

## Chapter XII

### LAW AND ORDER AND JUSTICE

#### INCIDENCE OF CRIME

The people of Bhiwani have been law abiding and peaceful, though once "highway robberies were fairly common during the famine. The most frequent method employed was for the robber to masquerade as a foot-sore traveller and ask for a lift from the owner of a passing camel. The front seat on a camel is the easiest position and the pseudo traveller was usually given the seat behind, with the result that in a very short time the camel owner was felled from the camel by a stunning blow, and when he came to his senses could find no traces of his camel or the person whom he had helped. A variant of this method is for the robber to pass as a merchant wanting to hire camels; once the camels are obtained and the village left far behind, the modus operandi was similar to that already described. This method requires for its successful execution more than one robber"<sup>1</sup>. Gradually the incidence of this crime was reduced so much so that the *Hisar District Gazetteer*, 1915, does not even mention it.

An estimate of the crime position obtaining in the district from the year 1910 onwards may be had from the data given below<sup>2</sup> about the cases of cognizable crimes covered under class I to class V<sup>3</sup> of Statement 'A' of the Annual Report of the Police Administration :

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1. *Hisar District and Loharu State Gazetteer (Hisar District)*, 1904, p. 210.

2. *Source* : The Superintendent of Police, Bhiwani.

3. The crimes covered under these classes are—class I : offences against the State, public tranquillity, safety and justice ; class II : serious offences against the person ; class III: serious offences against persons and property or against property only; class IV: minor offences against persons ; and class V : minor offences against property.

Particulars	1910	1920	1930	1940	1950	1960	1970	1971	1972	1973	1974	1975	1976
1. Number of cases													
(a) Reported	184	251	403	369	452	340	563	446	487	404	450	462	777
(b) Convicted	81	106	128	132	167	105	203	161	155	135	96	172	200
(c) Acquitted	14	38	65	66	77	101	175	146	172	79	50	130	160
2. Percentage of conviction to cases reported	44	42.2	31.7	35.7	36.9	30.8	36	36.1	31.8	30.4	21.3	37.2	25.7
3. Percentage of conviction to cases tried	85.3	73.6	66.3	66.6	74.5	50.9	46.3	47.5	47.4	66.2	65.7	56.9	55.5

It is apparent that the crime situation has been changing. It is difficult to assign any specific reasons as far back as the beginning of this century. In recent years, however, the change in social values and increase in population may be regarded among major contributory factors. The disturbed conditions prevailing on the eve of the partition of the country in 1947 caused great havoc and the law and order situation at that time became virtually unmanageable. It took a few years for conditions to become normal and the downward trend in the incidence of crime started after 1950. With the increase in communications and transport facilities, education, mass information media, new economic and social values, etc., a tilt towards increasing criminal tendencies is again noticeable, and unless curbed, creates serious law and order problems.

The Excise Act, the Arms Act and the Police Act also add considerably to the normal incidence of crime under local and special laws. To meet the situation and to maintain peace and tranquillity in the district, the police has to be vigilant in detecting cases under these three Acts. The following data showing the number of such cases since 1910, make an assessment of this problem fairly clear :—

Particulars of cases	Cases detected under Excise Act during												
	1910	1920	1930	1940	1950	1960	1970	1971	1972	1973	1974	1975	1976
Reported	1	4	2	16	80	186	563	592	658	810	1156	1120	1157
Convicted	1	4	1	11	64	111	402	437	515	546	61	860	743
Acquitted	—	—	—	1	13	67	157	138	122	108	125	142	80

The above statistics under the Excise Act show a gradual increase. The considerable increase may be attributed to increase in population and sustained efforts of the police to detect and curb this anti-social evil. Increase in the number of liquor vends also contributes to the growing incidence of this crime.

Particulars of cases	Cases detected under Arms Act during												
	1910	1920	1930	1940	1950	1960	1970	1971	1972	1973	1974	1975	1976
Reported	2	6	4	6	206	21	29	19	21	49	61	48	73
Convicted	2	6	4	4	197	15	14	13	12	24	30	27	26
Acquitted	—	—	—	2	9	5	13	4	8	6	2	13	9

An abnormal increase is noticeable around 1950 when, as already stated, the law and order situation had become unmanageable following the partition of the country.

Under the Police Act, which is applicable in the towns and deals with smaller offences relating to peace, regulation of traffic, etc., figures are available only for the period after the formation of the Bhiwani district. As against 130 cases under this Act in 1973, in which a fine of Rs. 1,010 was realized from the defaulters, 210 cases were challaned in 1976 and Rs. 2,405 was realised as fine.

**Murder.**—Murder figures fluctuate depending upon sudden outbursts of violence. Some of the motives for the offence of murder in this district, as elsewhere, include land disputes, illicit relations, domestic quarrels, blood feuds and the lure of property. The incidence of this type of crime is mainly confined to rural areas and is more known to the Jats and the Rajputs. The incidence of murder in the district since 1910 to 1976 has been as follows :—

Year	Cases reported	Cases convicted	Cases acquitted
1910	2	1	—
1920	2	1	—
1930	6	2	2
1940	6	3	1
1950	11	6	3
1960	5	2	2
1970	6	5	1
1971	7	3	4
1972	8	5	3
1973	10	3	3
1974	10	2	3
1975	7	6	1
1976	18	12	6

The highest number of murders was reported in 1950. Some increase in murders is noticeable from 1971 onwards.

**Culpable homicide not amounting to murder.**—The crime is committed in an unpremeditated fight or where the offenders in a state of rage, want to inflict injuries only. The motives behind the commission of this crime are almost the same as in the case of murder. The following figures show the incidence of this crime from 1910 to 1976 :—

Year	Cases reported	Cases convicted	Cases acquitted
1910	1	1	—
1920	2	—	1
1930	2	—	2
1940	1	—	1
1950	2	—	1
1960	2	—	2
1970	5	2	3
1971	2	1	1
1972	7	2	5
1973	11	7	2
1974	10	2	5
1975	10	6	3
1976	3	1	1

**Dacoity.**—The following table shows the incidence of this crime since 1910 :—

Year	Cases reported	Cases convicted	Cases acquitted
1910	—	—	—
1920	4	1	1
1930	8	4	—
1940	11	3	1
1950	11	3	1
1960	1	1	—
1970	2	—	1
1971	1	1	—
1972	1	1	—
1973	—	—	—
1974	1	—	—
1975	1	—	—
1976	—	—	—

This crime has almost become a rarity. This has been due to the liquidation of gangs of notorious dacoits by the specially appointed anti-dacoity police staff, the issue of gun licenses to respectable citizens and measures to recover illicit fire arms have also helped in containing the commission of this heinous crime.

**Robbery.**—The following table shows the incidence of this crime since 1910 :—

Year	Cases reported	Cases convicted	Cases acquitted
1910	—	—	—
1920	2	1	—
1930	12	5	1
1940	21	6	4
1950	2	—	1
1960	1	—	—
1970	2	1	1
1971	1	—	—
1972	—	—	—
1973	1	—	—
1974	—	—	—
1975	—	—	—
1976	5	1	—

Except for 1930 and 1940, the crime is either non-extant or quite negligible. Patrolling and other preventive measures adopted by the district police have almost eliminated it.

