	3
2005	349	71	5	-	14

**Table 10.29: Details of Complaints Filed and Settled**

<b>Year</b>	<b>Cases Settled in Court</b>	<b>Cases Proved</b>	<b>No of Cases Acquitted and Released</b>	<b>Cases of Compromise</b>	<b>Percentage of Cases Proved</b>	<b>Cases Released on Bail</b>
<b>1995</b>	1193	452	635	106	37.88	1953
<b>1996</b>	1471	536	784	151	36.43	1871
<b>1997</b>	1211	544	536	131	44.92	1833
<b>1998</b>	1290	570	592	128	44.18	1825
<b>1999</b>	1374	628	614	132	45.70	1821
<b>2000</b>	1429	708	611	120	49.20	2234
<b>2001</b>	1543	819	615	109	53.07	2562
<b>2002</b>	1776	948	661	167	53.37	2681
<b>2003</b>	1434	894	470	70	62.34	2435
<b>2004</b>	1373	917	374	82	66.78	2524
<b>2005</b>	1390	837	485	68	60.21	2533

**Anti-Naxalite Force:** In recent times, there has been an increase in Naxalite activities in the district. People are terrified of Naxals who have made their base in the forest region of the Western Ghats and are determined to fight against the social system. The Anti-Naxalite Force is engaged in putting down the Naxals and preserving peace in the district. It is combing the forest and other areas for their hiding places, capturing the Naxals or killing them. The force consists of a Sub-Inspector, a Head Constable and four Constables has also a jeep and wireless apparatus. The force functions under the supervision of the District Superintendent of Police.

### **Lokayukta Police Force**

The District Lokayukta Police Division, set up in 2003, has been functioning in Udipi, Karkala and Kundapura taluks. There are altogether 11 staff in this division. These include an inspector, four

head-constables, four constables, a typist and a *dalayat*. Two cases have been registered between 2003 and 2006. They are still being investigated. Details of these cases are given below.

**Case 1:** Year of Report: 2005, Date: 12.7.2005, Time: 12.30. Dhananjaya, Survey Supervisor in the Department of Geology, has been accused of demanding a bribe of Rs.500 from Ranjita, of Mudur village in Kundapura taluk, to survey and prepare a map of one acre of land belonging to her. The case is being investigated.

**Case 2:** Year of Report: 2006, Date: 28.03.2006, Time: 9.00. With regard to the documentation of land, belonging to Nagarajaiah of Balvur village in Kundapura taluk, the village accountant, by name Manmohan, has been accused of demanding a bribe of ₹.1000 to set right the mistake and of harassment through delay in starting the work. A case has been registered and investigation is being carried on.

### **Inspection of Motor Vehicles**

In areas during hours of heavy traffic, orderly movement of vehicles has been achieved through inspection and searching of vehicles, from time to time, by officials and staff of the Mobile Police Squad of the District Police Department. In order to create awareness among the public about obeying traffic rules, keeping vehicles in good condition, proper use of roads and traffic safety, 'Transport Week' is being observed every December in all the stations in the district. Speed-breakers are being constructed on roads to avoid accidents. Training programmes will be held to create awareness in drivers about first aid. Through awareness programmes, riders of two-wheelers are being made aware of the necessity of wearing helmets.

### **Finger Print Unit**

The District Finger Print Unit functions under the central office in Bangalore. The unit is under the supervision of the District Superintendent of Police. Available finger prints are taken from crime premises in case of theft and other crimes. These prints are compared with the available file prints and criminals are detected.

**Table 10.30: Details of Cases Detected through the Finger Print Unit**

Year	No of Cases Reporte	No of Finger Prints Examined	No of Cases Detected
1998	98	98	1
1999	119	119	2
2000	72	72	1
2001	126	126	2
2002	101	101	-
2003	63	63	-
2004	129	129	3
2005	179	179	3

**Table 10.31: Details of Prostitution Cases Filed in the District**

Year	No of Cases Registered	No of Cases Proved	No of Persons Released	No of Cases Pending
1995	04	2	1	1
1996	02	1	1	-
1997	10	4	4	2
1998	10	5	-	5
1999	04	2	1	1
2000	02	2	-	-
2001	10	7	3	-
2002	07	5	-	2
2003	18	10	4	4
2004	02	1	1	-
2005	08	1	-	7

*Source: District Police Department, Udupi*

### **Directorate of Civil Rights Enforcement**

The institution, which according to the Civil Rights Protection Act 1955 and Scheduled Castes and Scheduled Tribes Welfare Act 1989, has the power to safe guard civil rights and take legal action against atrocities on *dalits*, started functioning in 1974. The organization, which, initially, used to function as a Civil Rights Enforcement Cell, was under the supervision of an officer of the rank of Deputy Inspector

General of Police. The Cell was re-structured in 1980. Regional Cells were set up in Bangalore, Belgaum, Mysore and Gulburga. From 1988 onwards, an officer of the rank of I.G.P. was appointed to supervise each Regional Cell. The cell was re-named Directorate of Civil Rights Enforcement' and an officer of the rank of Additional Director General of Police was appointed as its head. The Directorate chiefly receives and investigates complaints about atrocities on *dalits* and weaker sections and gives them the compensation due to them legally.

