

CHAPTER X. LAW, ORDER AND JUSTICE. INCIDENCE OF CRIME.

Dhanbad district has Santhal Paraganas to the north, the district of Burdwan in West Bengal to the east, the Purulia district in West Bengal to the south and the district of Hazaribagh to the west.

The statistics of crimes recorded in the police thanas and the number of heinous crimes so recorded indicate the crime position of the district to a great extent. It is true that many crimes may not be reported or even reported crimes are not properly categorized or their nature may be minimized. Thus a case of dacoit may be minimized to be a case of theft or a theft as a non-cognizable mischief. It is also a common complaint that many reported cases are not recorded properly as a crime but a mere station diary entry is made. In spite of the possibility of some leakages, these recorded statistics do give is a fairly good index of the crime position.

The following two tables show the incidence of crimes under different heads in the district :-

**TABLE 1
Crime Statistics.
Crimes under different heads from 1947 to 1961.**

Year.	Murder.	Dacoits.	Robbery.	Burglary.	Theft.	Riot.
1	2	3	4	5	6	7
1947	14	43	20	303	746	37
1948	09	39	24	676	838	48
1949	11	63	31	672	767	56
1950	14	49	33	639	735	34
1951	12	59	30	598	697	38
1952	30	35	55	643	814	30
1953	15	49	26	756	783	66
1954	24	50	52	818	833	90
1955	31	61	43	752	855	152
1956	19	46	38	799	1217	..
1957	25	49	49	681	881	97
1958	28	44	54	722	1224	64
1959	36	20	40	603	862	66
1960	28	19	28	485	919	45
1961	33	26	31	575	900	79

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TABLE 2.

Total cognizable from 1955 to 1955 reported Police only .

Years	Cases	Charge sheeted	Convicted	Acquitted	Compounded	Pending
1	2	3	4	5	6	7
1955	2,562	550	265	197	88	..
1956	2,793	575	291	181	67	36
1957	2,714	784	333	264	83	104
1958	2,749	876	370	203	77	226
1959	2,507	724	241	120	24	339
1960	2,235	456	81	18	33	324
1961	2,460	510	155	71	23	261

While studying the present crime position of this district it has to be kept in view that two *thanas*, Chas Chandankeari with a total area of 321 square miles and population 1,68,144 were added to this district in 1956 as per recommendation of the States Reorganization Commission .

It would appear from the above table that in spite of the fact that two *thanas* were added to this district there was a great improvement in the crime position of the district 1959. This might have been due to uninterrupted administration of one particular Superintendent of police ,Mr .N. N. Singh . There was decrease under all heads of crime excepting under the head murder . Murder, however , cannot be prevented. It may be noted that out of 36 cases of murder in 1959 only in four cases the motive for murder was found to be 'gain' . The reasons for committing murder are usually psychological and due to sudden provocation

The figure of dacoits is the lowest in 1959 and was only 20 cases as against 44 in 1958 and 43 in 1947 . It was 35 in 1952 . The present figure has almost come down to its pre-war average figure which is 16.3. There has been over 50per cent decrease over the figure of the year 1958. It may be noted that the highest number of dacoities in the district was 63 in 1949. The tempo of industrialization has brought in a higher incidence of certain types of crime .

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This district has an ever growing fluctuation in population with good roadways and railways . It is on the border of two district of West Bengal . The train provincial Grand Trunk Road runs though this district . The various industries have attached thousands of outsiders . There is a cross – section of people of all parts of India in this district . This is an advantage for the anti – social elements . Criminals hailing from Punjab , Uttar Pradeash, , West Bengal and districts of Bihar , namely , Gaya, Patna,Shahabad and Monage to get some sort of employment in the collieries or other industrial concerns under fictitious names and address and commit crimes whenever they get opportunity by mixing with local Criminals.

The following steps had been adopted to keep down crime :-

- (1) Efficient patrolling and planned preventive measures specially in the two *thanas* like Nirsa and Baliapur where crime was ripe .
- (2) These two *thanas* were divided in different zones and Placed in charge of different officers of and above the rank of Assistant sub – Inspector . Six armed sections were provided in Baliapur during 1958. Above all these one police pick-up was also provided under Inspector, Sindri Circle who was made to camp at Baliapur. The system of providing pick-ups and a section of force in Baliapur is still continued. This measure has proved somewhat effective which will be apparent from the fact that eight cases were reported from Balipur police-station. During 1958-59 this police-station reported only one case. There were detections and spot arrests in some cases at this police-station.
Similarly Nirsa police-station had reported 10 cases in 1958, but during 1959 it reported only 5 cases and one case ended in charge sheet.
- (3) Detection of gangs. In Tundi police-station dacoities stopped after the arrest of Nepali Bhuian and his associates who had been charge-sheeted. This dacoity was reported in Tundi in the month of July and after July no case of dacoity was reported from this police-station.

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Similarly in August,1958 one dacoit was arrested at the spot in village Lakhipur of Chandankhari police-station.On the basis of his statement and the statement of his wife and parents,the entire gang members of notorious Rathu Layak of Purulia disitric were arrested and sent of trial.As aresult during 1959 the thana remained completely free from dacoities.The case had ended in conviction.

- (4) Successful prosecution of criminals sent up in dacoity case of 1958.
- (5) Arrest of a large number of criminals of Baghmara, Katras,Topchanchi in Dumripolice-station,case no.11 (5) 59, under section 395,I.P.C.who were also arrested in Jhinjhi Pahari dacoity case of katras police-station,vide S.R.39/59.
- (6) Arrest of a large number of criminals of Balia and Shahabad residing and employed in Central Fuel Research Institute, Dhanbad and various collieries within the district.These criminals were arrested near baghmara in Nawadih police-stationin Hazaribagh disitric, case no.8,dated 14th July 1959, under section 395,I.P.C.
- (7)Successful prosecutions under section 110,Cr.P.C;(Bad livelihood case).Veteran criminals whose names transpired in dacoity case and who could not be sent up in specific case for want of sufficient evidence were prosecuted under section 110,Cr,P.C.for bad livelihood.It may be noted that 17 veteran and selected criminals weresent up for prosecution under section 110,Cr. P. C. in 1959 and 16 in 1958. Notorious criminals like Mahadeo Mandol of Natangram poliestation, Chirkunda, hari Ram Tiwary of Baghmara subdivision and Panni Mahto of Govindpur poliestation were prosecuted under section 110,Cr.P. C.

As regards the crime position in the district during 1961 it may be mentioned that it remained satisfactory although there was some increase under almost all heads excepting murder and road accidents, when compared to the statistics of the years 1959 and 1960.

There were only two cases of murder and four cases of highway robberies. A gang of highway robbers of Hazaribagh and Monghyr districts operating in katras area was unearthed in October, 1960 and several members were arrested with stolen cycles and other articles.

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There was no case of communal riot of any serious nature and there was no case of mail robbery. There was marked improvement under road accidents and copper wire thefts.

The special feature of this year was that in large number of cases of all nature, charge-sheets were submitted by the police and several dacoit gangs sent up in the current and previous year, were achieved, while others were pending for verdict by the court including veteran dacoits, viz., Prabhu Chand Mahuri, Maina Rai and Janardan Singh of Gaya district.

In 1961 twenty-seven cases of dacoity were reported but charge-sheets were submitted in 33 percent cases and in one case conviction had been achieved, while others were pending for trial. Five had been achieved, while others were pending for trial. Five different gangs Gaya, Patna and Asansol sides, working in the coalfields under false names and addresses were unearthed.

Three cases of interceptions of dacoit gangs against twenty-six persons hailing from different places were registered during the year under section 399/402, I.P.C. In two cases fire-arms and cartridges were also recovered. One member of Prabhu Chand Mahuri's gang was convicted.

The month of August, 1961 was a difficult time for the district when five cases of dacoity were reported. But there was much improvement in the dacoity position after August, 1961 when the gang of Quimuddin Mian and Jamuna Singh of Asansol area was unearthed and also remnants of the gang of Prabhu Chand Mahuri were arrested. Quimuddin had made a judicial confession. The areas lying on the border of Baliapur, Nirsa and Chirkunda were disturbed during the year. Several dacoits who were found active and could not be sent up in a specific case were sent up under section 110, Cr.P.C. Anti-dacoity team was also working in this district since August, 1961. Similarly Dhanbad town was very much affected with burglaries during July and August, but situation improved when some criminals of Calcutta were arrested.

The reason for improvement under copper wire theft was that there were a number of instances during the year when copper wire thieves were caught red handed either in cutting wires or with the stolen copper wires.

A number of road accidents were also reduced to appreciable extent due to constant vigil and simultaneous checking of vehicles. An electric traffic signal had also been put up in 1961 at the junction of roads in front of Dhanbad Railway Station.

Economic development in this district is going on at a rapid pace due to widespread industrialisation in this coalfield. Side by side traffic is also increasing in greater proportion but not much has been done so far to improve the roads or to increase the road mileage. In order to make the roads fit to bear the ever increasing heavy load of traffic and to minimise the chances of road accidents it appears necessary to improve the important roads and to construct many more roads.

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With the establishment of Hindustan Steel Plant a big portion of which lies in Chas police-station and of coming up current industrial and numerous establishments in this district a large number of motor vehicles have come up on the roads. Due to increase in the vehicles,the work of the Motor Vehicle Section of Dhanbad Police Office has increase to a very great extent.

Robbery.- The figures under this head was also well under control. 40 case were reported during 1959. There was one very interesting detection. It was a case of highway robbery in respect of a Taxi Car, in which two Punjab criminals were concerned. The curprits were caught at Patna City along with the car, while they were busy in changing the colour of the taxi.

Burglaries.- In the case of burglries also there has been a marked improvent. These have been reduced by more than 100 case when compared to the figure of 1958. The presnt fihure is the lowest since 1948. It is same as 12 years back, i.e., in 1947, i.e., pre-Indenpendence days, when such development schemes had not been iminged even. There was no case of mail robbery. Number of highway robbery was very few.

Theft.- The figure of theft is also on the decline. 862 case were reported against previous 1,224.

Riot.- The position is rather static,but it may be noted that the number of serious rioting was very few.

Cognizable Crime.- Number of total cognizable crime has also gone down by about 400 case. The figure 1960 is the lowest since 1955. Although there is some improvement in crime position ther is no room for complacence. With more of industrialisation and better communications there is a risk of crime being of more intelligent type.

ORGANISATION OF THE POLICE FORCE.

As regrads that Police Administration in the district it may be mentioned that the sanctioned strength of the Police force in 1961 was one Superintendent of Police, two Deputy Superintendent,one headquarters,i.e., Dhanbad and another at Baghmara subdivision posted at Dhanbad,five Inspectors (one is temporary who is in charge of the Anti-smuggling Check post),38 permanent Sub- Inspectors,five temporary Sub-Inspectors,one Reserve Sub-Inspeccors,two Sergeants,46 permanent Assistent Sub-Inspectors,18 temporary Assistant Sub-Inspectors,701 constables whichinclude 261 temporary constables (including Anchal)and 631 Chaukidars. It will work out that one constable is ment 15,000to 16,000 population.

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The Police Administration of the district is head by the Superintendents of Police with headquarters at Dhanbad .* He is under the administrative control of the Deputy Commissioner,Dhanbad,the Deputy Inspector-General with headquarters and Ranchi and the Inspector-General of Police at Patna. He is assisted by two Deputy Superintendents of Police who are in charge of Sadar Baghmara subdivisions with headquarters at Dhanbad.Each of the two subdivisions has Police Inspector.

The subdivisions are subdivided into smaller areas each of which is under a Police-station.Police-station is defined in section (s).Cr.P.C.and Is the unit of investigation. For the purpose of Police Administration, all the investigating centres are known as Police-station. A police-station is generally manned by one Sub-Inspector,one Assistant Sub-Inspector, Writer Constable and 10 constables. The average area of a police-station is about 150 square miles with a population of about 1,50,000 souls.Each Police-station has a large number of villages under it and normally each of which is looked after by a Chaukidar.A large village will have more than one Chaukidar.

For the purpose of Police Administration,the district has been subdivided into four circles:(i)Dhanbad,(ii)Govindpur,(iii)Sindriand (iv)Katras circle. Each of these circles is under an Inspector of Police.

police-stations.

- (1) Dhanbad circle has (a) Dhanbad,(b)Kenduadih and (c) Jogta police-station.
- (2) Govindpur circle has (a) Govindpur,(b) Tundi, (c) Nirsa and (d) Chirkunda
- (3) Sindri circle has (a) Sindri(b)Jhria(c)Jorapokhar and(d)Balipur police-stations.

The above circles are under the jurisdiction of Dhanbad Sadar subdivision.

- (4) Katras Circle which is in Baghmara subdivision has the following police-station under it: (a) Baghmara, (b)Topchanchi, (c)Chas, (d)Katras.

The towns in the district have town outposts,besides their police-station.

These town outposts are under the police-stations of their respective towns. Town outposts are established in towns or remote parts of mufassil police-stations for the purpose of patrolling and surveillance, and generally for the prevention of crime. They are not investigating centres, and the officer-in-charge is usually

* Dhanbad was a separate unit as a police district even when it was a sub-district but the designation of the Police Chief was Additional Superintendent of police. In November,1956 when Dhanbad became a full-fledged district the designation was change to that of a Superintendent of Police. The first full-fledged Superintendent of Police was Mr. N. N.Singh.

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A Havildar, though responsible for the manning of the post,only performs the duties he would carry on if posted to the parent police-station subject in the same way to the control and direction of the sub-Inspector.

Dhanbad police-station has three permant outposts, namely, Dhanbad, Hirapur and Dhainya. It has also two temporary outposts at bhuli and Jagiwan Nagar.Kenduadih police-station has one permanent outpost under it- Kenduadih.Putki police-station has two permanent outpost situated at Putki and Kurkani. Jogta police-station has one outpost at Jogta. Jhria has one permanent outpost situated at Jhria.Beside,Jorapokhar, sindri, Chirkunda, Katras, Topchanchi, Chandankeari have one permanent outpost situated at Jorapokhar,Saharpura,Saharpura, Kumarduubi, Katras, Gomoh and Bhojudih respectively.

For the prosecution of the criminal case in the Magistretes' courts there is one Senior District Prosecutors if Police,posted at Dhanbad.He is helped by the Assistant District Prosecutors if necessary. The scheme of d.P.S.and A.D.P.S. was introduced in this distriin 1956. An Assistant District Prosecutor is appointed from the rank of practising junior lawyers and also police officers with knowledge of law and experience of prosecution cases in courts.

To help the regular police force the following three categories of establishments have been established: -(1)Anchal Force, (2) Home Guards and (3) Village Resistance.

Anchal Force.

This force was rased in 1960 mainly for the purpose of guarding and escorting Government revrnue entrusted to the Block Development Officers in different Community Development Centres.The strength of the force is likely to incrase with the increase in the number of blocks. The unit for each Anchal consists of one Havildar and eight constables.

In 1961 the strengthof this force was as follows:-

- (1) Quarter Master Sergeant-1.
- (2) Reserve Sub-Inspector-1.
- (3) Assistant Sub-Inspectors-2.
- (4) Jamadar-1.
- (5) Havildard-9
- (6) Constables including leave,touring and reserve-63.

Home Guards.

This force was organised in 1950 in Dhanbad district according to the Bihar Home Gjuards Act,1947 (Bihar Adt XX of 1947), wiah with a view to help the administration in varioms aspects especilly the

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Police Department for patrolling and raising village Resistance Groups in crime affected areas, prevention of crimes and maintenance of law and order. At present (1962) the strength of the force is as follows:-

- (1) Company Commanders-3.
- (2) Havildar Clerk-1.
- (3) Office Orderly-1.
- (4) Home Guard Volunteers-131.

The sanctioned strength of Home Guard Volunteers is 111 but due to the last general election 20 more Volunteers were appointed in emergency and they are continuing.

For the enrolment of any person as a Home Guard, the following qualifications are required:-

- (a) Age not less than 19 and not more than 40 years on the 1st day of January of the year
- (b) A good moral character.
- (c) Physical fitness.
- (d) A height of not less than 5' - 4" and chest measurement not less than 31" (unexpanded).
- (e) A pass at least in the Upper Primary test or an equivalent examination.

Every Home Guard Volunteer shall after his enrolment under-go a course of training for a period of not more than three months which will comprise among other course:-

Infantry drills including arms drills, musketry course, first-aid, fire-fighting, map reading, traffic and mob control and lathi drill.

The duty of every Home Guard is to assist in the maintenance of peace and tranquillity, to inculcate the habit of self-reliance and discipline and to develop a sense of civil responsibility amongst the citizens of the State and to assist the maintenance of essential services for which they are trained. The Home Guards may be required to perform all or any of the following duties: - (a) prevention of commission of crimes, (b) protection of life and property, (c) assistance in the organisation and functioning of village guards, (d) collection and communication of intelligence concerning law and order to the immediate superiors, (e) suppression of disorders, (f) to report and check currency of rumours likely to disturb peace, (g) to assist fire-fighting services and (h) to render first-aid and help in the removal of casualties to hospitals.

During the period on which a Home Guard is on active service (excluding the period spent over training) or in the reserve forces, he shall receive duty allowance at the rate of Rs.1-8-0 in addition

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to ration in accordance with the scale per day. Provided that if the hours of duty is less than three hours a day, the Home Guard will draw a duty allowance of Re.1 but no ration. During the period of training every Home Guard shall receive a free boarding and lodging, besides a training allowance of Rs.30 a month.

Village Resistance Groups are parties raised in the villages, trained and armed by the police and they are meant to be so many local units to fight dacoity and other anti-social measures.

RADIO AND WIRELESS STATION.

There is one wireless station in the district at Dhanbad for receiving and transmitting information. At present (1962) the strength of the staff is as follows:- One assistant Sub-Inspector of police who is called Station officer and three Writer Constables.

POLICE RESERVE

The Police Reserve at the is headquarters of the district is divided for the purpose of organisation into Ordinary Police Reserve and the Armed Police Reserve.

Ordinary Police Reserve is maintained to supply guards and escorts, to strengthen police-stations and outposts and in emergency to furnish parties to attend Magistrates' courts and to fill vacancies caused by leave and casualties. It remains under constant drill and instructions.

Armed Police Reserve is a part of the reserve and kept at headquarters in readiness for dealing with local disturbances. It is maintained in full strength. The strength of the Armed Police Reserve in the district is one Sergeant major, four havildars and 50 constables. There is also an armed temporary reserve whose strength is as follows:- Havildars 6 and constable 92 including leave and training reserve. This force cannot be employed on miscellaneous duties or sent away from headquarters without the authority of the Deputy Commissioner or the Inspector-General of police, but it may be called upon to furnish the magazine guard when there are unusual heavy demand on the ordinary reserve and there is no likelihood of the armed police being required for urgent duty elsewhere. If the Deputy Commissioner is absent and prompt action is needed, the Superintendent of Police can move the Armed Police reserve on his own responsibility informing the Deputy Commissioner as quickly as possible.

Besides the normal police organisation as described, there is a confidential C.I.D. Section, a State Anti-Corruption Unit and the Railway Protection Staff.

Dhanbad is a very important district from crime point of view due to easy and quick communication and the large industrial units. The police force here is an expanding unit and is bound to be very much extended in the course of the next one decade.

DHANBAD. POLICE INFORMATION ROOM.

A Police Information Room with a separate telephone is functioning at the district headquarters since 1952. It is centrally located in a room of the Police Office building and a section of Armed Force with a Police Truck has been provided for duty to afford protection in all cases of emergency in the areas of the following thanas of the district. Officers are also attached to this information room to attend these calls:-

(1) Dhanbad police-station, (2) Jogta police- station, (3) Kenduadih police-station, (4) Katras police-station, (5) Jharia police-station,(6) Jorapokhar police-station,(7)Sindri police-station,(8) Gobindpur police-station.

ADVANCE TRAINING SCHOOL.

This school has been opened for Havildars and constables of this district .The aim of this course is to afford them a refresher course and to acquaint them with scientific aids in the detection of crime

DISTRICT INTELLIGENCE BUREAU.

The scheme of the creation of District Intelligence Bureau with Criminal Investigation Department staff posted in the district was approved and brought into effect from 1st April 1955. The Bureau has two branches,Political and Crime. The Crime Branch is known as "District Crime Office or District Crime Bureau."and the Political Branch deals with registration of foreigners particularly besides other duties. Under this scheme one Inspector with two Sub- Inspectors of police and two writer constables are posted in the Crime Office. The Crime Branch maintains records of crimes and criminals.It helps the regular police Force in investigation and detection of cases and crime control work.

MISSING SQUAD – TRAFFIC POLICE.

A missing persons squad is functioning in this district for assisting the public in tracing out missing boys and girls. The work has been entrusted to the District Crime Bureau. This squad also keeps an obtrusive watch over authorised and unauthorised children institution orphanages. With the advent of the street Romeos whose nefarious attention to the girls particularly going to the schools and colleges the work of the police has also enormously increased a lot. The duty of the traffic police has enormously increased. The roads were never meant to be used by the vast array of vehicles and pedestrians. Street accidents have become common. Special training is given to the traffic constables. A motor cycle squad for stopping vehicles that have caused accidents has not yet been introduced.

