

CHAPTER XIII.

ADMINISTRATION OF JUSTICE.

CIVIL JUSTICE—Village Munsifs' Courts—District Munsifs' Courts—The District Court—Rarity of litigation—Registration. CRIMINAL JUSTICE—The various Courts—Causes of crime—Criminal castes.—Grave crime. POLICE—Previous systems—Present administration. JAILS.

As in other districts, there are in Bellary three grades of civil tribunals, namely, village munsifs' courts, district munsifs' courts, and the District Court. These have the same powers and jurisdiction as are general elsewhere.

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In the latest year for which figures are available at the time of writing only ten village munsifs in the whole district tried any civil cases and the aggregate number of suits heard by them was only 342. The system of trial by bench courts under section 9 of the Village Courts Act I of 1889 has been introduced in certain areas in the district.

Village
Munsifs'
Courts.

The number and jurisdiction of the district munsifs have undergone constant changes during the last 50 years. At present there are two of these officers, one stationed at Bellary and the other at Hospet, of whom the former has jurisdiction over Bellary, Alúr and Rayadrug taluks, and the latter over Hospet, Harpanahalli, Hadagalli and Kúdligi. The Ádóni taluk is within the jurisdiction of the district munsif of Gooty, who is subordinate to the District Court of Kurnool.

District
Munsifs'
Courts.

The District Court has thus no jurisdiction in Ádóni taluk, but exercises the usual powers in the remainder of Bellary and in addition has jurisdiction over six of the eight taluks (Anantapur, Dharmavaram, Hindupur, Kalyandrug, Madakasira and Penukonda) of the Anantapur district. The other two taluks (Tadpatri and Gooty) of this latter are within the limits of the Gooty munsifi.

The District
Court.

In Bellary there is less civil litigation in proportion to the population than in any other district in the Presidency. In the latest year for which figures have been published fewer village munsifs tried cases, fewer suits were instituted in the courts of district munsifs, and fewer appeals were preferred than anywhere else, and there were no revenue suits at all either for the recovery of rent or for village officers' posts. In India litigation is the luxury of the well-to-do, and the people of Bellary have usually little margin for luxuries.

Rarity of
litigation.

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Registration.

The registration of assurances is managed on the usual lines. Besides the Registrar at Bellary (who is in charge of the work in Anantapur district as well) there are ten Sub-registrars—one at the head-quarters of each of the other seven taluks and three more at Kampli, Siruguppa and Yemmiganúru.

CRIMINAL
JUSTICE.The various
Courts.

All village magistrates in the district have the usual criminal powers in petty cases arising in their villages, but very few of them ever exercise them. At Kampli there is a special magistrate and at Bellary, Ádóni, Hospet and Náráyanadévarakeri there are benches of magistrates authorised to hear certain classes of petty cases occurring within those places. In Bellary there are also a Cantonment magistrate and a Town sub-magistrate. All Tahsildars have second-class powers, and in Alúr, Hadagalli, Harpanahalli and Kayadrug they regularly exercise them, being, however, assisted in their magisterial work by their taluk sheristadars. In Ádóni, Bellary, Hospet and Kúdligi practically the whole of the criminal cases are heard by the stationary sub-magistrates and the Tahsildars seldom use their powers. The Deputy Tahsildars at Siruguppa in Bellary taluk and Yemmiganúru in Ádóni have also second-class powers within their jurisdictions. The three Divisional Magistrates and the District Magistrate have the usual first-class powers. The Court of Session possesses jurisdiction over the whole of Anantapur district as well as throughout Bellary.

Causes of
crime.

The district usually contributes its full share of the grave crime of the Presidency.¹ Several causes contribute to bring this about. Some of them are historical. Little more than a hundred years ago, under the Nizam's officers, the country was in a state bordering on anarchy and any man who could collect a following could live openly by crime with only a remote risk of punishment. The railways, again, have robbed some of the people of their only employment. Before the days of trains the wandering Korachas and Lambádis lived by trading with the west coast, driving down there once or twice a year large herds of pack-cattle laden with cotton, piece-goods, etc., and returning with salt, areca, coconut, and so forth. This occupation is now gone and these two castes, driven to less reputable means of livelihood, are responsible for much of the crime of the district.

