

CHAPTER XII

LAW AND ORDER AND JUSTICE

LAW AND ORDER

INCIDENCE OF CRIME

In the old days, the criminal tendencies of the people of Jhajjar district were not much different from the people living in adjoining areas. The offence of cattle stealing was the main crime committed in the area like elsewhere which was usually performed in a systematic and organized way with the help of allies from the neighbouring districts and sometimes from the other States. Often, two or more persons would set off towards the encampment of their rivals and endeavour to carry off by stealth a few of their cattles. These persons or groups of persons were called *chor* i.e. thieves commonly. They, with armed herdsmen, would carry away the herd by violence and force by night. The cattle of thefts were transferred to the long distances crossing the provincial boundaries through a chain of animal thieves and their accomplices. The distressed party usually appealed to a self-constituted Panchayat or a famous group of the leading men in a village or in tract, for the return of his milch animals or cattle, instead of reporting the matter to the police. Alternatively, if the owner had a clue, he had to go to the chief of the thieves called *agwa*, who had power to restore the cattle for a due consideration called *bhunga*. Incidents of crimes of violence were not so common in the territories of the district though occasionally murders and *thuggee* did occur. To avoid such crimes, the *thikar chaukidari* system of private watch and ward was devised and managed by the villagers wherein names of all able-bodied men were written on pieces of potsherds, and placed in a vessel in the village rest house. Day by day the names of as many men as were needed to keep guard at certain fixed places in the village and on the roads were drawn out, and those men watched from nightfall to morning. The process was repeated daily till the lots were exhausted, when it began over again with another vessel, into which in the meanwhile the lots were drawn daily have been placed.

The partition in 1947 found the entire government machinery in a state of paralysis. The Police Department in particular had to bear the brunt of the after-effects of the Partition. Its strength was badly depleted by the migration of Muslim personnel who constituted nearly 67 per cent of the total force of the pre-Partition Province. The balance of about 33 per cent non-Muslim police was, therefore, had to deal with highly tumultuous situation. Many uprooted people, having been reduced to utter want and misery, were driven to commit crime. The communal disturbances of 1947 resulted in diminishing respect for law and moral values. The depleted police force had to perform a herculean task to combat the heavy spate of lawlessness and restoring confidence in the minds of the law abiding people¹. Thus it is said that the high number of criminal activities or tendencies were reported in the district during 1948 to 1949, which were attributable to communal disturbances due to the partition. The economic depression and the then prevailing situation of lawlessness and sudden rise in the prices of commodities made the situation from bad to worse. The general administration and police, however, with the help and cooperation of the aware and vigilant citizens and ex-Honorary Magistrates, *Zaildars and safedposhes* handled the untoward situation in an effective and efficient manner.

After Independence, the government enhanced the strength of officials in the police and general administration to aid speedy recovery to normalcy. The situation improved with the settlement of displaced persons on the lands allotted to them in a phased manner. This step of the Government made them busy in clearing the jungles on their lands and preparation of the same for cultivation with animal husbandry putting hard labour with agriculture and small business which turned them to do economic activities resulting in considerable decline in number of crimes and such type of incidents.

As the situation improved later on, the incidences of offences decreased in the territories of the district. The period from 1949 to 1959 witnessed steady decline in all types of crimes. The offence of cheating was not common though cases of cheating were reported cautiously. The incidents of crimes commonly brought to the notice of the police administration were

¹ Rohtak District Gazetteer, 1970, p. 218

simple theft, cattle thefts, burglary, murder, robbery, etc. A steady increase in incidents of crimes can be seen from 1960 onwards, which being devoid of any alarming features could be attributed to increase in high population and lack of employment on a large scale and a growing desire to report all incidents of crimes and disputes to the police administration. Generally, the inhabitants of the district are law abiding in nature. However, under certain compelling circumstances some persons, barring a few exceptions, under impulse of anger commit certain offences as described below. The major categories of crimes committed in the district are described as follows:-

Murder and Culpable Homicide.— The offence of murder and culpable homicide are not common in the district. These terms simply mean unlawful killing of a person by another person, and the offences are defined under section 300 and 299, respectively, of the Indian Penal Code, 1860. The motives behind the offences include land disputes, illicit relations, family rivalry, love affairs, feuds, lure of money, property, etc. In Jhajjar, statistics related to both the crimes are slippery and fluctuating. In 1997, the number of murders committed in the district was 20. During the last ten years, the district witnessed total 592 incidents of murder. The lowest number of 49 cases were recorded in 2013 and highest 69 incidents occurred in 2014. As far as culpable homicide is concerned, it is not very common in the district. Highest number of 8 cases was recorded in 2009, whereas no such case was registered during 2014. In 2018, 60 cases of murder and 2 cases of culpable homicide were recorded.

Robbery.— Robbery is defined under section 390 of the Indian Penal Code. Robbery means the taking of something of value, whether money or property, from someone through the use or threat of physical force. In all robbery there is either theft or extortion, but it differs from the crime of burglary. Robbery, due to the presence of element of physical harm or its fear to the victim, is aggravated form of theft or extortion. The incidents of crime of robbery generally occur on the highways and remote areas. Only 6 cases of robbery were registered in 1997. During the last ten years, 423 incidents of robbery took place in the district. Years 2013 and 2014

witnessed minimum 28 incidents each, whereas maximum 75 incidents of robbery were reported during 2018.