CHOWKIDARI TRAINING SCHEME.

Village Chowkidars and members of the village Resistance Groups are put to training. Archery has been introduced. They are

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encouraged in their work by the award of cash prizes. As a crime preventive measure specially in dacoity case this scheme has been drawn up of a liberal grant of gun licences area. But this may also become dangerous if the persons entrusted with guns are anti-social.

No Police Force can work successfully unless there is popular co-operation and a certain amount of civic consciousness to help the maintenance of law and order. It is a common complaint that there is not much of that civic consciousness and co-operation of the public.

GOVERNMENT RAILWAY POLICE.

The main function of the Railway Police is to check crimes on the railways, give security to the passengers and their properties.

There are three Government Railway Police Stations in the district, one at Dhanbad, the second at Gomoh and the third at Barkakana Railway Stations. The Barkakana Government Railway Police lies within the district of Hazaribagh and half of the portion of Gomoh Government Railway Police falls within the jurisdiction of Hazaribagh district. Secondly, the Bhojudih Government Railway Police and the outpost of Bagha which lie within Dhanbad district fall under the circle of Chakradharpur Station. The strength of the Dhanbad G.R.P. is two S-Is., two A.S.-Is., one Writer Constable and twenty-eight constables. Its jurisdiction extends from Barakar to Tetulmari (Grand Chord Line) and Dhanbad to Chandrapura Railway Station (Branch Line). The Jurisdiction thus extends to about 60 running miles of the Eastern Railway.

The strength of Gomoh G.R.P.* Station is two S.-I.s., two A.S.-Is., one Writer Constable and seventeen constables. The jurisdiction of G.R.P. extends from Matari to Gujandih Railway Stations and Gomoh to Chandrapura Railway Station. Its jurisdiction thus extends to about 111 running miles of Eastern Railway.

The strength of the Barkakana G.R.P. Station is one S.- I.s., one A.S.-I., and eight constables. The jurisdiction of the Barkakana G.R.P. extends from Phusroto Barwadih Railway Station which falls within the Gomoh-Dehri-On-Sone branch line and covers a distance of about 125 miles of Eastern Railway.

Recently (1962) special armed guards are posted in every important train during night time from Dhanbad to Asansol. Asansol to Gaya and back for the safety of the travellers and their properties.

In addition to this there is also one party named "Flying Squad" whose function is to escort the trains safely. The strength of the squad is S.-i. And four constables posted at Dhanbad.

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All these Railway police-station are under the direct control of the Superintendent of Railway Police with his headquarters at Patna.

VILLAGE RESISTANCE GROUP.

The institution of Village Resistance Group was started in 1955 in the district and the groups are still being raised in crime-affected areas by local police in co-ordination with Village and Home Guard Volunteers. These groups are formed out of the public for the purpose of patrolling in anti-crime drivers in the different police-stations. The villagers are being exhorted to organise themselves into a disciplined body and to enrol Volunteers. In addition to this the Panchayats organise Village Volunteers Force in each Panchayat. They are also to act with the regular and rural police for the purpose of law and order and crime control measures. The total strength of the Village resistance Groups in 1962 is 620 out of which only 320 groups are active and the rest are not functioning well but simply exist in the villages.

ANTI-CORRUPTION.

To eradicate corruption in the services, the State Government has sponsored an Anti-Corruption Department under the Political Department of the Government of Bihar with headquarters at Patna Secretariat. This department had a moving squad consisting of one Inspector, one Writer Constable and one constable who worked in Dhanbad district but in 1961 the section has been merged with the squad of Hazaribagh district and the squad of Hazaribagh controls the Anti-Corruption Department of this district. They work under the Deputy Superintendent, Anti-Corruption Department posted at Ranchi. The Deputy Secretary, Political Department (Anti-Corruption) controls the department. This department is quite separate from the District Police Organisation but has contacts when it is found necessary.

JAILS AND LOCK-UPS.

There is one District Jail of class status at Dhanbad. It is located at about one mile north of Dhanbad Railway Station. The capacity of this jail is for 109 male and 11 female prisoners but remains congested with many more prisoners. For lack of accommodation, there is always heavy pressure of population and prisoners have to be frequently transferred to Hazaribagh Central Jail to relieve the pressure. One prisoners' barrack with eight blocks to accommodate 200 prisoners has been almost completed.

There is a whole-time Superintendent who has the assistance of a Jailor, two Assistant Jailors, a staff of warders and a doctor in charge of jail hospital under whom there are a compounder and one dresser.

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Before 1956, this jail was functioning as a sub-jail under the charge of the Civil Assistant Surgeon of Subdivisional Hospital who was also the part-time Superintendent of sub-jail. After merger of a portion of Manbhum district with West Bengal in 1956, Dhanbad was given the status of a district and the sub-jail was up graded to the status of a District Jail.

The statement below show the daily average population of Dhanbad District Jail for the last seven years:-

Year.		Male.	Female.	Total.
1955	..	285.54	11.36	296.90
1956	..	295.25	7.48	302.73
1957	..	380.59	7.55	388.14
1958	..	420.53	10.74	431.27
1959	..	419.79	7.27	427.06
1960	..	374.07	7.17	381.24
1961	..	394.69	7.19	401.88

This jail has a garden of 9 acres out of which two acres contain lemon trees and two generally remain. Uncultivated while the rest is cultivated. There is a small dairy farm.

There has been a gradual abolition of corporal punishment and exaction of arduous work and prison discipline has become more and more a matter of intelligent and sympathetic understanding of the prisoners on the part of the jail staff and co-operation from the prisoners.

The convicted prisoners are trained in weaving cloth and newar and engaged in such. Other work as bullock-driven oil presses and intensive vegetable gardening. The educated prisoners impart elementary education up to the Upper primary standard to the illiterate prisoners. With the help of Educated Department a Social Education Centre is running inside the jail. Some newspapers and other literature and occasional film shows are provided.

There are one Hindu and one Muslim religious instructor who give the prisoners religious discourses besides conducting prayers on every Sunday and Friday. The prisoners are allowed to celebrate important festivals.

With the enforcement of the Probation of Offenders Act, 1958, in the State and release of prisoners on parole there has been a farreaching change. The word probation was used in the Criminal Procedure Code as far back as in 1898. It was provided therein that certain types of offenders committing trivial offences could be let off on probation of good. Conduct. The scope of this provision was extended with the amendment of Cr.P.C. in 1928. It was provided that the first offenders committing offences punishable with imprisonment for less than two years could be released on admonition. Suitable first offenders aged below 21 and woman when not liable to be punished either with death or transportation for life, and adult

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males above 21 when not punishable with a term of imprisonment exceeding seven years could be released on probation of good conduct. No machinery was provided to the courts for ascertaining facts regarding the personality, character, social circumstances and prospect of rehabilitation of offenders in order to individualise punishment prior to the passing of Probation of Offenders Act, 1958.

After the enforcement of this Act in the latter part of 1959 in this district, there has been a change in the method of dealing with the offenders. To implement this scheme at present there is a Probation Officer posted at Dhanbad, who works under the principal Probation Officer who is the Superintendent of Dhanbad District Jail.

The grant of probation in the circumstances is not final disposal of the offenders. The court merely suspends the infliction of punishment and subjects the offenders to a suitable process of trials. As stated above, an agency is provided to the courts where an offender can be supervised and treated through counselling and guidance while he is allowed to remain at large and assisted through the mobilisation of social assistance for him. Since the enforcement of the Act, 14 cases were received till March, 1962 from the court for pre-sentence enquiry report, out of which none of the cases were either dealt with under section 3 or 4 (1) and 4 (3) of the Act. During 1960, 31 cases were released on admonition under section 3 of the Act, two cases were released under section 4 (1) of the Act and four cases were released under section 4 (3) of the Act. 13 cases were received for sociological enquiry from other institutions during 1961, 18 cases were received from the court out of which two of the cases were released on under section 4 (3) of Act. Four cases for parole enquiry were received from other institutions during 1962 (April). 12 cases were received from the court out of which only one case was released on admonition under section 3 of the Act, one case for parole enquiry and three cases for sociological enquiry from other institutions had been received.

The salient features of the Probation of Offenders Act, 1958, are-

1. Courts have been given the power to place any offender on probation who is found guilty of having committed any offence not punishable with death or imprisonment of the provided, in the circumstances of the case, including the nature of the offence and the character of the offender, such a course is considered expedient by the court.

(i) Restrictions on the use of probation based on age, sex and previous conviction as contained in section 562, Cr.P.C. been removed.

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- (ii) The Act envisages a regular machinery for enquiring into the personality, character, antecedents and home surroundings the offenders which is to assist the court in determining the most suitable method of dealing with them.
- (iii) It envisages a special machinery to supervise probationers as well as to advise and assist them while on probation, as well after discharge from the same.
- (iv) It envisages a release of an offender on various types of conditions including residential requirement and payment of compensation by him.
- (v) It makes probation enquiries mandatory in cases of offenders below 21 years of age where the provisions of the Act are applicable.

Juvenile prisoners, female prisoners and habitual offenders are kept separate from the prisoners of other categories.

Under-trial prisoners also are kept separate from the convicts. No work is taken except keeping their own personal equipments and wards clean. There is a Board of Visitors consisting of officials and non-officials for the jail.

ADMINISTRATION OF CRIMINAL JUSTICE.

On the creation of the Province of Orissa in the year 1936, the district of Sambalpur was attached to Orissa and the districts of Manbhum and Singhbhum remaining in Bihar were constituted into a separate judgship styled of Manbhum- Singhbhum judgship. The court of the District Judge of Manbhum –Singhbhum was required to hold its sitting at Purulia for disposal of business arising in the districts of Manbhum and Singhbhum and court of Sessions of the sessions division of Manbhum –Singhbhum was to hold its sitting at Purulia, Chaibasa, Dhanbad and Jamshedpur under Government notification no. 1956/J-21/36, dated 6th April, 1936.

In 1937 the districts of Manbhum and Singhbhum were formed into a new Subordinate Judgship and the Subordinate Judge of Manbhum-Singhbhum was to sit at Purulia for the trial of cases arising in the district of Manbhum.

Again in exercise of the powers conferred by section 13, subsection (i) of the Bengal, Agra and Assam Civil Courts Act (Act XI of 1887), the Lieutenant Governor in Council was pleased to establish with effect from the 31st October, 1917, a Subordinate Judge's Court at Dhanbad in the district of Manbhum, and to fix with effect from that date the local limits of the executive subdivision of Dhanbad as the 1st December, 1917 (published in the Bihar and Orissa Gazette of 1917, Part II).

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It may be mentioned that before the creation of Judgeship of Dhanbad-Singhbhum, i.e., up to 31st October, 1956 Criminal Justice was administered by the Sessions Judge of Manbhum- Singhbhum assisted by the Additional Sessions Judge, the Deputy Commissioner, the Subordinate Judge, who was vested with powers under section 30 of the Cr.P.C. and with powers of Assistant Sessions judge, the Subdivisional and other stipendiary Magistrates and by the Honorary Magistrates vested with powers of various classes. The Sessions Judge of Manbhum- Singhbhum used to come Dhanbad from time on Circuit duty to do criminal business arising within the district in accordance with Government notification no.53 – A.P., dated 5th January, 1918. He also heard appeals from decisions of the Second and Third Class Magistrates. The headquarters of the Manbhum- Singhbhum Judgeship was shifted from Purulia to Dhanbad with effect from the 1st October, 1956 in accordance with the Government notification no. 5050-J, dated 26th September 1956 and the Courts of Sessions and Sub-Judges at Purulia also were held at Dhanbad from the same date in accordance with Government notification no. 5049-J, dated 26th September 1956.

Again under Government notification nos. 584-J, and 585-J, dated the 25th January, 1960 the districts of Dhanbad and Singhbhum were constituted a separate Judgeship with their headquarters at Dhanbad and Chaibasa with effect from 4th February, 1960.

The staff entrusted for administration of Criminal Justice in the district of Dhanbad constituted of a Sessions Judge, Additional Sessions Judge, two Assistant Sessions Judges, Deputy Commissioner, Deputy Magistrates, Sub – Deputy Magistrates and Honorary Magistrates. The Number of Magistrates at the district and subdivisional headquarters vary according to the need.

The following is the distribution of the Executive and Honorary Magistrates in Dhanbad district (1961):-

No.	Of Magistrates.	Powers.	Place of Posting
1.	8	First class	Dhanbad
2.	4	Second	“
3.	1 (Honorary)	Third	“
4.	4	Second	“
5.	1	Third	“

Cases triable by the Court of Sessions Court. Sessions Judge and Additional Session Judge ordinarily try offences punishable with death and other sessions cases are tried by the Assistant Sessions of Second and Third Class Magistrates. There has been no official separation

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of Executive and Judicial functions in district but it is under the consideration of the State Government.

According to the Amendment Act 26 of 1955 in Cr. P. C., the Magistrate with first class powers can pass sentences for imprisonment either simple or rigorous for a term not exceeding two years and fine not exceeding two thousand rupees. The Magistrate with second class powers can pass sentences for imprisonment either simple or rigorous for a term not exceeding six months and fine not exceeding five hundred rupees. The Magistrate with third class powers can pass sentences for imprisonment either simple or rigorous for a term not exceeding one month and fine not exceeding one hundred rupees. The Court of any Magistrate may pass any lawful sentences, combining any of the sentences which is authorised by law to pass They are under the administrative control of the, Deputy Commissioner. The Magistrates of first class are empowered to hold preliminary enquiries in cases triable by the court of Sessions and commit them to the Court of Sessions They commit the accused persons to stand their trial in the Sessions Court after finding a prima facie case to stand their trial there. Appeals from the decisions of Second and Third Class Magistrates proved against them on evidence adduced and on perusal of documents produced before them. The original cases are heard and evidence taken by First Class Magistrate only and if a prima facie case is made out the accused persons are committed to the Court of Sessions are heard by the , Deputy Commissioner or some other Magistrates specially empowered under section 407. Cr. P. C. to hear appeals. Appeals from the decisions of First Class Magistrates are heard by the Sessions and Additional Sessions Judge and decisions of the Sessions Judge and Additional Sessions Judge can be taken up in appeal to the Patna High Court under section 410, Cr. C.

The Deputy Commissioner, Subdivisional Magistrates and Deputy Magistrates have the dual role of the administration of criminal justice besides their executive work. In his executive capacity a Magistrates has to maintain law and order and see to the prevention of breach of peace, In this dual capacity Magistrates has to tour out of headquarters for day to run other Administrative duties and be always ready for receiving and giving orders to meet the exigencies of administration.

As a Magistrates in his executive capacity an officer often comes to acquire extra-judicial information about a particular case and it is difficult for him to completely disabuse his mind of all that when he sits as a court to hold the scale of justice even. The dispensation of impartial justice is not always possible under the above system where the Deputy Commissioner, Subdivisional Magistrates and the Deputy Magistrates or Sub-Deputy Magistrates exercise executive as well as judicial functions, and are connected with police administration. Such officers are commonly taken to have a bias towards passing orders of conviction.

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Broadly speaking there are two categories of criminal cases; one under the provisions of the Indian Penal Code and the other under Acts other than the Indian Penal Code, such as, Police Act, Indian Railways Act, Cattle Trespass Act, Cruelty to Animals Act, Factories Act, payment of Wages Act, Motor Vehicles Act, Payment of Minimum Wages Act, Telegraph Wires (Unlawful Possession) Act, Bihar Sales Tax Act, Treasure Trove Act, Indian Boiler Act, Bengal Vaccination Act, Punitive and Preventive sections 144, 145, 107, 109, 110 of Cr. P., etc.

There are two types of cases, viz., cognizable and non-cognizable. Cognizable cases are those which are taken cognizance of by the police or by the Magistrate specially empowered under section 190, sub-section (2) of Cr.P.C. The police investigates under section 156, Cr.P.C. and submit final reports or charge-sheets under section 173, Cr. P. C. to the Subdivisional Magistrates concerned. If a case is made out and the accused has to stand his trial, a charge – sheets is submitted and if it is ripe for hearing the Subdivisional Magistrates transfer it under section 192, Cr. to a Magistrate. If the police investigation does not make out a tangible case against the accused, the police will submit a final report which usually means that irrespective of the fact whether the case is true or not, the case is not fit to come to trial. But the police attitude to the case is not final. The Subdivisional Magistrates has to apply his judicial mind; he may agree with the police report to accept it or he has the prerogative to order the police to submit charge – sheet if he thinks the police report should not be accepted. He has the right to call for the diary maintained by the police for studying whether a proper investigation has been made by the police. After charge – sheet is submitted, the case is sent for trial to a Magistrate.

Complaints for offences can also be filed by the aggrieved party before the Subdivisional Magistrates or the Magistrates specially empowered to take complaints. Usually complaints for non – cognizable offences are made before the Magistrates who is empowered to take complaints. If from the statement on oath of the complainant, the Magistrates concerned concludes that a Prima facie case is not made out, he may dismiss the complaint under section 203, Cr. P. C. If he wants, he may hold an enquiry himself or he may order under section 202, Cr. P. C. any Magistrates or the police or any respectable person to hold an enquiry. On getting the report he may hold or order for further enquiry or he may dismiss the complaint or he may summon the accused. When the accused is summoned and the presence of the accused is secured the case is transferred to the Magistrates for trial. The Magistrate's order could be taken to the District Judge in appeal or review under section 407, Cr. P. C. The aggrieved party may file a petition under section 435, Cr. P. C., against the order of the Magistrates before the District Judge for revision or review of the order.

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Appeals from the decisions of conviction or acquittal of the Magistrates are heard by the Sessions Judge or Assistant Sessions Judge to whom the case are transferred by the District and Sessions Judge. Assistant Sessions Judge hears appeals from order passed by the Magistrates vested with second and third class powers. An aggrieved party may take the decisions of the Sessions or Assistant Sessions Judges to the Patna High Court and finally to the Supreme Court. In Supreme Court an appeal will only lie on the point of law and under special leave .

Those cases that do not come under the purview of the Indian Penal Code, but are offences against other Acts mentioned above are field by the department concerned and by the police and triable by the magistrates only under sections 144, 145 and 107, Cr.P. C.; the third party may also put law in motion.

The District and Sessions Judge is both the judicial and administrative Service and has served for years as a Munsif and a Sub-Judge. He may also have recruited direct from the Bar.

There is a District Judge and two permanent Sub-Judges, two permanent Munsifs and an Additional Munsif posted at Dhanbad. The Subordinate Judges are vested with the powers of an Assistant Sessions Judge. The appeals from the decisions of an Assistant Sessions Judge are heard by the Sessions Judge where any sentences of imprisonment for a term not exceeding four years is passed.

Panchayat Courts have been described elsewhere. The Panchayat Courts have been given certain statutory powers for disposing of petty criminal cases. The bench and the parties in such cases all come from the same locality and lawyers are a taboo. The main idea is that there will be a compromise failing which there will be a speedy disposal of the case costing very little to the parties concerned.

The role of the lawyers in helping the courts to come to a correct decision must be mentioned. The lawyers on either side work on the same purpose that is to have justice done according to law although seemingly they are at cross purposes. An able lawyer interprets the facts elicited in the evidence for the benefit of his client and he will never try mislead the court. The Bar in this district has been covered elsewhere.

JURY AND ASSESSOR SYSTEM.

Mention has to be made of jury and assessor system so far as Criminal Justice is concerned. The names of respectable persons were empanelled as jurors and assessors and an odd number of them was used to be called up and associated with sessions trial. Under the assessor system the majority opinion of the assessors was not binding Sessions Judge and he would deliver his own judgement

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absolutely contradictory to the opinion of the assessors. It was, however, the duty of the Judge to explain the law and the facts of the case as transpired from the examination-in-chief and cross-examination and leave the assessors to come to their opinion.

In a jury system the procedure was the same but the majority opinion of the juror had statutory obligation on the Sessions Judge. The Sessions Judge would either give his judgment accepting the majority opinion of the jury and pass the sentence or he would differ from the majority opinion of the jury giving his reasons and refer the case to his higher court.

It is unfortunate that the jury and the assessor system did not work well. It was difficult to get always the proper type of men as juror or assessors and their opinions were often perverse. Allegations of corruptions against them were common. The jury system was in vogue in Dhanbad district till 30th April, 1961 and from 1st May, 1961 (vide Government notification no.1479-J, dated 10th March 1961, it stands abolished.

Statistics of criminal cases from 1944 to September, 1956.

Cou rts.	Nature of Cases.	<u>1944</u>		<u>1945</u>		<u>1946</u>		<u>1947</u>		<u>1948</u>		<u>1949</u>			
		Instituted	Disposed of	Instituted	Disposed of	Instituted	Disposed of	Instituted	Disposed of	Instituted	Disposed of	Instituted	Disposed of		
1	2	3	4	5	6	7	8	9	10	11	12	13	14		
Sessions Judge,	Sessions cases			30	23	17	24	26	20	28	31	38	26	22	32
Additional Sessions	Cr.Appeals			276	285	240	235	231	241	207	165	213	219	222	252
Judge and Assistant	Cr.Revisions			55	50	50	53	32	33	58	41	83	82	82	95
Sessions Judge, Dhanbad	Cr. Reference			..	..	..	..	..	..	..	..	..	..	..	..

