

CHAPTER XI.

LAW AND ORDER AND JUSTICE.

INCIDENCE OF CRIME IN THE DISTRICT.

The situation of the district is partially responsible for a comparatively high incidence of crimes. The present district is at one end of the State and has several districts of Uttar Pradesh and Champaran, Shahabad, Muzaffarpur and Patna of Bihar State on her borders. There is a big river front with formidable stretches of *diara* land. Nepal, an independent country, is also quite close to Saran through Champaran. The people are physically strong and adventurous. A border district like Saran will have police problems.

Till 1866 the district of Saran included the present district of Champaran as well. The district at that time was rather unwieldy and the earlier British administrators must have found it difficult to control particularly the areas that now form the fringes of Champaran district on Nepal border. Champaran has always been in close contact with Nepal. As a preventive measure, riverside police-stations and *chowkis* on the border of Champaran and Nepal had been established formerly. The river-front has had to be closely watched in the past. As a preventive measure a number of riverside police-stations, namely, Sonepur, Dighwara, Revelganj, Manjhi, Siwan, Raghunathpur, Darauli and Guthni were established in the earlier days of British administration.

From the police point of view it may be said that the position of the district is such that encourages the activities of inter-district and inter-State criminal gangs. The police headquarters at Chapra has reported that requisitions from the police authorities from different States in India and from different districts of Bihar for apprehension of persons of Saran for alleged criminal activities outside the district are quite common. There is nothing surprising in this as there is a very high incidence of emigration in this district and out of the emigrants there may be some unsocial elements.

The digest of a number of important letters from the earliest British rule till 1866 available in the District Record Room at Chapra was published from the Gazetteers' Revision Section as *Sarkar Saran* in 1956. From a perusal of the digest, it would be seen that during the early days of British administration the incidence of crime in Saran district, as it was, was rather high. Dacoity, robbery, highway robbery with murder, burglary without theft, burglary with theft, theft, cattle stealing with maiming, wilful murder, arson, etc., were very common. The book *Sarkar Saran* also mentions that from 1787 to 1815 the *terai* on Nepal frontier was almost a no-man's land and there used to be frequent inroads into the British zones by the Gurkhas and *vice versa*. Some of the border zamindars worked in

league with the anti-social elements in Nepal frontiers. *Sarkar Saran* mentions "It appears that the frontier villages were armed for defence and *parwanahs* and *istahars* were distributed to the effect that bandits from Nepal should be repulsed. A simple method suggested was that whenever any bandits will appear in any village the inhabitants will beat '*Nekerah*' or large drum by which the neighbouring villages may collect for each other's aid". It appears that in the month of April, 1815, the charges of the Police and the Revenue of the *terai* were made over to Lt.-Col. Bradshaw, the Political Agent of the Governor-General for the Affairs of Nepal. Mr. Elliot, Magistrate of Saran, was informed about it and it was held that "it should be practicable and convenient to introduce the law and regulation of the British Government into the *terai*". The border problem was accentuated by the fact that very often criminals used to run away to the other territory after committing crime.

The district had a good number of highway robberies till the end of the nineteenth century. A notorious gang of criminals known as the *thugs* were chiefly responsible for such highway robberies. There was a sustained operation against the *thugs* who used to prowl about on the roads and get themselves attached to the unsuspecting travellers and after winning their confidence robbed them often after murder. They would also administer poison in food and drink and then victimise the travellers. *Thuggism* in Saran district was particularly mentioned by Col. Harvey, Superintendent of Operations, against *thugs* in his Report in 1864—1866. Harvey's Report makes out that there was no particular caste or community that took to *thuggism*. This crime was more or less followed as a profession by the men of various castes such as Goalas, Dhanuks, Koeris, Dusadhs and Musalmans. Occasionally the *thugs* would combine with the cartmen or with the inn-keeper where the travellers had to stay for rest. At times the *thugs* would dope the cartmen also. There were also flashes of cunning device. One *thug* would pose as a *sadhu* (mendicant) while his accomplices would act as the disciples. A *puja* would be performed near the inn where the travellers would rest. The travellers would be invited to the *puja* and offered drugged *prasad* (offering to God). Bad communication encouraged the *thuggism* and the river banks where usually the road travellers halted were the favourite spots for committing murders. Dopes like *ganja*, *bhanga* and *dhatura* were commonly used by the *thugs*. Recently a stone slab was found near Durgawati river in Shahabad district with an inscription in Hindi and Urdu warning the travellers against the *thugs*. This shows that the early British administrators were fully alive to their responsibility and fixed up such stone slabs in the suspected zones.

The *thugs* are an interesting study. B. Z. Goldberg in his book "The Sacred Fire" has mentioned that a *thug* never considers himself a murderer and argues that it is the hand of God that kills the man

and that the *thugs* are mere instruments in the hands of God. The *thug* according to Goldberg believed that his calling was to be a slayer and educated his children carefully to follow the vocation. They were worshippers of *Kali*. It is doubtful if there was a religious background to the extent that Goldberg thinks among the *thugs* of the Saran district. The worship of *Kali* has never been very common in Saran.

The old correspondence makes out river dacoities as a common crime. A Magistrate had to guard the river tracts between Hajipur and the western extremity of the district of Saran. A letter from the Superintendent of Police, dated the 23rd February 1815 mentions that the Council had authorised the entertainment of a Guard Boat, 14 oars each.

The old correspondence volumes in the Record Room from 1823 to 1842 have a number of letters referring to the custom of *sati* which was quite prevalent in Saran district. Regulation XVII of 1829 abolishing the practice of burning alive the widows of Hindu had to be implemented with a certain amount of caution. The police were enjoined to try their utmost to dissuade the woman from becoming a *sati*. The Magistrate of Saran was asked to strictly enjoin the police *darogahs* to proceed immediately on receiving the information of *sati* being likely to occur and prevent the ceremony. Cases of *sati* had to be reported with explanation. The steps taken slowly eliminated the practice. The police had a great responsibility in this manner and very often designing men encouraged *sati* to grab property.

When communications are bad they offer a problem. The roads had to be strictly watched not only against the *thugs* but also against dacoits and thieves, *Murhellahs* or police outposts were fixed at convenient points. From crime point of view some of the high-roads were particularly bad. A part of the high-road passing through the district of Saran to Ghazipore was notorious and the Superintendent of Police of the Lower Provinces on the 14th January 1827 had informed Pringle, Magistrate of Saran, that there was no security of travelling on that part of the road and that had to be removed. The rural police or the *chowkidari* establishment was particularly watched. Extra guards used to be employed known as *Berkandazes*. The *thanadars* had to exchange list of stolen properties. Some *thanas* were more notorious from crime point of view. Some of the letters mention that the *thanadars* were also not above suspicion and at times they used to hold up boats with saltpetre and other merchandise on some pretext or other. In such cases the Magistrate had to intervene when approached and ordered their release.

The incidence of crime in Chapra and Revelganj towns was high. Burglaries and thefts were very large. *Berkandazes* were specially deputed to the *kutcheries*, treasuries and record rooms. From a letter issued by the Commissioner, dated the 16th September

1831, it appears that the Commissioner of Revenue and Circuit, the Provincial Court, the Zillah and the City Judges, Magistrates and Joint Magistrates, the Collectors of Revenue and Customs, the Commercial Residents and the Salt Agents were asked to employ *Berkandazes* for their establishment. The Joint Magistrate was asked to employ *Berkandazes* for the jails and hospitals.