Dacoity.— Dacoity is robbery conjointly committed, or attempted or aided by five or more persons. As such it is an aggravated form of robbery and every such person so committing, attempting, or aiding, is said to have committed dacoity. Like murder, dacoity is also categorised among heinous crimes. The incidence of this crime, though fluctuating, is low as compared to murder and robbery. In 1997, only one incident of dacoity occurred in the district. The incidents of this crime in the district show fluctuation. During the last ten years, 84 incidents of dacoity occurred in the district. Whereas, a low figure of only 03 dacoity cases was recorded in 2014, there were 19 such occurrences reported during the year 2018.

Burglary.— It is an act of breaking into a house with the intention of theft or felony. This crime is common both in urban and rural areas. In 1997, the number of burglaries committed in the district was 45. The statistics of this crime show a fluctuating trend with report of 1926 cases during last ten years. In 2009, minimum figure of 145 incidents was recorded in the district which increased to 210 in 2012; thereafter burglary cases had shown a decreasing trend until 2014. The maximum 323 burglary incidents were reported during 2018.

Cheating.—It is an act of a person with intension to act dishonestly or unfairly in order to gain an advantage in money or kind, without putting in hard labour. The targets are usually persons of credulous nature who can be made to believe things under the spell of deception, and are made to part with cash and property. In 1997, only 08 cases were registered in the district. This crime has shown increase in the district with registration of 56 cases of cheating during 2018.

Assault on Public Servants.—People generally become critical to the behaviour and functions of public servants and show tendency to undermine the authority of public servants, and lay a greater stress on fundamental rights than that of their corresponding duties and responsibilities. But, if any person

assaults or uses criminal force to prevent a public servant in the execution of his duty, or with intent to prevent or deter that public servant from discharging his lawful duty, he commits crime under section 353 of the Indian Penal Code and is liable for punishment accordingly. Eighteen cases of assault on public servants were registered in 1997. An increase in such incidents has been noticed during last ten years, and 41 cases were registered in 2018.

Rioting/Unlawful Assembly.— An assembly of five or more persons is designated an “unlawful assembly”, under certain conditions mentioned in section 141 of the Indian Penal Code. And, whenever force or violence is used by such unlawful assembly or by any member thereof in prosecution of the common object of such assembly, every member of such assembly is guilty of offence of rioting. Personal enmities and disputes over possession of land and demanding more legal rights for sectional interests for particular class or classes flaring up from momentary provocations are primarily responsible for riots in rural areas. Sometimes, people other than those who actually took part in rioting are involved. In the district, 11 cases of rioting/unlawful assembly were registered in 1997. During the last ten years, the minimum occurrence of 23 such cases was reported in 2014 under this crime head. The number of such cases registered in the district was 92 in 2018.

Theft.—Theft is a criminal act in which property belonging to another person is taken without that person’s consent and it is defined under section 378 of the Indian Penal Code. It is a common crime in the district. In 1997, the number of theft cases committed in the district was 57. During the last ten years, there was much fluctuation in occurrence of theft with minimum 357 cases registered in 2009, and maximum 697 cases reported in 2018.

Cattle Lift.—Cattle lifting is an age old crime that still happens in the district and comes under theft. Cattle lifting usually prevail in rural areas due to demand for both dry and milch cattle. Even in the past, large number of cattle were lifted from area of Jhajjar, and were passed on to the districts of Uttar Pradesh, notably Saharanpur, Meerut and Muzaffarnagar for higher profits. In 2018, the number of cattle theft cases registered in the district was 49.

Kidnapping/Abduction.—Kidnapping is a crime under section 359 wherein a minor male or female, or any person of unsound mind is removed or enticed away by force or by deceitful means from his/her lawful custody of lawful guardianship. Kidnapping is of two kinds: Kidnapping from India and kidnapping from the lawful guardianship. Abduction is defined under section 362 as a crime wherein if any person by force compels, or by any deceitful means induces, any person to go from any place, is said to abduct that person. Usually the personal enmity and extortion of money are the main motives behind these crimes. In 1997, the number of kidnappings committed in the district was 3 only. Last ten year statistics show fluctuation in the annual occurrences of these crimes in the district, with minimum number of 22 cases registered in 2015, and maximum 58 cases in 2018

Data of cases reported under different crime heads in the district from 2009 to 2018 is given in the table below:-

Year	Crime Head									Total
	Murder	Culpable Homicide	Dacoity	Burglary	Theft	Robbery	Kidnapping/ Abduction	Rioting / Unlawful assembly	Miscellaneous crimes	
2009	66	08	07	145	357	30	27	58	1099	1797
2010	51	05	07	186	527	37	44	69	1211	2137
2011	59	03	10	157	468	31	31	80	1223	2062
2012	64	03	10	210	451	35	38	50	1160	2021
2013	49	06	04	162	441	28	36	23	1279	2028
2014	69	00	03	159	424	28	24	32	1360	2099
2015	43	01	05	167	427	45	22	39	1701	2450
2016	65	01	07	163	380	53	27	95	1806	2597
2017	66	04	12	254	527	61	53	75	2548	3600
2018	60	02	19	323	697	75	58	92	2852	4178