**Burglary.**—The following table gives the incidence of burglary in the district since 1910 :—

Year	Cases reported	Cases convicted	Cases acquitted
1910	52	15	2
1920	59	15	3
1930	108	20	9
1940	128	33	8
1950	130	38	8
1960	65	10	8
1970	102	29	22
1971	75	34	16
1972	83	31	12
1973	63	33	5
1974	68	25	3
1975	79	41	2
1976	126	38	8



There was sudden increase in the incidence of this crime during 1930, 1940, 1950, 1970 and 1976. The number of cases during 1950, i.e. after the Partition was the highest. The Partition and consequent immigration of people from the West Punjab (Pakistan) presented un-precedented problems. The deteriorated economic situation and unsettled conditions then prevailing adversely affected the morale of the people. Burglary was committed by some of the people who had exhausted their resources and had no means of livelihood. Criminal elements took full advantage of unsettled conditions. The population of towns had more than doubled but the police force had not yet been strengthened to cope with the situation. Despite handicaps, considerable improvement was brought about by vigilant patrolling, rounding up of large number of hitherto untraced criminals, efficient working of the district police and effective action under sections 109 and 110 of Cr. P.C. The incidence of burglary which showed an abnormal increase during 1950 started showing downward trend thereafter. But it was on the high side again in 1970 after which the downward trend started again. There was a sharp increase again in 1976.

Burglars are usually active during summer nights when people sleep outside in the open. The proportion of convictions is no doubt low and this is due to the fact that circumstantial evidence and other possible clues left by the criminals at the time of commission of crime are destroyed unwittingly by the parties concerned through ignorance.

**Theft.**—The following table gives the incidence of theft in the district since 1910 :—

Year	Cases reported	Cases convicted	Cases acquitted
1910	55	13	6
1920	59	27	5
1930	63	33	3
1940	61	25	8
1950	78	30	7
1960	54	17	5
1970	125	37	23
1971	115	43	19
1972	114	40	19
1973	110	50	5
1974	102	30	11
1975	143	68	25
1976	234	73	21

The incidence of crime under this head though fluctuating, shows an increasing trend during 1970 and then the downward trend is again noticeable. But the year 1976 registered a steep rise with the highest number of reported theft cases. Free registration of cases is also an important factor in the increase of reported cases of theft. A large proportion of theft cases are usually of minor nature involving small amounts of stolen property.

**Cattle theft.**—The following table gives the incidence of cattle theft in the district since 1910 :—

Year	Cases reported	Cases convicted	Cases acquitted
1910	8	5	1
1920	30	6	1
1930	26	12	1
1940	24	13	3
1950	32	10	6
1960	17	8	4
1970	18	8	3
1971	16	3	4
1972	17	9	6
1973	17	8	1
1974	18	4	2
1975	11	3	—
1976	8	3	—

Like other forms of crime, cattle lifting also increased after the Partition, i.e. 1947. The crime under this head was the highest during 1950 although it was not much less in 1920, 1930 and 1940. The tracing out of gangs of cattle thieves and efforts of the police to liquidate such criminals have checked the high incidence of this crime. Though not eliminated, the number of cases has remained steady during 1960 and 1970 to 1974 whereafter a downward trend followed. The cattle lifted from this district are usually passed on to the adjoining districts of Rajasthan where they fetch attractive prices.

**Cheating.**—The following table shows the incidence of crime during the past 70 years :—

Year	Cases reported	Cases convicted	Cases acquitted
1910	12	11	—
1920	10	6	2
1930	4	2	1
1940	13	7	4
1950	10	6	1
1960	11	6	1
1970	12	2	3
1971	12	3	3
1972	12	3	2
1973	9	2	2
1974	—	—	—
1975	24	2	1
1976	22	2	—

The offence is not common. The highest number of cases reported under this head was during 1975. The position almost remained the same in 1976. However, during 1974, no case was reported.

**Rioting.**—Personal enmities and family disputes about possession of land flare up from momentary provocations and take the shape of riots usually among the rural people. The incidence of this crime since 1910, is given in the following table :—

Year	Cases reported	Cases convicted	Cases acquitted
1910	—	—	—
1920	4	3	1
1930	8	—	2
1940	8	3	2
1950	2	—	2
1960	10	3	4
1970	7	2	3
1971	2	—	2
1972	6	—	3
1973	1	—	1
1974	—	—	—
1975	4	2	—
1976	3	—	—



The number of rioting cases was comparatively higher during 1930, 1940, 1960, 1970 and 1972. It was negligible in 1971 and 1973. No case occurred during 1974.

**Abduction and kidnapping.**—The incidence of this crime, since 1910, is shown in the table below :

Year	Cases reported	Cases convicted	Cases acquitted
1910	—	—	—
1920	12	1	—
1930	7	1	2
1940	7	4	2
1950	9	4	1
1960	3	2	1
1970	4	1	3
1971	2	—	1
1972	4	—	1
1973	3	—	—
1974	6	—	—
1975	4	—	2
1976	6	—	5

The incidence of crime under this head registered an increase during 1920, 1930, 1940 and 1950. The reported cases were isolated in character and not the work of any organized gangs. Generally these cases were the result of love affairs, the abducted women often being consenting parties. Lack of education and persecution of women among some classes are other factors responsible for it.

**Sex crime (rape).**—The following table shows the incidence of sex crime since 1910 :—

Year	Cases reported	Cases convicted	Cases acquitted
1	2	3	4
1910	—	—	—
1920	3	1	1
1930	3	1	—
1940	1	—	—

1	2	3	4
1950	2	1	—
1960	8	3	4
1970	17	7	1
1971	1	—	1
1972	6	2	2
1973	7	2	3
1974	4	—	—
1975	—	—	—
1976	5	1	—

**Juvenile delinquency.**—During 1973, only 15 juveniles were involved in different offences. Out of these, 8 were between the age of 10 to 14 years and the remaining 7 between 14 to 21 years. 7 juveniles of the first category were apprehended for committing theft of property and 1 under the Excise Act. There was steep rise in juvenile delinquency in the subsequent years when 231 such cases were reported for each year in 1974 and 1975. In 1976, there was a further spurt in juvenile delinquency and 314 juveniles were reported to be involved in various offences of which 46 were between 12—16 years and the remaining were in the age group of 16—20 years. In the offences against property, the juveniles were responsible for petty thefts.

Criminal tendencies in juvenile offenders may be traced to the loose control of parents and economic stresses. The high index of prices has also been a factor for crime against property. Juveniles who are of immature mind find an easy solution for their needs in resorting to thefts and commit offences under the Excise Act. Illiteracy is another cause. The police officers on their part were given special instructions to handle the juvenile offenders with particular care and not to mal-treat them during interrogation. They were advised not to use third degree methods against young offenders, not to mix them up, while in custody, with the hardened criminals and adult suspects, and to strictly abide by the provision of section 160 Cr. P.C. and interrogate them at their houses wherever possible. These special measures are adopted to check the increase in juvenile crime.

