

prudence, the Hindu Shastras, special laws binding on a particular community, or customs and usages having the force of law. In addition to these sources, laws in force in British India and elsewhere are consulted.

**Principal Acts**

In 1304 Fasli (1894) Act I already referred to was passed. In 1305 Fasli (1895) five Acts were passed, Act II being the Gambling Act. In 1307 Fasli (1897) six Acts were passed, relating to Oaths, Criminal Tribes, Succession Certificates, Court Fees, Court of Wards, and Labour Contracts. The six Acts passed in the following year dealt with amendments to the District Police and Stamp Rules, General Clauses, Public Demands Recovery, Opium and Legal Practitioners. Of the thirteen Acts of 1309 Fasli (1899), the Army, the Local Cess, the Game Preservation, the Post Office, the Inventions and Designs, the Forest, and the Counterfeit Coins Acts are the more important. The principal Acts of 1310 Fasli (1900-1) were the Census, the Weights and Measures, and the Limitation Acts. In 1903-4 the Hyderabad Criminal Procedure Code, the Evidence Act, and Act, for Prevention of Cruelty to Animals were passed. The most important of the six Acts passed in 1904-05 were amendments to the High Court Regulations and to the Stamps Act, the Ferries Act, and an Act for inquiry into the behaviour of public servants.

**Civil and criminal justice**

For the administration of justice there are 123 civil and 271 criminal courts, including the High Court. *Tahsildars* can try suits up to a limit of Rs. 100, but only seventy-nine *tahsildars* and five *naib-tahsildars* exercise these powers; where Munsifs are appointed, the *tahsildars* have no civil jurisdiction. There are fifteen Munsifs who try suits up to Rs. 500, while the *Nazim-i-Diwani* or District Civil Judge and the Judicial Assistants to the First Talukdars can try suits

up to Rs. 5, 000 except in the Medak *Subah* (Division), where the limit is up to Rs.10, 000. Only five First Talukdars exercise civil powers, and they can try suits without any limit to the amount involved. The Nazim-i-Subah or Divisional Judge tries suits of Rs. 5, 000 and upwards. Appeals from the *tahsildars* or Munsifs lie to the Nazim-i-Diwani, or to the First *Talukdars* wherever they have civil jurisdiction ; and those from the Nazim-i-Diwani or First Talukdars lie to the Nazim-i-Subah. There being no Divisional court in the Medak *Subah* (Division). the appeals from the District civil courts lie to the divisional bench of the High Court. In the city of Hyderabad. the Small Cause Court tries suits up to Rs.5, 000 and hears appeals from the Subordinate Judges of the same court up to Rs.500. All appeals from the City Small Cause Court and from the Nazim-i-*Subah* or Divisional Judge lie to the divisional bench of the High Court. In civil cases up to a value of Rs.300, in which the District court agrees with the decision of the subordinate court, there is no appeal and the decision is considered final, but revision is permissible on points of law. Similarly ,in suits up to Rs.500 decided by the Subordinate Judges of the Small Cause Court, and upheld by the Judge of that court, there is no appeal, but the the judgements are subject to revision on the original side of the High Court.

In criminal cases the *tahsildars* and the Second and Third *Talukdars* exercise, respectively, third and second-class magisterial powers, and the First *Talukdars*, being the chief magistrates of the District, are first-class magistrates. Appeals from the *tahsildars* and the subordinate *Talukdars* lie to the first Talukdar, and from his decision to the Nazim-i-Subah or Divisional Judge. In criminal cases, except trials for murder, if the fines inflited do not exceed

Rs. 500, the decision of the Nazim-i-Subah is considered final, but revision on points of law is allowed. In all other cases appeals lie to the divisional bench of the High Court, and its decision is final. Appeals from cases in which subordinate magistrates in the city have given sentences not exceeding three months, imprisonment or a fine up to Rs.100 are heard by the Chief City Magistrate; but appeals from cases in which imprisonment or fine above those limits have been inflicted are heard by the High Court. On its original side the High Court exercises the powers of a Sessions Judge. The divisional bench has power to sentence up to fourteen years, but sentences of imprisonment for life are sent by the High Court to the Minister for confirmation. Sentences of death are submitted to the Nizam. Many of the holders of large *jagirs* and *samasthans* exercise judicial powers, both civil and criminal, within their respective domains, and are required to submit periodical returns regarding their judicial work to the Judicial department of the State.

**Progress of litigation**

No extraordinary increase has been observed in civil suits, but in years of famine and scarcity their numbers decrease. On the other hand, criminal cases increase in proportion to the severity of the season. Regular statistics began to be collected in 1885, and judicial reports were published from that year. The table on the text on the next page shows what particulars are available.

The increase in the number of offences against special and local laws is due to the fact that, almost up to the close of 1890, municipal cases were not heard by the criminal courts.

**Registration**

A registration department was established in 1889, and placed under the High Court, and an Act was passed in the same year to regulate operations. From

## CIVIL JUSTICE

1890 to 1895 the department was supervised by the Excise Commissioner, after which it was again made over to the High Court. In 1897 an Inspector-General of Registration and Stamps was appointed, and the department was placed under his change. In 1899 paid registrars were appointed in the Districts of Aurangabad, Bhir, Osmanabad, Atrah-i-balda, Raichur, and Gulbarga; but in the other Districts and *taluks* revenue and judicial officers were entrusted with the work, who receive a moiety or two thirds of the fees. The work in Hyderabad city is in charge of a city registrar.

In 1891 there were 18 registrars and 107 sub-registrars and the number of documents registered was 16, 956. The average number of documents registered in the decade ending 1900 was 18, 465. In 1901 there were 20 registrars' and 121 sub-registrars' offices, the number of documents registered being 15, 826. In 1903 there were 20 registrars' and 122 subregistrars' offices, and the number. of documents registered was 12, 033.

## CIVIL JUSTICE

Classes of suits	Average for six years ending 1890	Average for ten years ending 1900	1901	1905
Suits for mone and movable property	12, 855	12, 787	11, 913	11, 076
Title and other suits	1, 535	2, 441	2, 280	2, 436

## CRIMINAL JUSTICE

	Average for six years ending 1890	Average for ten years ending 1900	1901	1905
Number of Persons tried:				
(a) For offences against person and property	7, 373	6, 062	6, 276	6, 660
(b) For other offences against the indian Penal Code.	36, 043	31, 882	29, 599	16, 356
(c) For offences against special and local laws	742	4, 347	7, 632	6, 762

**Finance Revenue** The statistics of revenue and expenditure, shown in Tables V and VI and discussed in this article, do not extend to the *Sarf-i-khas* or Crown lands, or to the *Paigahs* and *jagirs*, which together make up a third of the whole area of the State. Subject to this limitatin, the total revenue averaged 327 lakhs between 1881 and 1890, 383 lakhs between 1891 and 1900, and was 417 lakhs in 1901 and 469 lakhs in 1904. The chief source, as usual, is land revenue, which in 1904 yielded 243 lakhs, or 51 per cent. of the total. Customs ( $56\frac{1}{2}$  lakhs), excise (58 lakhs), and railways (36 lakhs) are also items of considerable importance, The last of these, which entailed a net loss in the twenty years ending 1900, now yield a profit. The rise in revenue, in spite of unfavourable years, points clearly to the improvements which have been made in many branches of the administration.

**Expenditure**

While the revenue has expanded, the expenses of the state have also increased largely, amounting to an average of 316 lakhs between 1881 and 1890, 402 lakhs in the next decade, 411 lakhs in 1901 and 450 lakhs in 1904. Charges in respect of collection include refunds of various classes; part of the salaries of District officers and their establishments, the