

Chapter XII

LAW AND ORDER AND JUSTICE

LAW AND ORDER

INCIDENCE OF CRIME

Commenting on the general crime situation in the district, F.C. Channing wrote¹ about a century ago that murders were rare. The commonest crime were simple theft and house trespass. Cattle thefts and crime accompanied with violence were not unusually common. Even the Meos, formerly noted for their turbulence, had become a law-abiding people, and although there had been a notable increase in the amount of crime during the hard years of 1877 and 1878, during which the scarcity in this district had approached the dimensions of a famine, yet not even in such a time had the population generally shown a disposition to infringe the law. The *Gurgaon District Gazetteer*, 1910, also bears out this fact : "Gurgaon is singularly free from crime and all criminal courts are very lightly worked. The predominant forms of crime are cattle-theft and petty burglary. The former is stimulated by the presence of so much foreign territory adjoining the district, and for the same reason a rather serious amount of crime goes undetected as the criminals take refuge across the border. One class of crime is peculiar to the district and deserves special notice. The offence of committing suicide by jumping down a well is extraordinarily common among women, especially Meo women who take their lives in this way on the most trivial grounds".² Undoubtedly the people of the district have been law-abiding.

Even now the crime situation in the district is generally normal. There is no specific or staple crime which could be mentioned in particular. The instance of murder is still rare and the general public is peace loving. The common crime reported is the crime against property, viz. simple thefts including cattle thefts, burglaries and at times sporadic incidence of robbery and dacoity.

1. F.C. Channing, *Report on the Revised Land Revenue Settlement of the Gurgaon District*, 1882-83, p. 52.

2. In one case, a mother jumped into a well with her infant and was followed by the whole of the rest of the family consisting of four girls aged 18, 15, 8 and 6 respectively. The only reason for the suicide was that the father of the family, an old man, had not punished to his wife's satisfaction a young Meo who had a petty altercation with her. The number of such suicides committed during 1907, 1908 and 1909 was respectively 73 (25 males 48 females), 108 (11 males 97 females). (*Gurgaon District Gazetteer*, 1910, p. 169).

Crimes accompanied with violence are not usually common though there has been a somewhat marked increase in the incidence of this sort of crime since 1960. This is attributed to increase in population, growth of industries and other all-round development. Committing suicide by jumping into wells by women is still common. The malady persists because of the socio-economic backwardness of women belonging to the Meo and Ahir communities.

An idea about the crime position obtaining in the district prior to the Independence (1947) may be had from the data given below:¹

| <u>Year</u> | <u>Cases reported</u> |
|-------------|-----------------------|
| 1930 | 1,210 |
| 1931 | 1,391 |
| 1932 | 1,350 |
| 1933 | 1,231 |
| 1934 | 1,315 |
| 1935 | 1,575 |
| 1936 | 1,488 |
| 1937 | 1,287 |
| 1938 | 1,307 |
| 1939 | 1,477 |
| 1940 | 1,285 |
| 1941 | 1,264 |
| 1942 | 1,261 |
| 1943 | 1,254 |
| 1944 | 1,270 |
| 1945 | 1,552 |

1. *Gurgaon District Gazetteer, Statistical Tables, 1935, Table 34.* (The figures pertaining to the years 1934 to 1945 have been taken from the original entries recorded in the copy of the book kept in the office of the Commissioner, Ambala Division.)

The general situation of crime in the post-Independence years is represented by the following data :—

| Year | Cases reported |
|------|----------------|
| 1947 | 2,136 |
| 1952 | 2,028 |
| 1957 | 1,304 |
| 1962 | 1,651 |
| 1967 | 2,106 |
| 1970 | 2,762 |
| 1971 | 3,498 |
| 1972 | 2,564 |
| 1973 | 2,901 |
| 1974 | 3,535 |
| 1975 | 3,550 |
| 1976 | 3,592 |

(New district)

The following table gives a bird's eye view of the incidence of crime under important heads from 1947 onwards :—

| Incidence of crime during | Nature of offence | | | | | | | |
|---------------------------|-------------------|-------------------|------|---------|---------|----------|-------|----------|
| | Murder | Attempt to murder | Hurt | Dacoity | Robbery | Burglary | Theft | Gambling |
| 1947 | 165 | 45 | 71 | 99 | 57 | 391 | 327 | 10 |
| 1952 | 28 | 5 | 79 | 3 | 33 | 378 | 442 | 30 |
| 1957 | 17 | 11 | 94 | 2 | 7 | 235 | 307 | 42 |
| 1962 | 17 | 14 | 129 | 1 | 3 | 323 | 386 | 70 |
| 1966 | 18 | 7 | 128 | 3 | 6 | 153 | 305 | 86 |
| 1967 | 29 | 4 | 137 | 2 | 4 | 219 | 409 | 104 |
| 1971 | 30 | 6 | 182 | 2 | 3 | 256 | 466 | 182 |
| 1972 | 20 | 10 | 207 | 3 | 4 | 347 | 581 | 228 |
| 1973 | 25 | 16 | 169 | 1 | 4 | 239 | 443 | 191 |
| 1974 | 24 | 10 | 166 | 3 | 2 | 306 | 438 | 227 |
| 1975 | 9 | 4 | 160 | 2 | 1 | 256 | 450 | 233 |
| 1976 | 14 | 3 | 120 | 2 | 1 | 218 | 413 | 283 |

The Excise Act and the Arms Act have added considerably to the normal incidence of crime. To meet the situation and to maintain peace and tranquility in the district the police had to be very vigilant in detecting cases under these two Acts. The following data, relating to 5-year interval since 1946, showing the number of cases detected by the police, gives an assessment of this problem :—

| Cases detected during | Particulars of cases under | | |
|-----------------------|----------------------------|----------|------------|
| | Excise Act | Arms Act | Police Act |
| 1946 | 38 | 29 | 72 |
| 1950 | 108 | 78 | 447 |
| 1955 | 110 | 113 | 421 |
| 1960 | 156 | 28 | 458 |
| 1965 | 237 | 16 | 471 |
| 1970 | 542 | 87 | 441 |
| 1971 | 815 | 109 | 813 |
| 1972 | 1,073 | 130 | 940 |
| 1973 | 802 | 111 | 987 |
| 1974 | 923 | 153 | 881 |
| 1975 | 1,176 | 196 | 760 |
| 1976 | 1,374 | 345 | 820 |

Cognizable cases.—The following is the number of cognizable crime cases of all kinds, i.e. registered cases and Police Act cases¹ dealt with by the police in the district since 1947 :—

| Year | Total number of cognizable cases |
|------|----------------------------------|
| 1947 | 2,383 |
| 1952 | 2,359 |
| 1957 | 1,784 |
| 1962 | 1,980 |
| 1967 | 2,635 |
| 1970 | 2,762 |
| 1971 | 3,498 |
| 1972 | 3,504 |
| 1973 | 3,888 |
| 1974 | 7,400 |
| 1975 | 8,503 |
| 1976 | 9,513 |

1. *Gurgaon District* cases are cognizable, but these are not registered. Only complaints to the years 1934 to 1945 have been kept in the office of the book kept in the office of the

The communal disturbances in the wake of the Partition in 1947 resulted in diminishing respect for law and moral values. This accounted for increase in crime. The lawless elements coming to India with the general body of displaced persons also partly contributed to the increase in crime. The administrative machinery and the police force underwent a radical change due to the migration of the Muslims who constituted a major portion of the then police force in the district. It took about two years for conditions to become normal after which the downward trend in the incidence of crime started from 1950. Since then, there has been only normal fluctuation in the general crime situation. However, the upward trend in the number of cases reported during the past few years can be attributed partly to better detection under the Excise Act. Despite the best efforts of the local police to check them, the bootleggers do succeed in smuggling liquor into the Union Territory of Delhi where it fetches attractive price and easy gains. The increase is also attributable to increase in population, establishment of new towns and expansion of old ones, rapid growth of industry, better means of communications and consequent rapid mobility of criminals as also free and unexhibited registration of cases by the police.