In the nineteenth century till Champaran was separated as a district, cattle lifting was a ticklish problem. Herds of cattle used to be driven out of the district to the jungles of Oudh or Nepal thus rendering their recovery almost impossible. The Nepal frontier was a fertile zone for the cattle lifters and there was frequent correspondence from the Magistrate of Saran with the Resident of Nepal on this subject.

It is of interest that crime statistics were a regular feature of the administration from towards the end of the eighteenth century. The crime statistics used to be scrutinised and comments were communicated. In 1825 only 150 burglaries were mentioned in a report. The comment was that the extremely small number could not be accepted particularly as the district was large and burglaries in the town of Chapra were very frequent. The Magistrate was asked to report whether he was of the opinion that actually burglaries and other heinous offences were being concealed by the police officers, zamindars, *talukdars* or village watchmen. A report to the Registrar, Nizamat Adalat, dated the 1st September 1830, gives the following statistics :—

Description of crime.	From January to June, 1829.	From January to June, 1830.
Dacoity with wounding ..	1	0
Highway robbery ..	0	1
Highway robbery with murder	102	51
Burglaries without theft ..	213	129
Burglaries with theft ..	58	34
Cattle stealing with wounding	35	66
Wilful murder	0	1
Arson	2	0

The crime statistics quoted above could be compared with the earlier comparative statement for 1821 and 1822 which runs as follows :—

Crime statistics.	1821.	1822.
Highway robbery	12	3
Burglary	296	262
Cattle stealing	97	109
Theft	95	122

Although it is clear that not absolute reliance could be put on the statistics but they do indicate the trends to some extent.

The crime position of the district during the second half of the nineteenth century can be appreciated from Hunter's *Statistical Account of Saran District*, published in 1877. He mentions that "During the year 1872, 3,976 'cognisable' cases were reported to the Police, of which 178 were discovered to be false. Convictions were obtained in 737 cases, or 19.40 per cent of the 'true' cases; the number of persons actually brought to trial was 1,830 of whom 1,017 or 55.57 per cent were convicted. In the same year the number of 'non-cognisable' cases was 1,484; the number of persons who actually appeared before the court being 2,029, of whom 1,283 or 63.23 per cent were convicted. The total number, therefore, of both 'cognisable' and 'non-cognisable' cases in 1872 was 5,460; and the total number of persons convicted of an offence, under either of these heads, was 2,300 or .11 per cent of the total district population.

Serious crime is not very prevalent in Saran. In 1870, 11 cases of murder took place, and .11 persons were arrested; the percentage of persons convicted to persons brought to trial was 70. In 1871, the number of murders was 4 in all of which convictions were obtained. In 1872, however, out of 7 murders known to have been committed, in 2 only were convictions obtained. In 1870, there were 9 cases of dacoity or gang robbery, in 1871 only 6; 5 cases of rape were reported in 1870, against 3 in 1871. Out of the 6 cases of dacoity in 1871, convictions were only obtained in 3; but in 1872, out of 5 dacoities only 1 resulted in conviction. The cases of house-breaking increased from 1,192 in 1870 to 1,223 in 1871, and to 2,505 in 1872. The cause of the increase in 1871 is said to be the distress which was the result of the large destruction of crops by floods, combined with the miserably insecure state of the houses. The principal crime in Saran is criminal house-trespass, usually committed by Magahiya Doms, the most criminal caste in the district, whose motions it is difficult to watch, as they have neither houses nor lands. In 1870, 119 cases of riot were investigated, against 109 in 1871; and convictions obtained in 62.5 per cent. The offence of 'grievous hurt' showed a decrease of 50 per cent in 1871 as compared with 1870. Convictions were obtained in 30 per cent of the cases decided in 1871, the percentage of persons convicted to persons brought to trial being 65.38. Cases of hurt by dangerous weapons increased from 8 in 1870 to 12 in 1871, convictions being obtained against 66.6 per cent of the number of persons tried. In 1870, all who were tried were convicted, cases of abduction or kidnapping fell from 4 in 1870 to 3 in 1871; and the percentage of convictions to persons brought to trial also fell from 100 per cent to 80. Highway robberies numbered 7 in 1870 and 8 in 1871; other robberies 17 and 8, respectively. In 1870 the percentage of persons convicted in cases of highway robbery to persons brought to trial was 100; while in 1871 it fell to 33.3.

In other robberies, the percentage of convictions to persons brought to trial also fell from 100 in 1870 to 42.18 in 1871. Cattle-theft cases numbered 32 in 1870, and 17 in 1871, in this latter year the proportion of persons brought to trial was 88.23 per cent."

The old records do not show much change in the first decade of the twentieth century so far as crimes are concerned. The commonest crimes were as before—burglary, theft, cattle lifting, rioting, dacoity and murder although cases of *thuggism* and forced *sati* had disappeared. In the quinquennium ending in 1904 there were more cases of rioting in Saran district than in any other districts of the Patna Division excepting Champaran. The cases of rioting were mostly connected with land disputes. In that quinquennium there were 6,773 burglary cases. The incidence of dacoities and robberies had, however, gone down to some extent. The district had gangs of professional criminals. They used to move out of the districts as well. Infanticide was unusually common although the figure was only 52 in the decade ending in 1905. The only other district which had a similar figure was Shahabad with 50 cases in that decade. Infanticide has now been stamped out.

In the revised *District Gazetteer of Saran*, published in 1930, Mr. A. P. Middleton, I.C.S., had discussed the trends of crime in the later years and had mentioned as follows :—

"The commonest forms of crime are burglary, theft and rioting. In the quinquennium 1919—1923 there were 8,231 cases of burglary but in that from 1924—1928 the number had dropped to 5,008. Ahirs are both the most numerous and most criminal of all castes in the district with the exception of Magahiya Doms referred to later. Dacoities are not numerous and are confined almost entirely to the border of the Gorakhpur district where notorious gangs reside. The district is well known for its riots which frequently end in loss of life owing to the free use of spears by all classes. In the quinquennium 1918—1923 there were 187 riots and in that from 1924—1928 there were 166. These figures do not, however, give the true position as how many riots are classed under murder. Murders are not unduly numerous considering the density of the population but a special feature is the number of cases of infanticide by mothers which in the quinquennium 1924—1928 totalled 29. Kidnapping of, and trafficking in, girls for marriage is fairly common and the gangs operating have connections with Patna and Shahabad districts."

Before we discuss the incidence of crime in the last two decades it is necessary to dispel the idea that there should be anything now as a criminal tribe or caste. Hunter in his *Statistical Account of Saran* published in 1877 had mentioned that certain castes were criminal

class. He groups Dosadhs, Ahirs and Magahiya Doms as the criminal classes and mentions that the first two monopolise the post of Chowkidar thus illustrating the good old adage "to catch a thief, one has to employ a thief". In his Statistical Account while discussing the criminal statistics Hunter had also referred to the Magahiya Doms as "the most criminal caste in the district, whose motions it is difficult to watch, as they have neither houses nor lands". Without entering into the question whether Hunter was fully justified in making these sweeping observations one can say that the observation would not be appropriate at all at the present moment. There is no doubt that the Magahiya Doms in Hunter's time were more or less of gipsy habits and they made a precarious living by their basket-weaving, rope-making, etc. Their economic condition was so bad that Mr. Bayley, the Commissioner of the Patna Division, was quoted by Hunter as remarking that the Magahiya Doms were less removed from the lower animals than any caste in India. Bayley also observes that their one occupation was stealing and they committed burglaries, highway robberies and petty thefts. But Bayley also observes that the Magahiya Doms were utilised by the petty zamindars who received the proceeds of their robberies. There is no doubt that the backwardness and low economic condition of the Magahiya Doms was utilised by the richer and anti-social elements.