<u>1950.</u>		<u>1951.</u>		<u>1952.</u>		<u>1953.</u>		<u>1954.</u>		<u>1955.</u>		<u>Up to Sept. 1956.</u>	
Instituted.	Disposed of.	Instituted.	Disposed of.	Instituted.	Disposed of.	Instituted.	Disposed of.	Instituted.	Disposed of.	Instituted.	Disposed of.	Instituted.	Disposed of.
15	16	17	18	19	20	21	22	23	24	25	26	27	28
24	23	43	30	56	57	33	52	60	37	46	56	66	65
218	195	283	155	276	310	193	257	293	136	197	315	283	347
65	58	82	67	51	69	44	34	44	45	44	56	32	36
1	1	1	1	5	3	1	2	..	1

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The statistics of sessions cases from 1957 to 1961 in Dhanbad Judgeship are given below :-

Year.				No. Of sessions cases pending from before.	Instituted.	Total.	Disposed of.
1957	..	..	..	11	36	47	32
1958	..	..	..	15	25	40	37
1959	..	..	..	3	43	46	40
1960	..	..	..	6	44	50	40
1961	..	..	..	4	55	59	51

ADMINISTRATION OF CIVIL JUSTICE AT DHANBAD

Dhanbad had the status of a sub-district for many years and its administration with its peculiar problems as such has to be considered on a special footing in a Gazetteer and cannot be cursorily described along with the facts relating to the whole district of Manbhum.* It will be necessary to go into a little history to understand the formation of this sub-district. We have it from the Hunter's Statistical Account and also Coupland's Gazetteer that the district of Manbhum first came to be formed in 1833. From that time onward there have been several changes in its boundary due to exigencies then prevailing. Manbhum does not find much of mention during the early Muhammadan period. Even during the great Mughals it was taken to be a part of Jharkhand and in 1589 Raja Mansingh marched from Bhagalpur, through the western hills of Burdwan en route to conquer Orissa and again about 2 years later he sent his Bihar troops by what is described as the western route, called Jharkhand route to Midnapore. In the second journey he seems to have passed through a part of the present district of Manbhum, and a tradition has it, that he effected repairs to some old temples at Para and Telkupi. The first definite mention of a pargana of Manbhum is to be found in Padishanama where a reference of Panchet has been made. This mention was made in relation as to how the revenue from Panchet was increased from time to time till it came to be an enormous amount of a lakh and forty thousand besides a collection charges of rupees seventeen thousand.

***The Sadar subdivision of Manbhum district in Bihar minus a few portions was made over to West Bengal in implementation of the recommendation of the States' Reorganisation Commission and is now Purulia district in West Bengal (P. C. R. C.).**

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The principality of Panchet seems to have comprised of the present parganus of Jharia, Nawagarh and Katras are definitely included in Dhanbad subdivision of the present day. In pre-British period Barabhum and Manbhum from which the entire district derives its name were separate principalities constantly at war with Panchet which was by far the strongest of them all. Many of the present Ghatwals were created for the purposes of protection of the estate from the military depredation. In some cases the Ghatwals were in the nature of service tenure-holders, under the Raja who granted it. Later, during the British rule, the importance of these Ghatwals began to dwindle in proportion to the control, which the Central power assumed in quelling down disturbances and maintaining internal peace by their own force. At present the existence of these Ghatwals, with their tenures has become an anachronism, the reason for which they are fast disappearing and dwindling away.

Now coming back to the history of Manbhum district it will appear, that serious attempts were made by the British authority, to consolidate the district and maintain peace and order. There were not only inter-tribe quarrels between the local Rajas of Barabhum, Manbhum and Panchet but internal peace of each of the principalities were threatened by Chuars of Barabhum. In 1773 Sepoys were permanently stationed at Barabhum to prevent recurrence of outbreak of depredation by Chuars. Earlier in 1767 Lt. Fergusson had subjugated the Rajas of Manbhum and Barabhum who seem to have been recalcitrant and did not view the grant of the Dewani to the British with favour. There is no history of such recalcitrance on the part of Panchet. It will, however, appear that in 1782 and 1783 there was some sort of rising in Panchet which consisted the Jhalda, Nawagarh, Jharia and other parganas. The disturbances continued at intervals in various parts of the Panchet till 1795 when a permanent settlement of the area was finally effected and an effective control was established. In 1795 that is just after the permanent settlement an interesting event took place which resulted in transference of the jurisdiction of the area now covered by this subdivision to the Collector of Birbhum. The Estate of Panchet was put up to sale for arrears of revenue under the new regulated revenue sale law and purchased by one Nilamber Mitra for almost nothing. The proprietor pleaded for a cancellation of the sale on the ground that the Dewan had in collusion with the Collectorate staff brought about the sale. The plea failed before the Collector of Ramgarh (at present in the district of Hazaribagh) and the authorities were bent upon to effect a delivery of possession in favour of Nilamber Mitra. By 1798, the entire principality was in a ferment and the tenantry as a whole supported their Chief, in such a violent manner and the Chuars

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. played such an important role, in that outbreak that Government had to yield and set aside the sale and restored possession to the chief. This episode in later time is have encouraged the Raja during the mutiny to adopt defiant attitude towards the Government. But, however; that may be some important results followed.

It was found that the administration of Panchet, which comprised a large part of what is now comprised within the sub-district and now of the district of Dhanbad was inconvenient from Ramgarh and revenue and civil administration was transferred to the Collectorate of Birbhum. Even from before this Pandra was within the Collectorate of Birbhum and from the records of the pandra Successions case it will appear that in earlier period (1793) a case for succession to the Pandra estate was field in the District Court of Birbhum. It appears that sometime after the granting of the dewani to the British the jungle tract of Chotanagpur and probably a part of Orissa was constituted into a district torn away from Midnapur division called Zila Jungle Mahal by Regulation of 1805. The principalities contained within this Zila had chieftains who had peculiar rights and customs regarding successions. By the regulations 10 to 18 of 1800 it was enacted that these peculiar rights and customs prevalent amongst principalities of Zila Jungle Mahal shall be respected and if a dispute regarding successions rose, due weight should be given to the family custom of the chieftains. The Court should not flout the customary law, prevalent amongst them. Later in 1833 the district of Manbhum was carved out from a portion of the jungle mahal comprised within S. W. Frontier Agency which roughly corresponds to the present Chotanagpur Division (established in 1854) and probably included Jashpur, Rajganjpur, Surguja, Bonai, etc. During the constitution of this district (Manbhum) the parganas of Senpahari, Segarh and Bishunpur were transferred to Burdwan while Chatna and Maheswarw adjoining to Kashipur were transferred to the district of Bankura.

The district of Manbhum with somewhat similar boundaries was first established in 1833 with its headquarters at Manbazar. The headquarters were transferred to Purulia which was certainly more central though at the time it was fully of jungles and had little importance as a place of commerce.

From the earlier documents it appears that the freshly constituted district was known as "Division" Manbhum (Angsa Manbhum). It was so described in various plaints field from 1842 to 1857. A plaint in Debaseba suit on. 32 of 1858 describes the district as Kismat Manbhum which is equivalent to Angsa Manbhum. Similarly the civil suite no. 30 of 1882 field by the contesting parties of Pandra for succession describes the plaintiff as an inhabitant of Pandra for succession describes the plaintiff as an inhabitant of Pandra appertaining to Zila Angsa Manbhum. This suit was originally field in the district court of Burdwan but by High Court's

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order was transferred to Manbhum and recorded as Civil Suit no. 4. A robakarry or an order made after enquiry **by** the principal Civil Court in Civil Suit no. 3 of 1859, shows that it related to Civil Court of Angsa manbhum at Purulia and was signed by Mr. G. M. Oaks.

The district so constituted was placed under the administration of a Deputy Commissioner who seems to have been controlled by a Commissioner posted at the headquarters of S. W. Agency. So far as administration of criminal justice was concerned the Deputy Commissioner was assisted by the Deputy Magistrate and later came to be assisted by Honorary Magistrates at Jhalda, Raghunathpur, Adra Pokhuria, Jharia and Katras. In matters of revenue, there seems to have been various kinds of officers. It was found that Manbhum was constituted out of the Jungle mahal which formed a district in early British administration. There was specially law of primogeniture prevalent amongst the local chieftains and the British Government tried to maintain their local custom for which the regulation 10 to 18 in 1800 came existence. It is probably with that end in view and to afford special facilities to these chieftains who were considered important from an administrative standpoint, an Agent to Governor-General similar in status to the Political Agent of later times was placed at Chutia Kishanpur. It appears that the Agent Commissioner of the S. W. Frontier Agency under whose charge the district of Manbhum remained acted for a long time as an Agent to the Governor- General. Later in 1854 the Chotanagpur Division with headquarters at Ranchi was formed and the district came to be under it.

Now if a dispute about succession aros then the suit relating to such succession which were essentially of the nature of civil suits seems to have been entertained by the Agent acting through Assistant Agents. It will appear that in Manbhum this practice was followed. A robakary, dated 23rd September, 1839, shows that Raja Sagar Narain Singh of Pandra being aggrieved by the decision which was made the Sadar Dewani Adalat upholding a partition of the impartible estate of Pandra had field a petition for ascertaining the customary rights of the family dastur khandan before the Agent to the Governor-General of Chutia Kishanpur. This petition by robakary was referred to the Assistant Agent of Manbhum and in Pursuance of that robakary writs were issued upon the Raja by the Assistant Agent at Purulia on 15th October, 1839 to produce the paper to prove the dastur khandan.

It will appear from this document that though the matter of partition was closed by the decision of the Sardar Dewani Adalat late in 18th century effort was being made by the Raja to take up the matter again. This leads to the inference that in matters of custom of succession in the position of High Court was not the

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final authority and the Governor-General in Council had power to intervene if upon subsequent the facts appear otherwise than what has been decided by the Sadar Dewani Adalat. It is in accordance with that provision that the Agent to the Governor-General was acting and there was a Court at Chutia Kishanpur for the purpose. That Court function almost as a Civil Court of a special jurisdiction and Courts subordinate to it functioned in the district through the Assistant Agent of Manbhum. Presumably the Collector acted as such and his designation while considering in such cases, was the sub-district and now the district of Dhanbad. Suits were field in the Court of the Principal Assistant Agent. A dispute arose regarding to the succession of the Nowagarh Estate and the suit seems to have been field before the Principal Assistant Agent on 7th September 1834. The robakary of the Principal Assistant Agent which was know as the robakary of the Civil Court because in such matters the Assistant Agent exercise something like a civil jurisdiction though under special law. The Agent to the Governor-General has also in some documents been describe as Agent and Commissioner. This show that the Commissioner of the Division acted also as the Agant. We have robakary of Civil Court and the Agent of Governor-General at Chutia Kishanpur which describes Captain Johan Ousely as Agent of Governor-General at Kishanpur in 1845. From all these documents it will be clear that beside the Commissioner and the Deputy Commissioner exercising criminal and revenue jurisdiction there was a Court of Special Constirurion which decided civil matters relating to customary succession amongst the principalities contained within the area formerly included in jungle mahal the Chief Court of which was situated at Chutia Kishanpur (Ranchi). He had subordinate courts under him and they were presided by Principal Assistant Agents. This Court was supposed to function directly under the Governor-General and though they respected the decision of Sadar Dewani Adalat, was not bound by their decision as in other suits. The Agent to the Governor-General and the Pricipal Agent though purporting to be civil functionaries were mainaly administrative officers of the district and the Division.

So far as the Civil Courts are codcerned it appears from the old records that as in other districts at the period Manbhum had not the institution of Sadar Amins nor had a Zail Judge at its head. Though Manbhum was constituted into a district and was called Zila Angsa Manbhum or Division Manbhum the head of the Judiciary was stationed at Ranchi and know as Judicial Commissioner. The Principal Civil Courts in the district seem to have been run by the Principal Assistant Commissioners who were directly under the Judicial Commissioner of Chotanagpur and at a later

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period the functions that were exercised by the Principal Assistant Agents seem to have been transferred to them. They have had besides the power to hear appeals from Munsif and to entertain ordinary Civil Suits in the original jurisdiction. Suits of lower value as usual used to be field before the Munsif. The Deputy Commissioner of Manbhum and in many cases persons placed to assist him as additional acted as Principal Assistant Commissioner by virtue of powers vested on them by the Government through Judicial Commissioner. It will appear from the judgment in Pandra succession case field in the year 1882 that the suite relating to succession was field before the Subordinate Judge of Burdwan (the institution of Sadar Amins by this time having given way to that of Sub-ordinate Judge in other districts) was transferred by the orders of certain issues and appointment of a receiver to the District Judge of Burdwan who having appointed them asked the Judicial Commissioner of Chotanagpur to select a Judge for trial of the suit. It was given for trial to Mr. Risely who was transferred. Mr. Risely purported to act as Subordinate Judge by powers vested in him by the Judicial Commissioner of Chotanagpur but later when he was transferred the case was made over to Babu Gangananda Mukherjee who purported to act as Second Sub-Judge, Manbhum was a Deputy Magistrate stationed at Purulia and had been vested with the powers of a Sub-Judge. The records and the tradition will show that he acted in various capacities also such as District Sub-Registrar, the Land Acquisition Officer and even as De-facto Deputy Commissioner of Manbhum. However, that may be in the beginning of sixties of the last century and even up to much later date the function of Principal Civil Court was exercised by the Principal Assistant Commissioner and we have from the records a corroboration of this fact. A robakary of Civil Suit field by Rani Hingan Kumari of Pandra shows that a suit was originally field in Chaki Raghunathpur before the Musif who was transferred to the Principal Assistant or Commissioner of Manbhum at Purulia and is signed by Mr. G. N. Oaks. Presumably because the suit involved points which were more than the Munsif could entertain. This was a 1859. There are other documents even of a later date showing that the institution of the Sadar continued in other districts till they were replaced by Sub-Judge. The Munsifs of course were there at Manbazar, Barabazar, Raghunathpur and finally at Purulia but they were not Principal Civil Courts. It is also clear that the Deputy Commissioner acted as Principal Assistant Commissioner in many cases and the practice of the Deputy Commissioner or the Deputy Magistrate being vested with the powers of the Sub-Judge to which the Principal Assistant Commissioner corresponded, continued in manbhum for a pretty long time .

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The boundaries of the present district of Manbhum came to be fixed and remained practically identical from 1879. The head of the district administration had to bear responsibilities about matters of administration, revenue and up to some extent criminal. So far as administration of civil justice and session cases were concerned the head of the administration continued to be the Judicial Commissioner of Chotanagpur for a pretty long time. It will thus appear that the judgeship was not co-extensive with the boundaries of the district and it has never been so up to this date. As it is said the functions of the Principal Civil Court within the district were exercised originally by the Deputy Commissioner acting under the delegated power from the Judicial Commissioner, Chotanagpur as Assistant Commissioner. Later the function of the Assistant Commissioner began to be limited and he worked as a Subordinate Judge. But the function continued to be exercised by the Deputy Commissioner and Senior Deputy Magistrate for a pretty long time. Even in late eighties of the last century there was no regular Sub-ordinate Judge posted in the district. For a considerable part of the nineteenth century the Judicial Commissioner tried sessions cases by holding regular circuit at places. But later it was found very convenient for Bankura District Judge to come over to Purulia to hold circuit courts. Thus for a time, therefore, the Additional District Judge of Bankura used to hold circuit courts at Purulia and tried sessions cases and hear civil appeals till in 1910 a regular judgeship came to be constituted in Manbhum and a District Judge was placed at the head of the judiciary. But the judgeship comprised within its administration not only Manbhum but also the districts of Singhbhum and Sambalpur. Eventually with the separation of Orissa as a Province, district of Sambalpur went but for a long time Singhbhum remained tagged to the Judgeship of the Manbhum. The District Judge at Purulia from the very start of the judgeship held circuit courts at Dhanbad. He used to hold circuit courts not only in the headquarters of the districts of Singhbhum and Dhanbad and Dhanbad, but also at Jameshedpur. From the inauguration of a Subordinate Judge's Court at Dhanbad the District Judge was regularly holding circuit courts at Dhanbad also.

Administration of Civil Justice after 1956.

Before the creation of a separate judgeship of Dhanbad-Singhbhum, i. e., up to 31st October, 1956, the Judicial staff entertained for the purpose of civil justice consisted of the District Judge whose headquarters were at Purulia, the Subordinate Judge and the Munsif of Dhanbad. They were assisted from time to time by Additional District Judge, Additional Subordinate Judges and Additional Munsifs. Up to this date the civil suits up to the value of Rs. 4,000 were decided by the permanent Munsifs, up to the value of Rs.1,000 by the Additional Munsifs, and above Rs. 4,000 by the Subordinate Judge and the Additional Subordinate Judge. These courts also

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decided execution and miscellaneous cases arising from their own decisions. The Subordinate Judge of Dhanbad was vested with the powers of a District Delegate under the Indian Succession Act to grant Probate and Letters of Administration in non-contentions cases and to try insolvency cases arising in Dhanbad subdivision in which the debts mentioned in the insolvency petition did not exceed Rs. 5,000. He was empowered to exercise the functions of a District Judge under part X of the Indian Succession Act for the disposal of Succession Certificate cases within Dhanbad subdivision. He was also authorised to entertain all civil appeals from the decrees or orders of the Munsifs of Dhanbad which lay to the District Judge with effect from 7th April, 1953. At Dhanbad rent suits were and are tried by the revenue courts and not by the Civil Courts. The civil returns of the Subordinate Judge and Munsif were submitted to the District Judge and the latter submitted them to the Hon'ble High Court along with the civil returns of the districts of Manbhum and Singhbhum. The appointment and dismissal of Manbhum and Singhbhum. The appointment and dismissal of the Civil Court staff at Dhanbad were made by the District Judge of Manbhum-Singhbhum. The Subordinate Judge up to the value of appeals on decisions of the Subordinate Judge up to the value of Rs. 5,000.

The Judgeship of Dhanbad-Singhbhum was created on 1st November, 1956. Since then the judicial staff maintained for the purpose of civil justice in the district of Dhanbad has consisted of the District Judge of Dhanbad-Singhbhum with his headquarters at Dhanbad, two permanent Subordinate Judges and two and two Munsifs. The District Judge was assisted for sometime by two Additional District and Sessions Judges and thereafter the Court of one of the Additional District Judges was abolished. Up till now civil suits up to the value of Rs. 4,000 are decided by the permanent Munsifs and over Rs. 4,000 by the Subordinate Judges. These Courts, as before, decide execution and miscellaneous cases arising from the decision of their own Courts.

Now that there has been a District Judge at Dhanbad and the powers of the Subordinate Judges to entertain appeals from the decisions of the Munsifs and also the powers of a District Delegate to grant probate and Letters of Administration, have been taken away. Of the two Subordinate Judges the seniormost Subordinate Judge has been invested with powers to exercise functions of a District Judge under part X of the Indian Succession Act for disposal of Succession Certificate cases arising within the district and also to try insolvency cases arising in the district in which the debts mentioned in the insolvency petition do not exceed Rs. 5,000. Rent suits are still tried by the Revenue Courts and not by the Civil Courts. The civil returns so far as the Courts at Dhanbad are concerned are now submitted to the Hon'ble Court by the District Judge of Dhanbad – Singhbhum. The District Judge and the Additional District Judge hear and dispose of appeals from the decisions

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of the Subordinate Judges up to the value of Rs. 5,000. The appeals from the decisions of the Munsifs are ordinarily transferred to the Subordinate Judges for disposal.

For the purposes of adjustment of work the District Judge has divided the jurisdiction between two Subordinate Judges and two Munsifs over the local areas included in the police-stations given below under the provision of section 13 (2) of Bengal, Agra and Assam Civil Courts Act, 1887.

Ist Subordinate Judge and Ist Munsif.- (1) Govindpur,(2) Jharia, (3) Kenduadih, (4) Dhanbad, (5) Baliapur, (6)Jorapokha,r (7) Jogta and (8) Sindri.

2nd Subordinate Judge and Munsif.- (1) Nirsha, (2) Chirkunda, (3) Tundi, (4) Chas, (5) Chandankiary, (6) Topchanchi, (7) Baghmara and (8) Katras.

Dhanbad now has a separate judgeship which was a necessity after Dhanbad became a full – fledged district.