No doubt there is an overall increase in the incidence of crime but the law and order situation has remained under control. By and large the people have been peaceful and law-abiding.

M.—There are no vendetta or brutal/open murders. The motives for murder include land disputes, money matters and illicit sex relations. The incidence of murder cases was the highest during the Partition days when respect for law and order was at its lowest ebb as is evident from the data given below :

| Year 1 | Cases reported 2 | Cases tried 3 | Cases convicted 4 |
|-----------|------------------------|---------------------|-------------------------|
| 1947 | 165 | 16 | 9 |
| 1952 | 28 | 17 | 3 |
| 1957 | 17 | 13 | 4 |
| 1962 | 17 | 11 | 7 |
| 1967 | 29 | 19 | 7 |

| 1 | 2 | 3 | 4 |
|------|----|----|----|
| 1970 | 17 | 18 | 14 |
| 1971 | 30 | 17 | 9 |
| 1972 | 16 | 1 | 11 |
| 1973 | 25 | 15 | 9 |
| 1974 | 24 | 10 | 7 |
| 1975 | 9 | 17 | 9 |
| 1976 | 11 | 15 | 5 |

Culpable homicide not amounting to murder.—This crime is committed in an unpremeditated fight or where the offenders in a state of rage, want to inflict injuries only. The following figures show the incidence of this crime including offences under Section 308 IPC from 1947 onwards :—

| Year | Cases reported |
|------|----------------|
| 1947 | 9 |
| 1952 | 12 |
| 1957 | 18 |
| 1962 | 22 |
| 1967 | 24 |
| 1970 | 14 |
| 1971 | 23 |
| 1972 | 16 |
| 1973 | 17 |
| 1974 | 18 |
| 1975 | 21 |
| 1976 | 21 |

Dacoity.—Dacoities generally increased in 1947 due to Partition disturbances. After Independence in 1947, one organised gang of dacoits led by Jahan Singh Rajput (of Jewar, district Bulandshahr) in Uttar Pradesh operated in the *khadar* area of the district. For many years, this gang was not allowed

to enter the Gurgaon district due to pickets placed strategically, methodical patrolling of border areas and systematic *naka bandis*. Ultimately, it was completely liquidated by the Gurgaon police in 1959. Thereafter, this kind of crime almost disappeared from the district as the following figures reveal :—

| Year | Cases reported |
|------|----------------|
| 1947 | 99 |
| 1952 | 3 |
| 1957 | 2 |
| 1962 | 1 |
| 1967 | 2 |
| 1970 | 3 |
| 1971 | 2 |
| 1972 | 3 |
| 1973 | 1 |
| 1974 | 3 |
| 1975 | 2 |
| 1976 | 2 |

Uttar Pradesh across the Yamuna provides an easy refuge for the desperadoes after committing dacoity. It has been noted that after the rains, particularly in December and January, when the Yamuna recedes, dacoit gangs from Uttar Pradesh start visiting the district thus calling for intensive anti-dacoity measures. However, besides the police, the local population is alive to this menace and they have formed village defence societies and virtually made it difficult for gangs to move about in the rural areas.

Robbery.—The incidence of robbery has shown an appreciable decline since 1962 despite the increase in population and traffic on the national highway passing through the district, as the following data show :—

| Year 1 | Cases reported 2 |
|-----------|---------------------|
| 1947 | 57 |
| 1952 | 33 |

| 1 | 2 |
|------|---|
| 1957 | 7 |
| 1962 | 3 |
| 1967 | 4 |
| 1970 | 5 |
| 1971 | 3 |
| 1972 | 4 |
| 1973 | 4 |
| 1974 | 2 |
| 1975 | 1 |
| 1976 | 1 |

A new trend in robbery has come to the surface. Delhi-based criminals ply stolen vehicles on the roads in the district, allure simple villagers for a lift and rob them at a lonely place enroute. Timely action and anti-highway crime measures have saved the district from this menace. All the robberies that occurred in the district during the last seven years were eventually traced out. The property involved was recovered and the accused were sent up for trial.

Burglary.—The following figures show the incidence of burglary from 1947 onwards :—

| Year | Cases reported | Cases worked out | Value of property stolen (Rs.) | Value of property recovered (Rs.) | Percentage of recovery |
|------|----------------|------------------|-----------------------------------|--------------------------------------|------------------------|
| 1947 | 495 | 391 | 1,31,042 | 42,903 | 31.2 |
| 1952 | 464 | 378 | 1,54,821 | 63,403 | 40.9 |
| 1957 | 297 | 235 | 1,33,275 | 19,816 | 15 |
| 1962 | 323 | 404 | 2,79,578 | 18,914 | 6.7 |
| 1967 | 219 | 276 | 1,29,453 | 47,018 | 36.3 |
| 1970 | 228 | 383 | 2,39,117 | 68,974 | 28.8 |
| 1971 | 256 | 418 | 3,33,884 | 1,83,323 | 55.2 |
| 1972 | 347 | 153 | 3,40,251 | 1,75,766 | 51.7 |
| 1973 | 239 | 108 | 2,22,715 | 1,34,181 | 60.3 |
| 1974 | 306 | 173 | 3,57,325 | 1,82,572 | 56.5 |
| 1975 | 265 | 129 | 2,91,477 | 1,24,730 | 42.8 |
| 1976 | 218 | 103 | 3,04,936 | 1,51,322 | 49.6 |

The proportion of untraced burglary cases is no doubt high but certain inherent factors impede successful investigation of these cases. Criminals have their hide-outs in Rajasthan and Delhi to which areas they escape after committing crime in the district. The circumstantial evidence and clues left by criminals are often destroyed by ignorant villagers.

Theft.—The following table gives the incidence of theft in the Gurgaon district since 15 —

| Year | Cases reported | Total cases dealt with | Value of property stolen (Rs.) | Value of property recovered (Rs.) | Percentage of recovery |
|------|----------------|------------------------|-----------------------------------|--------------------------------------|------------------------|
| 1947 | 271 | 207 | 37,494 | 6,518 | 17.3 |
| 1952 | 331 | 318 | 94,975 | 28,630 | 30.1 |
| 1957 | 256 | 253 | 46,758 | 9,955 | 21.2 |
| 1962 | 318 | 273 | 90,760 | 21,911 | 24.1 |
| 1967 | 346 | 235 | 2,27,795 | 1,01,922 | 46.6 |
| 1971 | 403 | 349 | 3,66,122 | 2,46,606 | 67.3 |
| 1972 | 491 | 267 | 6,11,085 | 3,44,294 | 56.0 |
| 1973 | 394 | 230 | 10,35,545 | 8,51,778 | 83.2 |
| 1974 | 438 | 245 | 10,50,304 | 7,93,521 | 55.9 |
| 1975 | 410 | 225 | 5,13,244 | 1,39,462 | 27.2 |
| 1976 | 387 | 211 | 6,17,157 | 4,43,778 | 66.1 |

The increase in the number of theft cases is only normal. This increase includes a large number of wire cutting and cycle theft cases. It is also partly due to rapid industrialisation in the district and consequent influx of outside labour whose previous antecedents are not known.