Offences under Local and Special Laws.—Offences under local and special laws comprise cases of public nuisance and those covered under the Public Gambling Act, 1867; the Indian Arms Act, 1878; the Excise Act, 1940; the Essential Commodities Act, 1955; the Prevention of Corruption Act, 1988; etc. Amendments in Motor Vehicle Act, 1988 have been carried out and various new traffic rules have been incorporated in view of the increased number and types of vehicles. This has also resulted in the increased number of offences registered under the Act. In the recent years, large numbers of cases, as compared to previous years, have been reported under the Excise Act, the Arms Act, the Gambling Act, etc., due to increased vigilance, tendency to report and awareness among the public. The detail of offences reported under these various local and special laws from 2009 to 2018 is given in table below:-

Year	Excise Act	Arms Act	NDPS Act	Gambling Act	PC Act	EC Act	Copy Right Act	Electricity Act	Other Local and Special Laws
2009	253	95	49	40	03	09	05	50	47
2010	210	80	16	31	02	08	03	39	42
2011	268	86	27	29	02	05	02	05	54
2012	818	75	32	41	02	08	03	09	73
2013	320	20	09	13	00	01	00	00	15
2014	231	104	24	47	00	05	03	83	68
2015	1188	214	76	162	04	09	05	91	229
2016	662	172	59	91	03	04	02	50	103
2017	79	169	89	41	01	09	03	35	148
2018	287	175	96	57	01	04	01	16	143

CRIMES AGAINST WOMEN

Increase in crimes against women has attracted the attention of people during the past decades. New enactments have been made, or already existing laws have been strengthened with amendments or addition of provisions to curb the tendency of crime against women in general. Few of such crimes and their

incidents in the district have been described in the forthcoming paragraphs:-

Rape.— Rape is a crime of sexual assault usually involving sexual intercourse or other forms of sexual penetration perpetrated against a woman without her consent. Consent of minor in rape, however, is considered immaterial, and age of consent has been increased from 16 to 18 years even in case of child bride. In 1997, only 2 cases of rape were registered in the district. During the last ten years, lowest number of 20 cases reported in 2011 and highest 61 cases registered in 2015. The number of such cases registered during 2018 was 37.

Dowry death.— With a view to protect women from the evil of dowry, Section 304-B was inserted in 1986 in the Indian Penal Code to define the crime of Dowry death, and provides that where the death of a woman is caused by any burns or bodily injury or occurs otherwise than under normal circumstances within seven years of her marriage, and it is shown that soon before her death she was subjected to cruelty or harassment by her husband or any relative of her husband for, or in connection with, any demand for dowry, such death shall be called "dowry death", and such husband or relative shall be deemed to have caused her death. In 1997, only 6 dowry death cases were registered in the district. During the last ten years, minimum 5 cases were reported in 2015 and maximum 22 in 2016. In 2018, 14 incidents of dowry death were reported in the district.

Insulting the modesty of a woman.— If any person, with the intent to insult the modesty of any woman, utters any word, makes any sound or gesture, or exhibits any object, intending that such word or sound shall be heard, or that such gesture or object shall be seen by such woman, or intrudes upon the privacy of such woman, he commits the crime of insulting the modesty of a woman. In 1997, the number of such cases recorded was 17. There is an increase in reporting of cases of crime against women in the district, due to establishment of women police station in 2015 and increased ease of reporting. In 2018, the number of molestation cases registered was 129.

Cruelty against woman by husband and relatives.— If the husband or relative of the husband of a woman subjects a woman to cruelty, they are liable for

punishment under section 498-A of the Indian Penal Code. Only nine such cases were reported during 1997, which rose to 18 cases in 2008. In 2018, 279 cases of cruelty against women were registered in the district.

Trafficking in Women and child.— No case of trafficking in women and children has been reported in Jhajjar district since its creation in 1997.

Data pertaining to the district from 2009 to 2018 for various crimes against women is given in the table below:-

Year	Rape	Dowry Death	Molestation	Cruelty against women
2009	36	12	31	18
2010	32	12	27	19
2011	20	10	21	20
2012	32	19	51	20
2013	29	14	39	21
2014	27	16	37	23
2015	61	05	70	153
2016	27	22	57	144
2017	30	16	102	199
2018	37	14	129	279

POLICE

In the beginning of the 20th century, the police stations at Jhajjar, Bahadurgarh, Beri, Salhawas and Kalanaur were in the Jhajjar Circle headed by a Circle Inspector with his head quarter at Jhajjar under the control of the Superintendent of Police, Rohtak. In 1904, the police force at Dujana consisted of one Deputy Inspector, one Surgent and eleven constables, and there was also a jail, with a daily average of eight prisoners.¹

In addition to above, in 1912, there were police lock-ups at Jhajjar, Bahadurgarh, Beri, Salhawas and Badli outpost having one room or barracks for males and females separately². At Jhajjar tehsil with a population of nearly 55,000 persons, the police with the total strength of 36 personnel comprising only 2 Sub-Inspectors and 34 constables was under staffed for both watch and

¹ Dujana State Gazetteer, 1904, p.12

² Rohtak District and Dujana State Statistical Tables, 1912, Table 49, p. cxv

ward of the area, and for the work of separate *thana* in the town. There were Police Stations at Beri, Bahadurgarh, Salhawas, Dujana and Nahar having a total strength of 80 police personnel for maintenance of law and order situation. Above and beyond the sanctioned strength of lower subordinates (all grades below Sub-Inspectors), a reserve of 15 per cent (11 per cent for leave and 4 per cent for other vacancies) was allowed. This force of 63 foot constables remained under the orders of a reserve Sub-Inspector, Rohtak who was called the Line Officer.