We can now follow the history of the Courts at Dhanbad in the light of what has been said above. A little more of history will be interesting in this connection. Anybody passing by a car on the Grand Trunk Road from Govindpur to Nirsa will find two pillars which look like ruined gates of a compound, four miles east of Govindpur leading to a place, little known, and obscured almost into oblivion. This place called Baghsuma was formerly the site of headquarters station of a subdivision which later came to be known as Govindpur subdivision. The comparative disadvantage of communication from the Divisional Headquarters of S. W. G. Agency and later of Chotanagpur might have prompted the authorities to remove headquarters station from Baghsuma to Govindpur for Govindpur had advantage of being on the Grand Trunk Road and near other roads connecting places of importance within the district. If a survey was made as to how any shifting of courts was made in places in India it will be found that the courts have followed closely the routes of communication and commerce and the shifting of courts from Baghusma is probably one such potent instance. Being on the Grand Trunk Road which used to be the life – line of commerce in this area, Govindpur had certainly a very great commercial importance in the later part of 19th century as also beginning of the 20th century, The Railway line had not been extended further beyond Barakar till the nineties of the last century. The only means of communication with the up-country used to be the Grand Trunk Road and since Govindpur had the advantages mentioned above the subdivisional headquarteras naturally came to be located there. Later in 1894 with the extension of the Grand Chord Line to Katras and to Jharia its importance gradully dwindled for the Grand Trunk Road could not then be said to be the chief means of communication and commerce. Much

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of the purpose waken up by freshly opened Grand Chord Line which later extended up to Mogalsaria connecting the main line to Delhi. Railway was certainly faster and easier means of transport than any known vehicles in the late nineties, Govindpur was, therefore, surely to lose its importance as a place of commerce, the bulk of which was taken up by Railways. The natural consequence followed:- A very centrally situated place in the subdivision connected by Railways was sought for and Dhanbad appears to be ideally situated. In the meantime certain events took place. Even as early as 1869 during the revenue survey a report was made by Colonel S. J. Sherwell that valuable coal seams could be found in Jharia and Katras area. But in spite of the fact having been corroborated by other reliable persons, the Superintendent of Geological Survey in India was of the opinion that the coal seams found there would not be worth costs of extraction and no serious effort was made at extraction of coal. What exactly led to this opinion cannot be ascertained at this distance, but a suspicion cannot be ruled out that the Superintendent did not find much to enthuse over the discovery and make a serious attempt to assess the value of the coal because the commercial interests who were mainly British in those times were shy and doubtful about the venture. But this opinion of the Superintendent did not deter for period, the development of coal area in Jharia and Katras.

The Railway in their own interest and as a matter of experiments extended their lines up to Katras and then to Jharia. Connections having been opened surprising results were obtained and extraction of coal rose almost ten times the usual extraction in the very first year that the Railway lines were opened. It was found that all extra extractions that had been made were from the fields at Jharia and Katras. The results were tremendous. Jharia and Katras area which is close to Dhanbad grew in proportion which was almost unbelievable at the time. The centre of economic gravity had, therefore, shifted in the beginning of the 20th century from Govindpur to Dhanbad necessitating the removal of subdivisional headquarters from Govindpur to Dhanbad. Mining had its peculiar problems. Industry began to present problems which had to be examined from closer quarter and Dhanbad certainly was at a closer quarter. In the year 1960 a decision was made that the Courts should be transferred to mouza Hirapur within the Municipality of Dhanbad and in 1908 the headquarters were actually shifted. Since then Dhanbad has been growing in importance. The S.D.O. who was formerly the head of the administration in the subdivision in the civil administration came to be vested with more and more powers and before the third decade in the 20th century was out, his powers came to be identical with that of the Deputy Commissioner of Manbhum. The powers of the Subdivisional police Chief also were similarly increased from time to time till they became identical

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with that of the Superintendent of Police stationed at Purulia and the head of the administration in the subdivision came to be known as the Additional Deputy Commissioner rather than the S. D. O. and the head of the police administration came to be known as the Additional Superintendent of Police. For some years a formal subordination was maintained and the Additional Deputy Commissioner and the Additional Superintendent of Police were considered in some way subordinate to the Superintendent of Police and the Additional Superintendent of Police Deputy Commissioner of Manbhum. With the exigencies created by the running of the administration gradually the subordination of the Additional Deputy Commissioner was liquidated. Formerly the Additional Deputy Commissioner was assisted by a Senior Deputy Magistrate who functioned almost as a S. D. O. but was not termed as such. But since the beginning of Second World there has been a Subdivisional Officer functioning under the Additional Deputy Commissioner, Dhanbad has been constituted into a regular police district before Dhanbad become a civil district. All these point to the fact that Dhanbad was not a subdivision now but a sub-district and the status was raised to a full-fledged district later as has been mentioned elsewhere.

It is in this light that the administration of Civil Justice in this area has to be considered. It has to be traced back the origin of the Civil Courts at Dhanbad. It is from the correspondence maintained at the Civil Courts at Dhanbad that a Munsif came into existence at Govindpur some where in the late nineties. It has been shown that Govindpur was constituted into a subdivision in 1850 but it is clear from later documents that a regular Civil Court did not function there. In 1859 a suite was filed by Rajkumar Kali Prasad Singh against Rani Hingan Kumari for possession of a share in the Zamindari. The judgment in this suit dated 28th March 1860 and a robbery dated 29th January 1859 showed that the suit was withdrawn from the Court of the Munsif, Raghunathpur and that suits of this nature used to be filed at Raghunathpur. Considering the importance of the matter the suit was withdrawn from Raghunathpur to the file of the Principal Assistant Commissioner who was also the Deputy Commissioner of Manbhum.

There is another document which points to the fact that till 1882 the Courts having civil jurisdiction were not established at Govindpur. This is the plaint of Pandra succession case. There the plaintiff had described himself as Pratap Singh, an inhabitant of Garh Pandra, Zila Angsa Manbhum and Chauki Raghunathpur. This suit was filed after the death of Hingan Kumari and came up in the wake of scramble for power after the death of Hingan Kumari over the properties of Pandra estate. It is clear from the documents that after the death of Rani Hingan Kumari the Deputy Commissioner, Manbhum ordered the S. D. O., Govindpur to take possession of the estate. A letter, dated 28th December, 1881, from Babu Gopal Chandra Mitra, the Deputy Magistrate, Govindpur, shows

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that he was commissioned to prepare a list of properties left by Rani Hingan Kumari. This unmistakably shows that Pandra Estate was administratively under the control of S. D. O., Govindpur. In the circumstances the mention of Chouki Raghunathpur in the plaint of civil suit in relation to succession could only mean that at Govindpur there was no regular court exercising civil jurisdiction and that courts of civil jurisdiction which had powers to try suits for the area which is now comprised within a part of this subdivision was vested in the Munsif stationed at Chouki Raghunathpur. This was certainly the area covered by the normal part of this subdivision. It is, however, not clear whether the suits covered by the area Nawagarh, Jharia, Katras, Topchanchi used also to be filed at Raghunathpur or elsewhere. In the late nineties, however, courts of regular civil jurisdiction came to be there in Govindpur. From the returns of 1896 submitted to the Judicial Commissioner, Ranchi, it will appear that the Subdivisional Officer acted as an *Ex-officio* Munsif. The returns of 1898 were sent under the signature which seems to be of Mr. Garrett, the then S. D. O. used to officiate for him for the returns showed that Mr. H.W. Scroop was in charge of the Munsifs for a time. No Munsifs were permanently stationed at Govindpur for the practice seems to have been that the S. D. O. as Munsif-in-charge used to entertain all suits and dispose of the uncontested cases. Later those in the usual cadre used to come to Govindpur and try contested suits as also such of the *ex parte ones* which could be disposed of them during their stay. There is a very interesting letter preserved in the correspondence file showing that the Munsif used to hold court in circuit and was alternatively known as the Munsif of the place where they were holding courts. The letter dated 14th May, 1898, addressed to Mr. S. C. Hussain, Munsif of Govindpur who was also described as Munsif of Chaibasa by one Mr. T. P. Mukherjee, the sherishtadar of the Munsif's Court, Govindpur. This will show that besides holding courts at Govindpur the Munsif used to hold courts at Chaibasa where also he was not permanently stationed. A letter from Babu Sarda Pada Chatterjee, the Subordinate Judge of Manbhum, to the Munsif of Govindpur on the 23rd day of July, 1898 is interesting in this connection. The Subordinate Judge requested the Munsif not to hold courts at Chaibasa in the month of August. Reasons were explained in the letter and read as follows:—"However, you are newcomer in this division. I think it proper to inform you that it will be very inconvenient for both the Sub-Judge and the Munsif to hold sittings at the same time at Chaibasa". Firstly because there is only one court house at Chaibasa available for the Sub-Judge and the Munsif to hold their sittings. Secondly because there is only one Hindi-knowing clerk whose services by order of the District Judge were to be availed by the Sub-Judge. This shows that the Munsif was neither permanently stationed at Govindpur and held circuit

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courts there nor was he stationed permanently at Chaibasa. It is not known where the headquarters were.

There is another very interesting letter which will throw some light on the situation. The draft seems to have been prepared on the 18th April, 1898 and was addressed to the Judicial Commissioner of Chotanagpur. A complaint appears to have been made in a previous letter about the inconvenience of residing at Govindpur during the Circuite Courts. In continuation of that letter no. 6, dated 8th April, 1898, it was pointed out to the Judicial Commissioner that the S. D. O. had lent the use of one of his tents where he had placed his sherista and after the court hours occupied it as his private residence. The Ijlas was held in a room of Cess Bungalow and the munsif pointed out that on an earlier occasion a Deputy Magistrate had been deputed to work as Munsif and had occupied two Cess Bungalow rooms, one for residence and the other for Ijlas. He begged the Judicial Commissioner's answer was that the Munsif was to use the Cess Bungalow room for his residence and use the tent for his office. This correspondence seems to have been occasioned by a letter of the Deputy Commissioner Mr. Macyaire to the Executive Engineer that he had allotted the Excise Bungalow of Govindpur to a Sub-Deputy Magistrate on a proper payment of rent. The claim of the Munsif to use it as office and residence was not tenable as the Munsif's stay at Govindpur was purely temporary. A copy of this letter was forwarded to the Munsif of Govindpur-cum-Chaibasa and he was asked to report about the accommodation of the court and residence. The memo. came under the signature of Mr. Taylor, the Judicial Commissioner of Chotanagpur stationed at Ranchi who asked the Munsif to report about the accommodation of courts and residence. The correspondence undoubtedly points out the serious inconvenience to which the Munsif was placed for having his circuit duties in the above manner. The whole system seems to have been cumbrous of dissatisfaction must have been harboured by the Munsif who had to run like a shuttle cock from Govindpur to Chaibasa and from Chaibasa to Govindpur in those days of difficult communications. This state of thing did not continue for long. In the returns of 1901 it can be found that Jnaendra Chandra Banerjee was vested with powers of small Cause Court and there is an endorsement in the return that he presided over the Courts at Govindpur throughout the year and devoted 186 days on civil works, 5 days in criminal work and 5 days in revenue work. It is said, that by that time the Court at Govindpur came to have a permanent Munsif who was vested not only with power to try civil suits of lower valuation but also revenue suits which are under Chotanagpur

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Tenancy Act within the exclusive jurisdiction of the Deputy Commissioner and can be entertained by any other person only when the Deputy Commissioner authorises him under the Act itself to exercise those powers. In 1908 this Munsifi was transferred to Dhanbad and before this transfer the Munsif was vested with criminal power, but he continued to exercise revenue power and the returns of 1909 and other years show that the revenue were exercised by the Munsif till as late as 1915 and the Munsif was finally relieved of all the responsibilities of a Rent Suite Deputy Collector and at present is not empowered to try a suit under the Chotanagpur Tenancy Act.

So far as the pecuniary jurisdiction of the munsif is concerned it is not clear from the returns filed from Govindpur or the Administration Report submitted from Dhanbad as to what was the extent of the Munsif's power in that late nineties of the last century and within the first two decades of the present one. It is certain that from the third decade of this century the Munsif has wielded a power to try suits valued at Rs. 2,000 and S. C. suits valued at Rs. 250. The exigence created by changing condition necessitated an increase in the pecuniary jurisdiction of Munsif and at Rs. 4,000. the limits of the Small Cause Court powers had not been increased as it possibly could not have been done under the provincial Small Cause Court Act.

It will appear that in later in years a Judicial Officer having powers to try suits of lower value was not found sufficient for the purposes of administration of civil justice in the subdivision. Suits of of higer value continued to be field in Subordinate Judge's Court at Purilia. In earlier days the suits were not too numerous to justify the establishment of a Subordinate Judge's Court at Dhanbad itself nor had the commercial community become vociferous enough. The subdivision, however, took a very rapid stride on the road to prosperity and during the period between 1914 to 1917 there was a boom in the coal market due to stoppage of import of coal from the Untied Kingdom and Natal. The First World War and the attendant blockade and difficulties of shippings, communications husted the Jharia Coalfield into an amazing prominence and Dhanbad grew to be a subdivision of first rate commercial importance. It was then that a serious thought began to be given to the idea of having a Subordinate Judge stationed at Dhanbad for trying suits of higer a value arising within the local limits of Dhanbad Munsifi. We can imagine the anxiety of the big commercial concerns in this respect and there seems to have been quite a lot of public feeling supported by a strong opinion from the bar in favour of the proposal. Ultimately the Government decided to

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have a Subordinate Judge stationed at Dhanbad and the notifications, dated 21st September, 1917 reads as follows:-

“No.235-A. P.- In exercise of the powers conferred by section 13, sub-section (1) of the Bengal, Agra and Assam Civil Courts Act (Act XII of 1887), the Lieutenant Governor in Council is pleased to declare that the local limits of the Subordinate Judge of Purulia with effect from 31st October, 1917.”

“No. 233-A. P.- In exercise of the powers conferred by section 13, sub-section (1) of the Bengal, Agra and Assam Civil Courts Act (Act XII of 1887), the Lieutenant Governor in Council is pleased to establish with effect from 31st October, 1917 a Subordinate Judge Court at Dhanbad in the district of Manbhum and to fix with effect from that date the local limits of the executive subdivision of Dhanbad as the local limits of his jurisdiction.”

The notification shows that not only the territorial jurisdiction of the Subordinate Judge of Purulia was curtailed but a Subordinate Judge was installed at Dhanbad to try cases of higher value arising within the local limits of Dhanbad Munsifi. The arrangement was somewhat peculiar when the Court of the Subordinate Judge first came to be established here. It appears that all the filings in the civil courts were to be made in the Court of the Subordinate Judge and he was to select cases to be tried by the Munsif of Dhanbad in accordance with the power of the Munsif posted. The sheristadar was one and for four consecutive years after the start, administration report of the entire civil courts was one and used to be submitted by the Subordinate Judge of Dhanbad. This was somewhat of a peculiar arrangement for what usually happens when a new court established is that a separate court is brought into existence without disturbing the former one. In this case the the Subordinate Judge was considered to be the Principal Civil Court in the subdivision and all the filings wheather they related to the Munsif of Dhanbad or to the Subordinate Judge of Dhanbad were to be made in the Subordinate Judge's Court. The reason for this step seems to have been that the authorities were not quite sure in their mind as to wheather the Subordinate Judge at Dhanbad will from the start have sufficient work to keep him engaged throughout the year. By this time it had been found that the Additional Munsif's could be absorbed by the Subordinate Judge himself if he found his own work to be insufficient. A formality for calling for a suite from the Munsif's Court, which the District Judge coyld alone transfer was dispensed with by device. There might have been also some difficulty about sanctioning adequate number of staff for the newlycraeated Subordinate Judge's Court at Dhanbad. Ajoint staff was

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therefore, considered for some time to be necessary. Later this practice was discontinued and the Munsif's office instead of being directly controlled by Subordinate Judge's office had its separate establishment since 1921.

Even so under that arrangement the over-all control of the Subordinate Judge in matters of administration was very much larger than any other districts of Bihar. It may be pointed out for instance that though the Munsif held charge of the Copying Department under the orders of the District Judge yet the staff drew their salary and for all practical purposes were considered to be the staff of the Subordinate Judge. Any leave or permission of any nature to the staff was granted by the Subordinate Judge. The Nazarat Department was directly under the supervision of the Subordinate Judge himself. The record Room was under the control of the Subordinate Judge although the supervision of the Munsif was in charge. The Forms Department was under the supervision of the Munsif but the clerks in the Forms Department belonged to the establishment of the Subordinate Judge. The Munsif had direct control only over his own office and not so in other districts. The idea probably seems to have been to make the Subordinate Judge a little more powerful in administrative matter by giving him a larger measure of discretion which was not usual in districts. This was in keeping with the tendency that was discernible in the case of S. D. O. and other administrative officer in this subdivision. The first three or four Subordinate Judge exercised the powers of Assistant Sessions Judge and tried cases which were ultimately tried by Magistrates vested with powers under section 30, Cr. P. C. Messrs. Brajendra Kumar Ghosh, first Subordinate Judge of Dhanbad. Ashutosh Mukherjee, his successor and Amrita Nath Mitra who succeeded Mukherjee had all exercised sessions power. From the time of Pandit Ramchandra Chaudhury in the year 1932 it is not found that any sessions cases were tried by the Subordinate Judge. The subsequent Subordinate Judges exercised no criminal power at all. It was in the year 1942 when the August Movement took place and there was a large number of criminal cases which required speedy disposal and special attention, there were special legislations such as Defence of India Rules. Higher punishment than what could be inflicted by the Magistrates wielding ordinary powers had to be given. The Subordinate Judge posted here (Mr. Jatindra Nath Das Gupta) was empowered to deal with such cases and for a time he exercised those powers. After a time this power was withdrawn but in 1948 it was found necessary that the Subordinate Judge should wield power to try criminal cases of vested with power under section 30 of the Cr. P. C. and since then all Subordinate Judge who have come in succession have exercised criminal powers to try cases which are ordinarily triable by the Assistant Sessions Judge.

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So far as civil jurisdiction of the Subordinate Judge is concerned it seems so have followed the line of other officers in the subdivision. The powers had been enlarged from time to time till they were made to correspond in some respects with the powers exercised by an Additional District Judge. The Subordinate Judge vested with the powers to entertain applications for insolvency which is within the special jurisdiction of the District Judge. A limitation, however, was placed and an application in which insolvent's debts exceeded Rs. 5,000 could not be entertained. These powers seem to have been vested on the Subordinate Judge some time in 1928. He was also empowered to entertain applications for probate letters of administration and succession certificates. So far as probate cases and letters of administration are concerned the only limitation placed on the Subordinate Judge was that he was to transfer the cases to the District Judge as soon as caveat is entered and the proceeding became a contested one. So far as the succession certificate cases are concerned no limitation was placed and the Subordinate Judge can entertain and try cases relating to succession of any value.

Under the Government notification no. 216- R., dated 18th May, 1953, another power belonging to the Subordinate Judge of Dhanbad. He was empowered to function as court under the Land Acquisition Act of 1894. A large number of cases were transferred to the Subordinate Judge of Dhanbad for his decision. Many of those cases related to the acquisition made at Jamshedpur and a loud complaint was made by Purulia Bar that the trial of those cases at Dhanbad necessitated their clients to go from Jamshedpur to Dhanbad. Purulia being more centrally situated was a more convenient place for their clients to come and contest. It is on those representations and when the files have considerably been reduced and that the Land Acquisition cases were finally withdrawn under notification no. 145-R, dated 7th January 1954. It will appear from this that the powers of the Subordinate Judge at Dhanbad were made to extend to some extent with that of the District Judge. Government might have placed an Additional District Judge but the amount of work probably did not justify this step and therefore, this device of enlarging the powers of the Subordinate Judge seems to have been taken recourse to. It will also be necessary to mention that from 1953 the Subordinate Judge had been empowered to entertain appeals from the decision of the Munsif at Dhanbad. Ordinarily those appeals used to be filed at Purulia and transferred to the Subordinate Judge, Dhanbad for disposal. This certainly inconvenienced the parties. After considerable agitation from the Bar it was decided that the appeals could be filed before the Subordinate Judge who would eventually hear them also.

Administratively the Subordinate Judge was under the direct control of the District Judge. The District Judge was under the direct control of the District Judge of Manbhum-Singhbhum but he exercised powers over all the departments of the local civil courts

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including those placed in charge of the Munsif excepting the Munsif's own office. All the staff in the civil court excepting the Munsif's own staff was directly under the Subordinate Judge's control notwithstanding the certain departments were under the supervisory control of the Munsif. By the posting of a fullfledged District Judge at Dhanbad, the position is now at par with other districts. The growing importanc of Dhanbad because of her extensive mining and commercial interests and creation of the status of a district the posting of a District Judge was a necessity.

A pertient question may be asked wheather the tendency towards litigation in this sub-district is great or not. It has to be considered by certain figures in this respect. There has been a very rapid increase in population in Dhanbad as sub-district and then as a district. Since 1901 Census figures show that from 1901-1911 the increase in population of the sub-district was 38.6, from 1911 to 1921 a fuether increase of 18.18. All these increases should have reflected abcorresponding increase in litigation but while there was increase of 56 per cent in two decennial ending in 1910 to 1921 over the figure of 1901 there has been no corresponding increase in litigation regarding immoveable property. The relationship of the population with civil litigation however cannot be pushed too far.