Cattle theft.—Since the price of milch cattle has continuously gone up in recent years, cattle theft is confined to only useful animals. Such cattle are sent to far-off places on fast moving vehicles and no trace of crime is left behind. No doubt when vehicles are used for removing the stolen cattle there is less incidence of cattle theft than before when cattle were stolen and led to other places within the district. With the appreciation in the price of agricultural land and its produce, there has come comparative affluence and at the same time all-round developmental activities have

opened more avenues for work and employment thus setting a diminishing trend in this crime. The following table gives figures relating to this crime since 1947 :—

| Year | Cases reported | Cases admitted | Value of property stolen (Rs.) | Value of property recovered (Rs.) | Percentage of recovery |
|------|----------------|----------------|-----------------------------------|--------------------------------------|------------------------|
| 1947 | 56 | 50 | 77,379 | 7,123 | 9.7 |
| 1952 | 111 | 92 | 90,432 | 19,479 | 21.5 |
| 1957 | 51 | 58 | 17,651 | 5,750 | 32.5 |
| 1962 | 68 | 47 | 47,781 | 20,721 | 43.7 |
| 1967 | 63 | 30 | 55,135 | 38,595 | 70.0 |
| 1971 | 63 | 61 | 1,28,601 | 54,846 | 42.6 |
| 1972 | 90 | 54 | 1,12,860 | 87,908 | 77.9 |
| 1973 | 49 | 33 | 55,514 | 40,350 | 72.7 |
| 1974 | 31 | 26 | 50,570 | 45,770 | 83.9 |
| 1975 | 40 | 26 | 96,345 | 71,350 | 74.1 |
| 1976 | 26 | 15 | 39,775 | 24,425 | 61.4 |

Cheating.—The desire to become rich without putting any labour is the motivation behind this crime. The cheats are always on the look-out for persons of credulous nature who can be made to believe things and under the spell of deception, are made to part with cash and property. The rapid industrialisation of the district and its proximity to Delhi has led many unscrupulous people to indulge in bogus land deals and chit funds. The offence is bailable and compoundable. The aggrieved party, in the event of redress offered to it, prefers to compound the offence rather than pursue it. The following figures, as representative of this type of crime in the district since 1947, show that its incidence is on the increase :—

| Year 1 | Cases 2 |
|-----------|------------|
| 1947 | 8 |
| 1952 | ... |
| 1957 | 28 |
| 1962 | 16 |

| <u>1</u> | <u>2</u> |
|----------|----------|
| 1967 | 35 |
| 1970 | 18 |
| 1971 | 17 |
| 1972 | 28 |
| 1973 | 28 |
| 1974 | 41 |
| 1975 | 43 |
| 1976 | 36 |

Offences under Local and Special Laws.—These offences are covered under Public Nuisance, Arms Act, Excise Act, Opium Act, Public Gambling Act, Essential Commodities Act, Railways Act and Prevention of Corruption Act. There has been an all-round increase in the number of offences but it is much marked under the Excise Act, Arms Act and Gambling Act as is evident from Table XLIX of Appendix. This is, as already stated, mainly due to the fact that the bootleggers smuggle liquor into Delhi where its price is comparatively high. There is only normal fluctuation in the number of offences under the other Acts.

Road traffic and transport.—The road traffic besides the Indian Motor Vehicles Act, 1914, is regulated by various other Acts. The following figures show the number of cases detected under the Indian Motor Vehicles Act since 1952 :—

| <u>Year</u> | <u>Cases detected</u> |
|-------------|-----------------------|
| 1952 | 1,826 |
| 1957 | 2,902 |
| 1962 | 4,175 |
| 1967 | 6,278 |
| 1970 | 17,170 |
| 1971 | 15,459 |
| 1972 | 18,133 |
| 1973 | 21,644 |
| 1974 | 21,400 |
| 1975 | 16,794 |
| 1976 | 17,135 |

The above data show the fast pace at which these offences are increasing. This is due to the increase in the number of motor vehicles and other means of transport plying on the roads. This is responsible for the increase in the number of accidents as revealed by the following figures :—

| Year | Motor vehicle accidents |
|------|-------------------------|
| 1949 | 34 |
| 1954 | 23 |
| 1959 | 57 |
| 1964 | 41 |
| 1969 | 117 |
| 1970 | 110 |
| 1971 | 159 |
| 1972 | 233 |
| 1973 | 218 |
| 1974 | 381 |
| 1975 | 175 |
| 1976 | 158 |

Loss and recovery of arms.—During the Partition days, a large number of arms and huge quantities of ammunition were supplied by the Muslim League to the Meos in the district. After the law and order situation was brought under control, these were recovered from the villages in the Mewat area (mainly comprising the tahsils of Firozpur Jhirka and Nuh) during 1947 to 1955.

The table given below shows the loss and recovery of firearms since 1947:

| Year | Cases relating to | |
|------|-------------------|-------------|
| | loss of | recovery of |
| | firearms | firearms |
| 1 | 2 | 3 |
| 1947 | 3 | 203 |
| 1949 | 9 | 1,265 |
| 1952 | 2 | 71 |
| 1957 | 2 | 79 |

| 1 | 2 | 3 |
|------|---|-----|
| 1962 | 3 | 26 |
| 1967 | 1 | 19 |
| 1968 | 3 | 37 |
| 1969 | 2 | 52 |
| 1970 | 4 | 87 |
| 1972 | 4 | 130 |
| 1973 | 5 | 111 |
| 1974 | 7 | 153 |
| 1975 | 6 | 196 |
| 1976 | 7 | 345 |

The recent recovery figures indicate that people have started possessing arms illegally for personal safety or for the commission of crime. In the Gurgaon district, particularly in the Mewat area, the people possess illicit arms which they generally obtain from the adjoining areas of Rajasthan.