**Road traffic and transport.**—Apart from the Indian Motor Vehicles Act, 1914, road traffic is regulated by various other Acts. During 1973, 1,845 cases

were challaned under the Act and Rs. 44,225 was realised as fine. During 1976, 1,504 cases were challaned and fines realised were Rs. 62,500. This increase is due to the larger number of motor vehicles and other means of transport plying on roads in the district. Another consequence is the increase in the number of motor vehicle accidents. The failure to observe traffic rules is responsible for most of the road accidents :

Year	Cases reported	Cases convicted	Cases acquitted
1910	—	—	—
1920	2	2	—
1930	1	1	—
1940	1	1	—
1950	18	15	1
1960	9	2	6
1970	43	27	8
1971	32	12	12
1972	22	13	6
1973	33	15	4
1974	27	5	2
1975	24	5	6
1976	56	26	8

**Offences against local and special laws.**—These offences comprise cases of public nuisance and those covered under the Indian Arms Act, 1878, the Punjab Excise Act, 1914 (including illicit distillation), the Opium Act, 1878, the Public Gambling Act, 1867, the Essential Commodities Act, 1955, the Indian Railways Act, 1890, the Prevention of Corruption Act, 1955, and the Defence of India Rules. However, special mention needs to be made about the cases under the Excise Act, Arms Act, Police Act, Gambling Act and smuggling under the Essential Commodities Act.

Cases about the Excise Act, Arms Act and Police Act have already been described while discussing the general crime situation in the district. The background to the offences committed under the Opium Act has been explained with

much detail under the heading 'Prohibition' in the Chapter on 'Other Social Services'. Cases under gambling and smuggling are, however, discussed below :

**Gambling.**—The table given below shows the incidence of gambling since 1910.

Year	Cases reported	Cases convicted	Cases acquitted
1910	—	—	—
1920	1	1	—
1930	4	4	—
1940	6	5	1
1950	22	19	14
1960	52	38	41
1970	69	28	31
1971	70	35	31
1972	89	43	42
1973	107	48	47
1974	130	73	20
1975	97	60	10
1976	137	102	3

The gradually increasing trend towards gambling may be attributed on the one hand to the ever increasing population, and on the other hand the sustained efforts of the police to detect and curb the practice.

**Smuggling (in foodgrain)**—The incidence of this offence is given in the following table since 1910:—

Year	Cases reported	Cases convicted	Cases acquitted
1	2	3	4
1910	—	—	—
1920	—	—	—
1930	—	—	—

1	2	3	4
1940	1	—	—
1950	40	32	7
1960	55	37	14
1970	3	1	1
1971	3	—	—
1972	8	4	3
1973	106	66	6
1974	79	47	—
1975	40	19	8
1976	50	9	3

Statistics under this head mostly include figures of cases detected for smuggling of various kinds of foodgrains punishable under section 7 of the Essential Commodities Act, 1959. The crime under this head was the highest in 1973. The traders smuggle wheat into the adjoining State of Rajasthan as it fetches higher price in this comparatively short supply area.

#### POLICE

**Brief History.**—As the areas comprising the Bhiwani district have remained under different administrations in the past, these have had different police arrangements. Although full statistics are not available, an attempted outline is offered here :

**Bhiwani and Bawani Khera.**—The Bawani Khera tahsil has been formed by combining some villages of the erstwhile Bhiwani, Hansi and Hisar (Hissar) tahsils. As such no separate statistics are available which could be made the basis for a review of the past history of the police set-up in this area. The areas now forming the Bawani Khera tahsil has always remained a part of the Hisar district like the Bhiwani tahsil. The police set-up in Bawani Khera was akin to Bhiwani.

In the Bhiwani tahsil the police force employed was controlled by the District Superintendent of Police, Hisar who was immediately under the District



Magistrate. The *Hisar District, Gazetteer* 1883-84<sup>1</sup>, shows the following *thanas* and *chaukis* established in the Bhiwani tahsil :—

**Thanas :** Bhiwani, Tosham, Kairu and Bahl

**Chaukis :** Dinod, Bamla, Sugarpur, Bajina and Rodan (Rodhan)

The following details of *thanas* (police stations) and *chaukis* or out-posts were shown in the *Hisar District, Gazetteer* 1892<sup>2</sup> :—

**Thanas :** Bhiwani Municipal and Bhiwani District, Tosham, Kairu, Bahl and Siwani

**Outposts :** Nil

**Road Posts :** Dinod, Bamla, Rodha (Rodhan), Sugarpur and Bajina

On June 30, 1911<sup>3</sup>, there were 5 *thanas*, Bhiwani, Bhiwani Municipal Station, Tosham, Siwani and Kairu, in the Bhiwani tahsil. The staff deployed at these police stations comprised 1 Inspector, 5 Sub-Inspectors, 18 Head Constables, 144 Foot Constables, 4 Jamadars and 198 Watchmen.

In December 1932<sup>4</sup>, there were 4 police stations in the Bhiwani tahsil as against 5 in June 1911. Kairu was then no longer a police station and the names of the 2 police stations at Bhiwani had also undergone a change by then. The 4 police stations existing in the Bhiwani tahsil on December 21, 1932, were : Tosham, City Bhiwani, Siwani and Sadar Bhiwani. The total strength of the staff at these police stations consisted of 4 Sub-Inspectors, 1 Assistant Sub-Inspector, 13 Head Constables, 108 Foot Constables, 6 Jamadars and 132 Watchmen.

In the beginning of the 20th century, there were 12 first class and 7 second class police stations in the Hisar district besides three outposts and six road posts as follows<sup>5</sup> :—

First Class Police stations 1	Second Class Police stations 2	Road posts 3	Out posts 4
Hisar	Narnaund	Rodhan	Jamal
Hansi	Kairu	Sugarpur	Ellenabad

1. *Ibid*, p. 60.

2. *Ibid*, p. 221.

3. *Hisar District and Loharu State Gazetteer, Statistical Tables, (Hisar District), 1912, Table 47.*

4. *Hisar District Gazetteer, Statistical Tables 1935, Table 47.*

5. *Hisar District and Loharu State Gazetteer (Hisar District), 1904, pp. 307-08.*

1	2	3	4
Ratiya	Balsamand	Bajina	Chaulala
Fatehabad	Bhiwani (district)	Dinod	
Tohana	Budhlada	Bamla	
Siwani	Barwala	Odhan	
Tosham	Baluma		
Sirsa			
Rori			
Raina			
Dabwali			
Bhiwani (City)			

Out of these police stations/posts, three 1st class police stations, Siwani, Tosham and Bhiwani (city); 2 second class police stations, Kairu, Bhiwani (district) and 5 road posts, Rodhan, Sugarpur, Bajina, Dinod and Bamla were in the Bhiwani tahsil.