An increase of suits relating to immoveable property is a good index showing whether the people indulged in more litigation or not. There has been a heavy increase in filing of such suits but that can be well explained by the fact that a place of commercial importance is bound to have an increase in the suits relating to money. It may be said that as the increase of populatio in Dhanbad subdivision was caused more by influx of population from outside in the colliery area while the increase in the indigenous population has not occurred at any period. But this cannot be taken to be altogether correct. There has been greater a greater birth rate in the indigenous population as well. In spite of that the number of title suits remained almost steady as it will appear from the chart below:-

Year.				Number of title suits.
1901	..	..	..	231
1902	..	..	..	233
1903	..	..	..	193
1904	262
Year				Number of title suits.
1905	234
1906	229
1907	203
1908	262
1909	266

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1910	255
1911	271
1912	296
1913	303
1914	262
1915	265
1916	229
1917	236
1918	225
1919	..	..	..	275
1920	..	..	..	193

Year.		Munsif's Court.	Sub-Judge's Court.
1921	..	.. 267	93
1922	..	.. 241	84
1923	..	.. 123	163
1924	..	.. 239	88
1925	..	.. 295	81
1926	..	.. 282	95
1927	..	.. 349	73
1928	..	.. 329	87
1929	..	.. 402	67
1930	..	.. 493	82
Year		Munsif's Court.	Sub-Judge's Court.
1931	..	.. 513	64
1932	..	.. 212	48
1933	..	.. 130	152
1934	..	.. 190	44
1935	..	.. 227	44
1936	..	.. 188	45
1937	..	.. 496	46
1938	..	.. 152	48
1939 240	44
1940 310	48
1941 242	48
1942 284	47
1943 239	56
1944 233	59
1945 265	64

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Year.		Munsif's Court.	Sub-Judge's Court.
1946	..	235	55
1947	..	260	63
1948	..	290	68
1949	..	334	56
1950	..	453	56
1951	..	422	34
1952	..	331	25
1953	..	397	46

From 1921 onwards various facts have contributed towards an irregular increase in the filing from 1927 to 1931. There has been a very substantial increase in the filing suits in the Munsif's Court.

Year		No. Of title suits In Sub-Judge's Court.	No. Of title suits in Munsif's Court.
1927	..	73	349
1928	..	87	329
1929	..	67	402
1930	..	82	493
1931	..	64	513

But in the Subordinate Judge's Court there was no such increase noted. The reasons are obvious. It was not for a certain craze having seized the people for litigation that a large number of additional suits were filed. Final publications after settlement proceedings have been made in 1925 and all inaccuracies in a settlement record had to be corrected within six years of the date of the final publication. The limitation, extended up to the year 1931 and a large number of title suits were filed in the Munsif's Court in that year being 513. There was a corresponding increase in the filing of money suits in both the courts in these years.

Year.		Money suits.
1901	..	282
1902	..	514
1903	..	615
1904	..	636
1905	..	780
1906	..	650
1907	..	748
1908	..	802

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Year	Money suits.		
1909	..	1,318	
1910	..	1,306	
1911	..	1,249	
1912	..	1,191	
1913	..	1,151	
1914	..	1,350	
1915	..	1,351	
1916	..	1,308	
1917	..	1,363	
1918	..	1,041	
1919	..	1,224	
1920	..	976	(Sub-Judge) 469(Munsif)
1921	..	1,264	257 „ (Munsif had no S. C. C. power.)
1927	..	519	„ 1,393 (Munsif)
1928	..	269	„ 1,499 „
1929	..	251	„ 1,608 „
1930	..	273	„ 1,523 „
1931	..	221	„ 1,696 „

Year.	Money suits.		
	Sub-Judge's Court.	Munsif's Court.	
1941	..	191	1,140
1942	..	316	626
1943	..	123	815
1944	..	396	680
1945	..	290	445
1946	..	103	428
1947	..	136	403
1948	..	155	490
1949	..	143	685
Year	Sub-Judge's Court.	Munsif's Court.	
1950	..	135	593
1951	..	137	640
1952	..	177	718
1953	..	199	761

This also can be accounted for by the fact that these were the heyday of the trade and up to 1929 there was brisk business leading to many monetary transactions which necessarily led to an

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increase in the number of suits based on these transaction. It is noteworthy that in Subordinate Judge's Court there was no appreciable increase in the number of filings of title suits for a suit for correction of settlement entry would never be valued at a figure which exceeds the jurisdiction of the Munsif. From 1932 filing came back to its normal and in the depression years it even went below the normal being 130 in 1933, 119 in 1934. There was again substantial increase in 1937. But that also was the act of a merely set of circumstances and did not indicate any general tendency towards litigation. In that year big landlords like Raja of Jharia and coal magnates like Rai Bahadur H. P. Banerjee, Mr. D. D. Thacker and K. S. Worah brought a number of suits for assessment of rents on lands which was recorded as be-lagan as who assessable to rent and the entry merely amounted to this that the lands had not at the period of settlement been assessed to any rent. As 12 years were expiring after the date of final after that a remedy would probably get barred. It is because of this that suits numbering over two hundred were filed in 1937 in the Munsif's Court at Dhanbad. This was an occasional spurt caused not by any litigious tendency of the people as a whole but by action of the landlords who considered themselves competent to put their own interpretation upon the record-of-rights. A great number of these suits were tried analogously and disposed of on lots by one set of evidence. These have, therefore, no value as showing any one tendency. The same remark applies to the spurt in 1951, 1952, 1953 and 1954. Tata Iron and Steel Co. had filed a large number of ejectment suits to put out tenants from areas which they required for their own purpose.

Except occasional spurts in 1923 and 1933 the filings of title suits in the Subordinate Judge's Court have remained steady and considerably decreased from 1934. Prior to the year filing ranged between 93 to 84 and the average can be fixed at 80 to 84. But from 1934 there is a considerable decrease, mostly because of the fact that the powers of the Munsif was raised to Rs. 2,000 and the land values for the suits which could ordinarily be filed in the Subordinate Judge's Court had to be filed in Munsif's Court. This also does not show a special litigious tendency in the people. On the whole the number of title suits filed in any year will show no special tendency towards litigation.

There is another factor from which the general tendency of the litigant public can be ascertained. That is proportion between the uncontested and contested disposal in a year. The table below will show the proportion between the contested and uncontested disposal and it will appear from it that though there has been an increase in the filings. The uncontested disposals have increased over the contested one.

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Year.			Contested.	Uncontested.
1901	162	438
1902	112	216
1903	127	266
1904	127	312
1905	..	..	164	759
1906	..	..	116	342
1907	..	..	111	434
1908	..	..	133	401
1909	..	..	114	601
1910	..	..	210	657
1911	..	..	163	549
1912	..	..	173	659
1913	..	..	224	844
1914	..	..	220	824
1915	..	..	188	985
1916	..	..	160	1,311

Year.		Contested.	Uncontested.	<u>Munsif's Court.</u>	
				Contested. Uncontested.	
1930		56	131	218	362
1931	.. ..	67	88	215	406
1932	.. ..	88	199	169	362
1933	78	199	79	139
1934	31	49	126	292
1935	24	31	123	294
1936	28	39	82	199
1937	27	48	48	383
				

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Sub-Judge's Court.							
1938	51	53	40	245
1939	23	35	101	254
1940	27	37	123	211
1941	32	29	148	303
1942	..	..	..	26	34	123	332
1943	..	..	..	18	33	105	291
1944	..	..	..	40	46	104	276
1945	..	..	..	37	25	91	262
1946	..	..	..	57	50	106	664
1947	..	..	..	45	31	47	156
1948	..	..	..	51	56	101	218
1949	..	..	..	34	29	97	241
1950	..	..	..	28	31	91	328
1951	..	..	..	36	26	74	320
1952	..	..	..	39	15	133	470

There is no tendency towards a substantial increase in the number of contested disposals while have increased very substantially in many years. The inference that can be drawn from it that though the number of the filings have increased the people are less prone to contest the suit and make compromise or allow the suit to be dismissed or to go ex parte by agreement. A very illustrative year is 1916. If it is compared with the figures of 1901 it will be found in 1901 there were 162 contested disposal while 438 uncontested one. In 1916 there were 160 contested disposal whereas there were 1,311 uncontested one. The proportion of uncontested disposal has increased by three times and even though the number of filings were greater in 1916 than in 1901 that did not show a special tendency towards litigation. One thing has to be noted. The average duration of suits have been steadily increasing and the chart below will show the fact :-

Year.	<u>Number of days occupied in trial.</u>						
<u>Court.</u>	<u>Sub-Judge's Court.</u>				<u>Munsif's</u>		
<u>Uncontested.</u>	<u>Contested.</u>		<u>Uncontested.</u>		<u>Contested.</u>		
1920	349.9	233.9	173.7	133
1921	310.5	197.4	180	131
1922	281.8	203.9	191	137
1923	267.2	176.9	226	147
1924	293.6	115.2	210	139
1925	477.1	236.3	215	129
1926	351.4	187.5	222	127
1927	354.6	163.5	312	156
1928	349	164.1	270	168
1929	420	293	309.8	148.6
1930	374	177.5	364.7	175
1931	389	287	369.3	189.4
1932	428.1	340.4	407.8	240.5
1933	415.4	201.1	344.9	207.3
1934	482.6	264.4	334.6	194.1

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Year.	<u>Number of days occupaid in trial.</u>						
	<u>Court.</u>			<u>Sub-Judge's Court.</u>		<u>Munsif's</u>	
<u>Uncontested.</u>				<u>Contested.</u>	<u>Uncontested.</u>	<u>Contested.</u>	
1935	471.3	308.09	333.2	163.1
1936	513.3	362.3	264.8	168.6
1937	400.8	296.9	386.8	198.8
1938	305.3	288.9	384.1	219.7
1939	376.7	301.6	350.49	243
1940	529.1	384.5	386.88	216.49
1941	436.9	316.7	390	229
1942	482	363.6	473.66	263.21
1943	595.9	480	504.79	251.97
1944	577.5	433	535.06	288.91
1945	576	331.8	555.84	307.55
1946	516.8	513	541.81	321.96
1947	441.8	339	596.72	326.67
1948	457.5	338.5	606.4	302.8
1949	519.9	241.8	456.38	261.8
1950	319.78	147.8	526.08	253.6
1951	462.25	447.8	565.87	309.07
1952	688.5	478.1	707.06	370.90

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This, however, does not indicate special litigious tendency but points to the administrative difficulty which necessarily keeps a suite pending. There are various factors contributing to this state of affairs. The strongest single factor, however, seems to be that in some years when special kinds of suits were filed in numbers a large part of filing remains as left over and fresh suits are added in the next years. This goes on till some of the suits have got so old that the average duration tends to increase substantially from what it was in the first decade of the 20th century. Those special suits which remained pending for several years may not be very large in number

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but they entered into the calculation of average duration of disposal and substantially increased the figure. The increase of average duration, however, has been a cause of concern of the High Court and in recent years steps have been taken to dispose of as many suits as could be possible within a short period.

The increase in commercial activities has very well been reflected in the increase on the number of suits filed for money and movables. It is noteworthy that since the growth into prominence as centre of the commercial place there has been a sharp increase in the institution of suits relating to money and moveables. As the business transactions went on increase and credit was fluid, this was bound to be so. This increase could not be taken as a circumstance showing a growing tendency of litigation on the part of the people. This was the natural consequence attendant on the increase in the bulk of the credit business, that is the characteristic of a prosperous town, and as the prosperity increases the bulk of the credit business also increases and suits naturally came to be filed in a greater number. This state of affairs continued till 1942. There was, thereafter, a shrinkage of credit which became extremely shy owing to the passing of Money Lenders' Act and also due to the circumstances of a certain amount of nervousness and uncertainty created by the last war. In the First World War India was not very much affected nor was there any possibility of its being directly attacked. Then there was prosperity in business without any nervousness and feeling of uncertainty. The price shot up very much higher in the Second World War but modern methods of warfare showed that India had become a vulnerable point and not immune from attack as it was in the last war. There was considerable nervousness which made credit shy and the drop in the number of suits in the money movables since after 1942 is accounted for by the fact that credit business was restricted. This has continued to be so till lately and there is no chance that there will be a revival of credit business to any large extent in very future.

CHARACTERISTIC OF THE TITLE SUITS OF DHANBAD.

Dhanbad title suits are characterised by simplicity of facts and take little time to be disposed of when they are taken up. Often the witnesses have very little to say about their own cases and break under the slightest stress of cross-examination. Most of the suits are based on possession and dispossession and a large number are for partition. The facts involved are not numerous and the average number of witnesses examined on each side not exceed four in the less contested one eight in the more contested one. Even when a custom is alleged the number of witnesses are not many and a lawyer knowing the calibre of the witnesses desist from citing too many who may jeopardise the case rather than to help it. It is probably because the witnesses are so unstructured and unstructible that a lawyer of this place has to acquire a sharper legal

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acumen in order to defend his position. It is not upon the facts that the cases are fought here but interpretation on the admitted or proved fact is put in such way so that a judgment might be obtained in favour of a party. The lawyers who fight the cases as in other parts of Bihar but their lawyers who do it. One result has followed. The Bar here is a highly informed Bar, one which hardly could be expected in a new district of this kind. The libraries of the lawyers are very well equipped and there is probably no Bar in this Province which can boast of having a lawyer who has a library not only of the current Indian Authorities and Rulings but also all the English Laws that can be found in a well equipped High Court Library. Whoever has seen the Law Library of Late Mr. G. N. Roy, Advocate and Shri S. C. Banerjee, Advocate will be struck at the collection made at their libraries. There are others who are similarly well equipped in Law Books and Rulings. This has to be so because with the help of this that the lawyers have to fight their battle of wits and make a case for their parties who are absolutely uninformed and unistructed about their own cases.

In money suits the case is just the reverse. All complications of commercial laws have to be gone into in suits filed on contract in this court. The difficulties have been presented often and at times lawyers from other parts of India had to be brought to argue the complicated commercial law. That is another reason why possession of English Rulings and English Books are considered to be indispensable in a place like this. As happens in a commercial place cases of Tort are more frequent than any other part of Bihar and that necessitates the Bar being more than ordinarily well informed in English Laws at Dhanbad.

At earlier period cases of encroachment of underground collieries were more frequent than at present. This is but natural for in the earlier days of settlement the acquisitions of boundaries were not precisely put and technical skill was not as high as at present. The encroachments by driving underground galleries into other's properties were not ungrequent and those who encroached and the persons whose lands were encroached upon felt themselves equally within their rights to dispute each other's claim. Serious contest used to be made and specialization in underground right was undertaken by the lawyers of repute such as late Mr. G. N. Roy and late Shri L. K. Mitta. The suits of encroachment have lessened in number as the mineral rights have come more and more to be defined and the leases are more definite nowadays. We have still a few of them every year but their number is not as great as they used to be at a former period. Such suits have certainly been affected by the regulations made by the Mines Department. We can point to the strict enforcement of the regulation that each colliery owner should leave a barrier of 25 feet between his coal lands and the coal lands of adjoining owner. This has practically eliminated the

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chance of encroachment, for each of the owners has to leave out 25 feet from their boundaries so fifty feet is automatically left between the collieries. The law relating to joint survey when there is a dispute between two owners has also a similar effect upon suits for encroachment. It is good that all these laws have been enforced. In earlier years when these laws had not been enacted and even though enacted had not properly enforced there had been litigations lasting for several years between the adjoining colliery owners resulting in loss of production. It is probably due to these facts that in recent years the laws relating to barriers and joint survey has been more strictly enforced with satisfactory results. We cannot afford to lose production at a time when that is the vital need of the country.

There has been some recent legislation which has affected the nature and in some cases their filings also. Passing of the Bihar Money Lenders' Act in 1938 has led to diminution in the number of money suits based on handnotes and loans of various kinds.

The Act affects the money-lenders more. Even in suits based on the handnotes and other loan transactions which are in the field, the parties find very little to contest for the Act has clearly defined the rights of the money-lenders as also that of the debtors. Not many points are left to be raised during the contest. The large concessions made in favour of the debtors in the Act itself persuades him to give up contest and pray for instalments and follow the far less expensive methods of meeting the creditor on his own ground. This naturally has led to a diminution in the figures of money suits and since 1942 onwards the figures were considerably lessened. There were other reasons of purely economic nature. Credit shrinks not only because of the Money Lenders' Act but also because of the uncertainty of the times. But at the same time the number of licensed money-lenders is definitely on the increase.

Another recent legislation is the Gram Panchayat Act. It is not predictable at this moment as to what effect will this have upon the legislations in court. So far as Gram Panchayat is concerned it had been invested with very little judicial powers to have any considerable effect on the number of filings. Gram panchayats have little or no power to deal the cases in which there is a genuine dispute of title. It can now deal the cases relating to payment of rent or other money claims but if there is a genuine dispute involved regarding title, a suit for decision by the Gram panchayat cannot be filed in the panchayat Court. It can, therefore, be said at once that so far as a filing of title suits is concerned, the Gram panchayat Act cannot be expected to affect this vitally and they will continue to be as many as before. The panchayats are now vested with powers to settle monetary disputes but the powers are too inadequate to produce any large effect on the total number of the filings in the

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civil courts. Besides an analysis for the class of cases that have been field for the five years will show that an appreciable diminution in the number of filings cannot be expected even if the powers were enlarged.

Year. Others.			Coal.	Railways.	Rent and taxes.	Handnote.	
Munsif's Court.							
1950	31	135	143	135	149
1951	54	146	126	149	165
1952	61	230	98	183	146
1953	82	244	111	177	148
1954	82	154	183	152	121

Subordinate Judge's Court.							
1950	..	..	10	46	21	30	28
1951	..	..	24	18	38	38	20
1952	..	..	20	24	60	45	28
1953	..	..	34	23	73	46	26
1954	..	..	39	43	34	54	32

From the above analysis it is clear that by far the largest number of filings relate to urban area. We could not have claimed against the Railways or for price of coal in non-industrial or rural areas, neither could we have any claim relating to house rent and municipal taxes from rural areas. Any diminution that can be expected out of the Gram panchayat Act must relate to rural areas and those areas are found to belong to the latter two classes, that is, those based on handnotes and other miscellaneous accounts. It has to be remembered that out of the suits field on the basis of the handnotes more than 50 per cent relate to credits contracted in the industrial parts of the sub-district and comparatively few of them relate to village areas where the Gram panchayat Act is in operation. There can, therefore, be no apprecible diminution in number of filings of money suits as a result of the passing of the Act. What may happen if the powers of the Panchayat are enlarged is purely a speculative question. If the intention of the Government is to decentralise the administration of justice in such a way that all matters relating to village disputes are settled in the village itself without reference to law courts, the powers of the Gram panchayat

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have necessarily to be increased. But the Government has its difficulty and unless the Panchayats is improved and they are more thoroughly and impartially organised the Government cannot afford to vest them with any large power than at present. Efficient legal training has to be imparted and a feeling is to be created in the people themselves by which it become possible for them to rely upon the village organisation for a more correct decision than the law courts. There can be no doubt that if a legal decision is made by an impartial agency in the villages it will confirm more to facts and bound to be more equitable than the decision made in the law courts and obtained by all sorts of manoeuvre of lawyers of the conding parties. But this desideratum will remain as a wishful thinking for a pretty long time to come. It has taken several hundred years of unsympathetic foreign rule to corrupt the village morals and the village courts ceased to be reliable and remained infested with village politics and party feelings. Disorganised economy led to its further degradation. The recovery of the former reliability is therefore a matter of not one or two three Five-Year plans but may take several decades. Till then the law courts will feel no appreciable influence of the passing of the Gram Panchayat Act.

The next legislation that has to be considered is the Land Reforms Act. In Chotanagpur where the powers of the Deputy Commissioner in revenue matters are very much larger than in Bihar the passing of the Land Reforms Act will have little effect on the number of the civil suits. The rent suits in this area were no concern of civil courts and was exclusively triable by the Deputy Commissioner or any person authorised by him. The civil litigation will therefore, be little affected by passing of the Land Reforms Act and also by the abolition of the zamindari under it. It will have to be seen that in this area except on occasions the landlords left the tenants in peace. So far as their civil rights were concerned and such of the civil rights that may give rise to dispute between the landlord and tenant are a matter of decision, under the law by the Deputy Commissioner alone. The landlords, therefore, were not fighters of civil litigations. In the revenue side there will of course be a total abolition of rent suits but as a matter of fact, in the zamindaris taken over under the Land Reforms Act, the procedure for recovery of rent from the tenant is not adopted. A certificate under the Public Demand Recovery Act serves the purpose of a rent suit for those dues which were dues to the landlord, by one stroke of pen has been converted into a Public Demand and made recoverable by the speediar and probably easier method described under the Public Demand Recovery Act.