Sex crime.—The reported cases of kidnapping and abduction have been isolated in character and not the work of any organised gang. Most of the cases were the result of love affairs, the abducted women being the consenting party. The following figures show the incidence of sex crime since 1947 :—

| Year | Cases under Indian Penal Code | | |
|------|-------------------------------|----------------|----------------|
| | Section 363/366 | Section 376 | Section 377 |
| | 2 | 3 | 4 |
| 1947 | 13 | 5 | 2 |
| 1952 | 16 | — | — |
| 1957 | 15 | — | — |
| 1962 | 14 | 5 | — |
| 1967 | 22 | 3 | 1 |

| 1 | 3 | 3 | 4 |
|------|----|----|---|
| 1970 | 17 | 1 | 2 |
| 1971 | 14 | 5 | 2 |
| 1972 | 20 | 9 | 3 |
| 1973 | 22 | 22 | — |
| 1974 | 26 | 5 | 1 |
| 1975 | 21 | 4 | — |
| 1976 | 9 | 3 | 1 |

POLICE

Towards the end of the nineteenth century, the police force in the Gurgaon district was controlled by a District Superintendent and one Assistant. The strength of the force reported in the Police Report for 1881-82 was as follows:—

| Class of police | Total strength | Distribution | |
|-------------------|----------------|----------------|--------------------------|
| | | Standing guard | Protection and detection |
| District Imperial | 368 | 50 | 318 |
| Municipal | 131 | — | 131 |
| Total : | 499 | 50 | 449 |

The police force, as reported in the *Gurgaon District Gazetteer*, 1910, was : 1 Superintendent of Police, 1 Deputy Superintendent of Police, 2 Inspectors, 22 Sub-Inspectors, 5 Assistant Sub-Inspectors, 85 Head Constables, 452 Foot Constables. Under the re-organisation scheme, its numbers were increased by 3 Inspectors incharge of separate circles with headquarters at Gurgaon, Palwal and Nuh and 50 Constables. The district formed part of the Eastern Range which was under the control of a Deputy Inspector General of Police, headquarters at Ambala. There were no punitive, military or other special attached to this district. The Punjab Railway Police supplied constable duty at the stations of Rewari and Garhi Harsaru; the Rajputana-Malwa Railway Police supplied constables at Khorl and Kund, and the United Province Railway Police were in charge of the Assaoti, Palwal, Bamanikhera, Sholaka and Hodal stations. For the purposes of detection of crime the finger print system was regularly used but the tracking was not in vogue in the district.¹

1. *Gurgaon District Gazetteer*, 1910, pp. 226-27,

The Pataudi State police force consisted of a Deputy Inspector, two Sergeants and 14 Constables.

The development of urban areas, the economic and political unrest in the wake of World War I and the growth of the nationalist movement posed problems in the maintenance of public order and revealed considerable deficiencies in police strength. This led to the appointment, in November 1925, of Punjab Provincial Police Committee headed by Lumsden. The committee submitted its report in 1926. It contained *inter alia* recommendations about Gurgaon district as well. As a result of the recommendations of this committee, various changes were made in the police set-up. The police strength in 1931 and 1944 was as follows¹ :—

| | 1931 | 1944 |
|---------------------------------|------|------|
| Superintendent of Police | 1 | 1 |
| Deputy Superintendent of Police | 1 | 1 |
| Inspectors | 2 | 3 |
| Sub-Inspectors | 22 | 27 |
| Assistant Sub-Inspectors | 5 | 27 |
| Head Constables | 85 | 86 |
| Foot Constables | 452 | 586 |

There has been constant variations in the constitution of police stations and police posts. In 1883, there were 15 police stations and 10 police posts, the distribution being as follows* :—

| Tahsil | Police Stations | Police/Road Posts |
|-----------------|---|--|
| Gurgaon | Gurgaon Sohna Farrukhnagar | |
| Rewari | Rewari Jatusana Shahjahanpur Chauk Khol | Road posts at Dharuhera, Kuñdal, Khori, Nimaut |
| Palwal | Palwal Hodal Hasanpur | Road posts at Pirthala, Kathela, Baghaula, Bamnikhera |
| Nuh | | |
| Firozpur Jhirka | Firozpur Jhirka Punahana | Road posts at Jhir, Bhadas |

1. *Gurgaon District Gazetteer, Statistical Tables, 1935, Table 47* (as amended by the office of the Commissioner, Ambala Division).
2. *Gurgaon District Gazetteer, 1883-84, p. 98.*

By 1904, Shahjahanpur had ceased to be a police station and instead Rewari had two police stations, viz. Rewari City and Rewari Sadar.

In 1910, Bassant, Badarpur and Majhauila ceased to be police stations. The last two had become police posts along with Pali and Dhauj, all others having been abolished except Sikri which was retained as a road post.² Soon after, tahsil Ballabgarh minus Mahrauli Police Station and Badarpur Police Post became part of the Gurgaon district but Faridabad ceased to be a Police Station and was made into a Police Post. By 1931, Hodal had also ceased to be Police Station and downgraded to a Police Post. The Police Posts at Pali, Dhauj and Majhauila had been abolished.

Consequently in 1931, there were 16 police stations, viz. Gurgaon, Rewari Sadar, Palwal, Firozpur Jhirka, Nuh, Sohna, Khol, Farrukhnagar, Punahana, Hathin, Hasanpur, Taoru, Jatusana, Rewari City, Ballabgarh and Chainsa; and 3 Police Posts, viz. Shahjahanpur, Faridabad and Kund. By 1944, two more police posts had been established at Hodal City and Hidayatpur Cantonment. After Independence, the Shahjahanpur area was transferred to Rajasthan.

The whole of Pataudi State continued to have one police station at Pataudi till its merger in the district. Pataudi has remained a police station even thereafter.

In tahsil Ballabgarh of the Delhi district there were 7 Police Stations at Mehrauli, Faridabad, Ballabgarh, Badarpur, Bassant, Majhauila and Chainsa and 7 Police Outposts at Fattehpur Asaula, Talab Kishandas, Pulpurhya, Pali, Dhauj, Sikri and Barh.³

As on December 31, 1960, the sanctioned police staff was as follows⁴ :—

| | |
|------------------------------------|-----|
| Superintendent of Police | 1 |
| Assistant Superintendent of Police | 1 |
| Deputy Superintendent of Police | 1 |
| Inspectors | 3 |
| Sub-Inspectors | 33 |
| Assistant Sub-Inspectors | 45 |
| Head Constables | 101 |
| | 717 |
| | 9 |

Statistical Tables, 1904, Table 47.

p. 200.

p. 147.

District Census Handbook, 1965, p. 91.

1957
1962
1967

Besides, there is an outpost at Palwal attached with railway police station at Rewari.

The Civil Police is detailed for duty at the police stations. Each station is under the charge of a Police Officer, known as the Station House Officer, assisted by one or more Second Officers, a Head Constable, a *Moharrir* or Clerk-Constable and a number of Constables. It is the duty of the Station House Officer to ensure law and order in his area and investigate offences occurring within his jurisdiction.

The Armed Police is deployed on protection of important vulnerable points. It 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 Muslims. At the time of the 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 drawback and a number of undesirables also crept into the force. They were, however, gradually weeded out. The Provincial Additional Police was rechristened as the Provincial Armed Police on December 15, 1947 and thereafter designated as the Punjab Armed Police on April 11, 1961. Since November 1966, it has been called the Haryana Armed Police. Mounted Police is made available by the Haryana Armed Police. Its responsibility is confined to patrol the border area between Uttar Pradesh and Rajasthan to prevent dacoity and also to check smuggling.

The railway police is not allotted to any district in particular but it is a part of a separate State organisation working under a Deputy Inspector General of Police who is stationed at Ambala Cantonment. The circles of the railway police are formed according to the sections of railway lines and they are concerned with prevention, detection and control of crimes committed in and around railway premises.