Hunter thought that it was very difficult to keep them under strict surveillance. Mr. Drummond, the Collector of Saran, had advocated the scheme of collecting them together at one place and forming them into an industrial colony. This experiment was later tried and the Magahiya Doms were brought under the ambit of the Criminal Tribes Act. According to the Criminal Tribes Act the Magahiya Doms had to notify their movements and had to take permission of the police authorities for moving out of their colony. They had to be strictly watched and night patrol was to take their attendance (*hazri*). As a matter of fact the Magahiya Doms were treated as if they were born thieves and dacoits. The Criminal Tribes Act was abrogated in 1950.

Regarding Hunter's observations about the other castes such as Dosadhs and Ahirs as criminal classes based on jail statistics of 1872 as mentioned in his *Statistical Account of Saran District*, there are sound reasons to differ. Hunter only took the number of Ahirs, Rajputs, Doms, etc., in the jail at Chapra in 1872. He did not analyse the reasons why they were in jail. A riot case for a land dispute might have put 20 or 30 men belonging to a particular caste into the jail in that year. It would be unscientific to come to any conclusion about the criminality of a caste by merely taking the proportion of each caste in the district population and the proportion of that caste along with the total number in jail. It has also to be recollected that in 1872 the poorer class had not much means to engage lawyers to defend themselves. As a matter of fact even in our own days a poor man is often undefended and goes to the jail

because he cannot afford to engage any lawyer. It will be a fiction to assert that there is any criminal class in this district or as a matter of fact in any of the districts in Bihar.

Regarding the Magahiya Doms Mr. A. P. Middleton in the *District Gazetteer of Saran*, published in 1930, observes : "A criminal tribe known as Magahiya Doms migrated to Saran at an unknown date from the west. The men are bold and skilful burglars and thieves while the women are equally criminal though as a rule they confine their activity to the obtaining of information of likely places to burgle and for this reason visit villages begging or selling articles made out of split bamboo. They also prostitute themselves so as to gain access to houses for this purpose. When the men are absconding for the purpose of committing crime they keep in touch with their women who generally take food to them in their hiding places in high standing crops or jungle. The men carry a broad thick and slightly curved knife called a *Kata* which they are very expert in cutting through the walls of houses for burglary. They prefer to cut a small hole by the side of a door (known as a *bagli*) through which the hand is inserted to draw back the bolt. They also use other house-breaking instruments to mislead the police investigation and divert attention from themselves.

Surveillance over these Doms is difficult and this was realised as far back as in 1882 when the then Magistrate Mr. Henry concentrated them in three or four large settlements, where they were given land to cultivate and a small special police force was sanctioned for surveillance. In the following year Major Skinner, the District Superintendent of Police, took up and further developed the scheme of reclamation by trying to settle the Doms permanently on the land. In Champaran where these Doms live a wandering gipsy life they were collected and restricted in settlements but in Saran where, owing to the density of the population they had not been so free to roam and had settled near villages, it was considered advisable to leave them in small groups so that they might be more attached to their village and acquire the idea of becoming cultivators with a stake in the land. There was also the difficulty of the cost of acquiring large blocks of land for permanent settlements.

Government approved of the scheme which was worked out with energy by Major Skinner; the salient points were to give adult Doms small quantities of land in their villages to encourage them to take to agricultural pursuits; to give them presents of poultry, pigs, goats, etc., to make a start in life and to induce them to increase their stock so as to assist them to earn an honest livelihood and to find employment for them in the neighbourhood of their villages. The scheme has been further developed as additional land has been obtained by acquisition, by free gifts by zamindars and by grant at a low rental. The Doms have also been provided free with agricultural implements and plough-oxen. From time to time industrial

schools to teach weaving *durries* and *newar* and for cane work have been started.

It must be admitted that these efforts at reclamation have met with little success though the young generation, now growing up, who attend the local schools do take an interest in education and so much good has been done that the older men have been made to work.

There are 23 settlements known as *paraos* and at 21 of these beat-houses are maintained where a constable of the special force is posted for surveillance and to make the Doms work in their fields. The special force consists of 1 Inspector, 2 head constables and 21 constables. The total population of Doms is 1,087 and they cultivate 440 *bighas* of land. The Doms were declared a criminal tribe in 1913 and since the following year all adults, male and females, are registered under section 10 (a) and (b) of the Criminal Tribes Act. Though this has enabled the police to keep them under better control their continued hereditary criminal habits led to the further restriction of the worst characters under section 11 of the Criminal Tribes Act".

Mr. Middleton mentions another "criminal class" that of Palwar Dusadhs of Ballia district who migrated from there and had settled in Saran. It was mentioned about them :—

"They also have been registered under the Criminal Tribes Act but the majority of them are well behaved and have been exempted from surveillance, the exception being a few very active members residing in Ekma police-station. These people generally go to the districts of Eastern Bengal and Assam for their criminal raids."

That there are anti-social elements within the district and that such elements from outside the district consider Saran to be a fruitful field for their operation is shown by the general upward trend in some of the types of crimes particularly from 1942 to 1957 when the hands of the police were quite full with general law and order problem. Criminals within this district and the inter-provincial gangs had become active during this period. Strict measures had to be taken and the upward trend was curbed.

The police administration faces a problem created by the abrogation of the Criminal Tribes Act in December, 1950. As mentioned before Saran has been a district where there are quite a few settlements of Magahiya Doms. The abrogation of the Criminal Tribes Act deprived the police of their executive control over the Doms. According to the police report the Doms became active and there was again an appreciable rise in dacoities and other crimes in 1951-52. In 1953, however, there was a very remarkable decrease and the police could claim this improvement due to its

crime-controlling measures, anti-crime operations and successful detection and prosecution of important gangs. The convictions of a number of gangs were secured during this period. Important gangs were rounded up during this period. The Dom criminals whose activities got an encouragement by the abrogation of the Criminal Tribes Act were also brought under some control by the usual police surveillance. A few extra constables and Sub-Inspectors of Police were drafted to keep such surveillance over the Dom colonies. Gambling is not much of a problem in this district. Border raids are also absent. Sex crimes are not very common. The figure for rape reached its maximum in 1954, that is, 10 as against 2, 5 and 4 in 1951, 1952 and 1953, respectively. Kidnapping or forcible abduction cases are, however, more numerous. The maximum figure was reached in 1955, that is, 33 as against 32, 17, 25 and 19 in 1951, 1952, 1953 and 1954, respectively. The scarcity of food, rapid increase of the population, unemployment and high prices of food-grains have made the crime position more complicated in the district. Saran is a deficit district so far as supply from within is concerned and as mentioned earlier has a very heavy density of population. The retrenchment of the rural police by 30 per cent has been another obstacle which the police had to face in its crime control measures since 1950-51. The village force under the *Gram Panchayats* is an innovation and has supplemented the ordinary police force.