In the beginning of the 20th century, the railway police on the Rewari-Bhatinda line were under the Assistant District Superintendent of Railway Police who had his headquarters at Bandikui.<sup>1</sup> There were two railway police stations for investigation of crimes committed on railways in the district. These were :

- (a) Sirsa : for the Rajputana Malwa Railway from Bhatinda to Jatusana
- (b) Hisar : for the Jodhpur-Bikaner railway, Hisar to Jhumpa; the North-Western Railway, Hisar to Jakhal, and Tohana to Mansa

These *thanas* were under the control of the Superintendent Railway Police, Southern District, Punjab with headquarters at Lahore<sup>2</sup> (Pakistan).

**Loharu.**—According to the *Loharu State Gazetteer*, 1904<sup>3</sup>, the head

1. *Hisar District and Loharu State Gazetteer (Hisar District)*, 1904, pp. 307-8.  
 2. *Hisar District and Loharu State Gazetteer (Hisar District)*, 1915 pp. 236-37  
 3. *Ibid*, p. 17.

police station was at Loharu town, and two police outposts were maintained at Sabr and Damkora villages on the borders of the State. The police was a complete force with 17 foot constables and 12 camel *sowars*, under an Inspector at Loharu who was assisted by a Sub-Inspector at Loharu and three head constables, one each at Loharu, Damkora and Sabr. The police were armed with swords and carbines.

In addition to the police, there were 40 village watchmen in different villages. They were paid from the *malba* (village fund) and had a few non-descript arms, like spears, swords and country-made match-locks.

Besides, there were 19 *naibs*, armed with swords and match-locks, who accompanied the mail runners as guards on the 11 miles (18 kilometres) of road from the Rahimpur to the Jhoupa border.

In 1911, the police strength of the Loharu State consisted of 1 Inspector, 1 Deputy Inspector, 4 Sergeants, 12 Mounted Constables, 50 Foot Constables, 10 Town Watchmen, 3 Dafadars and 7 Chowkidars.<sup>1</sup>

By 1915, the police set-up had undergone minor changes. Out of the two out-posts, one at Sabr, was maintained while the second at Damkora was abolished. Similarly the number of camel *sowars* was also reduced from 12 to 6. The number of *naibs* who accompanied the mail runners as guards had also fallen to 6 on the two miles (three kilometres) of road from Rahimpur to Loharu.<sup>2</sup>

As mentioned in the *Loharu State Statistical Tables*, 1936<sup>3</sup>, the State Police of Loharu comprised 1 Inspector, 2 Deputy Inspectors, 4 Sergeants, 5 Mounted Camel Sowars, 6 Town Watchmen, 1 Dafadar, 60 Chowkidars and 25 Foot Constables.

**Dadri.**—The Dadri tahsil of Jind State comprised two *thanas*, Dadri and Badhara. Dadri was then the town and tahsil headquarters and Badhara was a large village in the extreme south-west of the tahsil. There was also an out-post at Baund village in the extreme north of the tahsil.

Under the old system of State administration, the Thanedars, who exercised great powers, used to dispose of the small cases orally; only serious cases were referred to the ruler of the State. The Thanedar was assisted by 9 Jamadars, 8 Barqunadz, 1 Khoji (tracker) and 2 Muharrirs.

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1. *Hisar District and Loharu State Gazetteer, Statistical Tables (Loharu State)*, 1912, Table 47.

2. *Hisar District and Loharu State Gazetteer (Loharu State)*, 1915, pp. 19-20.

3. *Ibid*, Table 47.



In *Sambat* 1933 (A.D. 1876), Raja Raghbir Singh appointed an Inspector of Police at Dadri and placed him under the control of the Sadar Superintendent at the capital<sup>1</sup> (Jind).

The table given below shows the strength of police and thanas as it stood in 1903 in the Dadri tahsil of the Jind State<sup>2</sup> :

Thana and Population	Deputy Inspectors	Sergeants	Trainers	Mounted Constables	Foot Constables	Constables Watchmen	Village Watchmen	Total
Dadri including <i>Chauki</i> Baund (74,581)	1	4	2	1	14	24	142	188
Badhara (17,787)	1	2	1	1	12	—	43	60
Total :	2	6	3	2	26	24	185	248

The growth of urban areas, the effect of World War I, the economic and political unrest, the growth of the nationalist movement, etc., posed serious problems to the maintenance of public order and revealed considerable deficiencies in police strength. Consequently the Punjab Provincial Police Committee headed by Lumsden was appointed in November 1925. The committee thoroughly studied the whole situation and submitted its report in 1926. As a result of the recommendations of this Committee, various changes took place in the police set-up.

The independence of the country increased the duties of the police force. Fresh burdens were thrown on the police by expansion in social activities and branches of the public administration. While responsibilities increased, the police force was not systematically strengthened; nor were its salaries and conditions of work in the light of altering economic circumstances comprehensively reviewed. Changes were made on an ad hoc need basis. However, in 1961, the Punjab Government constituted the Punjab Police Commission under the chairmanship of Mehar Chand Mahajan, formerly Chief Justice of the Supreme Court, to enquire into report on the role of the police in the context of democratic rights consistent with the paramount security of the State; measures for controlling meetings, demonstrations and mobs, police-public cooperation; steps for improving the work of investigation and detection; staff position, emoluments and conditions of service; relations of the police with the magistracy; mutual obligations of the police and panchayats, etc. The recommendations of the police commission were made in May 1962.

1. *Phulkian States Gazetteer (Patiala, Jind and Nabha)*, 1904, pp. 326-27.

2. *Phulkian States Gazetteer, Statistical Tables (Jind State)*, 1904, Table 47.

Consequent upon the re-organization of the Punjab State, the Haryana State came into existence as an independent unit of the Indian Union on November 1, 1966. The Bhiwani district was formed as a new district on December 22, 1972. As a result of this development, the office of the Superintendent of Police was set up at Bhiwani, the headquarters town of the district. The post was upgraded to that of the Senior Superintendent of Police on April 22, 1976.

#### ORGANIZATION OF POLICE

The police administration in the district is under the Senior Superintendent of Police, who next to the Deputy Commissioner, is responsible for the maintenance of law and order. The Senior Superintendent of Police is assisted by two Deputy Superintendents posted at Bhiwani and Charkhi Dadri. He functions under the administrative control of the Deputy Inspector General of Police, Hisar Range, Hisar.

On March 31, 1977, the police force in the district was as follows :—

	Senior Superin- tendent of Police	Deputy Superin- tendent of Police	Inspec- tors	Sub- Inspec- tors	Assis- tant Sub- Inspec- tors	Head Consta- bles	Consta- bles
1. Executive Police							
(a) Supervisory Staff	1	2	1	—	—	—	—
(b) For investigation at police stations, police posts and C.I.A. Staff	—	—	2	11	23	39	172
(c) Watch and Ward Staff at Bhiwani and Charkhi Dadri	—	—	—	—	1	12	113
(d) Office Establishment and Communication Room	—	—	—	2	8	24	26
(e) Police Lines Establishment, Bhiwani, including reserves	—	—	—	4	2	15	102
(f) Treasury Guard, Escort Guards, Court Orderly, Traffic duties and other miscellaneous duties and contingencies reserves	—	—	—	—	2	19	161
2. Railway Police	—	—	—	—	—	1	3
3. C.I.D. Bhiwani	—	—	1	3	5	10	10
4. Anti-Smuggling Staff	—	—	—	—	1	5	18
5. Prohibition Squad	—	—	—	—	1	—	3
Total :	1	2	4	20	43	125	608



There are 9 *thanas* (police stations) and 8 police posts in the district. Their list has already been included in the Chapter on 'General Administration'.