**Table 10.32: Details of cases registered in the district under Prevention of Atrocities Act**

Year	Reported	P.T	B	Others	Investigated	Released	Punished
2001	15	03	03	-	-	09	-
2002	16	05	01	01	-	09	-
2003	30	00	10	-	-	10	01
2004	32	23	03	-	-	05	01
2005	34	27	06	-	-	01	-
2006 till June	15	08	04	-	03	-	-

Source: Directorate of Civil Rights, Enforcement

### Fire and Emergency Services

The fire brigade has the direct responsibility of saving public property and lives caught in fire accidents. All district units function under the control of the Directorate of Fire and Emergency Services, Bangalore. Udupi district has three fire stations, the details of which are as follows:

**Table 10.33: Fire Brigade Stations in the District**

Sl.No	Station	Year of Setting up
1	Fire Station, Ajjarakadu, Udupi	1.1.1946
2	Fire Station, Kone village, Kundapura	1.1.1992
3	Taluk Fire Station, Thane Kuntalpadi, Karkala Taluk	1.1.1994

Details of staff working in the District Fire Stations on 31-03-2006 is as follows. Earlier, the Fire Brigade used to work under the supervision of the police department. At present the department functions independently. The Fire Brigade assists the police department in several ways. Protection of public and private property during communal riots, arrival of V.I.Ps, meetings and celebrations, taking precautions against accidents, taking care of parking arrangements are some of the things it does.

**Table 10.34: Staff Details as on 31-03-2006**

Sl. No	Name of the Post	Posts approved	Posts filled	Posts vacant
1	District Fire Officer	1	1	-
2	Fire Station Officers	3	-	03
3	Assistant Fire	3	2	01
4	Officers	12	12	-
5	Leading Firemen	15	10	05
6	Drivers	02	-	02
7	Fire Technicians, Firemen	58	26	32
	<b>Total</b>	<b>94</b>	<b>51</b>	<b>43</b>

In the fire accident at Malpe Fishing Port during July 1999, the fire station staff played a significant role in preventing excessive damage to fishing boats. In the action taken during the accident, 12 officers, along with 68 other staff, with the help of 17 fire engines and sprinklers, succeeded in dousing the fire. Eight staff members were injured during the action. After 14 hours of action, the fire was doused and property worth around seven crore rupees saved. During the years between 1995 and 2005, 1434 calls to save people from fire and other accidents have been received and 981 people and 171 animals have been saved. There have been 584 calls for ambulance and vehicles have been provided accordingly. 2050 calls about fire accidents have been received and goods and property worth 74 crore rupees have been saved. There is a welfare fund for the personnel employed in the Fire Brigade and Emergency Services and all the staff pay a monthly contribution towards the fund. From this fund, financial

aid is sanctioned to the staff for their children's education, and for last rites of dead, and medical expenses etc. Till 2005, financial aid to the tune of .30,750 has been given to the staff in the fire brigade. In order to create an awareness regarding precautions to be taken against fire accidents, 132 lectures and demonstrations have been given to students and the general public during the last 10 years. Every year, a Safety Week is observed from April 14 to 20<sup>th</sup> as part of the annual day celebrations of the fire forces. In order to encourage the personnel of the fire forces, President's and Chief Minister's medals are awarded for meritorious service. During the last decade, 10 Fire Officers and other staff in the district have received Chief Minister's medals. 304 officers and staff in the district have received monetary incentives/ cash prizes amounting to ₹27,215.

### **Home Guards**

Home guards unit created according to the Home Guards Act 1962, is basically a voluntary organization. The organization, started for the first time in 1946 at Mumbai, began functioning in Udupi during 2000. The minimum educational qualification required to become a member here is a pass in the seventh standard. Men and Women, who are aged between 20 and 45 years, and have not been sentenced to any form of punishment, and who have no criminal record, can become members here. The tenure of membership is three years. Home guards are assigned different kinds of law and order duties based on requests from the Deputy Commissioner and the Superintendent of Police. Working with the police in the maintenance of law and order during elections, meetings and functions, VIP programmes, traffic control and such other duties, and maintaining peace and order by giving the public suitable guidance, are the areas in which Home Guards play a significant role.

Members of the Home Guards Unit are given training in defence, fire fighting, use of weapons, first aid, wireless communication and so on. While on duty, members receive a daily duty allowance of ₹90, training allowance of ₹70, Drill allowance of ₹22.50 and a weekly washing allowance of ₹5.

There are 484 home guards in the District and, 72 of them being women. District Commandant, who is the Chief of Home Guards Unit in the district, is an official appointed by the government on the recommendation of the D.I.G and serves without receiving any salary.

The functioning of the Home Guards governed by the following Acts: Karnataka Home Guard Act 1962, Karnataka Home Guards Rules 1963, Home Guards manual. The District Home Guards Unit has its branches throughout the district. Details of their staff and expenditure are given below.

**Table 10.35: Annual Expenditure of the Home Guards Unit in the District till 2005**

<b>Year</b>	<b>Expenditure</b>
<b>2000</b>	1,25,360
<b>2001</b>	3,75,240
<b>2002</b>	4,58,320
<b>2003</b>	7,22,853
<b>2004</b>	7,50,950
<b>2005</b>	8,68,547

**Details of Home Guards in the District**

<b>Location of the Branch</b>	<b>No. of Staff</b>
<b>Udupi</b>	74
<b>Manipal</b>	60
<b>Kapu</b>	40
<b>Padubidri</b>	50
<b>Karkala</b>	60
<b>Brahmavara</b>	90
<b>Kundapura</b>	80
<b>Byndur</b>	30
<b>Total</b>	<b>484</b>

Home Guards Day and Public Awareness Week are organized in the district every year during 6<sup>th</sup> to 12<sup>th</sup> of December and March Past, outdoor games and cultural programmes are conducted as part of the celebrations. There are also demonstrations about the activities of Home guards.

\*\*\*\*\*