Comparative crime figures from 1942 to 1957 under murder, dacoity, robbery, burglary, theft and riot are given below :—

Years.	Murder.	Dacoity.	Robbery.	Burglary.	Theft.	Riot.	Total.
1942	.. 30	263	25	1,575	551	70	2,514
1943	.. 29	251	40	1,657	633	74	2,634
1944	.. 36	96	20	1,128	645	66	1,991
1945	.. 26	59	25	1,007	446	65	1,628
1946	.. 59	133	31	1,488	591	176	2,478
1947	.. 40	151	35	1,761	719	127	2,833
1948	.. 39	115	37	1,660	639	122	2,612
1949	.. 44	79	34	1,466	680	106	2,409
1950	.. 53	74	50	1,516	731	125	2,549
1951	.. 46	126	60	1,813	790	113	2,948
1952	.. 52	134	42	1,843	827	126	3,024
1953	.. 53	81	28	1,553	785	86	2,586
1954	.. 49	85	41	1,607	763	103	2,648
1955	.. 43	49	37	1,140	651	121	2,041
1956	.. 46	47	35	1,283	729	173	2,353
1957 (up to 31st October 1957).	42	50	32	1,093	629	116	1,962

The main trend of events from 1942 onwards could be briefly indicated. In 1942 the "Quit India" movement was launched against the British Government in India. The arrest of a few Indian leaders of the first rank was followed by a mass movement to paralyse the Government. Many of the local leaders went underground and cases of sabotage, arson, tampering of railway lines or telegraph lines became quite common. Attempt was also made to burn down Government institutions like thanas, etc. Such acts were naturally considered as crime and the authorities had tried to meet the situation with an unusual firmness. The military had to be brought in to aid the civil administration. There were cases of firing on the mob and even on the students. Mass arrests became a common feature. Communications that were tampered with were quickly restored and normal conditions were brought back.

With the restoration of normal conditions punitive taxes were imposed on villages which had taken a prominent part in such subversive acts. For some time the hands of the administration were very full in realising punitive taxes and the police had a very unpleasant task.

In the last three decades the role that the police had to play in Saran district has been as difficult as their counterpart in other parts of the State. During the height of the Non-co-operation and Civil Disobedience Movements, the police had a delicate task. Their task became all the more difficult because they had to work against their own kith and kin and many of the well-known people of the district who had thrown themselves in the movements. But loyalty has been the hall mark of the police services. The same police force rallied their strength to fully implement the policy of the first Congress Ministry. The already overstrained police forces gave a good account of themselves in 1942 movement and after. They also had to face the communal troubles which brought in crimes from different inspiration in 1946. There was a wave of communalism in the State and Saran was also affected. Arson, kidnapping, assault and even murder were some of the shapes of the crime in the wake of communal disturbances in 1946. Immediately after, came the Independence of India and the formation of the Congress Ministry in Bihar.

With Independence in the country and the setting up of the Congress Ministry in Bihar there has been a change in the character of the State. The police is no longer meant only for law and order but the police have a vital role to play in bringing about a well-patterned Welfare State. The police force has had to expand enormously with the changing times. The transition period has naturally brought in a lot of extra problems for the administration. The expansion of the police has been a necessity not only for maintaining law and order but also for keeping up the Welfare State well moored

The recent broad-based administrative changes have put a great strain on the police force. The Constitution of India, promulgated in 1950, laid down two fundamental innovations, universal adult suffrage, and legal abolition of untouchability. India is now the greatest free democracy in the world. The district of Saran has, as observed before, an intense density of population and the problem brought in by the granting of universal adult suffrage has been observed to be a huge uncharted sea, and in some respects entirely revolutionary. That the vote of a so-called "untouchable", or a scavenger will have the same value as that of an educated Brahmin is something that cuts through one thousand years of the Indian life. There have been two general, several bye-elections and several elections for other bodies since 1950. The police forces have conducted themselves with very great credit during the elections. Their task at such time is extremely delicate and requires tact and firmness. The election offences have been remarkably few in comparison to the vast electorates.

It is true that the abolition of untouchability by law, a very bold piece of legislation, has not been able to liquidate that vast, complicated, social, economic and psychological structure known as the caste system. As a matter of fact the legal abolition of untouchability is not meant to do away the caste system by one stroke. But this piece of legislation was a necessity to bring a social equilibrium and adjustment of social values so very necessary in a socialistic Welfare State. In this matter also the police forces have their responsibility. The police force is now made up of various components and they have to implement the State policy regarding removal of untouchability. The outlook of the police has distinctly changed towards the so-called untouchables and the Harijans.

In a Welfare State the police is not meant for enforcing law and order only. The help of the police is sought to fight epidemics, distribute ration, meet demands of supply, and so on. In the near future the police will have to be called upon to meet the other problems of the district, production of food and fighting poverty. These are all facets of one great problem, that the human factor, the population which is increasing so rapidly that growth in material resources can scarcely catch up. The economic planning has to be revised from time to time. The police has to fit into the scheme.

There has been a revival of the age old political and administrative units at village level. The State Government have already covered a great part of the district under the administration of this statutory *panchayat* and there has also been a large number of non-statutory *panchayats* working within the district. These *panchayats* which may be loosely described as village republics are now decentralised administrative units with very wide powers covering all that constitutes life in the rural area. The scheme of the Government began work with faith in the people and by all accounts it has made

a success of the programme. The *panchayats* are working as complete democratic units of the administration at the village level for co-ordinating and implementing the social, economic and cultural programmes in the First and Second Five-Year Plans. They have their own officers working under the order of the local *panchayat* directorate. The police have to fit into this scheme of work. There has to be a harmonious blending of the time old police forces in the district meant for the rural areas and these village voluntary forces. It is only expected that it will take time to make an adjustment and it is on its way.

The village judiciary and the village voluntary force should not be taken as curbing the inherent power of the police. The police continue to play their exacting role in detecting crime and bringing the offender to book. At some places the village *panchayats* have not functioned as successfully as expected. But the value of the *panchayats* dispensing justice in smaller cases outside the law court with the minimum cost has its great advantage. The working of the State law for *panchayats* has revealed certain gaps in the original Panchayat Raj Act. These have conflicted with the wider laws operable only by the police authorities. Modifications in the Panchayat Act are under contemplation and the minor clashes between the *panchayats* and the police regulations and the psychological barricades between the executives of the *panchayats* and the over-riding authority of the police are expected to be removed soon.

POLICE ORGANISATION.

The set up of the organisation of the Police Department at different periods will be of interest. In his *Statistical Account of Saran District*, published in 1877, Hunter mentions that for police purposes Saran had ten police thanas, six of which Chapra, Dighwara, Parsa, Manjhi, Basantpur and Masrakh were in the Sadar subdivision while the remaining four Siwan, Darauli, Baragaon and Barauli were in the Siwan subdivision. Hunter had observed that it was under contemplation to re-arrange some of these thanas. In his time the size of thana's jurisdiction varied from 116 to 422 square miles and the population from 1,07,338 to 2,82,185. The largest thana in Hunter's time was Baragaon and the most populous Siwan.

Hunter had mentioned that at the end of 1872 the regular police consisted of one District Superintendent on a salary of Rs. 600 a month, five subordinate officers on a salary of upwards of Rs. 100 a month, 69 officers on a salary of less than Rs. 100 a month, 333 Foot Police Constables on an average pay of Rs. 6 a month. The total cost of the regular police of Saran district including pay, travelling allowances, office establishment, etc., for the year 1872 came to Rs. 5,825-5-4 a month. According to these figures there was one police man to every 6.5 square miles of the district area or to every 5,058 of the population. The urban police was described by Hunter as the municipal police. It consisted, at the end of 1872, of

11 officers and 162 men, maintained at a total cost of Rs. 1,102 a month defrayed by means of rates levied upon householders within municipal limits. The three municipalities of Chapra, Siwan and Revelganj had a total population of 70,801 and there was one policeman to every 409 persons. In 1871 Chapra had 8 Head Constables and 100 men, Revelganj, 2 Head Constables and 37 men and Siwan, one Head Constable and 28 men.