Civil Police is on duty at the police stations. Each of the stations is controlled by a Station House Officer, assisted by one or more second officers, a Head Constable, a *moharrir* or clerk-constable and a number of Constables depending upon the load of work. The Station House Officer maintains law and order and investigates offences within his jurisdiction.

The District Armed Reserves are located at the Police Lines, Bhiwani, for utilization as and when needed.

However, the Haryana Armed Police<sup>1</sup> contingents are also used for the protection of vulnerable points, viz. Power Houses at Jui, Atela, Charkhi Dadri and Bhiwani.

The railway police is not allotted to any district in particular but it is a part of a separate State organization functioning under the Deputy Inspector General of Government Railway Police, Haryana, Ambala Cantonment. The circles of the railway police are formed according to sections of the railway lines and they are concerned with the prevention, detection and control of crime committed in railway trains and within the railway premises.

There is a Railway Police Out-post located at Bhiwani which functions under the Railway Police Station, Hisar (Hissar). Its jurisdiction extends to the railway within the territorial jurisdiction of the Bhiwani district. The staff consists of 1 Head Constable and 3 Constables. They perform routine duties of maintaining law and order and investigation of cases of a minor nature. The major crimes are, however, handled by the personnel of the Railway Police Station, Hisar or the headquarters.

The crime situation obtaining in the jurisdiction of the Bhiwani police

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1. The Haryana Armed Police has an interesting background. In the pre-partitioned Punjab (Prior to 1947), there was a temporary force called the Provincial Additional Police. It was largely manned by the Muslims. At the time of Partition, the East Punjab got a small force. Extensive recruitment had, therefore, to be carried out immediately but it was restricted to ex-army personnel, because men were needed at once and the training of civilian recruits would have taken time. This rapid recruitment had its drawbacks and a number of undesirables also crept into the force. They were, however, gradually weeded out later on. The Provincial Additional Police was rechristened as Provincial Armed Police on December 15, 1964 and thereafter designated as the Punjab Armed Police on April 11, 1966. Since November 1, 1966, it has been called the Haryana Armed Police. Its headquarters are at Madhuban near Karnal.

post is normal as is evidenced from the data given below :

Nature of crime	1973	1974	1975	1976
Theft	3	—	2	—
Excise Act	5	3	1	1
Opium Act	4	2	—	—
Essential Commodities Act	19	5	11	—
Indian Penal Code	1	—	—	1
Abandonment of children	—	—	2	—
Railway Act	—	—	1	—

No major crime has been reported since the formation of the district on December 22, 1972. Most of the cases registered relate to the smuggling of small quantities of foodgrains from Haryana to Rajasthan by passengers. Their prevention receives special attention.

The prosecuting staff, previously under the charge of the Superintendent of Police, has been withdrawn and has been placed under the overall charge of the Director of Prosecution, Haryana, Chandigarh. The District Attorney is now in charge of the Prosecution Branch in the Bhiwani district. The prosecuting staff deals with prosecution of all the criminal cases detected by the local police including security cases in all the courts of Judicial and Executive Magistrates.

After the Partition in 1947, the Crime Branch of the C.I.D. functioned under very difficult and abnormal circumstances. The history sheet and personal files of confirmed criminals were obtained from Lahore (Pakistan) after some time. In the intervening period such criminals as had migrated with the general population, operated freely. However, with sustained and careful action the Crime Branch was able to evolve a suitable measure of control over these criminals.

The existence of a large number of unlicensed weapons in the countryside in 1947 also created a grave law and order problem. The Crime Branch helped the district police appreciably in the recovery of illicit arms.

**Police Radio Organization.**—For receiving and transmitting messages, wireless sets have been provided at Police Stations Tosham, Loharu, Bahl, Siwani, Bawani Khera, Charkhi Dadri, Badhara and Satnali; Police Posts Kairu, Chehar Kalan, Mundhal and Baund; and at Jhumpa Barrier. These have a direct link with the District Control Room at Bhiwani. A mobile wireless set has been fitted in a jeep for anti-smuggling activities and emergencies in rural areas. Wireless sets have also been fitted in the Staff Car of the Sr. Superintendent of Police, Bhiwani; Jeep of the Deputy Superintendent of Police, Bhiwani; Jeep of the Deputy Superintendent of Police, Charkhi Dadri and pick-up Van of City Police Station, Bhiwani.

#### HOME GUARDS

With civil emergencies in view and appreciating the need of public cooperation and interest, a voluntary organization known as Punjab Home Guards was started in 1960 in the border districts and in all the important towns of the State. Since the creation of Haryana State, the organization of Punjab Home Guards has been re-christened as Home Guards, Haryana. This organization is governed by the Haryana Home Guards Act, 1976.

The aims of the organization include the boosting of the morale of the people in the State by infusing in them a spirit of self-confidence and self-reliance to overcome different kinds of emergencies, both natural and man-made. The training given by the organization is designed to tone up self-discipline, engender self-sacrifice, enhance national pride and promote a feeling for the dignity of labour among its members.

The overall charge of the district is with the District Commandant, Bhiwani, who also controls the Home Guards in the Mahendragarh district. Both these districts have a combined training institute at Narnaul (district Mahendragarh).

The office of the Home Guards was established at Bhiwani in 1960 when it was a sub-division of the Hisar (Hissar) district. In March 1977, there were 2 urban and 6 rural companies in the district with a strength of 802 volunteers. The Home Guards assist the police in maintaining law and order during normal times as well as in emergency. Apart from imparting training to the urban and rural companies, it also undertook various service oriented trainings such as fire-fighting, first-aid, etc. In this way, the organization is doing good service. The Home Guards rose to the occasion during emergencies in the past, like the Pakistani Aggressions in 1965 and 1971, general elections of the country, and during abnormal situations created by strikes by Indian



Railways, Haryana State Electricity Board Employees, etc. Thus there has been a growing awareness of its role in the national life, in peace and war, and a gradual increase in its employment in civil commotions, maintenance of law and order, internal security situations, civil defence, fires, natural disasters and war emergency including combat operations.

#### VILLAGE POLICE

For over a century some of the police functions at village level in the areas of the Bhiwani and Bawani Khera tahsils, which were then a part of the Hisar district, were performed by Zaildars, Sufaidposhes, Chowkidars and Inamkhors. The institution of Chowkidars alone survives; all the others were abolished in 1948. The Chowkidars report births and deaths in a *thana* fortnightly, give information of crime, keep surveillance over the bad characters residing in the village and report their movements. Besides attending to watch and ward duties, they generally assist the public officers on tour.

In the remote past the village Chowkidar used to receive, as his remuneration, a share from each cultivator's produce which was reckoned according to the number of hearths. Now the Chowkidars are paid by the Government.