A Branch of the C.I.D. functioned under very difficult circumstances. The history sheets and personal files were obtained from Lahore after some time. In the early days, criminals as had migrated with the general population, however, with sustained and careful action, the Crime Branch evolved a suitable measure of supervision over these persons so that they could do much mischief. The existence of a large number of weapons in the countryside in 1947 had also created a grave law

and order problem. The Crime Branch helped the district police appreciably in the recovery of illicit arms.

Village Police.—For over a century, the police functions at village level were performed by Zaildars, Sufedposhes, Chowkidars and Inamkhors. The Chowkidara institution alone survived the other institutions. 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.

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 given a salary at the rate of Rs. 55 per month. Their remuneration is collected by the Lambardars from the village. It is called 'Chowkidara Collection' and deposited in the treasury. The amount of 'Chowkidara Collection' which a village is to pay, depends upon the number of houses in that village. In some villages, it is collected yearly and in others, half-yearly; but the amount of collection as fixed by the Government is Rs. 660 per year per Chowkidar in a village.

Mention may also be made of *thikari* howkidars who were selected by lot from among the residents of the 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. This system, which was a sort of *sharmdan* aimed at providing safety to person and property, has now become very weak and is not of much help in the field of watch and ward. People generally are averse to it as it is considered a *Begar*. The Punjab Gram Panchayat Act, 1952, has, however, authorised panchayats to raise their own voluntary force for the purpose.

GENERAL

The socio-economic changes which, of late, have been taking place in the country, have brought in their wake certain new problems and difficulties for the police. Some of these with particular reference to the district are discussed here.

The all-round development of the areas around Delhi has indirectly involved a sizeable portion of the district. Besides the net-work of new roads, the two national highways, viz. Delhi-Agra and Delhi-Jaipur, which pass through this district, have thrown up a new problem of 'highway crime' unknown in the past. The criminals committing such a crime are highly mobile. To deal

with them adequately it has become essential to have an equally mobile police force furnished with all modern equipment.

Bootlegging is another problem. Large-scale smuggling of liquor from Rajasthan (where it is cheap) to Delhi takes place through the intervening Gurgaon territory. It is a lucrative business for the smugglers. The criminals indulging in this crime are often desperate and when intercepted, do not hesitate to come to an open clash with the police.

The Haryana Government has set up a number of tourist resorts in the district at places like Badkhal, Hodal, Suraj Kund, Sultanpur, Sohna, etc. A large number of tourists from Delhi visit these places on holidays. The police have to deal with not only the traffic parking problems thus created, but also the 'lone birds' who find these lone surroundings much conducive to the fulfilment of their nefarious designs. The police have also to handle the problem of eve-teasing which generally springs up at crowded places.

Increase in crime involving sex is also noticeable. A section of the population has become relatively affluent as a result of the expansion of industry. This affluence is also shared by the rural population which has benefited from the 'green revolution'. Besides, there is a certain amount of floating population without any family moorings. These sections of the population more particularly in the Faridabad Complex, appear to be responsible for sex crimes.

The 'hippy cult' and the student unrest in general have given rise to new problems of law and order. The unrest among the student community often culminates in looting and burning of public and private property, hijacking of buses, assault on public servants and citizens.

A number of steps have been taken to modernise the police in the district so that it is in a better position to cope with the problems confronting it. There is considerable improvement in the means of communications. Each police station has been provided with a telephone and a radio telephone set. Through telecommunication, the police are now able to get prompt information, and therefore, it is much easier to deal with an emergency today than it was before. Now if a heinous crime is committed in any part of the district, a net can be thrown around the criminals for their apprehension within minutes of the information reaching the control room at Gurgaon. With a view to man the police force with better and intelligent constables, Matriculation has been prescribed as the minimum educational qualification for the new recruits. Their training is now more science-oriented. There is also a desire to modify the traditional distorted image of the police and, therefore, much stress is laid

on their good behaviour with the public so that the police get attuned to maintain law and order with public cooperation and with the minimum use of force.

HOME GUARDS

Keeping civil emergencies in view and appreciating the needs of the time, a voluntary organisation known as the Punjab Home Guards, was started in 1960 in the border districts and in all the important towns of the State. Since the creation of the Haryana State, the organisation of Punjab Home Guards has been re-christened as Home Guards, Haryana. This organisation is governed by the Haryana Home Guards Act, 1974.

The aims of the organisation include the boosting up of the morale of the people 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 organisation is designed to tone up self-discipline, engender self-sacrifice, national pride and promote a feeling for dignity of labour among its members.

The overall charge of the district is with the District Commander, Gurgaon. Prior to the re-organisation of the district there were eight urban companies in the district, of which, three were raised in 1961, one in 1963 and two each in 1964 and 1969. These urban companies were located at Gurgaon (2), Rewari (2), Faridabad/Ballabgarh (3) and Palwal (1). The two companies at Rewari have since been transferred to the control of the District Commander, Mahendragarh (at Narnaul). Each urban company is under the charge of a Company Commander. Similarly, there were 14 rural companies, one in each block in the district, which were raised in 1963. Three block companies have also been transferred to the Mahendragarh district. Training is imparted to the volunteers in the urban companies at their respective places whereas the volunteers coming from the rural areas are trained at Gurgaon in drill with and without arms, *lathi* drill, fire-fighting, first-aid, crowd-control, *naka bandi*, maintaining essential services and in helping the civil authorities. They are also trained in using weapons, taking cover, judging distance, beat patrolling and performing general duties.

Eleven rural and six urban companies have a strength of 1,100 and 606 volunteers respectively.

Every effort is made to raise the standard of organisation in keeping with its aims and objects. The Home Guards have discharged their duties efficiently on various occasions particularly at the time of Pakistani Aggressions in 1965 and 1971 and the All India Congress Session held at Faridabad in April 1969.

During the year 1970 when controversy over the inclusion of the Union Territory of Chandigarh into Punjab/Haryana had reached a critical stage, a large contingent of Home Guard volunteers was entrusted with the duty of guarding the Faridabad Thermal Power House for nearly 3½ months.

JAILS

District Jail, Gurgaon.—The District Jail is located at about 370 metres away from the District Courts, Gurgaon, on the Gurgaon-Alwar Road. The building of the jail in the earlier stages comprised a *patwar* school in the front portion and a judicial lock-up in the inner enclosure. The *patwar* school was closed in 1908 and the portion of the building occupied by it was converted into an administrative block and miscellaneous godown of the judicial lock-up. On October 3, 1908, the judicial lock-up was converted into a sub-jail.