The rural police in 1872 numbered 6,067 persons maintained either by the zamindars or by service lands held rent-free at an estimated total cost of Rs. 4,601 a month. Compared to the area and population there was one village watchman or Chowkidar to every .44 square mile of the district area and one to every 340 of the population. Each village watchman had charge of 41 houses on an average and received an average pay in money or land of 12 annas a month or 18 shillings a year. The majority of the village watchmen belonged to two of the most criminal castes in the district, according to Hunter, Ahirs and Dusadhs. Hunter agreed that the District Magistrate who had reported that the Chowkidar should receive his pay regularly from Government and not from the landed proprietors and that if not regularly paid they would have no inducement to disclose their knowledge of who had committed crimes which they were presumed to know.

Hunter had calculated that including the regular police the municipal police and the village Chowkidars, the entire machinery for protecting personal property in Saran district consisted at the end of 1872 of 6,648 men of all ranks equal to one man to every .39 square mile of the district area, or one man to every 310 of the population.

The *Revised District Gazetteer of Saran*, published in 1930, does not cover the police organisation with as much thoroughness. It was, however, mentioned:—

“The table below shows the police-stations in the district. Many of these were originally outposts and as they grew in importance were raised to the status of independent police-stations. The police force in 1929 consisted of a District Superintendent of Police in charge with a Deputy Superintendent at headquarters as an Assistant and another Deputy Superintendent at Siwan to supervise the work of the police in the Siwan and Gopalganj subdivisions. The sanctioned strength in addition is 1 Sergeant-Major, 6 Inspectors, 53 Sub-Inspectors, 76 Head Constables and 584 Constables. Of these 4 Head Constables and 50 Constables from the armed reserve. The Sadar subdivision is divided into two circles and the Siwan and Gopalganj subdivisions each form one, which are each in charge of one Inspector. The total sanctioned strength of the regular police is, therefore, 723 being one policeman to every 3,236 persons and to every 3.7 square miles. The rural force for the watch and ward of villages

which is maintained by the Chowkidari tax consists of 3,977 Dafadars and Chowkidars. The following are the police thanas in the district :—

Chapra Subdivision—(1) Chapra town, (2) Chapra Mofussil, (3) Mirzapur, (4) Masrakh, (5) Baniapur, (6) Garkha, (7) Parsa, (8) Dighwara, (9) Sonapur, (10) Revelganj, (11) Manjhi, (12) Ekma, (13) Siwan, (14) Mairwa, (15) Guthni;

Siwan Subdivision—(16) Darauli, (17) Raghunathpur, (18) Siswan, (19) Maharajganj, (20) Barharia, (21) Basantpur, (22) Gopalganj, (23) Mirganj, (24) Bhore;

Gopalganj Subdivision—(25) Katea, (26) Kuchaikot, (27) Baikunthpur, (28) Barauli.”

REGULAR POLICE.

For police purposes, the district now has a Superintendent of Police as its administrative head who is under the administrative control of the District Magistrate of Saran and the Deputy Inspector-General of Police, Northern Range, with headquarters at Muzaffarpur. The head of the Police Department is the Inspector-General of Police who has his headquarters at Patna. The police district of Saran is divided into the subdivisions of Sadar, Siwan and Gopalganj. Siwan and Gopalganj subdivisions are put in charge of a Deputy Superintendent of Police while the Sadar subdivision is directly under the Superintendent of Police assisted by two Deputy Superintendents of Police posted at the headquarters. There are five Police Circles each placed under the administrative charge of one Circle Inspector. They are as follows :—

- (1) Circle 'A'—(1) Town police-station, (2) Chapra Mofussil police-station, (3) Bhagwan Bazar police-station, (4) Revelganj police-station, (5) Manjhi police-station;
- (2) Circle 'B'—(6) Sonapur police-station, (7) Dighwara police-station, (8) Garkha police-station, (9) Marhowrah police-station, (10) Masrakh police-station, (11) Parsa police-station;
- (3) Siwan—(12) Siwan police-station, (13) Mairwa police-station, (14) Guthni police-station, (15) Raghunathpur police-station, (16) Darauli police-station (17) Barharia police-station, (18) Andar police-station;
- (4) Gopalganj—(19) Gopalganj police-station, (20) Mirganj police-station, (21) Kateya police-station, (22) Bhorey police-station, (23) Kuchaikote police-station, (24) Barauli police-station, (25) Baikunthpur police-station;
- (5) Maharajganj—(26) Maharajganj police-station, (27) Basantpur police-station, (28) Siswan police-station, (29) Ekma police-station, (30) Baniapur police-station.

Each police-station is generally manned by one Sub-Inspector of Police (Officer-in-charge), one Assistant Sub-Inspector of Police, one Writer Constable, one Literate Constable and 8 Constables. But it varies according to the size and necessity of the police-station. In heavy police-stations 2, 3 or 4 Sub-Inspectors of Police and similar number of Assistant Sub-Inspectors of Police are posted.

Besides the police-stations there are 16 permanent and 1 temporary Town Outposts in the district which are as follows :—

Chapra Town	..	..	4 plus 1 (temporary).
Bhagwan Bazar	..	..	6
Revelganj	..	..	2
Siwan	..	..	3
Gopalganj	..	..	1

Each Town Outpost is manned by one Havildar and 10–12 Constables. The Armed Police Section consists of 327 persons. There are 669 unarmed constables for the district.

Besides the above regular police force, there are 247 Dafadars and 2,620 Chaukidars on the roll who are required to collect intelligence and communicate it to the officers-in-charge of the police-stations and to prevent and detect crime, etc.

There are seven posts of Steno. Assistant Sub-Inspectors who are placed under the Deputy Superintendents of Police and in the courts for copying judgments and case diaries, etc. They are on temporary basis.

There is one post of District Prosecutor and six posts of Assistant District Prosecutors posted to each subdivisional headquarters. They conduct the criminal cases in the district. Though their ranks are those of Inspectors and Sub-Inspectors, their cadres are different. Siwan court has one District Prosecutor and one Assistant District Prosecutor while Gopalganj and Sadar have one and four Assistant District Prosecutors, respectively.

ANCHAL POLICE.

There is one Anchal force functioning in the district purely on temporary basis. They are mainly utilised in collection of revenues by the Zamindari Circle Officers, distribution of *taccavi* loans, and relief measures, etc. They are employed by the Superintendent of Police in consultation with the District Magistrate. This force consists of 18 Havildars and 125 Constables in this district.

RECRUITMENT.

Regarding the recruitment of Police, the Superintendent of Police is concerned only with the recruitment of constabulary who are appointed from all communities if available—the Harijans being given preference. The other higher ranks are appointed by the Deputy Inspector-General of Police or a Board.

LITERACY.

Nearly 55 per cent of the constables are literate and 45 per cent illiterate. All efforts are made to increase the percentage of literacy among the constables by holding classes in the police lines as well as in the police-stations at regular intervals.

HOME GUARDS.

The Bihar Home Guard Force was organised in 1948. They were enrolled according to the Home Guards' Rules.

The Home Guards have been enrolled from almost all parts of the district and they have been imparted training in the use of rifles, *lathi*, archery, fire-fighting, first-aid, drill, traffic-control, field craft, musketry, etc., at the Central Training Camp, Bihta.