Previously Thikar Chowkidars were selected by lot from among the residents of a village; those unwilling to serve were obliged to pay the cost of a substitute. These Chowkidars were provided only during an epidemic outbreak of crime and emergencies. With the advent of democratic decentralisation, the Chowkidari system, which was a sort of Sharmdan aimed at providing safety to persons and property has now become weak and is not of much help in the field of watch and ward. People generally are averse to Thikri Pehra and no longer enthusiastic. The Punjab Gram Panchayat Act, 1952, has, however, authorised panchayat to raise their own voluntary force for the purpose.

#### JAILS

In 1911, in the areas falling in the Hisar district, there was a small police lock-up at the headquarters of every police station and a judicial lock-up at the headquarters of every tahsil.<sup>1</sup> The table below shows the names of the lock-ups with the number of rooms and capacity, in the Bhiwani tahsil.<sup>2</sup>

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1. *Hisar District and Loharu State Gazetteer (Hisar District)*, 1904, p. 308.

2. *Hisar District and Loharu State Gazetteer, (Hisar District), Statistical Tables*, 1912, Table 49.

Name of lock -up	Number of rooms or barracks		Maximum number of prisoners who may be confined in each room or barrack which is never to be exceeded	
	Males	Females		
			Males	Females
1. Siwani	1	1	5	5
2. Bhiwani	1	1	8	8
3. Tosham	1	1	5	3
4. Kairu	1	1	10	9
5. Bhiwani Police Station	1	1	6	6

There was no jail in Dadri. The State jail of Jind, of which Dadri was a tahsil, was at Sangrur.<sup>1</sup>

According to the *Loharu State Gazetteer*, 1904,<sup>2</sup> there was a jail at Loharu under the superintendence of the *Nazim* with accomodation for 25 prisoners.

Bhiwani district does not have a district jail, juvenile Home, Borstal Institution, or Probation Home. However, there are two sub-jails, one each at Bhiwani and Charkhi Dadri.

**Sub-Jail, Bhiwani.**—Located on the Hansi Road, the Sub-Jail, Bhiwani was established on April 1, 1962. The Sub-Divisional Officer (Civil) holds part-time charge as Superintendent. The other staff consists of 1 Assistant Superintendent 1 Head Warder, 10 Warders, 1 Dispenser (Part-time), and 1 Sweeper. The authorised accommodation of the sub-jail is 50. Only under-trials are kept here. Though there is a provision to keep convicts for a period of 3 months in the sub-jail, on conviction they are generally sent to the District Jail, Hisar. There is no special class in this sub-jail and if a court awards a prisoner any special category, he is immediately transferred to the District Jail, Hisar.

There is one juvenile ward in the sub-jail. In the absence of a female ward, women under-trials are not confined here but are transferred to the District Jail, Hisar.

1. *Phulkian States Gazetteer (Patiala, Jind and Nabha)*, 1904, p. 328.

2. *Ibid*, p. 17.



The sub-jail is spacious, electrified and kept neat and clean. Ceiling fans have also been fitted in the wards. A newspaper is supplied daily to the prisoners. A 3—acre (1.2-hectare) farm is attached with the sub-jail where vegetables are grown by the prisoners.

**Sub-Jail, Charkhi Dadri.**—Previously a judicial lock-up, this sub-jail was established on April 1, 1962. It is under the charge of the Sub-Divisional Officer (Civil), Dadri who is part-time Superintendent. However, day to day work of the jail is done by the Assistant Superintendent who has been vested with the powers of a Deputy Superintendent. In addition, there is one Head Warder and 6 Warders.

The authorised accommodation of the sub-jail is 31 persons (29 males and 2 females). There is a separate ward for females, but they are required to be transferred immediately to the District Jail, Rohtak. In 1972, 7 women prisoners were lodged in this sub-jail. Out of these 3 faced trial under sections 55/109 of the Cr. P.C., 2 under sections 302/34 I.P.C., 1 under sections 328/109/380/420 I.P.C. and 1 female had been convicted under sections 61/114 of the Excise Act. There is one juvenile ward in the sub-jail. On an average about 16 prisoners are confined to this sub-jail.

Normally the under-trials are kept here. On conviction they are sent to the District Jail, Rohtak. There is no problem of prisoners escaping from here and no such incident has happened during the last 5 years. There is no arrangement for special class of prisoners. If a Court awards any prisoner a special category, he is transferred to the District Jail, Rohtak.

The sub-jail is spacious, well electrified and kept neat and clean. Ceiling fans have been fitted in the wards and cells. Land of approximately 10 marlas (209 square metres) is attached with the sub-jail where vegetables are grown by the prisoners.

**Police, Judicial and Revenue Lock-ups.**—An accused person is confined to a police lock-up when in police custody, to a judicial lock-up during trial and to a jail after conviction. Each of the 9 police stations in the district except Bawani Khara is provided with one male and one female police lock-up having a capacity of 2 to 30 persons as shown below:

Name of police station <sup>1</sup>	Lock ups		Capacity	
	Male	Female	Male	Female
1. City Bhiwani	1	1	6	6
2. Sadar Bhiwani	1	1	30	30
3. Siwani	1	1	7	4
4. Satnali	1	1	10	4
5. Loharu	1	1	10	2
6. Badhara	1	1	4	3
7. Tosham	1	1	10	5
8. Dadri	1	1	10	5
9. Bawani Khera	1	—	6	—

The S.H.O.s (Station House Officers) of the police stations are responsible for their respective lock-ups. There is no judicial lock-up in this district, only sub-jails are functioning. Besides, there are two revenue lock-ups at Bhiwani and Loharu having a capacity of 6 persons each. The Tahsildar is responsible for the lock-up in his tahsil.

## JUSTICE

### HISTORY

**Bhiwani and Bawani Khera Tahsils.**—In the beginning of the twentieth century, Hisar (Hissar) district which included the areas now forming the Bhiwani and Bawani Khera tahsils was under the control of the Commissioner of the Delhi Division. The principal officers of the district staff were the Deputy Commissioner, the District Superintendent of Police, the District Judge and two extra Assistant Commissioners who performed executive and judicial functions besides other work in the district. The District Magistrate exercised the powers of a Magistrate of the first class. Under section 30 of the Criminal Procedure Code, he could try, as a Magistrate, all offences not punishable with death. As District Magistrate, he also heard appeals from the orders of the Magistrates of the second and

1. Bahl police post, after having been upgraded as police station on April 1, 1977, has been provided with one male and one female lock-up each with a capacity of 5 persons. These lock-ups are temporarily housed in a dharmshala.

third class. The District Judge was the head of the principal civil court in the district. Besides civil powers, he was also invested with the powers of a Magistrate first class and in this capacity he was under the control of the District Magistrate. As a civil court, he was under the control of the Divisional Judge at Firozpur (Ferozepur). For the purpose of jurisdiction in criminal and civil cases, the district was under the Firozpur (Ferozepur) Sessions Division. The Divisional and Sessions judge at Firozpur used to visit Hisar three or four times a year, to hear cases which were committed for trial and to inspect the various civil and criminal courts in the district. In the *mofussil*, all Tahsildars were invested with the powers of Magistrates of the second class and as a rule all Naib Tahsildars were invested with the powers of Magistrates of the third class. There were also two Munsiffs at the headquarters. These officials used to exercise purely civil powers and disposed of the vast majority of petty suits filed on bonds. Besides the official Magistrates, there were a certain number of Honorary Magistrates.<sup>1</sup>

The subsequent *Hisar District Gazetteer*, 1915,<sup>2</sup> showed almost the same set-up. The control of the Hisar district shifted from the Commissioner, Delhi Division to the Commissioner, Ambala Division. Besides, the Hisar district was also declared a Sessions Division and the District and Sessions Judge sat at Hisar. He tried criminal cases committed to the sessions court and heard appeals from the orders of the lower criminal and civil courts.