Certain consequences are, however, bound to follow: All those classes of cases which relate to a succession to an estate or zamindar are eliminated altogether. There will be no further protracted litigation like the Jharia Raj succession case or Pandra succession cases. There were several of this kind within the last 50 years and all suits

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of this nature which evoked a great enthusiasm and expectation of the Bar are ruled out. But we can reasonably expect an increase of the civil litigations for other reasons. By section 139 of the C. N. T. Act suits of certain kind were made exclusively cognizable by the Deputy Commissioner and the civil court's jurisdiction to entertain them have been barred. Thus if a tenant were to be ejected on the grounds mentioned in the C. N. T. Act a suit for such ejection has to be filed before the Deputy Commissioner and not in the civil courts. If it were so filed the civil court would at once say that the plaintiff was ill advised in filing the suit before it for he has no powers to deal with the cases of this nature. In the present context a drastic amendment has to be made in the Chotanagpur Tenancy Act enabling the civil courts to entertain such suits. Under the provision of the Land Reforms Act the proprietor ceases to have any right and all the rights are now vested in the estate. In the district the Deputy Commissioner represents the State and is in the position of the landlords. If he had an occasion to bring a suit against the tenant for ejection from the holding on the ground mentioned in the Chotanagpur Tenancy Act there is no court in which he can bring such a suit. It will be anomalous to think that the Deputy Commissioner will sue the tenant before himself and make a decision also. The position has not arisen so far, and serious thought does not seem to have been bestowed in this aspect of the law or else a drastic amendment of the provisions of the Chotanagpur Tenancy Act would by this time have been in the anvil.

It may be that so far as smaller tenants are concerned the Government is not aware and not sufficiently alert because their ejection on any ground is not under their contemplation but by the very Act itself a class of more powerful tenant who may prove to be recalcitrant and obdurate has been created. The zamindars had been left in possession of their private lands and *nij jote* lands and they are to be considered as tenant under the Chotanagpur Tenancy Act. Clashes are bound to occur between these stances suits may become inevitable. If under such circumstances the zamindar is left with the plea that the Deputy Commissioner representing the Government had brought the suit before himself and decided as he liked something against the fundamental principles of justice will appear to be done. In the context the drastic amendment of the C. N. T. Act has become necessary empowering the civil authorities to entertain suits of this nature.

There are other such instances which can be cited. But a discussion about that is not within the scope of a text like this. It suffices to say that sooner or later the Act is bound to be amended in such a way as to enlarge the powers of the civil court to entertain the dispute between the landlords and tenants, landlords being now the State Government. The question, whether there will be an increase in the number of filings when the Act is so amended is a question

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which is purely speculative but it can said without much hesitation that classes of suits which formerly were tried by the Deputy Commissioner will begin to be delt by the civil courts in these areas.

On the whole the civil courts have been Iucrative for the Government and considerable amounts to the Exchequer. The income has far outstripped the expenditure incurred for maintenance of the law courts in this sub-district.

Chart showing income and expenditure.

Year.	<u>Subordinate Judge's Court.</u>		<u>Munsif's Court.</u>	
	<u>Income.</u>	<u>Expenditure.</u>	<u>Income.</u>	<u>Expenditure.</u>
	Rs.a.p.	Rs.a.p.	Rs.a.p.	Rs.a.p.
1944	95,277 12 0	23,708 13 0	32,314 14 0	..
1945	56,971 4 0	25,575 14 9	30,957 7 0	..
1946	49,268 4 0	29,600 1 9	32,350 0 0	9,150 4 0
1947	75,434 0 0	35,769 10 0	33,806 0 0	10,287 7 0
1948	70,301 0 0	31,056 6 1 0	42,559 0 0	9,835 0 0
1949	1,13,070 0 0	30,993 7 0	62,646 15 0	9,775 0 0
1950	92,81 7 4 0	36,408 7 8	69,697 14 0	9,823 0 0
1951	7 1,9744 0	36,152 1 2	81,028 1 0	10,959 5 0
1952	6 9,742 13 0	43,710 8 8	89,264 11 0	11,459 13 0
1953	1,29,840 14 0	43,103 0 0	96,843 6 0	11,810 0 0

Looking into the figures one may entertain a feeling that the courts are more in the nature of a commercial undertaking, a means of extracting revenue, than for dispensation on maintenance of the standard of justice. But this feeling is not justified judging by the standard of work done in the law courts. Till this time the public have refused to submit to any arbitration than that of the civil courts, in cases where a genuine dispute between the two parties had arisen. Attempts are made from time to time refer the matter in dispute before the civil courts to arbitration under the amended Arbitration Act. More often than not the award of the arbitrators are impugned by the parties themselves in the civil courts and not until a pronouncement has been made by it that the parties are satisfied. This shows that the remedies obtained in the civil courts are far more equitable than what a party

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could have expected in an outside arbitration. It is, therefore, that the party sticks to the civil courts even though the costs of such sticking is larger.

We have to observe that effects of one of the most recent legislation will have upon the course of litigation in this district. That legislation is Mineral Concessions Rules. The enactment will not influence the number of filings but may give rise to certain class of litigations directly and indirectly. There is a provision in the rules that a permission has to be obtained where a settlement of the mineral lands are made. This permission for working a virgin land is termed a certificate of approval which to be obtained either from the Local or Central Government. Much difficulty will not be created in cases of new leases for by the Land Reforms Act all mineral rights vested in the landlords will vest in the State Government and wherever a settlement of virgin land is made the same authority which makes the settlement will also grant the certificate of approval. The difficulty has been created in case of approval in case of transfer of old leases and almost in every case a certificate of approval is demanded by the Railway who have made it a precondition for extending the Railway facilities to the new purchasers that they should produce a certificate of approval as prescribed under the Mineral Concessions Rules. It is not yet clear whether the certificate of approval is necessary in cases of transfer of leases created prior to 1948. Yet as a matter of fact the Railway have been demanding certificate of transfer either from the Central Government or from the State Government for the transfer of old leases also. The idea behind the enactment was to prevent the transfer of coal properties to persons who have little knowledge of scientific extraction of coal and damage the property more than they do real extraction. It was in the interest of national savings that the enactment was passed and probably it is under that spirit that it is being worked and the Railways have been demanding certificates of approval in cases of all transfers though it is not clear still whether certificate of approval is necessary in cases of transfer of old leases. Now a certificate of approval is not a very easy thing to obtain. Sometimes months and years elapse before it comes up for consideration before the authorities granting the certificate and an application remains unattended for a pretty long time. It is to avoid this vexatious delays that a new form of contract is coming into being which we call the managing agency contract. An out and out lease or sale document is not executed. The lease holder of the property does not himself work it but agrees to let it out to somebody else who provide for the finance, with a stipulation that in case he wants to get into the property himself he will do so after a notice. Till then the lessee and his assigns bind themselves to permit the managing agency to pay a lump sum amount or a commission on tonnage basis, that they shall continue to work the colliery and be in possession of it. It is contended in many cases that this was not a transfer of property, and therefore, did not attract the operation of the

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Mineral Concessions Rules. Now this kind of contract has been a subject-matter of interpretation in dispute arising between the parties in more recent times. What they actually are is a matter of controversy and in many cases it has been held that they are in the nature of a lease under section 106 of Transfer of Property Act. The point has not been finally settled as yet and even if in some cases it might have been held that they are leases all the various forms under which such a contract can be entered into has not been subject-matter of serious consideration up to this date. In this class of case a court will be called upon to decide what this particular mining contract is whether fish or flesh or good red herring.

We have now to consider about the court language. There is a letter from the Government showing that in the year 1913 when this province was first created Hindi was made an optional court language of this sub-district. Prior to that all the transactions used to be run and all pleadings and petitions were filed in Bengali or in exceptional cases in English. The deposition as now continued to be taken in English. In an earlier period that is in the early of 18th century Bengali was extensive use and even judgments and orders were used to be written in Bengali. The introduction of the Hindi as an alternative court language from 1913 did not have much effect and not even the .05 percent of the petitions or pleadings were filed in Hindi in this court. English progressively came to be used more and more in the pleadings relating to encroachment and disputes regarding collieries. The lawyers thought that English was a safer language so far as precision and clarity were concerned and avoided any vernacular which might lead to a verbose and confusion. This state of things continued up to the year 1948 when the Bihar Government abolished one of the three court languages and ordered that the business of the court shall be transacted either in English or in Hindi written in Devnagri script. What the Bihar Government expected is not very clear but the results have not been encouraging from a national standpoint. The only consequence that has followed from promulgation of such an order is that all vernaculars have been replaced by English. There is hardly one pleading in the court in every three hundred which is couched in the Hindi language. Not even 1 percent of the petitions is filed in Hindi. It will appear to be somewhat strange how this happened to be so and would go to suggest a retrogression towards Pro-British tendency at a period when India has attained her independence. But the reason for this retrogression is not far to seek. The lawyers who have to deal with court language and their clerks find it difficult to adopt themselves to Hindi which they do not know and have not been trained to use in the courts. Law is a very technical subject and use of inappropriate language in pleading may lead to serious consequences in the litigation itself. A set of people not trained to use the language will, therefore, naturally use the caution of avoiding it and use that one in which he thinks he will be more correct

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and appropriate. It is, therefore, with no feeling of love that English is adhered to by the local Bar. It is under the sheer necessity and compulsion that they have almost discarded all vernaculars and stick to English in the present set up.

If Bengali were allowed to be used as it was being used before 1948 a fair percentage of the pleadings and petitions may again come to be filed in Bengali, a language to which the lawyers and their clerks were once used. But if Hindi continues to be the sole Indian language to be used in courts along with English, Hindi has a little chance to make a headway in the law courts could be Hindized was to prohibit English altogether but that would seem to be too drastic a step. One feels that the Government had only introduced Hindi in the above manner not with any political motive but for the sake of a uniformity of court language as far as practicable. Bengali was retained as the court language only in those areas where it was inevitable and its very retention on those parts discharges the Government from any accusation of political bias. If they had been under any it would have been their intention to introduce it at all costs in all places. As it now stands the Indian Constitution had directions to replace English by Hindi within 15 years and it is in pursuance of that direction that the State Government acted in the hope that Hindi would be popularised within that period. At present the court diary and cause lists and certain other documents are maintained throughout the State in Hindi. Correspondence is not still done in Hindi but steps are being taken towards that. In this context it is desirable that Hindi be adopted as language of the plaint, written statement as also the petitions. It seems to be necessary to devise a means by which a political bias is altogether dislodged from a section of the lawyers and provide facilities to those who refrain from using it from sheer necessity (because of their ignorance of the language) for gradually learning up and being to use it in the courts. Observers will find that almost every one will fall in line with the view that sooner or later it is desirable to have Hindi as the official language for India and that it should be used in courts in place of English. Some how or other this opinion has not exerted an influence upto now. One of the main blocks of such exertion is political bias amongst the section of the Bar in favour of the Bengali. It may be hoped in near future this bias will disappear and people gradually will take to Hindi to that the unseemly spectacle of regional vernacular having been replaced by the English will disappear.

CIVIL JUSTICE IN 1960

The report on the administration of civil justice in Dhanbad district for the year 1960 will indicate the position and a summary is given below.

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The district of Dhanbad and Singhbhum were constituted as separate judgeships with their headquarters at Dhanbad and Chaibasa with effect from the 4th February, 1960 under Government notification nos. 58-J, dated the 25th January, 1960.

The permanent Subordinate Judicial staff in the judgeship of Dhanbad-Singhbhum consisted of three Subordinate Judges, two at Dhanbad and one at Jameshedpur, one Deputy Collector at Chaibasa vested with the powers of a Subordinate Judge, three regular Munsifs, two at Dhanbad and one at Jameshedpur and Deputy Collectors vested with the powers of Munsifs, one at Chaibasa and the other at Seraikela.

An Additional Subordinate Judge was employed at Dhanbad from the beginning of the year till 3rd February 1960.

Two Additional Munsifs were employed at Dhanbad, one from the beginning of the year and the other from 18th January, 1960 till 3rd February, 1960, and four Additional Munsifs were employed at Jameshedpur, two from the beginning of the year, one from 12th January, 1960 and the remaining one from 16th January, 1960 till 3rd February 1960.

The seniormost Subordinate Judge at Dhanbad was vested with special powers for the disposal of succession certificate cases under Government notification no. 36-J, dated the 3rd January, 1958. He was also vested with jurisdiction in insolvency cases arising in the district of Dhanbad in which the debts mentioned in the insolvency petition do not exceed Rs. 5,000 under Government notification no. 37-J, dated the 3rd January, 1958. Both the Subordinate Judges of Dhanbad were vested with powers of an Assistant Sessions Judge in the sessions division of Dhanbad-Singhbhum.

The reised special powers for the disposal of succession certificate cases and insolvency cases in which debts mentioned in the insolvency petition did not exceed Rs. 5,000 arising within the district of Singhbhum. He also exercised powers under the Bengal Regulation Vof 1799 within the district of Singhbhum. He was vested with powers of an Assistant Sessions Judge in the sessions division of Dhanbad-Singhbhum.

The permanent Munsifs at Dhanbad and Jamshedpur exwrcised powers for trial of original suits up to the value of Rs. 4,000 and exercised Small Cause Court powers up to the value of Rs. 250.

The two permanent Subordinate Judges and two permanent Munsifs at Dhanbad exercised the same powers in the Judgeship of Dhanbad with effect from 4th February, 1960 till the end of the year as they were exercising in the Judgeship of Dhanbad-Singhbhum.

An Additional Subordinate Judge was employed in the Judgeship of Dhanbad with effect from 4th February, 1960 till 10th April, 1960 and two Additional Munsifs were employed in the Judgeship from 4th February, 1960 till the end of the year.

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Original suits.- The number of original suits instituted during the year under review was 359 in the Judgeship of Dhanbad-Singhbhum and 1,184 in the Judgeship of Dhanbad as against 3,789 in 1959 in the Judgeship of Dhanbad-Singhbhum.

The value of suits instituted during the year (1,543, viz., 359 in Dhanbad-Singhbhum and 1,184 in Dhanbad) added to the number pending from the previous year (3,614) and to the number revived or otherwise received during the year (44, viz., 3 in Dhanbad-Singhbhum and 41 in Dhanbad) gave a total of 5,201. Thus the total number of suits for disposal in 1960 was 5,201 as against 7,051 in 1959 in the Judgeship of Dhanbad-Singhbhum. Out of the total number of suits, viz., 5,201 and 327 suits were disposed of in the Judgeship of Dhanbad-Singhbhum and 1,297 suits were disposed of in the Judgeship of Dhanbad, 16 suits were transferred to the District Judge of Singhbhum 2,206 suits related to the subordinate courts of Singhbhum and 1,355 suits remained pending in this judgeship at the close of the year under review as against 3,614 in 1959 in the Judgeship of Dhanbad-Singhbhum.

Of the total number of suits disposed of (1,624). Eight suits were disposed of by the District Judge (two in the Judgeship of Dhanbad-Singhbhum and six in the Judgeship of Dhanbad), 320 suits were disposed of by the Subordinate Judges, viz., 86 in Dhanbad-Singhbhum and 234 in Dhanbad out of which 24 and 114 suits tried under the ordinary procedure and 62 and 120 suits were tried under the powers of the Court of Small Causes in the Judgeship of Dhanbad-Singhbhum and respectively, and 1,296 suits were disposed of by Munsifs, viz., 239 in Dhanbad-Singhbhum and 1,057 in Dhanbad out of which 196 and 812 suits were tried under the ordinary procedure and 43 and 245 suits were tried under the powers of the Court of Small Causes in the Judgeship of Dhanbad-Singhbhum and Dhanbad respectively. Out of 478 suits decided on contest, viz., 74 in Dhanbad-Singhbhum and 402 in Dhanbad, 354 suits (or 74.05 percent) ended in favour of the plaintiffs and 124 suits (25.75 percent) ended 145 suits (or 18.93 percent) respectively in the 1959. Of the contested one suit was tried by the District Judge, 122 suits (18 in Dhanbad-Singhbhum and 104 in Dhanbad) were tried by the Subordinate Judges and 355 suits (58 in Dhanbad-Singhbhum and 297 in Dhanbad) were tried by the Munsifs. The number of suits decreed ex parte was 387 (71 in Dhanbad-Singhbhum and 316 in Dhanbad) as against 982 in 1959 in Dhanbad-Singhbhum Judgeship. The number of suits decided on admission of claim was 20 (one in Dhanbad-Singhbhum and 19 in Dhanbad) as against 46 in 1959. The number of suits disposed

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of on compromise was 363 (87 in Dhanbad-Singhbhum and 276 in Dhanbad) as against 961 in 1959. The number of suits decided on reference to arbitration was one in Dhanbad-Singhbhum as against one in 1959. The number of suits disposed of without trial was 375 (91 in Dhanbad-Singhbhum and 284 in Dhanbad) as against 681 in 1959.

There were 20 suits, pending over three years, viz., seven in the Court of 1st Subordinate Judge, six in the Court of the 2nd Subordinate Judge, three in the Court of the 1st Munsif, two in the Court of the 2nd Munsif and two in the Court of the 1st Additional Munsif, Dhanbad.

Miscellaneous Judicial cases. - The number of Miscellaneous Judicial cases instituted during the year under report was 87 in Dhanbad-Singhbhum and 442 in the Judgeship of Dhanbad as against 996 in 1959 in the Judgeship of Dhanbad-Singhbhum. The number of Miscellaneous Judicial cases instituted during the year (529) added to the number pending from the previous year (501) and to the number revived or otherwise received, viz., three in Dhanbad gave a total of 1,033. Thus the total number of Miscellaneous Judicial cases for disposal in 1960 was 1,033 as against 1,646 in 1959 in the Judgeship of Dhanbad-Singhbhum.

Miscellaneous Non- Judicial cases. - The number of miscellaneous cases of non-judicial nature reported was 13 (eight in Dhanbad-Singhbhum and five in Dhanbad) as against 21 during the year 1959 in the Judgeship of Dhanbad-Singhbhum.

Insolvency cases. - The number of insolvency cases instituted during the year under report was 13 (eight in Dhanbad-Singhbhum and five in Dhanbad) as against 174 during the year 1959 in the Judgeship of Dhanbad-Singhbhum. 123 cases remained pending at the close of the previous year. There were thus 136 cases for disposal, during the year 1960. Out of 136 cases for disposal, 22 cases (18 in Dhanbad-Singhbhum and four in Dhanbad) were disposed of, 67 cases were transferred to the District Judge of Singhbhum, 42 cases related to the court subordinate to district court in Singhbhum and five cases remained pending at the close of the year.

Appeals. - The number of appeals preferred during the year under report was 200 (13 in Dhanbad-Singhbhum and 187 in Dhanbad) as against 227 in 1959 in the Judgeship of Dhanbad-Singhbhum. 288 appeals remained pending at the end of the previous year and 14 appeals (six in Dhanbad-Singhbhum and eight in Dhanbad) were otherwise received during the year. There were thus 502 appeals for disposal, 152 appeals (22 in Dhanbad-Singhbhum and 130 in Dhanbad) were disposed of, 19 appeals were transferred to the District Judge of Singhbhum, 177 appeals related to the Courts of the Subordinate Judge in Singhbhum and 214 appeals remained

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pending at the close of the year. The number of appeals disposed of was 152 as against 248 in 1959 in the Judgeship of Dhanbad-Singhbhum.

Miscellaneous appeals. – The number of miscellaneous appeals instituted during the year under report was 50 (9 in Dhanbad-Singhbhum and 41 in Dhanbad) as against 116 in 1959 in the Judgeship of Dhanbad-Singhbhum. 79 appeals remained pending at the end of the previous year and one appeal otherwise received during the year. There were thus 130 appeals for disposal during the year under report .Out of 130 appeals for disposal, 63 appeals (nine in appeals were transferred to the District Judge of Singhbhum, 24 appeals related to the Courts of the Subordinate Judges of Singhbhum and 12 appeals remained pending at the close of the year.

Execution cases. – There were 3,975 cases for disposal during the year under report as against 5,663 cases during 1959 in the Judgeship of Dhanbad-Singhbhum. Out of 3,975 cases for disposal, 932 cases (223 in Dhanbad-Singhbhum and 709 in Dhanbad) were disposed of, 2,370 cases related to the subordinate courts in the district of Singhbhum and 673 cases remained pending at the close of the year as against 3,162 at the close of 1959 in the Judgeship of Dhanbad-Singhbhum.Out of 223 cases disposed of in Dhanbad-Singhbhum, full satisfaction was obtained in 37, partial satisfaction was obtained in 106 cases and in 80 cases the proceedings were infructuous. Out of 709 cases disposed of in Dhanbad, full satisfaction was obtained in 203 cases, partial satisfaction was obtained in 128 cases and in 378 cases the proceedings were infructuous.

Court bulding. – The construction of the new Civil Court building was taken up and has since the been completed.

Commissions and Commissioners. – The total number of commissions issued during the year under report in which knowledge of surveying was required 95 as against 122 in 1959. All these commssions were issued to appeals holding certificate of proficiency in surveying.

PANCHAYAT ADALATS.

There are no Panchayat courts in this district under section 6 or section 7 of the Village Administration Act, 1992. A large number of Gram Cutcheries are, however, functioning in this district under the Bihar Panchayat Raj Act,1947. The Gram Cutcheries are expected to bring about an amicable settlement in every suit between the parties first; failing whichthey are to proceed to give their decision on merit. Secondly, it may be mentioned that the Gram Panchayats are established to bring the disposal of justice to the litigants as near their doors as posible at the cheapest possible cost and to bring

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about as many compromises as possible. Lawyers are not normally allowed and the judges consist of the co-villagers who are commissioned to bring about as many compromises as possible. According to recent amendment, lawyers are allowed in some cases. The Bihar Panchayat Raj Amendment and Validating Act, 1959, section 55 (amendment of section 71 of Bihar Act VII of 1948) runs as follows :-

“No legal practitioner or person declared or known to the Gram Cutchery to be a tout shall appear, plead or act on behalf of Any party in any suit or case before the benches there of. Provided that a person who is arrested shall have right to be Defended by a legal practitioner of his. Choice.”