In 1910, the sub-jail had accommodation for 43 prisoners. The Treasury Officer was ex officio Superintendent of the sub-jail. The staff under the Superintendent consisted of one Police Hospital Assistant, who also acted as Deputy Superintendent, one Head Warder, six ordinary and five reserve Warders, three Convict Officers, besides Cooks and Sweepers.¹ In 1922, an Assistant Jailor was appointed to replace the Police Hospital Assistant to discharge the duties of the Deputy Superintendent. The post of the Assistant Jailor was later converted into the post of an Assistant Superintendent Jail but the posting was done in 1930. To assist the Assistant Superintendent, one Clerk, five Warders, and twelve Convict Night Watchmen were posted. In addition, one post of a Dispenser and one post of a Female Matron were also provided. The Treasury Officer continued to be the part-time Superintendent of the sub-jail. But this arrangement underwent a change when the post of Treasury Officer was included in the Punjab Finance and Accounts Service Class (II) in 1958. From then on, the General Assistant to the Deputy Commissioner worked as part-time Superintendent till 1965. In that year, the sub-jail was upgraded to a District Jail. It was again downgraded as sub-jail on September 1, 1966, the old staff position re-emerged but a Welfare Officer was posted on July 3, 1968. It was, however, again up-graded to a District Jail in June 1970, with a Superintendent and a Deputy Superintendent, both gazetted officers. Besides, one Head Warder, six Warders and one Clerk-cum-Storekeeper were also posted. The present staff (March 1977) is as follows :—

| | |
|-----------------------|---|
| Superintendent | 1 |
| Deputy Superintendent | 1 |

1. *Gurgaon District Gazetteer*, 1910, p. 231.

| | |
|--------------------------|----|
| Assistant Superintendent | 1 |
| Welfare Officer | 1 |
| Clerks | 2 |
| Head Warders | 2 |
| Matron | 1 |
| Warders | 22 |
| Orderly | 1 |
| Sweepers | 3 |

The prisoners are classified into three classes, viz. A, B and C, according to their education, social status and financial resources. All these classes of prisoners are kept separately in different blocks. Class A is sanctioned by the Government, Class B by the Inspector General of Prisons. A prisoner can be entitled to Class B if he fulfils any one of the following qualifications¹ :—

- (a) should be at least intermediate,
- (b) has a net income of Rs. 500 per mensem,
- (c) pays at least Rs. 500 per annum as land revenue.

Class C is awarded by the Trial Courts but a prisoner confined as a right to apply for revision of the class to the Inspector General of Prisons. There does not exist any separate classification for political prisoners. This jail was used as a special jail for confinement of political prisoners during the Quit-India Movement of 1942, Punjabi Suba Agitation and the Chinese Aggression of 1962. Some persons detained during the emergency period (June 1975 to March 1977) were also lodged in this jail.

The diet of prisoners, in general, consists of *chapatis*, *dal*, salt, *masala*, tea and vegetables. But A and B class prisoners are also given ghi, potatoes, sugar and milk. The non-vegetarian prisoners are served meat for 5 days in a week. In summer season they are given cold drinks, provided this is within the permitted expenditure. Carrots and onions, if available in the jail garden, are also served in raw form. Class C prisoners are given parched gram, *sarson-toria* oil and gur.

1. These qualifications can, however, be relaxed by the Government.

The authorised accommodation in the jail (then a sub-jail) was for 43 prisoners in 1910 while the average number confined was 50. It increased to 119 in 1922. More space in barracks has been made available by demolishing sleeping berths. In case of emergency, 250 prisoners can be accommodated. Electric fans have been provided in the barracks.¹

The number of juvenile delinquents does not usually exceed two to three. Such under-trials are kept in a separate ward and not allowed to mix with the adult prisoners. After their cases are decided, they are transferred to the Borstal and Juvenile Jail, Hisar.

The habitual offenders number about 10 to 15 per cent of the total prison population. They remain confined here only for the period of their trial and are kept separate from other prisoners. Later on, they are transferred to the Central Jail, Ambal

The convicts up to three years of imprisonment are normally confined to this jail. Prisoners with longer terms (other than the lifers) are also detained to work as convict officials to assist the watch and ward. However, the long term prisoners are allowed to be released under the Punjab Good Conduct Prisoners (Temporary Release) Act, 1962, provided they have earned three good annual reports and during the period no jail punishment was awarded. Convicts are also released on licence under the provisions of Good Conduct Probationary Release Act, 1926. As these prisoners are transferred to Central Jail, Ambala, the actual release takes effect there.

There is a separate ward for women prisoners. This is flanked by a high wall round and can accommodate eight prisoners. The women prisoners have more facilities such as a charpoy, a looking glass and a comb. No woman prisoner is detained in the jail after her conviction; thereafter she is transferred to the Central Jail, Ambala.²

Measures of jail reform need a detailed reference. Prior to the implementation of the recommendations of the Jails Reforms Committee,³ a prisoner was allowed to have only one interview and write only one post card in a month. This facility has been liberalised very much. Better clothing and utensils are

1. It has been decided to construct a new jail on modern lines with an accommodation for 300 prisoners. For this purpose, 30 acres (about 12 hectares) of land has been acquired on the Gurgaon-Mehrauli Road at a distance of about 5 kilometres from the present jail.

2. Earlier, the women prisoners used to be transferred to the Female Jail, Lahore and later on to Ludhiana.

3. The Jails Reforms Committee was formed in 1948.

now provided. A prisoner is issued a brass *thali* (plate) in addition to a brass *bati* (bowl) in place of an iron *bati*. The rough clothing has been replaced by good *khadi* clothes. To create a sense of responsibility and trust among the prisoners, they are associated with work connected with their welfare through the P. nchayati system. This is working successfully and is of great value in the maintenance of discipline.

A small hospital with four beds is attached to the jail. The staff comprises a part-time Assistant Medical Officer (who acts as the Medical Officer of the jail) and a dispenser. Before Independence, medical facilities for prisoners were meagre. The prisoners were usually not referred for specialised treatment. Now all the serious cases are transferred to the Civil Hospital and those requiring specialised treatment, to the Medical College Hospital, Rohtak.

No paid teacher was employed for imparting education to the prisoners. However, literate prisoners impart some instruction. To provide elementary education to the prisoners on sound lines, the appointment of a teacher was sanctioned by the Government in October 1971. Consequently, a number of prisoners have obtained literacy certificates from the Education Department after passing the prescribed test. The stay of prisoners in this jail is usually short. This does not allow any long term measures to be enforced for their mental, moral and social uplift. Anyhow, prayers are said early in the morning by all the prisoners. There does not exist any Crime Prevention Society in the district. Funds are collected by the Prisoners Aid Society of which the Deputy Commissioner is the Chairman and the Deputy Superintendent Jail is the Secretary. These funds are utilised towards the welfare of the prisoners and for providing monetary assistance. A radio set has been provided. Occasionally, on release, deserving prisoners are given clothes and fare to reach their homes. Sometime a sweet dish is served to them on festive occasions. A canteen has also started functioning from where the prisoners can buy on coupons, the articles of daily use such as tea, biscuits, gur, sugar and sarson oil.

The Welfare Officer (in the rank of Assistant Superintendent Jail) is required to manage the jail canteen, prepare cases of parole and furlough and look after the welfare of the prisoners. He has been authorised to pay visits to their homes to assist them in removing bottlenecks in the way of their ultimate rehabilitation as useful and honourable members of the society. He also visits the homes of the prisoners to secure help from the public in adjusting their family and other property matters. He organises literacy classes, indoor games, community listening programmes and dramatics and cinema shows,

No industry was run in the jail earlier. A small beginning was made in 1970. Besides the manufacture of *munj ban* and all types of furniture, caning work is undertaken.