**Dadri.**—In the beginning of the twentieth century, Jind was one of the three Phulkian States and Dadri a part of it. The *Phulkian States Gazetteer*, (Patiala, Jind and Nabha), 1904,<sup>3</sup> has given a detailed account of the administration of justice, both civil and criminal, in the Jind State. The Indian Penal Code (I.P.C.) was enforced in the State with the following modifications :—

1. Sections 497 and 498 of the I.P.C. (Section 98 of the old State Law<sup>4</sup>). The punishment was limited to one year's imprisonment or Rs. 100 fine or both. In case the offender and the woman belonged to different religions, the punishment was awarded according to the Dharam Shastra (*bawistha*)<sup>5</sup> and the woman was liable to a fourth of the punishment awarded to the man.

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1. *Hisar District and Loharu State Gazetteer (Hisar District)*, 1904, pp. 206—09.

2. *Ibid*, pp. 190-91.

3. *Ibid*, pp. 308—12.

4. The law here mentioned is the Code drawn up by Raja Raghbir Singh in A.D. 1874.

5. The main Dharam Shastra is the *Yagbalak Matakshra*, in accordance with which an opinion (*bawistha*) is expressed by a committee of 3 Pandits as to the nature and duration of punishments.



2. As regards religious offences, in addition to those mentioned in the Indian Penal Code, Section 70 of the Old State Law was still enforced as a special and local law, by which the killing or injuring of a cow, bullock, *nilgai* or peacock was an offence, punishable under the Dharam Shastra. The enquiries in all these cases were made by the Magistrates.

The Criminal Procedure Code (Cr. P.C.) was enforced in its entirety in the State with the following modifications :—

(i) With reference to chapter III of the Cr. P.C., the powers conferred by the State on its courts were as follows :—

1. Tahsildars (3rd class Magistrates)	As allowed by Criminal Procedure Code
2. <i>Nizamat</i> (the court of the District Magistrate)	Imprisonment for a term not exceeding 3 years and fine not exceeding Rs. 2,000 (section 391 of the <i>Hidayatnama</i> , 1903)
3. <i>Adalat Sadr</i> and <i>Munshi Khana</i> (Sessions Courts)	Imprisonment for a term not exceeding 5 years and fine not exceeding Rs. 5,000 (sections 283 and 331 of the <i>Hidayatnama</i> , 1903)
4. <i>Sadr-ala</i> Court (late High Court)	Imprisonment not exceeding 7 years and fine up to Rs. 20,000 (section 228 of the <i>Hidayatnama</i> of 1903)
5. <i>Ijlas-i-khas</i> (Court of the Raja)	Full powers; may pass any sentence authorised by law

(ii) Cases against 2nd grade Ahlkars (officials) could only be tried by the *Sadr-ala* Court, and cases against 1st grade officials and those of relatives of the Raja by His Highness himself.

(iii) The sentence passed by a *Nazim* imposing a fine up to Rs. 25 was final, but a review (*nazr sani*) in the same court and the revision (*nigrani*) in the *Sadr-ala* or *Ijlas-i-khas* were allowed. The sentences passed by the *Adalati* and *Mir Munshi* (Sessions Courts) of fine up to Rs. 50 were final, but review or revision was allowed as above. Sentences passed by the *Sadr-ala* of three months' imprisonment and fine up to Rs. 100 were final, but review in the same court and revision in the Raja's court were allowed. In the case of a sentence passed by His Highness (in original as well as in appeal cases), a review in the same court was allowed.

(iv) Appeals against the decisions of 3rd Class Magistrates lay to the *Nazim*, and in the Dadri tahsil to the Sub-Divisional Magistrate. Appeals against the decisions of the Sub-Divisional Magistrate of Dadri and the *Nazims* of Jind and Sangrur lay to the *Adalat Sadr* (Sessions Court), and in case any of the parties were inhabitants of foreign territory (except the States of Patiala, Nabha or Maler Kotla), the appeal lay to the *Munshi Khana* (foreign office) and against the decisions of the *Adalat Sadr* and the Foreign Office, an appeal lay to the *Sadr-ala* and from the *Sadr-ala* to the *Ijlas-i-khas*.

(v) The appellate courts were also courts of original jurisdiction.

(vi) Complaints against the Sardars of Badrukhan could only be heard and determined in the *Ijlas-i-khas*, and although cases against the Sardars of Dialpura could be heard by the lower courts, no sentence against the Sardars could be passed except by the *Ijlas-i-khas*.

Table XXXVIII of Appendix gives details of the 12 criminal courts in the Jind State and the powers enjoyed by each of them.

Both civil and revenue suits were tried by the same courts in the *Nizamats*, but in the *Sadr* Courts civil suits were tried by the *Munsiff Sadr* (who was also the *Adalati*), and revenue suits by the *Diwan* (Revenue Minister). The stamp duty chargeable on appeals in civil and revenue cases was the same as in British territory with some variations in special classes of suits, such as summary or sarsari cases in the Revenue Branch. The Civil Procedure Code was not enforced in the State. The State Local Law was in force. The method of giving effect to mortgages and sales was that on application for sanction, one month's notice was given; if within that period any objection was raised or claim made, due consideration was given by the court, otherwise sanction was awarded. The course of appeal was that the appeal against the decree of a *Nazim* lay in a civil suit to the *Sadr Munsiff*, and in revenue cases to the *Diwan*, and against those of the above two courts to the *Sadr-ala* and thence to the *Ijlas-i-khas*. In civil suits, no appeals were allowed against a decree of Rs. 25 awarded by a *Nazim* or one of Rs. 50 awarded by the *Sadr Munsiff* or one of Rs. 100 by the *Sadr-ala*, but a review in the same court and then a *nigrani* (revision) in the *Sadr-ala* or *Ijlas-i-khas* were permitted. The revenue cases of the Sardars of Badrukhan and Dialpura were heard and decided by the *Ijlas-i-khas* alone. Table XXXIX of Appendix shows the powers of the civil and revenue courts.

Mortgage cases of lands belonging to Diaplura Sardars were heard and decided by the *Munshi Khana*. Suits regarding sales of land to Brahmans



and *Khatdarshans* (*Sadhus*) were decided by the *Ijlas-i-khas* only, as the alienation of lands to them involved reduction of one-fourth of the land revenue. This was an old religious custom preserved in the State.