As on 1st July, 1912, details of the *thanas* (police stations) along with strength of police personnel in the area is given in the table as under¹:-

Thana and Population	Class of Police	Sub-Inspector	Head Constable	Foot Constable
Jhajjar (54,953)	Provincial ...	2	2	12
	City	2	18
Bahadurgarh (54,177)	Provincial ...	1	2	10
Beri (46,968)	Provincial ...	1	2	10
	City	2	18
Salhawas (51,047)	Provincial ...	1	2	10
Dujana (5,428)	Provincial ...	1	1	9
Nahar (20,059) ²	Provincial ...	1	1	9
Total (116 personnel)		6	14	96

However, "detective force" was also posted at police stations. Those men were not specially trained as detectives, though an effort was made to train a few selected men for that purpose. Besides these, there were 343 village watchmen who were appointed under the Punjab Chowkidara Rules, 1876 to watch generally up to hundred houses. They had no connection with the police beyond that involved in their duty of reporting births and deaths fortnightly in the *thana* and of messenger for carrying important information and orders.

A recruit after joining was kept in lines for about six months during which period he was drilled and trained in the use of fire-arms. For three or four hours a day he was made to attend school where he was taught the

¹ Rohtak District and Dujana State Statistical Tables, 1912, Table 47, p. cxii-cxiii

² *Ibid.*, p. xvii

outlines of his duties and, if possible, how to read and write. Each year a certain number of men, about one percent of the force, after selection by the Deputy Inspector General from amongst those recommended by the Superintendent by the police, were sent to the Police Training School at Phillaur (Punjab) where they attended a six months' course. Only those who passed the training course were considered fit for promotion. As far as possible no officers lower in rank than that of the In-charge of a police station was allowed to investigate a case.

The duties of the police force increased manifold as a result of the World Wars. The police had to meet new situations every now and then. After the war, there was a shortage of essential commodities and the police force had to be employed to check black marketing. The political parties had become very active, and agitations were held for freedom of the country. The visits of the British delegations to India for political settlement involved a big security question for the police.

The Independence of the country later on increased the duties of the police force. Fresh burdens were thrown on it by the expansion in social activities and branches of the public administration. While the responsibilities of the police force increased, neither was it strengthened adequately, nor were the salaries and conditions of work reviewed in the light of altering economic circumstances up to 1950s.

During the late fifties, it was felt that reforms were required in the Police. The Punjab Police Commission was constituted in 1961 by the State Government that enquired into and reported on the role of 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 the 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. Screening of the police force, setting up of a Scientific Laboratory for crime clue's examination and research centre under Director, Forensic Science Laboratory, better human resource development schemes were among the

recommendations of the commission. The recommendations of the Police Commission made in May, 1962 were implemented in the same year.

The State Government has consistently endeavoured towards modernizing the police system for making it more efficient and responsive to the needs of the people in the context of the new socio-political concepts which are emerging in the society and in the State. State Government, on the direction of the Central Government and in light of the Model Police Act, 2006 circulated by it, repealed the old Police Act of 1861 by enacting the Haryana Police Act, 2007 to provide a new State police law for establishment, regulations and management of the police, redefine its role, duties and its responsibilities and to enable it to function as an efficient, professional, effective, accountable, people friendly and responsive agency by taking into account the emerging challenges of policing, enforcement of rule of law, the concern for security of the State and the people, good governance and human rights. The Act also provides for State Police Complaint Authority for inquiries and investigations into the complaints against the police officers and officials of the State. In order to maintain law and order situation in the district, the number of police stations was increased from 4 to 9 along with the establishment of 11 police posts with the passage of time. Further, the police force has been made more people friendly, upgraded, provided with new age arms and equipped with modern technology communication gadgets which has helped in curbing various criminal activities in the district.

Organisation of the district police.—As per Police Rules, the Senior Superintendent of Police (SSP), Jhajjar is working under the administrative control of Director General of Police, Haryana through Deputy Inspector General of Police, Rohtak range in whose jurisdiction the district Jhajjar falls. Various staff agencies such as crime bureau, social investigation agency, special branch, vigilance, etc., converge at the office of SSP who in turn operates through police stations, special squads, traffic police, reserve police, etc. Insofar as the maintenance of law and order in the district is concerned, the SSP works under the general supervision and guidance of the Deputy Commissioner.