It was thought that the witnesses would be more inclined to depose truthfully in a Panchayat court. It was also expected that the proper functioning of the court of Magistrates. These aims have not been fulfilled. On the other hand it has been found that the election of Mukhia, members of the Panchayat and Sarpanch is always preceded or followed by tensions and the tensions continue and effect the working of the Panchayats to some extent.

The Gram Panchayat, the judiciary of the Gram Panchayat is headed by the Sarpanch who is elected by adult suffrage. The Gram Cutchery is vested with the powers of a Third Class Magistrate. It is also vested with the civil powers to dispose of petty suits. Regard Panchayat Raj Amendment and Validating Act, 1959, section 46 (substitution of new section for section 63 of Bihar Act VII of 1948) runs as follow:-

“(1) A bench of the Gram Cutchery may pass the following sentences namely:

(a) Bench of the Gram Cutchery of the Pratham Varga Gram Panchayat or Dwitiya Varga Gram Panchayat -

(i) Simple imprisonment for a term not exceeding one month.

(ii) Fine not exceeding one hundred rupees and in default of for a term not exceeding 15 days.

(b) Bench of the Gram Cutchery of the Tiritiya Varga Gram Panchayat-

Fine not exceeding fifty rupees and in default of payment of the Fine, simple imprisonment for a term not exceeding seven days.

(2) When any person is sentenced to imprisonment by a bench of the Gram Cutchery, the bench may, if the convicted person satisfies the bench that he intends to present an appeal, order that he

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be released on bail for a period sufficient in the opinion of the bench to enable him to present the appeal and obtain the orders of the full bench of the Gram Cutchery under section 67 and the sentences of imprisonment shall, so long as he is so released on bail, be deemed to be suspended.”

The Sarpanch has certain emergency powers in case of apprehension of breach of peace (vide section 64 of Bihar Gram Panchayat Act). In trial of cases he is assisted by a panel of panches consisting of four elected and four nominated panches. One panch each is nominated by the contestants and two other panches are nominated by the Sarpanch. They all derive their powers under a Statutory Act. The Gram Sevak, a paid employee of the Gram Panchayat acts as a bench clerk. 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. The Statement given below will show the statistics of the working of the Gram Cutchery from 1954-55 to 1960-61:-
Statement showing the position of cases and suits tried by Gram Cutchery in the Dhanbad from 1954-55 to 1960-61-

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Year. Pend-	No. of notified Gram Panch- ayats.	No. of Gram Cutch- eries.	No. of cases Instituted.	Number of cases disposed of.					No. of Compr- ted.	Number of suits disposed of.			
				Convic- ted.	Dism- ing.	Pend- omised.	Compr- ted.	institu- mised.		Compr- eed.	Decr- ssed.	Dismi- ing.	
1	2	3	4	5	6	7	8 Per- cent.	9	10 Per- cent.	11	12	13	
1954- 55 ..	114	114	969	165	..	214	590(60.8)	193	108(55.8)	54	..	31	
1955- 56 ..	135	135	1,354	197	235	170	752(55.6)	160	55(36.4)	53	19	30	
1956- 57 ..	170	170	1,689	196	226	295	788(46.9)	320	103(32.2)	112	40	65	
1957- 58 ..	203	203	996	107	185	104	527(52.9)	150	79(52.6)	32	15	22	
1958- 59 ..	203	203	1,182	127	213	160	621(52.4)	179	81(45.9)	35	27	35	
1959- 60 ..	203	203	934	81	184	132	487(52.1)	102	46.(45.1)	17	21	14	
1960- 61 ..	203	203	818	26	149	132	383(46.8)	168	121(72.03)	02	20	25	

The statement shows that quite a large number of criminal cases and civil suits have been compromised every year. The percentage calculation has been shown within the brackets in the columns 8 and 10. The highest level of percentage in civil suits was at 72.03 percent in 1960-61 while the highest percentage in criminal cases was 60.8 percent in 1954-55. The percentage of compromise of criminal cases and civil suits in 1960-61 was 46.8 percent and 72.03 percent respectively. The details of the working of Gram Panchayats are discussed in the text on Local Self-Government.

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LEGAL, PROFESSION AND BAR ASSOCIATION

The legal profession consists of Barrister, Advocates, Pleaders and Mukhtears. At present there is no Barrister in the district. There are 21 Advocates, 56 pleaders and 15 Mukhtears in the whole of district. There are about twenty-eight more pleaders who are not members of the Bar. Both the Bar Association and Mukhtear Association were established in 1916 at Dhanbad and have their own buildings. There is no further recruitment to the category of Mukhtears.

Dhanbad was previously within Govindpur subdivision of the district of Manbhum. With the growing importance of Dhanbad as an important Railway centre and on account of the development of the Jharia Coalfield and the establishment of the office of the Chief Inspector of Mines in India, the subdivisional headquarters was shifted from Govindpur to Dhanbad in or about the year 1907.

The lawyers who were practising at the time in the courts at Govindpur consequently shifted to Dhanbad. There were pleaders and Mukhtears. They formed the nucleus of the Dhanbad Bar Association which was started in 1908 with a membership of about 12 and late Sri J. C. Mallik was the first President of Dhanbad Bar Association and he continued as such till his death in 1939.

The establishment of a Subordinate Judge's Court at Dhanbad in 1917 marked a new epoch in the history of the legal profession at Dhanbad. Important colliery suits regarding underground encroachment on valuable coal land and regarding titles to coal land which were being hitherto filed and tried in the Subordinate Judge's at Purulia came to be filed and tried at Dhanbad. This new field attracted some lawyers from Purulia some of whom shifted their practice from Purulia to Dhanbad.

The important civil and criminal litigations in Dhanbad had always attracted lawyers from Calcutta, Burdwan and Patna to Dhanbad. Brilliant legal luminaries from Patna and Calcutta like Sayed Hasan Imam, Ali Imam, P.R.Das, Dr.P.K.Sen, Rash Behari Ghose, N. N. Sarkar, Ashoke Roy, Mr. K. B. Dutt and others had appeared from time to time in the courts at Dhanbad. Some of the celebrated case-load on mining matters have been established because of the litigations in Dhanbad. In the recent years the Industrial and Labour Tribunals at Dhanbad constituted by the State and the Centre have given a good field to a section of lawyers both local and from outside.

Dhanbad was raised to the status of a district in October, 1956, and there was influx of some lawyers from outside.

The relationship between the Bar and the Bench has been very cordial and judicial officers posted at Dhanbad have been unanimous in their appreciation about the useful help and co-operation they have received from the local members of the legal profession.

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Besides the Bar Association Library which has a fair collection of Law Book and Report, some of the members have got their own libraries which consist of important and books and valuable law reports.

It may be mentioned here that for conducting criminal cases on behalf of the State a separate cadre for police officers has been created known as District Prosecutor and Aaaiatant District Prosecutor.

The contributions of the Bar for the development of the civil and culturallife of Dhanbad and its neighbourhood have been very considerable. It is not possible to mention all of them. The first President for the Dhanbad Bar Association, Sri J. C. Mallick was the Chairman of Dhanbad Municipality for a number of years and was also the Secreatry of Dhanbad H. E. School founded in 1910. Another prominent member of the Bar Sri Gunendra Nath Rai was the founder Secretary of the Abhaya Sundari Girls' H. E. School. The Present President of the Bar Association Sri K. N. Bhattacharjee is one of the founders of the Indian Colliery Owners' Association. Another Prominent member Sri S. C. Banerjee is the Secretary of two Degree Colleges at Dhanbad. Some of the members have served extremely well in the Legislature, Senate and Sydicate of the Universities.

Their contribution to Freedom Movement has also been considerable. Some of them not only took the leading part in organising the district for the struggale by personal labour but they also contributed substantially to the funds raised by the Congress and other parties. The labour movement and Trade Unionism in Dhanbad district owe a lot to the members of the Bar.

Statistics of the civil justice from 1944 to September, 1961 are given in pages (120-128). Separate figures of appeals and cases which lay to the District Judge not having been maintained could not be furnished.

TABLE I.

Showing institution suits from 1901-1953.

Name of court. Value.	Year.	Class of suits.	Number.
Name of court. Munsif's Court, Gobindpur	1901 ..	Title Money and Movables. 231 282	513 57,262
Dito	1902 T. M. 223 514	737 76845

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Name of court.	Year.	Class of suits.	Number.	Value. Rs.
Munsif;s Court, Gobindpur 1903 ..	T. 193 <u>M. 615</u>	808	84,735
Ditto ..	.. 1904 ..	..... T. 262 <u>M. 636</u>	898	84,735
Ditto ..	.. 1905 ..	T. 234 <u>M. 780</u>	1,014	97,147
Ditto ..	.. 1906 ..	T. 229 <u>M. 650</u>	879	1,14,149
Ditto ..	.. 1907 ..	T. 293 <u>M. 748</u>	1,014	1,01,539
Munsif;s Court, Dhanbad ..	.. 1908 ..	T. 262 <u>M. 802</u>	1,064	1,13,679
Ditto ..	.. 1909 ..	T. 266 <u>M. 1,318</u>	1,584	1,96,702
Ditto ..	.. 1910 ..	T. 3+252 M. <u>111+1,195</u>	114+1,447	14,644+1,78,092
Ditto ..	.. 1911 ..	T. 271 <u>M. 1,249</u>	1,561	1,92,736
Ditto ..	.. 1912 ..	T. 294 <u>M. 1,191</u>	1,520	1,90,295
Ditto 1913 ..	T. 303 <u>M. 1,151</u>	1,485	2,11,295
Ditto 1914 ..	T. 262 <u>M. 1,350</u>	1,454	1,69,815

1,612

2,17,222

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Name of court.	Year.	Value.	Class of suits.	Number.
Munsif's Court, Dhanbad 1915 ..	T. 265 M. <u>1,351</u>	1,616	Rs. 2,33,783
Ditto ..	.. 1916 ..	T. 229 M. <u>1,308</u>	1,537	2,00,334
Sub-Judge's Court,Dhanbad ..	.. 1917 ..	T. 30 M. <u>164</u>	194	59,942
Munsif's Court, Dhanbad ..	.. 1917 ..	T. 206 M. <u>1,199</u>	1,405	2,23,448
Sub-Judge's Court,Dhanbad ..	.. 1918 ..	T. 225 M. <u>1,041</u>	1,266	14,35,857
Ditto ..	.. 1919 ..	T. 275 M. <u>1,224</u>	1,499	10,57,121
Ditto ..	.. 1920 ..	T. 193 M. <u>976</u>	1,169	14,43,472
Ditto ..	.. 1921 ..	T. 93 M. <u>1,264</u>	1,357	53,19,939
Ditto ..	.. 1922 ..	T. 84 M. <u>1,477</u>	1,561	15,91,000
Ditto ..	.. 1923 ..	T. 163 M. <u>1,338</u>	1,501	31,93,529
Ditto 1924 ..	T. 88 M. <u>1,141</u>	1,229	2,07,098
Ditto1925 ..	T. 81 M. <u>859</u>	940	18,15,638
Ditto 1926 ..	T. 95 M. <u>722</u>	817	16,03,533

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Name of court	Year	Class of suits	Number	Value.	Rs.
Sub – Judge’s Court, Dhanbad .. 1927 ..		T.	73		
		M	519	592	28,73,229
Ditto ” .. 1928 ..		T.	87		
		M	269	356	24,53,069
Ditto ” .. 1929 ..		T.	67		
		M	251	318	16,72,327
Ditto ” .. 1930 ..		T.	82		
		M	273	355	24,94,179
Ditto ” .. 1931 ..		T.	64		
		M	221	285	16,29,453
Ditto ” .. 1932 ..		T.	48		
		M	303	351	18,28,824
Ditto ” .. 1933 ..		T.	152		
		M.	87	1,028	12,80,754
Ditto ” .. 1934 ..		T.	44		
		M	607	651	10,20,839
Ditto ” .. 1935 ..		T.	44		
		M	595	639	6,69,473
Ditto ” .. 1936 ..		T.	45		
		M	482	527	12,83,973
Ditto ” .. 1937 ..		T.	46		
		M.	176	222	15,28,541
Ditto ” .. 1938 ..		T.	48		
		M.	159	207	7,41,988
Ditto ” .. 1939 ..		T.	44		
		M.	173	217	11,90,703

DHANBAD.

Name of court	Year	Class of suits	Number	Value.		
				Rs.		
Sub – Judge’s Court, Dhanba	.. 1940	T.	48			
		<u>M</u>	<u>210</u>	258		
				5,01,309		
Ditto	”	.. 1941	..	T.	48	
				<u>M</u>	<u>191</u>	239
				7,01,619		
Ditto	”	.. 1942	..	T.	47	
				<u>M</u>	<u>316</u>	363
				12,36,894		
Ditto	”	.. 1943	..	T.	56	
				<u>M</u>	<u>123</u>	179
				13,60,406		
Ditto	”	.. 1944	..	T.	59	
				<u>M</u>	<u>396</u>	455
				9,21,611		
Ditto	”	.. 1945	..	T.	64	
				<u>M</u>	<u>290</u>	354
				8,31,008		
Ditto	”	.. 1946	..	T.	55	
				<u>M</u>	<u>1</u>	158
				12,42,626		
Ditto	”	.. 1947	..	T.	63	
				<u>M</u>	<u>136</u>	199
				13,22,847		
Ditto	”	.. 1948	..	T.	68	
				<u>M</u>	<u>155</u>	223
				17,69,376		
Ditto	”	.. 1949	..	T.	56	
				<u>M</u>	<u>143</u>	199
				19,64,980		
Ditto	”	.. 1950	..	T.	56	
				<u>M</u>	<u>135</u>	191
				26,97,638		
Ditto	”	.. 1951	..	T.	34	
				<u>M</u>	<u>13</u>	171
				7,43,765		
Ditto	”	.. 1952	..	T.	25	
				<u>M</u>	<u>177</u>	202
				7,82,869		
Ditto	”	.. 1953	..	T.	46	
				<u>M</u>	<u>199</u>	245
				17,21,559		

LAW ORDER AND JUSTICE

TABLE II

Showing contested and uncontested disposals and average duration

Year	Contested	Average duration	Uncontested.	Average duration.	Contested.	Average duration.	Uncontested.	Average duration.
1	2	3	4	5	6	7	8	9

Munsif's Court, Govindpur

1901 ..	162	68.1	438	48.4	7	71.7	41 ..	69.5
1902 ..	112	91.4	216	67.2	117	36.07	282 ..	30.2
1903 ..	127	121.07	266	76.6	133	35.9	320 ..	34.4
1904 ..	127	104.1	312	80.9	144	35.1	364 ..	29.8
1905 ..	164	120.5	759	71.09	29	57.6	126 ..	39.3
1906 ..	116	157.5	342	85.5	73	37.5	371 ..	27.8
1907 ..	111	176.6	434	82.7	67	44.07	450 ..	30.5

Munsif's Court, Dhanbad

1908 ..	133	192.8	401	115.5	84	45.6	459	35.6
1909	114	211.4	601	105.8	205	47.7	691	37.9
1910	210	134.1	657	83.7	199	38.8	437	37.8
1911	163	164.7	549	102.5	207	40.7	668	34.7
1912	173	158.4	659	80.0	136	44.4	487	32.6
1913	224	219.9	844	92.9	64	65.6	339	39.04
1914	220	207.4	824	95.09	72	62.5	486	32.1
1915	188	211.7	985	98.4	50	74.3	255	39.7
1916	160	318	1,311	112.9	..	..	..	..
1917	138	300.4	861	135.1	55	195.6	434	75.9

Sub-judge's Court Dhanbad

1917	10	364.0	31	234.1	38	212.7	114	129.6
1918	80	313.2	208	206.8	170	192.2	666	95.6
1919	68	303.6	129	188.1	186	101.7	711	74.5
1920	40	349.9	87	233.9	138	106.9	498	77.7
1921	66	310.5	98	197.4	233	95.6	892	127.1
1922	75	281.8	144	203.9	324	75.9	1,044	65.3

DHANBAD.

1923	99	267.2	196	176.9	131	91.3	1,038	61.8
1924	69	293.6	301	115.2	122	157.8	538	83.4
1925	82	477.1	195	236.3	112	146.0	609	82.9
1926	74	351.4	247	187.5	115	137.0	792	81.3
1927	69	354.6	156	163.5	62	104.8	433	63.7
1928	54	349.0	133	164.1	55	117.2	342	39.9
1929	58	420.0	64	293.0	46	127.0	175	81.0
1930	56	374.0	131	177.5	54	141.6	304	85.3
1931	67	389.0	81	287.0	33	122.0	138	87.0
1932	88	428.1	199	340.4	30	117.9	201	72.6
1933	78	415.4	199	201.1	77	170.8	823	92.2
1934	31	482.6	49	264.4	64	172.9	521	91.6
1935	24	471.3	31	308.9	49	181.3	512	97.3

Year	Contested	Average duration	Uncontested.	Average duration.	Contested.	Average duration.	Uncontested.	Average duration.
1	2	3	4	5	6	7	8	9
1936	28	513.3	39	362.3	74	223.2	403	111.6
1937	27	400.8	48	296.9	19	202.7	146	114.1
1938	51	305.3	53	288.9	31	124.3	109	80.6
1939	23	376.7	35	301.6	29	151.7	112	92.1
1940	27	529.1	37	384.5	37	150.1	151	89.6
1941	32	436.9	29	316.7	29	195.58	138	92.5
1942	26	482.0	34	363.6	58	125.0	267	91.8
1943	18	595.9	33	480.0	23	176.5	69	138.1
1944	40	577.5	46	433.0	72	166.0	269	101.5
1945	37	576.0	25	331.8	80	213.0	208	125.6
1946	57	516.8	50	513.0	60	205.5	47	110.5
1947	45	441.8	31	339.0	23	158.0	40	113.0
1948	51	457.5	56	338.4	45	165.5	72	115.0
1949	34	519.9	29	241.8	34	152.29	88	100.5
1950	38	319.78	31	147.8	15	128.13	86	90.87
1951	36	462.25	26	447.8	28	157.5	103	102.5
1952	39	688.5	15	478.1	19	131.31	110	97.5
1953	29	327.9	26	387.2	27	147.2	123	104.6

LAW ORDER AND JUSTICE.

Statement of disposal year from 1920 to 1954

Year. **Uncontested.** **Contested.** **Uncontested.**
Contested

Munsif's Court, Dhanbad.

1920	..	..	359	133.0	118	73.07	588	68.7	140	86.9
1921	..	..	350	131.0	129	180.0	134	87.0	20	50.0
1922	..	..	228	137.0	82	191.0	163	56.0	22	66.0
1923	..	..	283	147.0	183	226.0	138	58.0	41	81.0
1924	..	..	255	139.0	143	210.0	312	58.0	86	81.0
1925	..	..	295	129.0	163	215.0	478	70.0	86	85.0
1926	..	..	334	127.0	147	222.0	271	72.0	56	94.0
1927	..	..	267	156.0	120	312.0	728	74.0	143	127.0
1928	..	..	391	168.0	173	270.0	904	76.0	158	142.0
1929	..	..	373	148.8	117	309.8	1,216	104.2	148	165.4
1930	..	..	362	175.0	218	364.7	1,009	103.0	181	214.5
1931	..	..	406	189.4	215	369.3	1,233	74.6	163	150.9
1932	..	..	362	240.5	169	407.8	1,194	79.06	166	143.8
1933	..	..	139	107.3	79	344.9	424	82.9	41	168.1
1934	..	..	292	194.1	126	334.6	600	71.2	84	133.3
1935	..	..	294	162.1	123	333.2	540	55.6	83	109.3
1936	..	..	199	168.6	82	264.8	484	42.8	95	95.5
1937	..	..	383	198.8	48	386.8	934	87.1	85	174.7
1938	..	..	245	219.7	40	384.1	943	68.9	70	147.07
1939	..	..	254	243.0	101	350.49	998	77.57	88	174.87
1940	..	..	211	26.49	123	386.88	881	75.18	75	142.97
1941	..	..	303	229.0	148	390.0	877	88.26	58	161.48
1942	..	..	332	263.21	123	473.66	419	114.76	59	156.71
1943	..	..	291	251.97	105	504.79	610	108.36	59	168.52
1944	..	..	276	288.91	104	535.06	476	103.76	43	160.27
1945	..	..	262	307.55	91	555.84	299	92.89	30	171.9

DHANBAD.