Bellary is also the home of other castes with a natural aptitude for crime, such as the Donga Dásaris and, to a less and more local degree, the Bóyas.

¹ Statistics for recent years will be found in the separate Appendix to this Gazetteer.

The proximity of the Nizam's country also favours criminals, as they can sell their loot there with less chance of detection than in areas which are in closer communication with the local police, and when hard-pressed they can hide there with less difficulty.

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Finally, the district is almost entirely dependent on local rain for its crops and a bad season or two soon drives its poorest classes to crime through actual necessity.

The most criminal caste in Bellary are the Korachas. Statistics show that, though they number less than one per cent. of the total population of the district, ten per cent. of the persons confined in the Bellary jail for dacoity and robbery in the years 1898 to 1902, both inclusive, belonged to their community. The Lambádis have to a great extent settled down to agriculture, cattle-grazing and the sale of fire-wood and grass, and comparatively few of their *tandas* are on the black books of the police, but the criminal sections of the Korachas¹ are too indolent or too wedded to their present more exhilarating existence to take to such humdrum occupations.

Criminal
castes.

The gangs into which they and certain of the Lambádis and Donga Dásaris are in the habit of collecting are a feature of the district and are responsible for most of its crime. They are classed by the police as "permanent" or "wandering." The former are those which have a more or less settled habitation. Some 20 or 30 of them (the number varies from year to year) which are known to contain criminals are regularly watched by the police. The most notorious are the Koracha gangs round Tekkalakóta and Sirigéri in Bellary taluk. They are known generically as the "Rndrapádam gangs," one of the worst of them being settled in the hamlet of that name in Nadivi village. Many stories are told of their powers of disguising themselves and of their acuteness in evading the police. Registers are maintained showing the names of the members of such gangs and beat-constables and constables specially deputed periodically check with this roster the persons present in the gang. Absentees are required to explain the cause of their absence and their explanations are verified. If these prove false, their falsity will serve as evidence in favour of proceedings under the security sections of the Criminal Procedure Code, while if the absentee does not quickly return, neighbouring stations are warned and set to watch for him.

¹ See the account of the caste in Chapter III, p. 76.

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castes.

“Wandering gangs” are those which pass through the district, but have no settled habitation within it. Their numbers vary largely. In 1898, 80 of them, comprising over 2,000 persons, were reported. They are accompanied wherever they travel by a specially-deputed constable, who is provided with a complete list of their members, and on their leaving the district they are handed over to the surveillance of the police of the district into which they are moving.

Grave crime.

Dacoities, cattle-lifting, and burglaries are the favourite forms of grave crime. Dacoities are the special forte of one section of the Korachas, cattle-lifting is mainly practised by this same section and the Lambádis, and house-breaking by another section of the Korachas. Petty theft at markets and other gatherings is the speciality of the Donga Dásaris.

Dacoities are specially common from February to June, and these months are consequently known as “the dacoity season.” The roads are then at their driest, the Tungabhadra is fordable, and cultivation is almost at a standstill, and consequently travellers (the special prey of the dacoit) are numerous. The dacoits can get about the country easily and sleep in the open with comfort, and gangs can cross the river from Haidarabad and escape back over it without hindrance. The dacoits usually first investigate the chances of resistance from the occupants of the country-cart which they have marked down. This is done either by sending one of their number, respectably got up, to examine matters under the pretence of asking for betel and nut, or by throwing showers of stones at the cart to see whether any fire-arms will be discharged in reply.

Jungly and hilly country is naturally the favourite scene of action, as habitations are few and cover is plentiful. At some 90 of the worst of such places—‘gháts’ as they are termed—ghát talaiyáris have been posted to protect the roads. They are paid from the Village Service Fund, but their pay is disbursed through the police and their work is controlled entirely by the Police Department altogether independently of the revenue authorities. They are required to live in huts built at the gháts and are armed with lathis.