The sanctioned strength of Home Guards of this district is 400 but at present only 391 Home Guards are on effective strength.

The Home Guards are volunteers and whenever they are at home, they render service on no-cost basis. They are utilised in organising village resistance groups. They perform social services also in their own and neighbouring villages and send information regarding crime and criminals or any breach of peace to the nearest police officer. In emergency, they are utilized by the Government in maintaining law and order and for that period they get allowances, etc., according to the scheduled rate as fixed by the Government. They are controlled by the District Home Guard Office with the following paid staff under direct control and supervision of the Superintendent of Police :—

The paid staff of Home Guard Section consists of four District Company Commanders, one Havildar Clerk and one Orderly Sepoy.

TOTAL POLICE STRENGTH.

The present sanctioned strength of district police force consists of 1 Superintendent of Police, 3 Deputy Superintendents of Police, 1 Sergeant-Major, 6 Inspectors, 3 Sergeants, 64 Sub-Inspectors, 64 Assistant Sub-Inspectors, 1 Jamadar, 41 Havildars, 996 Constables, 1 Head Clerk, 1 Accountant, 23 Clerks and 1 Daftary. The other temporary posts existing in the district include one Building Inspector of Police, whose duty is to look after the buildings and to be in charge of departmental construction of quarters, 2 Stenographers who are of the rank of Assistant Sub-Inspector of Police. The Anchal Police consisting of 18 Havildars and 125 Constables are also on temporary basis. These figures could be compared with the figures mentioned by Hunter which comprised the police force at the end of 1872 as mentioned before. It will be seen that the rural police in 1872 numbered 6,067 persons maintained either by the zamindars or by service lands but at present the rural police consist of 2,620 Chaukidars and 247 Dafadars. It may safely be surmised that the larger

number of rural police maintained by the zamindars or by service lands were far less amenable to control than the present set of Chaukidars and Dafadars who are on monthly pay basis.

In 1872 there were only 333 Foot Police Constables. The present strength consists of 996 Constables including 327 Armed Police. The number of the men at the top has also gone up very considerably. Hunter had mentioned about 5 subordinate officers on a salary of upward of Rs. 100 a month. The pay of a Sub-Inspector of Police is above Rs. 100 now. There are, as mentioned, 64 Sub-Inspectors of Police besides a number of Sergeants, Inspectors and Deputy Superintendents of Police.

The other allied wings of the district police force are the Railway Police and the Anti-Corruption squad. The Railway Police works under the Superintendent of Railway Police with his headquarters at Samastipur. Sections of them move in the running trains and some are posted at the railway stations. The railway administration maintain a separate Watch and Ward Department particularly for their goods sheds. The Anti-Corruption Department (State) works under an officer in charge of the Department who has his headquarters in Patna. The Intelligence Department of the Police have also its section working within the district. For apparent reasons they work mostly underground. As prohibition has not yet been introduced there is no prohibition squad. But the Excise Department maintain their own staff to keep watch on anti-social activity with regard to excisable articles.

JAILS AND LOCK-UPS.

Before describing the present Jails and Lock-ups in Saran district the following quotation from *Sarkar Saran* based on old correspondence regarding Saran district from 1785 to 1866 published by the Gazetteers' Revision Section in 1956 will be of interest :—

“The jail at Chuprah had been the cause of many headaches to the local authorities as the Old Correspondence of different years show. The prisoners were allowed a good deal of latitude in the early nineteenth century regarding their food and movement within the jail. The messing system in the jail was introduced in Chuprah some time in 1845. Letter no. 1390 from the Under-Secretary to the Government of Bengal, to the Sessions Judge of Sarun, dated Fort William, the 23rd July 1845, mentions that there was serious disturbance among the prisoners in the Chuprah Jail caused by an attempt to introduce the messing system. The Officiating Magistrate was instructed to enforce the messing system in the jail and it had been enforced elsewhere and that breaches should be met by punishment. The Magistrate was asked to consider if an additional force was required in the jail as the town

people might have sympathy with the prisoners. The turbulent prisoners were ordered to be sent to disperse among several other jails. The military authorities were informed to give prompt assistance to the Magistrates of Saran and Shahabad, if required.

The introduction of the messing system in Saran and Shahabad Jails had been preceded by a hunger-strike by the prisoners. Six hundred of the Saran and Shahabad prisoners had refused their food for two days in order to show their dissatisfaction against the messing system about to be introduced. A letter from the Sessions Judge of Saran, to the Magistrate of Saran, dated Chuprah, the 28th June 1845, in the Correspondence Volume for 1845, refers to the hunger-strike. It further refers to the difficulty of finding a cook as a cook selected by one set of Brahmins might be objected to by another set of the same caste. The Magistrate was asked by the Judge to group the prisoners according to the caste and to select amongst themselves a cook to the proportion of 1 to 20 prisoners.

Regarding jail population it may be mentioned that a letter from Patna Court of Circuit, to the Registrar, Nizamut Adalut, dated the 27th September 1826, mentions that there were 762 prisoners in Chuprah jail. Convicts under sentence of imprisonment for life used to be sent to Alipore jail and they were not to be employed on the roads till they had been removed to Alipore. This order was passed in a letter, dated the 24th August 1832, from Fort William as there had been cases of escape of convicts with life imprisonment while working on the road. Even women prisoners were to be in irons occasionally. There is a letter no. nil from Patna Court of Circuit, dated the 22nd February 1822, to the Magistrate of Saran, which mentions that three women in irons in Chuprah jail were to be relieved of the irons unless there was specific order directing that these prisoners should be so confined.

The old correspondence from 1795 to near about 1830 speak of the jails being administered with very great severity. As mentioned prisoners used to be branded and worked very hard. But from 1835 there appears to have been a change in the policy. A circular from Fort William, dated the 24th July 1835, gives information that the system of punishment was considered inadequate which rather rendered a criminal more hardened than to effect a reform in his morals. It was mentioned that, 'in order to eradicate the evil an improved system of prison discipline was sought for'.

Another circular from Fort William, dated the 28th December 1836, to the Commissioner of the Patna Division, copy to the Magistrate of Saran, mentions better and more humane steps for 'the victualling of prisoners'. A system of contract and ration with a regulated distribution of fixed rations to the prisoners were enjoined. For the first time it was mentioned that 'competition in the first instance, and a careful supervision of supplies, would certainly secure for the prisoners the best description of articles on the most moderate terms and is, therefore, more preferable to arrangements investing another particular individual with the monopoly'. It was further mentioned in the same circular that the system followed in the district of Rajshahi may be considered for general adoption where the system of money allowance is to be continued. The system was that under notice a *bazar* is railed off and appropriated to the use of the *Modees* or *Banias* and each gang of 10 or 12 convicts selected one of their men to make the purchases required. The persons thus selected were admitted under the charge of *Barkandazes* into the enclosed *bazar*. The prisoners had the liberty to prefer complaints, if necessary, in respect to the quality of the food or deficiency in weight or measure. In case of the appointment of a contractor the Magistrate was asked to exercise a careful control over the contractor.

Corporal punishments on the convicts also came to be discouraged. Frequent ulceration in the legs of the prisoners due to fetters was noticed and the Magistrate was asked to let the prisoners use hose as a preventive measure against scourage. The suggestion was made that the iron rings connecting the rings by chain should be removed."

LOCATION.