A poultry farm was started in 1971. The year-wise figures of production since introduction of industry in this jail are given below :

| Year | Poultry | Carpentry | Munj Ban | Caning | Total |
|---------|---------|-----------|----------|--------|----------|
| | (Rs.) | (Rs.) | (Rs.) | (Rs.) | (Rs.) |
| 1970-71 | — | 18,772 | 3,208 | 220 | 22,200 |
| 1971-72 | 6,995 | 33,063 | 1,384 | 688 | 42,130 |
| 1972-73 | 20,354 | 64,625 | 12,230 | 2,869 | 1,00,078 |
| 1973-74 | 27,353 | 71,497 | 13,785 | 2,755 | 1,15,390 |
| 1974-75 | 16,675 | 85,873 | 3,407 | 3,109 | 1,09,065 |
| 1975-76 | 27,390 | 56,897 | 1,539 | 3,705 | 99,531 |
| 1976-77 | 16,749 | 6,752 | 5,793 | 6,356 | 35,650 |

The variation in production in different years is caused by a number of factors including availability of the skilled prison labour and fluctuation in demand.

A small number of prisoners, generally from among those confined for six months to one year, are trained in the latest techniques in agriculture on the farm attached to the jail. The area of this farm is 23 acres and 4 *kanals* (about 9.4 hectares). Mostly vegetables and a few fodder and cash crops are grown. The vegetables meet the requirements of the jail itself and the surplus quantities are sold in the market or to other jails on demand. There was no scheme of growing vegetables before 1959.

Sub-Jail, Palwal.—It was converted from a police lock-up to a sub-jail in 1958. The Sub-Divisional Magistrate, Palwal, is the part-time Superinten-

dent. The rest of the staff is as follows :—

| | |
|---------------------------------------|---|
| Assistant Superintendent | 1 |
| Head Warder | 1 |
| Warders | 9 |
| Assistant Medical Officer (part-time) | 1 |
| Dispenser (part-time) | 1 |
| Sweeper | 1 |
| P' sti | 1 |

The build of the sub-jail comprises 3 barracks with an authorised accommodation for prisoners. Women prisoners are not confined here since there is no separate accommodation for them. A small dispensary under the supervision of the part-time Assistant Medical Officer is run within the premises of the sub-jail for the benefit of prisoners. No regular arrangements exist for imparting education to the prisoners. The literate prisoners, if any, are deputed to teach the illiterate ones who are provided with slates and Hindi alphabet primers.

The area covered by the sub-jail is one acre and four *kanals*. Of this, one *kanal* and six *marlas* of land is utilised for growing vegetables. The produce, however, is always found inadequate as compared to the requirements of the number of prisoners usually confined here.

POLICE LOCK-UPS

An accused in police custody is lodged in the police lock-up attached to a police station. In 1912, there were 17 police lock-ups in the district at Gurgaon, Farrukhnagar, Sohna, Palwal, Hodal, Hasanpur, Hathin, Nuh, Taoru, Firozpur Jhirka, Bhadas Road Post, Punahana, Rewari Sadar, Rewari City, Jatusana, Shahjahanpur Outpost and Khol. With the merger of the Ballabgarh tahsil that year, three police lock-ups at Ballabgarh, Faridabad and Chhainsa were added. By 1935, the police lock-up at Bhadas Road had ceased to exist. After Independence, the Shahjahanpur Outpost lock-up went over to Rajasthan Government with the transfer of the territory. On the re-organisation of the district, the police lock-ups at Rewari Sadar, Rewari city, Jatusana and Khol Police Stations were transferred to the Mahendragarh district. Except the newly created police stations of Central Faridabad and City Gurgaon, each one of the remaining 14 police stations in the district has separate male and female lock-ups.

The average capacity of these lock-ups is 8 and 6 persons respectively. In normal circumstances the lock-ups are quite adequate to lodge the persons in police custody but in abnormal situations like riots and agitations this accommodation becomes inadequate and the lock-ups may get crowded.

Normally, the police lock-up is not electrified. This facility is denied to the persons in custody to guard against the possibility of their committing suicide. However, one of lighting point in the police station building is so fixed that at night the lock-up is nicely lit up.

The lock-up is guarded by an armed sentry, round the clock, when the accused are lodged inside.

JUDICIAL LOCK-UPS

An under-trial prisoner is kept in a judicial lock-up. There are two such lock-ups in the district, one at Ballabgarh and the other at Nuh.

The building of the judicial lock-up at Ballabgarh was constructed during 1970. It functions under the supervision of the Sub-Divisional Officer (Civil), Ballabgarh. It has accommodation for 14 under-trial prisoners. There is no portion meant for female under-trial prisoners. The lock-up has two barracks, one having accommodation for only two and the other for 12 prisoners. Flush system latrines and bath rooms are attached to these barracks, which also have ceiling fans with other electric light arrangements. Drinking water-supply arrangements have also been provided.

One turnkey who is provided free residential accommodation is incharge of this lock-up. He keeps the keys of judicial lock-up and maintains a movement register for the prisoners confined there. He also maintains a diet register for the prisoners as the diet is supplied from a Dhaba to the under-trial prisoners on an annual contract basis.

The police guard attached to the lock-up comprises one Head Constable and seven Constables. One part-time Sweeper has also been engaged for general cleanliness. The judicial lock-up at Nuh is not much in use as there is no court.

REVENUE LOCK-UPS

There are four revenue lock-ups in the district. Except the Gurgaon tahsil, all other tahsils have one lock-up each for keeping the defaulters of arrears of land revenue. These lock-ups are part of the main tahsil building and were constructed long ago. The Jamadar of the tahsil looks after the lock-up a

is responsible for the comfort and meals of the defaulters. A defaulter can be kept in the revenue lock-up up to 10 days under the order of the Assistant Collector II Grade, who is normally a Tahsildar/Naib Tahsildar, under intimation to the Collector. After this a defaulter is produced before the Collector who may detain him for a further period of 30 days in the lock-up or may send him to the jail if the defaulter fails to clear his arrears. Defaulters of other departments like Cooperative, Taxation, Central Excise and Industries, in respect of taxes or loans which are recoverable as arrears of land revenue, are also kept in these revenue lock-ups.

JUSTICE

(A) CIVIL AND CRIMINAL COURTS

In the beginning of the twentieth century, the district formed part of the Delhi Division. The Deputy Commissioner was subordinate to the Commissioner and Superintendent of the Delhi Division in revenue work and general administration and to the Divisional and Sessions Judge, Delhi in respect of criminal work. The District Judge was subordinate to the Divisional Judge in all matters relating to the administration of civil law.

In 1910, the District Judge was assisted by two Extra Assistant Commissioners, who were Munsifs of the first class, and by one Munsif stationed at Gurgaon. All Tahsildars were invested with the powers of a Munsif of the third class. There was an Honorary Munsif of the second class. One of the two Munsifs¹ of the Delhi district had jurisdiction within the Ballabgarh tahsil.

Following the territorial and administrative changes in 1912 and up to 1950, the district was under the Hisar Sessions Division and the District and Sessions Judge, Hisar used to visit Gurgaon for the disposal of civil and criminal work as an appellate court. In 1950, the district was transferred from Hisar Sessions Division to Karnal Sessions Division. Again, in 1955, it was transferred to Rohtak Sessions Division to which it remained attached up to October 1966. On November 1, 1966, the district became a full-fledged Sessions Division.

The Gurgaon district was among the five districts of the then Punjab State where the separation of judiciary from the executive was introduced in 1954 on an experimental basis. The experiment having proved a success, the system was extended to all the remaining districts of the State in 1964.