The smallest unit of police administration in the district is the police station that caters to the needs of several villages, or a town or part of a town as specified. Each police station is under the charge of a police officer known as Station House Officer (SHO) not below the rank of Sub-Inspector. In the area under his jurisdiction, he is responsible for maintenance of peace and order and for proper investigation of the offences occurred therein. Police posts have also been established as per requirement by the Police Stations, which are headed by either a Sub-Inspector or an Assistant Sub-Inspector with respective specified jurisdiction. In 2015, a ‘Women Police Station’ has also been established at the district headquarter to prevent and detect crimes specific to women, and to deliver ease of reporting, empathetic listening and a prompt action for women victims in the district.

The district is divided into three Sub-Divisions, namely Jhajjar, Beri and Bahadurgarh. There are number of Police Stations/Police Posts functioning in the district for the maintenance of law and order and one Traffic Police Station to maintain traffic control. As on 31st March, 2018, the strength of police force in the district included a Superintendent of Police, an Additional Superintendent of Police, 5 Deputy Superintendents of Police, 27 Inspectors, 46 Sub-Inspectors, 137 Assistant Sub-Inspectors, 317 Head Constables, and 1,215 Constables. The list of the Police Stations and Police Posts in the district during 2017-18 is given in the table below:-

Police Stations	Police posts
Police Station, Jhajjar	Dulina
Women Police Station, Jhajjar	Dighal
Police Station, Beri	Sasroli
Police Station, City Bahadurgarh	Badli
Police Station, Sadar Bahadurgarh	Mandothi
Police Station, Govt. Railway Police Bahadurgarh	Asoudha
Police Station, Line Par, Bahadurgarh	Kulana
Police Station, Sahlawas	Chhuchhakwas
CIA, Jhajjar	Sector-6 Bahadurgarh
	Sector-9 Bahadurgarh
	MIE Bahadurgarh

Police Radio Organization.— For receiving and transmitting messages, wireless sets have been provided to all the key police officers, and in all police stations, police posts and police control rooms (PCR) in the district. The telecommunication wing of the police is responsible for running the wireless network in the district round the clock. The personnel of telecommunication wing besides managing the receipt and transmission of messages in the intra district police stations, police posts and mobile PCRs, also coordinates with the State Police Control Room. The police radio organisation is an important arm of the district police which aids in maintenance of law and order and checking crimes.

Traffic Police.— Two special units of traffic police are functional in order to ensure smooth flow of traffic, promote road safety and check the number of road accidents in the district. In addition to these traffic units, the police personnel from the concerned police station and 19 Police Control Room (PCR) vehicles under the jurisdiction of different police stations are deployed for this purpose. In the district, 408 accidents were recorded in 2008. The strength of vehicles in the district is increasing rapidly due to which the cases of road accidents thereof have risen in number with the passage of time. In 2018, the number of cases of accidents registered was 718.

The traffic police organise special *nakas* and drives to check various traffic offences, like signal jumping, rash driving, over-speeding, overloading, pollution, drunken drivers, deficiency in documentation of the vehicles, etc., and issues challans to the offenders for violations of traffic rules under the provisions of the Motor Vehicle Act, 1988 (as amended in 2017) and other related enactments. The traffic police also launch road safety and awareness campaigns from time to time to educate the road users and general public about the importance and observance of traffic rules. The Jhajjar Traffic Police has introduced a new concept of Traffic Marshals in order to improve its interface with the citizens. Under this scheme, residents are invited to volunteer and participate as 'Marshals' in the enforcement drives of the traffic police¹. Any citizen can enrol himself for training as a Traffic Marshal. Preference is given

¹ haryanapoliceonline.gov.in

to senior citizens and retirees having some relevant experience in public dealing. Enrolled volunteers are sensitized about the need for road safety and the role of traffic law enforcement in achieving the same and explained about the provisions and process of issuing challans. Such traffic marshals are also invited to all events and programmes organized by the traffic police on the road safety and traffic management. The data of offences under traffic rules in Jhajjar district from 2014 to 2018 is provided in the table below:-

Offence	Number of challans by traffic police				
	2014	2015	2016	2017	2018
Driving without driving license	2621	8476	6803	4011	2862
Under age driving without driving license	190	127	43	151	315
Driving without registration certificate	1581	4492	3240	2017	1540
Driving without number plate	283	737	775	571	611
Signal (red light) jump	Nil	01	28	01	Nil
Using mobile phone while driving	294	1201	843	162	188
Rash driving	735	728	542	261	175
Use of dark/tinted film/glasses in windows	346	1033	1029	1178	1038
Driving by drunken person	188	195	22	55	78
Load violation	146	159	135	64	111
Unauthorised use of red/blue beacon light	Nil	02	5	03	Nil
Wrong parking	1126	2007	2943	5895	9226
Violating air pollution standards	2223	10856	8888	4346	3231

Home Guards.—Haryana Home Guards has its origin in the Punjab Home Guards that was started as a voluntary organisation in 1960 keeping in view the civil emergencies, and appreciating the need of time, in the border districts and all important towns of the State with the aims of 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.