The district of Saran has now got one district jail at Chapra and one subsidiary jail at each of the subdivisional headquarters, viz., Siwan and Gopalganj. The Chapra district jail is located in the heart of the town near the Sadar Hospital and is within the jurisdiction of Bhagwan Bazar police-station. The sub-jail at Siwan is located in the midst of that town near subdivisional courts, which has been declared by the State Government to be a protected area very recently, but no fencing or boundary has been constructed. The matter is reported to be under consideration. This jail is within the jurisdiction of Siwan Town Thana. The Gopalganj sub-jail is located in the heart of the Gopalganj town adjacent to the

criminal and Munsif's courts. There are only 30 Police Lock-ups in the district accommodated in each police-station building.

PRISON ORGANISATION.

Of the Chapra district jail, the Superintendent of Jail is the administrative head who is assisted by one jailor, two assistant jailors and two office assistants. The medical staff of the jail comprise one Medical Officer, i.e., Civil Surgeon, Saran, one Sub-Assistant Surgeon and one Compounder. There are five Head Wardens, forty-five Wardens and two Matrons. Recruitment of Warden staff is done by a Selection Board consisting of Superintendent, Central Jail, Buxar, and two other District Jail Superintendents. The appointment however is made by the Superintendent, Central Jail, Buxar, and arrangements for their training are made in batches, at Nathnagar Constable Training School, Bhagalpur.

Civil Assistant Surgeon, Siwan, is the part-time Superintendent of Siwan sub-jail and he is assisted by one Assistant Jailor who performs the duties of both executive and that of a clerk since the 25th June 1957. Prior to that one clerk used to look after the affairs of the jail as there was no post of an Assistant Jailor. The medical staff include the part-time Superintendent of Jail and a part-time Dresser who is appointed on a casual basis. The Warden staff consist of one Head Warden, six Wardens and one female Warden.

The Civil Assistant Surgeon, Gopalganj, is the Superintendent of the Gopalganj sub-jail. An Assistant Jailor is in charge of the executive and office work. The Superintendent is the Medical Officer of the sub-jail. There are one Head Warden and six Wardens. In addition, female Wardens are employed when some female prisoners are admitted. Under-trial prisoners are not required to do work unless they volunteer to do so. The two sub-jails keep only under-trial prisoners and on conviction, if any, they are transferred to the Chapra district jail for undergoing the term of their respective sentences. The under-trials who volunteer to work are engaged in jail kitchens.

Attempts are made to create a favourable climate for the moral improvement of the inmates. For that purpose Pandits and Maulvis visit the jail for giving religious instructions to the prisoners. Sometimes *kathas* and *milads* are arranged and performed by the prisoners themselves. There is a regular school for teaching the three Rs' to the illiterate minors and adults. Literate prisoners are encouraged to teach their fellow prisoners to remove their illiteracy. Moreover, daily newspapers, weekly magazines and periodicals are given to them.

Restrictions on smoking and tobacco consumption have been removed. The prisoners now can purchase *biri* and tobacco (*khaini*) from their private cash. Cinema shows are given by Publicity Department. Also dramatic performances are allowed to be performed by the prisoners themselves so that monotony of their life is removed to a certain degree.

Prisoners are employed on various types of work, such as agricultural, dairy, weaving, carpentry, smithy and oil-pressing etc. Vegetables are grown by the prisoners.

There is a weaving section where clothes of different patterns are woven by the prisoners. Clothings of the prisoners are made out of them. *Darees, ashnis, newars, jainewas*, both flowery and plain, and *kalins* are manufactured and sold to the public on cash payment. There is a carpentry section also where furniture of different types, such as, chairs, cots, etc., are manufactured and sold to the public. There is also a smithy section which prepare such implements which are mostly used in agriculture. Repair work is also carried out. Pottery utensils are also made in the Chapra district jail. Tiles and bricks are also made in this jail which are used for repairs of departmental buildings.

Prisoners are taught crafts and employed on the work noted but no wages are paid to them. They are, however, given remission for good work. Payment is only made to night watchman and convict officers, at the rate of .50 nP. and Re. 1 per month, respectively. Remission up to one-third of their sentences is awarded to all well-behaved prisoners. Prisoners taking part in mass literacy as teachers are allowed remission up to one month over and above the remission already earned by him, if any.

Following is the statement of accommodation and daily average number of prisoners in the different jails :—

	The accommoda- tional capacity.	Daily average no. of prisoners.	Year.
(a) Chapra district jail—			
Male	522	432.07	1954
Female	20	371.67	1955
	—	338.1	1956
Total	542		
(b) Siwan sub-jail—			
Male	60	62.38	1956
Female	4	72.59	1957
	—		
Total	64		
(c) Gopalganj sub-jail—			
Male	52	83.72	1956
Female	3	64.71	1957
	—		
Total	55		

Prisoners are classified as *A* and *B* by the courts concerned according to the antecedent of the prisoners and the nature of crimes committed by them. *A* denotes as casual prisoners and *B* as habitual prisoners. Prisoners of higher standard of living may be classified as Class I and Class II division prisoners by the courts concerned. In that case they get more facilities and better food than ordinary prisoners.

All prisoners are treated alike and there is no distinction of caste and creed.

Juvenile prisoners are strictly kept in the school for their education for which a literate prisoner and one of the staff remain in charge and attempts are made to see that they are well brought up as far as practicable during their short stay in jail and so no other work is taken from them.

CIVIL AND CRIMINAL COURTS.

The earlier set up of the civil and criminal courts has been indicated in the chapter on General Administration. In 1906 the judgeship of Champaran was separated from the judgeship of Saran. Before that the District and Sessions Judge of Saran had his jurisdiction over Champaran area and the courts of Champaran were under the District Judge of Saran. In 1906 when Champaran judgeship was separated the civil court of Saran consisted of one District Judge, two Subordinate Judges, one Additional Subordinate Judge and four Munsifs at Sadar, one Munsif and one Additional Munsif at Siwan and one Munsif at Gopalganj. These courts were concerned with civil justice while the administration of criminal justice was in the hands of the District Magistrate and the Magistrates under him excepting sessions cases which were tried by the Sessions Judge. The appeals from the Magistrate used to be heard by the District and Sessions Judge combined in the same person.

In the last *Revised District Gazetteer of Saran*, published in 1930, it was mentioned: "The civil courts are those of the District Judge, four Subordinate Judges, and seven Munsifs at Sadar, two Munsifs at Siwan and one at Gopalganj. These officers are not all permanent, two Subordinate Judges and three Munsifs being additional. The volume of civil litigation is very heavy; the number of suits filed in 1928 was 22,834 and the average of the previous quinquennium was 24,095 and in all except one of these years the number was higher than in any other district of the province. No special reason seems to exist for these facts which must be attributed to the litigiousness of a large population. In 1925 a large temporary increase in title suits was attributed to the approaching expiry of the period of limitation for suits to set aside entries in the record-of-rights".

The incidence of litigation has increased and at present the civil courts consist of one court of District Judge, two courts of

Additional District Judges, two permanent courts of Subordinate Judges, five courts of Additional Subordinate Judges and four courts of Munsifs at Sadar subdivision, two permanent and two additional courts of Munsifs at Siwan and one permanent and one additional courts of Munsif at Gopalganj in Saran district.