1. *Delhi District Gazetteer*, 1883-84, p. 146.

On account of separation of the judiciary from the executive, two kinds of courts came into existence under the Gurgaon Sessions Division, i.e. civil and criminal. The District and Sessions Judge, Gurgaon holds overall charge of the administration of justice, both civil and criminal, in the district.¹ He functions under the Punjab and Haryana High Court, Chandigarh and is assisted by one Additional District and Sessions Judge in the disposal of civil and criminal work.

On the civil side, there are eleven courts of Subordinate Judges. Of these, one Senior Sub-Judge, two Sub-Judges 1st Class and three Sub-Judges III Class are located at Gurgaon, two Sub-Judges 1st Class and one Sub-Judge II Class at Ballabgarh and one Sub-Judge 1st Class and one Sub-Judge II Class at Palwal. The data about the cases tried by the Civil Courts as given in Table L of Appendix show the extent of civil litigation.

On the criminal side, there are eleven courts of Judicial Magistrates. Of these, one Chief Judicial Magistrate, one Additional Chief Judicial Magistrate, one Judicial Magistrate Ist Class and three Judicial Magistrates II Class are located at Gurgaon, three Judicial Magistrates 1st Class at Ballabgarh, and two Judicial Magistrates 1st Class at Palwal. All the presiding officers of the courts exercise civil and criminal powers simultaneously. The Senior Sub-Judge, Gurgaon, exercises the powers of Additional Chief Judicial Magistrate. The data about the cases tried by the criminal courts in the district is also given in Table L of Appendix. The higher figure of summary cases after 1970 was due to a larger institution and disposal of such cases.

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, Gurgaon | Gurgaon Sessions Division | Controlling Officer of all the civil and criminal courts of the Gurgaon Sessions Division | Full powers relating to judicial cases (civil and criminal) for their distribution and disposal |

1. He is simultaneously in charge of the administration of justice in the Mahendragarh district.

1

2

3

4

| | | | |
|--|---------------------------|---|---|
| Additional District and Sessions Judge, Gurgaon | Gurgaon Sessions Division | To assist the Sessions Judge in connection with the disposal of criminal/ civil cases | Full powers relating to judicial cases for their disposal |
| Senior Sub-Judge-cum-Additional Chief Judicial Magistrate, Gurgaon | District Gurgaon | To deal with the distribution of work relating to civil suits and the administration of Class III and IV officials belonging to the Process Serving Agency, and to dispose of criminal cases of Class I, II and III | Exercises enhanced appellate powers to decide small cause cases of Rs. 1,000, unclassified cases of Rs. 500 and land suits of Rs. 250 |
| Chief Judicial Magistrate-cum-Sub-Judge 1st Class, Gurgaon | Do | To deal with the distribution of work relating to criminal cases amongst the courts of the Judicial Magistrates in the district and to dispose of civil and criminal cases of Class I, II and III | Exercises Magisterial powers of Judicial Magistrate 1st Class, summary powers under section 260, of the Criminal Procedure Code, etc. |
| Sub-Judge 1st Class -cum-Judicial Magistrate 1st Class, Gurgaon | Gurgaon | To dispose of civil and criminal cases of Class I, II and III | Deals with the cases of civil nature valuing more than Rs. 10,000 |
| Sub-Judge III Class-cum-Judicial Magistrate II Class, Gurgaon | Do | To dispose of civil cases of Class III and criminal cases of Class II and III | Deals with the cases of civil nature valuing up to Rs. 5,000. |

| 1 | 2 | 3 | 4 |
|--|------------|---|--|
| Sub-Judge III Class-cum- Judicial Magistrate Class Gurgaon | Gurgaon | To dispose of civil cases of Class III and criminal cases of Class II and III | Deals with the cases of civil nature valuing up to Rs. 5,000. |
| Sub-Judge III Class-cum- Judicial Magistrate II Class, Gurgaon | Do | Do | Do |
| Sub-Judge 1st Class-cum- Judicial Magistrate 1st Class, Palwal | Palwal | To dispose of civil and criminal cases of Class I, II and III | Deals with the cases of civil nature valuing more than Rs. 10,000 |
| Sub-Judge II Class-cum- Judicial Magistrate 1st Class, Palwal | Do | To dispose of civil cases of Class II and to dispose of criminal cases of Class I, II and III | Deals with the cases of civil nature valuing between Rs. 5,000 and Rs. 10,000 |
| Sub-Judge 1st Class-cum- Judicial Magistrate 1st Class, Ballabgarh | Ballabgarh | To dispose of civil and criminal cases of Class I, II and III | Deals with the cases of civil nature valuing more than Rs. 10,000 |
| Sub-Judge 1st Class-cum- Judicial Magistrate 1st Class, Ballabgarh | Do | Do | Do |
| Sub-Judge II Class-cum- Judicial Magistrate 1st Class, Ballabgarh | Do | To dispose of civil cases of Class II and criminal cases of Class I, II and III | Deals with the cases of civil nature valuing between Rs. 5,000 and Rs. 10,000 |

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 *Illqa* 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 conspicuous by their absence in the trial of cases by a panchayat.

2) REVENUE COURTS

The Deputy Commissioner, by virtue of his office, exercises the powers of collector under the various statutes and is the highest revenue judicial authority in the district. The cases regarding appointment of Lambardars are decided by him in the exercise of original jurisdiction and an appeal from or revision of his orders lies to the Commissioner of the Division. The Government has also invested the Sub-Divisional Officers (Civil) working in the district with the powers of Collector under specific laws. The Assistant Commissioners and Extra Assistant Commissioners, on first appointment to the service are ex officio Assistant Collectors (II Grade) but Assistant Commissioners and the Extra Assistant Commissioners after having passed the departmental examination in Civil Law and the higher standard examination in Revenue Law, work as Assistant Collectors of the first Grade by virtue of their office. However, the Tahsildars assume powers of an Assistant Collector of the first Grade in partition cases only. The Tahsildars and Naib Tahsildars also exercise the powers of Assistant Collector (II Grade) under various Acts.

BAR ASSOCIATIONS

Bar Association, Gurgaon.—Its exact year of establishment is not traceable for want of record. It is, however, certain that it existed even prior to the beginning of the present century (1900) when the bar had only four or five members. According to the *Gurgaon District Gazetteer*, 1910, the local bar then comprised six first grade and four second grade pleaders with two *mukhtars*.¹

The bar is credited with having provided distinguished Judges, Magistrates, Ministers, Members of Legislative Assembly and Members of Parliament, from time to time.

1. Ibid, p. 169.

The bar had 119 members on March 31, 1971. The number increased to 140 by March 31, 1974, 153 by March 31, 1975 and 164 by March 31, 1977. It looks after the interests of the lawyer community in general and of the individual interests of its members in particular. It also helps in the administration of justice and in the maintenance of law and order.

A few particulars about the other bar associations are given below :

| Name | Year of establishment | Membership in | |
|-------------------------|-----------------------|---------------|------|
| | | 1974 | 1975 |
| Bar Association, Badli | 1965 | 65 | 70 |
| Bar Association, Badli | 1965 | 8 | 9 |
| Bar Association, Nuh | 1960 | 10 | 11 |
| Bar Association, Palwal | 1940 | 80 | 80 |