For Jhajjar, a separate office of the District Commandant, Home Guards was established in 2006. The District Commandant is the In-charge of home guards in the district. He is assisted by Commander Training Centre, Assistant District Commandant, Company Commander, Platoon Commander and other subordinate staff. Two urban companies of ‘35 Coy’ and ‘36 Coy’

with 106 volunteers each have been stationed at Jhajjar and Bahadurgarh, and 3 rural blocks with 106 volunteers each have been stationed at Jhajjar, Beri and Bahadurgarh in rural areas. The volunteers are trained in drills without and with arms, first-aid, fire fighting, rescue, flood relief, warden duty, traffic control, maintaining essential services and helping the civil administration at the time of natural disasters, and maintaining law and order. They are also trained in weapons control, boating and performing general duties. As on 31st March, 2018, the strength of volunteers of Home Guards was 530 in the district.

Railway Police.—The Government Railway Police, Haryana (GRP) came into existence together with inception of Haryana as a new State in 1966 with its State Headquarter at Ambala. The railway police personnel are not allotted to any district particularly, and the circles of the railway police are formed according to the sections of the railway lines. The main functions of the railway police include maintenance of law and order at railway stations and in trains; attendance of the arrival and departure of passenger trains at stations and to render all possible assistance to passengers and railway officers; protection of travellers from injury to both person and property; bringing to the notice of the proper authority all offences under the Railways Act and any breaches of bye-laws, and all cases of fraud or oppression on the part of railway sub-ordinates; keeping platforms clear of idlers and beggars; keeping a vigil for suspicious persons, smugglers and persons travelling with arms; searching of all empty carriages for property left behind by passengers; control of the hackney carriages plying for hire at railway stations; enforcement of the regulations of railway authorities, etc. The Government Railway Police has the same duties and powers as the district police within its respective jurisdiction. The railway stations at Jhajjar come under the jurisdiction of the Police Station GRP, Bahadurgarh which, as on 31st March, 2018, was managed by 9 Sub-Inspectors, 7 Assistant Sub-Inspectors, 7 Head-Constables and 14 Constables.

Village Police.—Village *Chowkidar*, a petty official of the revenue/panchayat department, is considered as the village police. He performs the duties regarding maintenance of law and order at the lowest rung. He serves a vital

role in maintaining law and order as he is well-aware of the people residing in the village. It is his duty to report the occurrence of any crime or breach of law and order situation in the village to the concerned authorities and keep a general vigil on the movement of individuals of bad repute. He is bound by rules to obey the village headman and to assist the police to the best of his ability in all matters connected with the prevention and detection of crime and the apprehension of the offenders. As on 31st March, 2018, there were 228 village *chowkidars* in the Jhajjar district.

Jail.— The Jail in Jhajjar was set up in 2011. This Jail with a total area of 54 acres, and a capacity to house 1074 prisoners, is situated on the land of village Silani Kesho approximately 8 kilometres away from Jhajjar city on Gurugram-Jhajjar road. The Jail Superintendent is the overall controlling authority in the jail, and he runs the affairs of the jail with the aid of support staff and other experts. The jail has a separate male ward and a female ward with facility of crèche room. It is equipped with the PICS (Prison Inmates Calling System) and modern soundproof interview room. The jail has a separate cooking area, factory area, forest nursery, music room, saloon, hospital, legal aid clinic, and library with books on religion and other subjects of the general importance. It has the facility for sports, cultural, entertainment, and educational activities for the inmates. As on 31st March, 2018, the total number of prisoners in the jail was 961.

District Crime Prevention Committee.—The district crime prevention committee works under the aegis of the Crime Prevention Council of India which was set up on the pattern of ‘Aprad Nirodhak Samitee’ that was initiated in 1938 by late Shri Gopinath Srivastava for rehabilitation of disposed prisoner from jail. The main objective of the District Crime Prevention Committee is to kick out crimes and corruption from the society, maintain peace, law and order. By organising seminar, meetings and personal contacts with people, the committee endeavours to create a society devoid of crimes and this society inculcates to maintain unity and integrity of the Nation¹. On all important

¹ www.cpcindiaonline.com

occasions, the district committee provides its voluntary services to the public and administration to maintain law and order, and even makes students aware of the ill-effects of the crimes and measures to control them by organising seminars, lectures, group-discussions, etc., in schools and colleges of the district.

JUSTICE

History of courts in Jhajjar district is quite old. During the times of *Nawabs*, courts were held by the ruling *Nawab* in his *Quilla* (Palace). Before 1857, *Munsif*, *Muhrir's* or *Kazi's* Courts were held at old tehsil compound. In the regime of Britishers, camp courts were also held at Jhajjar. These courts with camp at Jhajjar were presided over by the Commissioners of Hisar during 1850-1870 and after wards camp courts were presided over by the Commissioner or Deputy Commissioner of Rohtak or Sonipat and Jhajjar. Introduction of the Indian Penal Code, 1860 and Criminal Procedure Code 1861 followed by the Indian Evidence Act in 1972, vested enhanced judicial powers under relevant provisions of the said enactments in the Deputy Commissioner, and the Extra Assistant Commissioner, who were In-charge of one or more police stations, and had the ordinary powers of First Class Magistrates¹. At that time Jhajjar being a tehsil, a Tahsildar and a Naib Tahsildar with respectively second class and third class magisterial powers were posted. There were also benches of Honorary Magistrates (third class) at Jhajjar and Bahadurgarh². In 1919, permanent Court was established in Jhajjar. In the beginning, only one Sub-Judge was appointed here. The number of judges increased with the passage of time. After independence, the judicial work was placed under the supervision of District and Sessions Judge posted at Rohtak having the jurisdiction of the then Jhajjar tehsil. He was assisted by Senior Sub-Judge, Jhajjar and two Sub-Judges, one each for Bahadurgarh, and Beri.