The District Judge is the administrative head of the judgship. The Munsifs try suits of the valuation extending up to Rs. 4,000 under ordinary procedure and Rs. 250 under Small Cause Court Act and the Subordinate Judges try cases of the value beyond that. The courts of the Subordinate Judges also exercise the appellate jurisdiction in respect of the cases tried by the Munsifs. The courts of the District Judge and Additional District Judges have to try civil cases of special nature, e.g., Probate, Insolvency, Guardianship, Land Acquisition, Reference and Matrimonial cases. They have appellate jurisdiction in civil cases of ordinary procedure up to the value of Rs. 5,000 which has recently been increased to Rs. 10,000.

Formerly, the offices of Munsifs and Subordinate Judges were under the supervision and control of the presiding officers of the respective courts and some of them were put in charge of Nazarat, Record Room, Copying Department, etc. But after the system of Registrarship was introduced in 1946, at Sadar a Munsif is exclusively employed as Registrar of the Civil Courts. Now all the above-mentioned offices in the judgship are functioning under the supervision and control of the Registrar. This facilitates the judicial officers in performing their judicial work expeditiously. Since the middle of January, 1954, the Registrar has to check as an experimental measure the work of process-servers with a view to eliminating corruption and mal-practices in the service of processes.

Prior to the year 1951, the District Magistrate and the Deputy Magistrates were dealing with the administration of criminal justice besides their executive work. The scheme of separation of the executive from the judiciary was introduced here in January, 1951. Now the administration of criminal justice has fully come under the control of Hon'ble the Patna High Court through the District and Sessions Judge. As there is shortage of Munsifs, some Magistrates have been taken in exclusively as Judicial Magistrates. So under the scheme, the Judicial Magistrates and Munsif-Magistrates are under the full control of the District and Sessions Judge. At present there are three courts of stipendiary Judicial Magistrates and two courts of Honorary Judicial Magistrates at Sadar, three courts of Munsif-Magistrates at Siwan and one court of Munsif-Magistrate and one court of stipendiary Judicial Magistrate at Gopalganj. This separation of the two functions of the same Magistrate was a long-felt want and on the whole the system is functioning successfully.

The District Judge is also the Sessions Judge of the Sessions Division. Besides this, there are two courts of Additional Sessions Judges and two courts of Assistant Sessions Judges in the judgship.

The two Judges and the two Subordinate Judges in charge of permanent courts act as Assistant Sessions Judges. The administrative head of all these courts in the district is the District and Sessions Judge.

The volume of civil litigation had increased in 1955, but after that it has gradually come down. At present the volume of civil litigation is not so heavy. The table of civil suits instituted during the calendar years of 1953, 1954, 1955, 1956 and 1957 is given below :—

Total number instituted.

	1953.	1954.	1955.	1956.	1957.
Title suits ..	1,482	1,521	1,471	1,689	1,520
Money suits ..	1,053	1,093	1,172	1,121	1,136
Rent suits ..	10,730	13,752	17,444	8,715	6,910
S. C. C. suits ..	1,979	2,040	2,293	2,015	2,117
Misc. Judg. cases ..	2,068	2,325	2,270	8,305	2,217
Execution cases ..	6,021	6,171	7,223	5,811	6,957
Title appeals ..	468	408	487	523	436
Money appeals ..	76	71	61	94	95
Rent appeals ..	88	86	67	45	30

Number and value of money and Small Cause Court suits instituted.

	1953.	1954.	1955.	1956.	1957.
Miscellaneous appeals	134	129	179	175	169
Not exceeding Rs. 10	15	21	17	18	48
Exceeding Rs. 10 but not exceeding Rs. 50.	223	213	255	183	242
Exceeding Rs. 50 but not exceeding Rs. 100.	349	395	441	352	342
Exceeding Rs. 100 but not exceeding Rs. 500.	1,723	1,745	1,937	1,769	1,750
Exceeding Rs. 500 and above.	722	759	815	814	871

From this table it would appear that the number of title suits was the heaviest in 1956. The number of rent suits and S. C. C. suits were the heaviest in 1955. Similar was the case of miscellaneous judicial cases in 1956. The number of execution cases was the heaviest in 1955. The volume of civil litigation is comparatively

heavy due to the pressure of population upon land. The abolition of zamindari has minimised the civil litigation to a great extent. It would appear from the table of cases given above that the number of rent suits in 1955 was 17,444 but in the very next year, that is, 1956, the number fell down to 8,715 and it went down further in 1957.

Now civil suits are generally filed for removal of encroachments, for grant of right of easement or prescription, for partition of properties, for recovery of possession and for recovery of money. The volume of money suits and S. C. C. suits is very heavy which is apparent from the table of civil cases given above. Generally suits are filed for recovery of loan, based on handnotes or *Sarkhats*. Suits of other nature are very few. The incidence of rural indebtedness is reflected in the volume of such suits.

On the criminal side, there is preponderance of institution of cases of burglary, theft, dacoity, dacoity with murder, kidnapping, etc. Quite few cases of murder and of culpable homicide not amounting to murder also come for trial. It appears from the table of the institutions of criminal cases that came up to the courts given below that in 1952 the number of murder cases had increased but in 1953 the number went down. In 1957 the number of murder cases was not so high. The most common form of crime is burglary, theft, petty assault and dacoity. The number of theft cases is very high. In 1951 there were 818 theft cases. In 1957 the number of these cases was 637. The number of dacoity and robbery cases was 65 in 1951 but in 1957 it was only 38 :—

Table of Criminal Cases.

	1951.	1952.	1953.	1954.	1955.	1956.	1957.
Murder under section 302*	33	54	44	43	37	44	29
Culpable homicide not amounting to murder under section 304.	24	11	18	22	8	12	18
Kidnapping or forcible abduction under sections 366 to 369.	32	17	25	19	33	29	24
Rape under section 376	2	5	4	10	6	8	4
Theft under sections 379 to 381.	818	528	563	567	545	675	637
Robbery and dacoity under sections 392, 398, S. P. C.	65	69	71	58	75	46	38

(The figures include cases brought over from the previous years.)

PANCHAYAT ADALATS.

In order to foster and develop the spirit of self-government in village communities and to organise and improve their social and economic life, the State Legislature have passed the Bihar Panchayat Raj Act, 1947, under which 393 Gram Panchayat Courts known as *Gram Kutcheries* are functioning in this district. Besides them there are three Panchayat Courts established under the Village Administration Act. The Panchayat Courts try civil cases of the value not exceeding Rs. 100 and in special cases Rs. 200 in respect of movable properties only. They also try petty criminal cases. So far as the administration of justice is concerned, these courts are under the general supervision of the District Judge and the Munsif of competent jurisdiction in respect of civil cases and the Subdivisional Officer in respect of criminal cases. Details of the working of the Panchayat Courts will be found in the Chapter under Local Self-Government.

LEGAL PROFESSION AND BAR ASSOCIATION.

The legal profession consists of Advocates, Pleaders and Mokhtears. There are at present 186 Advocates and Pleaders and 40 Mokhtears at the Bar. There is no fresh recruitment of Mokhtears who are normally entitled to appear before the Magistrates only. There is no Barrister in this judgship now. The same person performs both as Public Prosecutor and Government Pleader and under him there are a number of Assistant Public Prosecutors and Assistant Government Pleaders. The State Government have also appointed a separate class of Police Officers who are known as District Prosecutors and Assistant District Prosecutors. They conduct criminal cases on behalf of the State in magisterial courts. The Bar Associations at the headquarters and at the subdivisional headquarters have their own buildings and library. The Bar Associations look after the interest of the members of the Bar and encourage a dignified and helpful relationship with the Bench. The Bar Association of Chapra is known to be very alert of their rights, obligations and dignity.