Torch-light dacoities of houses are less common. The perpetrators often disguise themselves by smearing their faces with ashes, paint or powdered charcoal. Guns are sometimes brought or the victims are frightened into submissiveness by the discharge of “dimmis,” a sort of firework made by ramming powder into an iron cylinder. The Korachas have the reputation of being

especially brutal in their methods of extracting from their victims information as to where valuables are concealed, burning them with the torches without compunction.

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Cattle-lifting is managed in the usual manner, the animals being driven great distances for the first few days until pursuit has slackened. The cattle-dealing section of the Korachas mix the stolen bullocks with their own and thus sell them with small risk of detection. Lambádis seldom steal anything larger than sheep or goats.

Grave
crime.

Burglaries are usually committed by breaking through the roof, and not (as in the southern districts) the side walls, of the house. The walls in Bellary are usually of stone in mud and the roof of faggots and mud and the latter is thus the weakest point in a house.

Several unusual cases appear in recent police records. In two instances in 1899 thieves hired country-carts, drugged the drivers on the way, and then sold the carts and bullocks. Two of the drugged men died.¹ In 1901, 106 men of Chintakunta in Alúr taluk were charged with rioting in attempting by force to do pújá to a boulder in the tank of the neighbouring village of Kaminahal and to take from the tank a pot of water. The boulder is regarded as representing the goddess Madagalamma and the Kaminahal villagers believe that pújá done to it by themselves brings them prosperity, but that worship performed by others transfers the benefits from themselves to those others. They consequently strenuously resisted the efforts of the Chintakunta men to do the pújá and get a pot of the sanctified water. In the same year a Kuruba of Dévasamudram in Hospet taluk sacrificed his only son, aged five, before the village god in order to obtain treasure supposed to be hidden under the god's image. The case of suspected human sacrifice at Hampi with a similar object is referred to in the account of that place in Chapter XV (p. 277).

Under the Vijayanagar kings the safety of person and property was entrusted to the provincial governors among whom the immediate administration of the empire was apportioned, and they were in theory bound to make good losses due to robbery and theft.² They passed on this responsibility to their kávalgárs (watchmen) who had charge of groups of villages and controlled the talaiyáris who were appointed to each. The talaiyáris were paid by grants of inam lands and fees in money and in kind from

POLICE.
Previous
systems.

¹ The inquest report on one of them who had been seen wandering naked (the thieves had stripped him) about the fields, staggering, falling, and getting up again, was that he died of madness, starvation and epileptic fits!

² See Nuniz' account (*Forgotten Empire*, 380).

CHAP. XIII. the villagers, and the kávalgárs by (i) a village rent-free or at a low quit-rent, (ii) a certain portion of inam land in every village in their jurisdiction, (iii) an allowance in grain upon each plough or upon the quantity of seed sown, (iv) an allowance in money, paid by husbandmen on ploughs and by tradesmen on houses, shops or looms, (v) a small duty on goods passing through the country and (vi) a similar duty, levied at fairs and weekly markets, on shroffs (paid in money) and other dealers (paid in kind).

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Previous systems.

The poligars who came into power after the downfall of the empire were similarly held responsible by the Bijápur and Golconda kings for all police duties and continued to employ the kávalgárs and talaiyáris. Haidar Ali resumed the possessions of many of the poligars and the inams of their kávalgárs, but retained the talaiyáris, who were placed under the amildar (tahsildar) and were the back-bone of his police system. Munro pays a high tribute to it and says that "the roads at this time were perfectly safe, robberies were uncommon, and the police on the whole was probably as well conducted as ever it has been in any province of India." Tipu's weak control reduced matters to chaos again, the Nizam's Government did nothing to remedy things, and when the English took over the district abuses and oppression were rampant.