¹ Rohtak District Gazetteer, 1910, p.153

² *Ibid.*

At the time of creation of the district in 1997, only two Civil Courts, namely Additional Civil Judge (Senior Division)-cum-Sub Divisional Judicial Magistrate, and Civil Judge (Junior Division) were working. Court of the Additional District and Sessions at Jhajjar was established in 1998 to cater the heavy load of work and to provide better legal services to the needy persons at their doorstep. All cases trial-able in the Sessions Court were transferred to Jhajjar. A separate Sessions Division was carved out of Rohtak Sessions and Division and the same was established in the Judicial Court Complex situated at Jhajjar in March, 2008. Bahadurgarh Sub-Division is a part of Jhajjar Sessions Division. The District and Sessions Judge, and the Additional District and Sessions Judges exercise powers of Appellate Authority under the East Punjab Urban Rent Restriction Act and as Motor Accident Claim Tribunal. The pecuniary jurisdictions of Civil Judges of Jhajjar Sessions Division and also of the appellate courts are unlimited. All the Civil Judges have the powers of Judicial Magistrates and Rent Controllers.

As on 31st March 2018, there were one District and Sessions Judge, five Additional District and Sessions Judge, one Civil Judge (Sr. Division), one Chief Judicial Magistrate, one Chief Judicial Magistrate-cum-Secretary, District Legal Services Authority, two Additional Civil Judges (Senior Division), seven Civil Judges (Junior Division) in the district. Out of these, one Additional Civil Judge (Senior Division) and four Civil Judges (Junior Division) were posted at Sub-Division Bahadurgarh. In addition to above, a Principal Magistrate was also posted in the Juvenile Justice Board at Jhajjar.

Criminal Justice.—The judicial officers have both civil and criminal jurisdiction. The same judicial officer functions as a civil court when adjudicating upon civil matters, and as a criminal court while trying criminal cases. The work in lower courts is supervised by the Chief Judicial Magistrate, who deals with all types of cases. He is vested with the powers of Judicial Magistrate 1st Class and is empowered to try even the juvenile offenders, to issue search warrants, to release imprisoned persons, to seek security under section 106 of Criminal Procedure, to order police investigation into cognizable

cases, to entertain cases with complaints, to transfer cases to subordinate Magistrates, and to report appropriate cases to High Court. All Judicial Magistrates try cases under the Indian Penal Code, 1860, the Punjab Excise Act, 1914, Essential Commodities Act, 1955 and other special Acts relating to the police stations. They have the powers to direct warrant to land holders; to issue search warrants for discovery of persons wrongfully confined; to record statements and confessions during police investigation; to recover penalty on forfeited bond; to order released convicts, to notify residence, etc. All criminals apprehended by the police are required to be produced before the Judicial Magistrate in whose jurisdiction the crime may have been committed within 24 hours of their arrest excluding the journey time. The District and Sessions Judge, Additional District and Sessions Judges and all other Judges exercise the powers which are granted under the various provisions of the Code of Criminal Procedure, 1973, the Indian Evidence Act, 1872 and other powers which are also specially vested in them by the State Government. Though, Judicial Magistrates are empowered to try criminal cases which are initiated within the district where they are posted, yet, for the facilitation of work and avoiding confusion, specific police stations are allotted to judicial officers. The detail of cases tried by the Criminal Courts in the district from 2008-09 to 2017-18 is given in the following table:-

Year	Cases brought from previous year	Cases reported and admitted during the year	Cases tried	Convictions	Cases untraced	Pending
2008-09	8,335	14,795	12,293	81	677	10,837
2009-10	10,837	7,456	8,423	109	243	9,870
2010-11	9,870	3,798	5,797	87	130	7,871
2011-12	7,871	9,338	7,297	85	363	9,912
2012-13	9,912	35,168	33,688	105	965	11,392
2013-14	11,392	26,864	23,252	124	495	15,004
2014-15	15,004	20,213	25,851	124	465	9,366
2015-16	9,366	18,217	17,200	242	281	10,383
2016-17	10,383	18,197	15,925	231	255	12,655
2017-18	12,655	22,441	18,893	252	281	16,202

The Constitution of India mandates the State to take steps to separate the judiciary from the executive in the public services of the State. Cases of security for keeping peace and good behaviour under the Criminal Procedure Code, 1973 are tried by the Executive Magistrates who are still under the control and supervision of District Magistrate.