**Loharu.**—Loharu had been an independent State under a Nawab. In the beginning of the twentieth century, the Nawab exercised full sovereign powers over his subjects, but a sentence of death required the confirmation of the Commissioner of Delhi. There were two courts, both possessing civil and criminal powers; the lower was the *Nizamat*, the higher, the *Darbar*. The lower court of which the Nazim was presiding officer could impose sentences of five-year imprisonment in criminal cases and heard civil cases of a value not exceeding Rs. 1,500. All other cases were heard by the *Darbar*. The Nawab or his eldest son used to preside in the court of the *Darbar*. The decisions of the son were, however, always open to revision by the Nawab. The Indian Penal Code was also in force in the State. The provisions of the Criminal Procedure Code were followed so far as they applied to so simple a system of legal machinery.<sup>1</sup>

After Independence (1947) and before the creation of the Bhiwani district, the first tract comprising the Bhiwani and Bawani Khera tahsils and the second tract namely the Loharu tahsil were under the District and Sessions Judge, Hisar. The third tract of the Dadri tahsil was first under the District and Sessions Judge, Sangrur and later, on the reorganization of Punjab State and creation of the new State of Haryana on November 1, 1966, it was under the District and Sessions Judge, Gurgaon. On December 22, 1972, Bhiwani was formed into a new district comprising the above areas and it was placed under the control of the District and Sessions Judge, Hisar (Hissar). On November 15, 1974, a new District and Sessions Division was created at Bhiwani exclusively for the Bhiwani civil district.<sup>2</sup> In April 1975, the Mahendragarh district was also put under the administrative control of the District and Sessions Judge, Bhiwani.

The judiciary was separated from the executive under the Punjab Separation of Judiciary and Executive Functions Act, 1964. The District and Sessions Judge, Bhiwani, holds overall charge of the administration of justice, both civil and criminal, in the district. He functions under the Punjab and Haryana High Court, Chandigarh.

#### COURTS

There are three kinds of courts existing in the district, viz. civil, criminal and revenue.

1 *Hisar District and Loharu State Gazetteer (Loharu State)*, 1904, p. 14.

2 Haryana Govt. notification No 9262-3JJ-74/34167, dated November 15, 1974.

**Civil and Criminal Courts.**—On the civil side there are subordinate courts, i.e. a court of Senior Subordinate Judge, two courts of Subordinate Judges of Ist class and a court of subordinate Judge IIIrd class. The courts of the Senior Subordinate Judge and one of the two Subordinate Judges Ist Class are located at Bhiwani. The other court of Subordinate Judge Ist class is at Charkhi Dadri. The court of Subordinate Judge IIIrd class is located at Bhiwani.

On the criminal side also there are four subordinate courts, i.e. a court of the Chief Judicial Magistrate at Bhiwani and three courts of Judicial Magistrates—two at Bhiwani and one at Charkhi Dadri. During 1976, against 2,945 criminal and 8,349 summary cases instituted in the criminal courts of the district, 2,707 and 8,331 cases respectively were disposed of.

In the Bhiwani district, all the courts of subordinate judges have been combined with their counter-part on the criminal side, e.g. the court of Senior Subordinate Judge, Bhiwani with that of the Chief Judicial Magistrate, Bhiwani. Thus the same person presides over both the civil and criminal courts of a particular jurisdiction.

The jurisdiction, functions and powers of the Judges and Magistrates in the district are detailed below :

Name and place of the court	Jurisdiction	Functions	Powers
1	2	3	4
District and Sessions Judge, Bhiwani	Bhiwani and Mahendragarh districts	To decide civil and criminal appeals arising out of the judgements passed by the lower courts of the Bhiwani dis- trict and adminis- trative control over all the judicial courts in the Bhiwani and Mahendragarh dis- tricts.	Full powers of District & Sessions Judge.
Senior Subor- dinate Judge- cum-Chief Judi- cial Magistrate, Bhiwani	Bhiwani district	Distribution of work relating to civil suits and the administra- tion of class III and Class IV officials	Enhanced appellate powers to decide small cause cases of Rs. 1,000; un- classified cases of

1	2	3	4
		belonging to the process serving agency	Rs. 500 and land suits of Rs. 250. Powers of Ist Class Magistrate and summary powers under section 260 of Cr. P.C.
Subordinate Judge Ist Class- cum-Judicial Magistrate Ist Class, Bhiwani	Bhiwani district	To dispose of civil and criminal cases of I, II and III classes	Full powers on civil side and can award sentence up to 2 years and a fine up to Rs. 2,000
Subordinate Judge Ist Class- cum-Judicial Magistrate Ist class, Charkhi Dadri	Bhiwani district	—do—	—do—
Subordinate Judge IIIrd Class-cum-Judi- cial Magistrate Ist class, Bhiwani	Bhiwani district	To dispose of civil cases of IIIrd class nature and criminal cases of Ist class nature	Can award sen- tence up to 2 years and a fine up to Rs. 2,000

After the passing of the Punjab Gram Panchayat Act, 1952, some of the functions of the civil, criminal and revenue courts were made over to the panchayats. Where cases lie in the exclusive jurisdiction of the panchayats, their cognizance by other courts is barred. The Chief Judicial Magistrate is empowered to revise their decisions and he in turn can delegate these powers to the *Illaq* Magistrate. The panchayats being elected bodies, however, do not generally consist of persons with an adequate knowledge of law. The usual formalities of procedure are thus conspicuously absent in the trial of cases by a panchayat.

**Revenue Courts.**—The Collector is the highest revenue authority in the district and an appeal or revision against his orders lies to the Divisional Commissioner and against the orders of the Divisional Commissioner an

appeal or revision lies to the Financial Commissioner. The Government has invested the Sub-Divisional Officers (Civil) in the district with the powers of Collectors. The General Assistant, the Assistant Commissioners/Extra Assistant Commissioners are Assistant Collectors of the first grade. However, the Tahsildars exercise powers of an Assistant Collector of the first grade in partition cases.

#### DISTRICT BAR ASSOCIATION, BHIWANI

Babu Mukand Lal was the first lawyer who started practice at Bhiwani in 1914-15. He practised alone for some years. Later, Babu Sheo Ram Dass joined Babu Mukand Lal and these two lawyers formed the Bar Association at Bhiwani in 1917-18. By 1947, their number rose to just 15. The strength of the bar remained almost the same, viz. 15, till 1961. Thereafter in about a decade, their number doubled. After Bhiwani became a district, the membership swelled to 102 which included 32 members of the Charkhi Dadri Bar Association.

Any person who has obtained licence from the Bar Council of any High Court in India is eligible for enrolment as a member of the Bar Association on payment of the prescribed fee.

The main function of the Bar Association is to create an atmosphere of harmony and unity among the members of the bar. It is also one of the foremost duties of the bar association to maintain and improve the professional standard of lawyers and to provide essential facilities for the members of the bar. It looks after the interests of the lawyers in general and of the individual members in particular.