Munro says,¹ for instance, that if the village officers delayed paying the *kával* fees (detailed above) the poligars sent some of their men to commit thefts in the village or seized the village officers, beat them, and kept them in confinement until they paid what was due. The poligars also forced the ryots to transfer garden and other valuable land to them without compensation, confining them until they signed the necessary deeds, and compelled the karnams to make over to them large tracts of Government land and to enter these in the village accounts as waste.

"Even," he writes, "if all thefts were made good in any particular district, which never was the case, the contributions paid by that district to the Kaweligar (*i.e.*, the poligar) were always more than the equivalent of this loss, and greatly exceeded any that would probably have been sustained from ordinary thieves. In districts (*i.e.*, taluks) immediately under Kaweligars or in those adjoining to them there is always the greatest number of robberies. . . . It is among the Kaweligars' peons that almost all thieves are sheltered, for it is to that body that all the most skilful adepts belong, who therefore rob as it were under public authority.

¹ Letter to Board of Revenue, dated 20th March 1802.

“ Though they are always suspected when a robbery is committed it is difficult to fix it upon any individual of the gang, not only from the dexterity in eluding discovery which they have learned from long practice, but also from the dread in which the inhabitants stand of them, for were any person to inform against them he would most likely be either robbed or murdered.”

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Previous systems.

Munro reverted to Haidar's system and the duty of detecting offences devolved on the village talaiyáris, whom he made “ a primary and anxious object of care and attention,” and the peons of the Tahsildars (amildars), the former retaining their inams and the latter being under the orders of the Tahsildars and the District Magistrate. In Bellary, Ádóni and Hospet towns there were in addition police officers, called Kotwals, with a separate body of peons under their orders.

Regulation XI of 1816, by which the talaiyáris were placed under the immediate control of the heads of the villages, was largely due to Munro's advocacy.¹ The system it inaugurated continued in operation until the existing Police Act XXIV of 1859 brought the present force into being.

The old system had not been a success. The duties of the Tahsildars' peons were partly of a police and partly of a revenue nature, and the report ² of the Commissioners appointed to investigate the alleged prevalence of torture had left an uneasy feeling that their actions would not always bear the light. The new Act was introduced first into Hospet taluk and afterwards by degrees throughout the district, the establishment being complete by 1860. The talaiyáris, however, survived all these changes and continued under the control of the village heads and the revenue authorities and in the enjoyment of their old emoluments. In 1898 they were given brass badges and lathis as insignia of their office.

The police force is now administered by the District Superintendent, who is in direct charge of all the eight taluks, there being no Assistant Superintendent to help him. The charge is admittedly a heavy one.³ Work is also hampered by the difficulty of recruiting suitable men in the Canarese-speaking taluks. The standard of height has been lowered to 5 feet 4 inches for some years past without marked improvement, even though the standard of education insisted upon is low. The Bellary police are perhaps

Present administration.

¹ Arbuthnot's *Munro*, cxxxix—cxl.

² Printed in 1855.

³ Statistics of the Department will be found in the separate Appendix to this Gazetteer.

CHAP. XIII. as a class unintelligent and unambitious, but on the other hand
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 their comrades in certain other districts.

JAILS.

When the Ceded districts were handed over to the Company there was not a single jail within them. The early native governments punished crime by cutting off the offender's feet or hands or hanging him up by a hook under his chin¹ and had no need of prisons. Writing to the Board in February, 1806, Munro complained that he had to confine his convicts in open choultries or in the chambers in the gates of forts and that, as the guards always took shelter when it rained, almost every wet night resulted in an escape from custody!

There are now in the district nine subsidiary jails—one at each of the eight taluk head-quarters (except Bellary) and two others at Yemmiganúru and Siruguppa—and a district jail at Bellary with accommodation for 409 prisoners. In 1866 it was proposed to erect a central jail at the latter place, but eventually Vellore was selected instead. In the next few years the Bellary Jail was practically re-built. It now constantly proves too small for the demands made upon it and is being enlarged by the addition of 100 new cells. The chief industry carried on within it is the manufacture of the woollen blankets of the country.

¹ Nuuz, in *Forgotten Empire*, 383.