Civil Justice.— On the civil side, the administration of justice in the district is the responsibility of the District Judge. The Civil Judge (Senior Division), Jhajjar try cases of rents, succession certificate, insolvency, guardianship and appellant work up to certain limit. The pecuniary cases instituted in his court are distributed by him amongst the Civil Judges posted in the district, who have been vested with the unlimited powers in cases of civil nature. All appeals lie to the District Judge or High Court, as the case may be, in accordance with law. The detail of cases tried by the Civil Courts in the district from 2008-09 to 2018-19 is as below:-

Year	Cases brought from previous year	Cases reported and admitted during the year	Cases tried	Pending cases
2008-09	7,645	7,750	7,783	7,612
2009-10	7,612	5,522	5,291	7,843
2010-11	7,843	5,732	3,422	10,153
2011-12	10,153	5,922	5,498	10,577
2012-13	10,577	16,618	16,335	10,860
2013-14	10,860	7,197	8,064	9,993
2014-15	9,993	8,094	8,688	9,399
2015-16	9,399	6,929	7,151	9,177
2016-17	9,177	9,414	8,474	10,117
2017-18	10,117	8,834	8,519	10,432

Lok Adalats.—These courts also known as ‘People’s Courts’ are established by the Government for settlements of disputes through conciliation and compromise. The main purpose of *Lok Adalats* is to facilitate expeditious decisions in pending court cases by way of reaching a compromise through conciliation between respective parties to the case so that the financial resources and time of litigants may be saved while mitigating the enmities

between them. The decisions of the *Lok Adalats* are final and binding upon the parties. The number of beneficiaries in *Lok Adalats* of Jhajjar was 889 in 2011-12 which increased to 4,240 in 2018. This sharp rise is indicative of increased popularity and faith of litigants in the concept of Lok-Adalat.

In the premises of the Lok Adalats, 13 trained mediators are provided for effecting mediation between parties to a dispute including post-litigation as well as pre-litigation mediation in the Mediation and Conciliation Centre. Additionally, there is a front office in Alternate Disputes Redressal Centre, which is manned by a trained Para Legal Volunteers, who drafts application for needy persons. Advocate / Retainer also manages front office to give legal advice to needy. Telephonic Legal Aid Helpline is also active, which anyone can dial to seek advice from the panel lawyer.

Revenue Courts.—The Collector is the highest revenue judicial authority in the district. Appeal or revision against his orders lies to the Divisional Commissioner and Financial Commissioner, Revenue. Tehsildars and Naib-Tehsildars are Assistant Collectors 2nd Grade, but in partition cases the Tehsildar assumes the powers of Assistant Collector 1st Grade. The Sub-Divisional Officers (Civil) are Assistant Collectors 1st Grade; however, they have also been delegated the powers of Collectors under certain Acts.

District Attorney.—The District Attorney is the head of the prosecuting agency at the district level and looks after the work relating to the civil and criminal cases in the district courts. He works under the general control of the Director of Prosecution, Haryana. He is assisted by Deputy District Attorney (DDA), Assistant District Attorney (ADA) and subordinate staff. Deputy District Attorney pleads the civil/criminal cases in the courts of Additional Sessions Judges. Assistant District Attorney pleads the civil/criminal cases in the lower courts. Cases for appeal to District Attorney are also suggested /rejected by the DDA/ADA, and they send such cases to him with the copies of judgment concerned. For criminal cases, they are under the control of the Director of Prosecution, and for civil cases, they are under the control of the Legal Remembrancer and Secretary to Government, Haryana. As on 31st

March, 2018, one District Attorney, two Deputy District Attorneys, and nine Assistant District Attorneys were functioning in the district.

Free Legal Aid Services.—The concept of free legal aid has its roots in Article 39A of the Constitution of India. The State Government have taken keen interest in providing legal aid facilities to the general public. District Alternative Dispute Redressal Centre was inaugurated at Jhajjar in September, 2014 where the free legal aid services have been made available through the District Legal Service Authority for all civil, criminal, revenue and administrative matters to eligible citizens. Presently 12 legal aid clinics have been set-up throughout the district where 19 Para Legal Volunteers (including 8 PLVs working in Jail) and 47 Panel Advocates are rendering free legal services. Under the scheme, Village Legal Care and Support Centre have also been established to provide basic legal services to the residents of the rural as well as of the urban areas. Legal literacy camps are organized on holidays, including Sundays. Besides, the Haryana Victim Compensation Scheme, 2013 is also in vogue. As many as 13,770 persons got free legal aid up to December, 2018 in the district.

Bar Association.— The Bar Association at Jhajjar came into existence with a starting strength of less than 10 lawyers in 1945. In district, the Bar Association functions under the rules framed by the Punjab and Haryana High Court and the Bar Council of Haryana under the Advocates Act, 1961. The Association is the guardian of administration of law and justice and protects the rights and privileges of the members engaged in the legal profession in general and particularly the members of the Bar Association, Jhajjar. Members of the District Bar Association also involve themselves in the social activities like blood donation camp, cricket tournaments, raising demands for needs of citizens of district as well demands of public cause.

In 2018, the Bar Association has 325 Advocates' Chambers. Advocate chambers well equipped with all state of the art civic facilities including free Wi-Fi and vehicular parking. The Library of the association is completely air conditioned having more than 10,000 books, more than a dozen

of subscribed newspapers and periodicals. In 2018, there were 950 Advocates enrolled as members at Jhajjar and 257 Advocates at Bahadurgarh Sub-Division respectively.