1946	..	..	664	321.96	106	541.81	282	122.25	60	211.75
1947	..	..	150	326.67	47	596.72	220	147.62	46	223.43
1948	..	..	218	302.8	101	606.4	230	124.5	55	194.2
1949	..	..	241	261.8	97	456.38	250	110.3	95	171.8
1950	..	..	328	253.6	91	526.08	328	120.4	85	172.2
1951	..	..	320	309.07	74	565.87	264	159.8	58	183.1
1952	..	..	470	370.90	133	707.06	322	142.03	70	182.07
1953	..	..	461	285.28	73	605.60	270	125.46	36	174.86
1954	..	..	432	261.52	80	485.42	300	135.15	86	173.12

Munsif's Court, Dhanbad

Year. Title. Money. Total. Value in rupees.

1920	..	..	..	200	469	660	1,27,823
1921	..	..	..	267	257	524	1,59,022
1922	..	..	..	241	459	700	1,91,768
1923	..	..	..	126	271	397	97,179
1924	..	..	..	239	488	727	1,49,669
1925	..	..	..	295	791	1,086	1,78,589
1926	..	..	..	282	419	701	1,43,502
1927	..	..	..	349	1,393	1,742	3,79,493
1928	..	..	..	329	1,499	1,828	3,79,493
1929	..	..	..	402	1,608	2,019	3,56,857
1930	..	..	..	493	1,523	2,016	3,86,491
1931	..	..	..	513	1,696	2,209	3,95,172
1932	..	..	..	212	1,378	1,590	2,89,990

LAW ORDER AND JUSTICE.

1933	..	..	..	130	699	829	1,55,209
1934	..	..	..	190	791	981	1,92,262
1935	..	..	..	227	826	1,053	1,83,571
1936	..	..	..	188	712	900	1,46,029
1937	..	..	..	496	1,212	1,708	2,87,950
1938	..	..	..	152	1,247	1,399	2,41,342
1939	..	..	..	240	1,181	1,421	25,09,041
1940	..	..	..	310	1,164	1,474	2,26,768
1941	..	..	..	242	1,140	1,382	2,33,634
1942	..	..	..	284	626	910	1,64,313
1943	..	..	..	239	815	1,054	2,27,422
1944	..	..	..	233	680	913	1,65,931
1945	..	..	..	265	445	710	1,67,264
1946	..	..	..	235	428	661	1,76,383
1947	..	..	..	260	403	663	2,03,614
1948	..	..	..	290	490	780	2,53,013
1949	..	..	..	334	685	1,046	4,02,897
1950	..	..	..	453	593	1,046	4,44,241
1951	..	..	..	422	640	1,062	5,03,088
1952	..	..	..	331	718	1,049	6,08,650
1953	..	..	..	397	761	1,158	6,07,827
1954	..	..	..	419	692	1,111	5,86,158

DHANBAD.

Statistics of the civil justice form 1944 to 1947.

Courts.	Nature of case	1944.			
		Instituted.	Received By transfer etc.	Disposed of	
1	2	..	3	4	5
	Suits.				
District Judge Man Bhum-Singhbhum.	O.P.	..	22	1	4
	Regular Appeals	..	288	5	39
	Miscellaneous appeals	..	69	..	59
	Miscellaneous cases	..	144	..	115
	Ex. Cases ..	..	5	..	1
	Suits.				
Sub-Judge,Dhanbad	O.P.	..	85	4	86
	S.C.C.	..	370	77	341
	Regular Appeals	..	..	21	30
	Miscellaneous appeals	..	..	..	..
	Miscellaneous cases	..	183	9	204
	Ex. Cases ..	..	547	..	465
	Suits.				
Additional Sub- Judge,Dhanbad	O.P.	..	..	..	..
	Regular Appeals	..	..	..	..
	Miscellaneous appeals	..	..	..	..
	Miscellaneous cases	..	..	..	..
	Ex. Cases ..	..	..	..	..
	Suits.				
Munsif Dhanbad	O.P.	..	371	5	380
	S.C.C.	..	542	..	519
	Miscellaneous cases	..	2085	1	219
	Ex. Cases ..	..	533	3	652
	Suits.				
Additional, Dhanbad	O.P.	..	..	..	..
	Miscellaneous cases	..	..	..	..
	Ex. Cases ..	..	..	..	..

LAW ORDER AND JUSTICE.

Instituted.	1945			1946			1947	
	Received By transfer etc.	Dispose d of	Institute d.	Receive d By transfer etc.	Dispo sed of	Institute d.	Receive d By transfer etc.	Disposed of
6	7	8	9	10	11	12	13	14
17	--	5	15	-	7	14	--	1
191	5	82	320	16	165	310	47	47
45	14	69	46	..	43	46	9	19
121	..	92	143	1	116	133	5	115
1	..	..	1	..	1	1	..	1
86	92	62	82	142	107	108	9	76
268	2	288	76	1	107	91	..	63
..	13	13	..	24	14	..	29	13
..
140	..	132	112	..	144	99	1	98
275	1	342	138	3 1	126	120	..	124
..	40	12	..	83	94	..	..	..
..	12	2	..	33	43	..	..	..
..
..
..	..	..	8	..	..	..	..	..
406	..	353	357	10	370	401	4	203
304	..	329	304	1	348	262	..	266
124	5	122	119	1	144	158	..	120

DHANBAD.**Statistics of the civil justice 1948**

Courts.	Nature of case	1948. Instituted.	Received By transfer etc.	Disposed of
1	2	3	4	5
	suits.			
District Judge Man	O.P.	11	..	2
Bhum- Singhbhum.	Regular Appeals	497	10	161
	Miscellaneous appeals	40	9	41
	Miscellaneous cases	115	12	116
	Ex. Cases ..	..	..	..
	Suits.			
Sub- Judge,Dhanbad	O.P.	..	..	..
	S.C.C.	..	..	..
	Regular Appeals	..	..	..
	Miscellaneous appeals			
	Miscellaneous cases	117	4	107
	Ex. Cases ..	106	1	117
	Suits.	..	27	41
Additional Sub- Judge,Dhanbad	O.P.	..	..	..
	Regular Appeals	107	4	115
	Miscellaneous appeals	134	..	190
	Miscellaneous cases			
	Ex. Cases ..	..	..	..
	Suits.	..	..	..
Munsif Dhanbad	O.P.	..	..	..
	S.C.C.	..	..	..
	Miscellaneous cases	..	..	..
	Ex. Cases ..			
	Suits.	451	28	319
Additional, Dhanbad	O.P.	329	3	285
	Miscellaneous cases	116	2	137
	Ex. Cases ..	389	..	430
		..	307	263
	
	
		1	..	..

LAW ORDER AND JUSTICE.

Statistics of the civil justice form 1949 to 1951

Instituted.	Received By transfer etc.	Disposed of	Instituted .	Received By transfer etc.	Disposed of	Instituted.	Received By transfer etc.	Disposed of
6	7	8	9	10	11	12	13	14
15	..	4	11	..	9	12	..	9
497	4	62	11	24	38	285	16	28
56	..	46	271	3	29	66	..	27
108	..	94	167	4	107	174	11	135
2	..	1	1	..	1	..	..	1
..	97	99	..	62	53	..	48	7
..	12	12	..	18	16	..	9	2
3	18	10	..	1	13	..	26	2
87	15	63	88	5	59	47	1	62
112	1	122	103	1	101	124	2	131
..	27	41	..	46	42	..	22	35
..	1	..	..	6	7	..	5	4
99	1	110	90	1	67	103	1	121
124	..	150	124	..	116	136	1	128
..	45	35	..	..	..	..	89	55
..	..	..	..	..	..	..	31	31
..	3	2	..	..	..	..	1	1
..	..	..	..	..	..	3	..	2
..	..	..	..	..	..	5	..	..
571	85	338	678	118	419	716	4	394
4488	1	345	368	1	413	346	1	322
138	1	134	167	5	135	164	1	189
379	11	419	524	..	454	457	1	421
..	148	173	..	145	79	..	..	..
..	59	58	..	21	20	..	..	..
18	..	16	8	3	9	..	..	..
5	..	53	31	..	27	..	..	..

DHANBAD.
Statistics of the civil justice form 1952 to 1954.

Courts.	Nature of case		1952.			1953.		
			Instituted.	Received By transfer etc.	Disposed of	Instituted.	Received By transfer etc.	Disposed of
1	2	..	3	4	5	6	7	8
	Suits.	..						
District Judge Man	O.P.	..	15	..	6	21	..	7
Bhum-Singhbhum.	Regular Appeals	..	450	1	42	379	35	58
	Miscellaneous appeals	..	82	3	58	55	..	26
	Miscellaneous cases	..	211	2	120	351	13	225
	Ex. Cases	..	..	..	..	..	..	..
	Suits.	..						
Additional District	Regular Appeals	..	..	88	18	..	33	26
Judge, Mandhum Singhbhum.	Miscellaneous appeals	..	..	11	13	..	..	3
	Miscellaneous cases	..	..	24	15	..	1	4
	Ex. Cases	..	4	..	4	..	..	..
	Suits.	..						
Sub-Judge, Dhanbad	O.P.	..	53	18	54	78	5	55
	S.C.C.	..	149	4	129	167	..	150
	Regular Appeals	..	..	112	58	119	83	152
	Miscellaneous appeals	..	..	11	11	37	15	26
	Miscellaneous cases	..	105	..	91	101	78	159
	Ex. Cases	..	120	..	106	94	..	104
	Suits.	..						
Additional Sub-Judge, Dhanbad	O.P.	..	..	19	35	..	..	..
	Regular Appeals	..	..	20	11	..	..	..
	Miscellaneous appeals	..	..	1	11	..	..	..
	Miscellaneous cases	..	1	..	2	..	..	..
	Ex. Cases	..	12	..	5	..	..	..
	Suits.	..						
Munsif Dhanbad	O.P.	..	662	35	603	767	33	534
	S.C.C.	..	387	7	392	391	10	306

LAW ORDER AND JUSTICE.

Courts.	Nature of case	1954				Remarks.
		Instituted.	Received By transfer etc.	Disposed of		
		..	9	10	11	12
	Suits.	..				
District Judge Man Bhum-Singhbhum.	O.P.	..	11	..	7	
	Regular Appeals	..	259	5	31	
	Miscellaneous appeals	..	43	..	13	
	Miscellaneous cases	..	264	23	251	
	Ex. Cases	..	1	..	..
	Suits.	..				
Additional District Judge, Mandhum Singhbhum.	Regular Appeals	..	..	107	15	
	Miscellaneous appeals	..	..	2	1	
	Miscellaneous cases	..	..	28	8	
	Ex. Cases	..	..	..	..
	Suits.	..				
Sub-Judge, Dhanbad	O.P.	..	80	..	52	
	S.C.C.	..	165	1	172	
	Regular Appeals	..	89	3	80	
	Miscellaneous appeals	..	35	..	47	
	Miscellaneous cases	..	90	..	84	
	Ex. Cases	..	118	..	77	
	Suits.	..				
Additional Sub-Judge, Dhanbad	O.P.	..	..	..	..
	Regular Appeals	..	..	..	..
	Miscellaneous appeals	..	..	..	..
	Miscellaneous cases	..	..	..	..
	Ex. Cases	..	..	..	..
	Suits.	..				
Munsif Dhanbad	O.P.	..				
	S.C.C.	..				
	Miscellaneous cases	..				
	Ex. Cases	..				
	Suits.	..				
Additional, Munsif Dhanbad	O.P.	..				
	S.C.C.	..				
	Miscellaneous cases	..				
	Ex. Cases	..				

DHANBAD.
Statistic of the civil justice form 1955

1955					
Courts.	Nature of case	Instituted.	Received By transfer etc.	Disposed of	
1	2	3	4	5	6
	Suits.	..			
District Judge Man Bhum- Singhbhum.	O.P.	..	18	..	5
	Regular Appeals	..	165	5	15
	Miscellaneous appeals	..	29	..	9
	Miscellaneous cases	..	248	..	198
	Ex. Cases ..	..	..	..	1
	Suits.	..			
Additional District Judge, Mandhum Singhbhum.	Regular Appeals	..	..	147	99
	Miscellaneous appeals	..	..	7	8
	Miscellaneous cases	..	..	110	84
	Suits.	..			
Sub Judge, Dhanbad	O.P.	..	96	24	51
	S.C.C.	..	190	..	132
	Regular Appeals	..	159	18	67
	Miscellaneous appeals	..	20	1	21
	Miscellaneous cases	..	114	3	110
	Ex. Cases ..	..	99	2	89
	Suits.	..			
Additional Sub Judge, Dhanbad	O.P.	..	..	59	39
	Regular Appeals	..	..	105	89
	Miscellaneous appeals	..	..	9	8
	Miscellaneous cases	..	1	2	..
	Ex. Cases ..	..	1	1	..
	Suits.	..			
Munsif Dhanbad	O.P.	..	707	41	542
	S.C.C.	..	384	3	363
	Miscellaneous cases	..	195	..	190
	Ex. Cases ..	..	476	3	498
	Suits.	..			
Additional Munsif Dhanbad	O.P.	..	..	494	407
	S.C.C.	..	..	..	..
	Miscellaneous cases	..	28	..	23
	Ex. Cases ..	..	51	..	20

LAW ORDER AND JUSTICE.
Statistic of the civil justice form 1956.

Courts.	Nature of case	Instituted.	Received By transfer etc.	Disposed of	Remarks
	..	6	7	8	9
District Judge Man Bhum- Singhbhum.	Suits. ..				
	O.P. ..	16	3	4	
	Regular Appeals ..	131	2	14	
	Miscellaneous appeals ..	31	..	2	
	Miscellaneous cases ..	197	6	137	
Additional District Judge, Mandhum Singhbhum.	Ex. Cases ..	..	..	..
	Suits. ..				
	Regular Appeals ..	..	113	105	
	Miscellaneous appeals ..	..	7	6	
	Miscellaneous cases ..	..	106	76	
Sub Judge, Dhanbad	Suits. ..				
	O.P. ..	69	7	45	
	S.C.C. ..	183	..	149	
	Regular Appeals ..	115	2	69	
	Miscellaneous appeals ..	33	1	17	
	Miscellaneous cases ..	103	1	96	
	Ex. Cases ..	106	..	98	
Additional Sub Judge, Dhanbad	Suits. ..				
	O.P. ..	..	..	..
	Regular Appeals ..	..	..	..
	Miscellaneous appeals ..	..	..	..
	Miscellaneous cases ..	..	..	..
Munsif Dhanbad	Ex. Cases ..	..	..	..
	Suits. ..				
	O.P. ..	599	118	463	
	S.C.C. ..	359	3	320	
	Miscellaneous cases ..	163	16	168	
Additional Munsif Dhanbad	Ex. Cases ..	470	62	444	
	Suits. ..				
	O.P. ..	..	5	217	
	S.C.C. ..	..	..	..
	Miscellaneous cases ..	24	..	14	
	Ex. Cases ..	58	..	25	

DHANBAD.

Statistics of the Civil Justice from October, 1956.					
Courts.	Nature of case		Instituted.	Received By transfer etc.	Disposed of
1	2	..	3	4	5
	Suits.	..			
District Judge Dhanbad Singhbhum.	O.P.	..	..	..	..
	Regular Appeals	..	1	..	..
	Miscellaneous appeals	..	1	..	..
	Miscellaneous cases	..	31	..	1
	Ex. Cases ..	..	..	..	..
	Suits.	..		..
Additional District Judge, Mandhum Singhbhum.	Regular Appeals	..	..	..	3
	Miscellaneous appeals	..	..	..	..
	Miscellaneous cases	..	..	..	..
	Ex. Cases	..	..	..	.
	Suits.	..			
Sub- Judge, Dhanbad	O.P.	..	16	1	9
	S.C.C.	..	33	1	47
	Regular Appeals	..	10	..	14
	Miscellaneous appeals	..	6	..	3
	Miscellaneous cases	..	23	..	30
	Ex. Cases ..	..	29	..	23
	Suits.	..			
Additional Sub- Judge, Dhanbad	O.P.	..	2	63	5
	S.C.C.	..	..	..	..
	Regular Appeals	..	..	75	8
	Miscellaneous appeals	..	..	6	3
	Miscellaneous cases	..	2	..	2
	Ex. Cases ..	..	2	..	1
	Suits.	..			
Munsif Dhanbad	O.P.	..	178	4	68
	S.C.C.	..	53	..	82
	Miscellaneous cases	..	28	1	21
	Ex. Cases ..	..	72	..	84
	Suits.	..			
Munsif 2 nd Court, Dhanbad.	O.P.	..	8	196	34
	S.C.C.	..	2	..	8
	Miscellaneous cases	..	4	1	1
	Ex. Cases ..	..	5	14	2

LAW ORDER AND JUSTICE.

Statistic of the Civil Justice from October, 1957.

Courts.	Nature of case	Instituted.	Received By transfer etc.	Disposed of	Remarks
District Judge Dhanbad Singhbhum.	Suits. ..	6	7	8	9
	O.P. ..				
	Regular Appeals ..	11	1	10	
	Miscellaneous appeals ..	98	3	19	
	Miscellaneous cases ..	25	..	12	
Additional District Judge, Mandhum Singhbhum.	Ex. Cases ..	139	4	70	
	Suits. ..	..	..	..
	Regular Appeals ..				
	Miscellaneous appeals ..	..	67	18	
	Miscellaneous cases ..	..	14	10	
Sub-Judge, Dhanbad	Ex. Cases ..	..	120	77	
	Suits. ..	..	..	..
	O.P. ..				
	S.C.C. ..	63	5	40	
	Regular Appeals ..	161	12	132	
Additional Sub- Judge, Dhanbad	Miscellaneous appeals ..	..	7	54	
	Miscellaneous cases ..	..	1	15	
	Ex. Cases ..	57	..	15	
	Suits. ..	114	..	48	
	O.P. ..				
Munsif Dhanbad	S.C.C. ..	25	1	25	
	Regular Appeals ..	22	6	1	
	Miscellaneous appeals ..	..	29	43	
	Miscellaneous cases ..	..	5	3	
	Ex. Cases ..	15	13	8	
Munsif 2 nd Court, Dhanbad.	Suits. ..	7	7	11	
	O.P. ..				
	S.C.C. ..	644	12	371	
	Miscellaneous cases ..	296	1	140	
	Ex. Cases ..	96	1	110	
Munsif 2 nd Court, Dhanbad.	Suits. ..	444	..	305	
	O.P. ..				
	S.C.C. ..	112	93	186	
	Miscellaneous cases ..	41	67	16	
	Ex. Cases ..	57	10	29	
		88	106	7	

DHANBAD.

Statistic of the civil justice Cases form 1958.

Courts.	Nature of case	Instituted.	1958	
			Received By transfer etc.	Disposed of
1	2	3	4	5
	Suits.	..		
District Judge Dhanbad Singhbhum.	O.P.	..	19	8
	Regular Appeals	..	104	11
	Miscellaneous appeals	..	107	68
	Miscellaneous cases	..	41	9
	Ex. Cases ..	..	4	2
	Suits.	..	..
Additional District Judge,.	Regular Appeals	..	..	8
	Miscellaneous appeals	..	..	1
	Miscellaneous cases	..	..	2
	Ex. Cases	..	..	3
	Ex. Cases	..	..	..
	Suits.	..		
Sub-Judge,Dhanbad 1 nd court	O.P.	..	52	4
	S.C.C.	..	110	1
	Regular Appeals	..	..	65
	Miscellaneous appeals	..	..	39
	Miscellaneous cases	..	95	14
	Ex. Cases ..	..	105	1
	Suits.	..	..	87
	Ex. Cases	..	..	170
Sub-Judge,Dhanbad 2 nd court	O.P.	..	32	4
	S.C.C.	..	44	1
	Regular Appeals	..	..	44
	Miscellaneous appeals	..	..	52
	Miscellaneous cases	..	44	10
	Ex. Cases ..	..	124	..
	Suits.	..	..	54
Munsif 1 st court	O.P.	..	497	17
	S.C.C.	..	234	6
	Miscellaneous cases	..	149	3
	Ex. Cases ..	..	346	..
	Suits.	..	..	19
	O.P.	..	273	31
Munsif 2 nd court Dhanbad	S.C.C.	..	234	6
	Miscellaneous cases	..	66	..
	Ex. Cases ..	..	138	..
	Ex. Cases	..	..	246
	Ex. Cases	..	..	390
	Ex. Cases	..	..	79
	Ex. Cases	..	..	193

LAW ORDER AND JUSTICE.

Statistic of the civil justice Cases form 1959.

Courts.	Nature of case	Instituted.	Received By transfer etc.	Disposed of	Remarks
1	2	3	4	5	6
	Suits.	..			
District Judge Dhanbad Singhbhum.	O.P.	..	17	..	11
	Regular Appeals	..	138	1	7
	Miscellaneous appeals	..	107	..	100
	Miscellaneous cases	..	81	..	8
	Ex. Cases	..	2	..	2
Additional District Judge,.	Suits.	..			
	Regular Appeals	..	..	41	16
	Miscellaneous appeals	..	..	..	9
	Miscellaneous cases	..	..	..	9
	Ex. Cases	..	..	..	..
Sub-Judge,Dhanbad 1 nd court	Suits.	..			
	O.P.	..	43	3	35
	S.C.C.	..	123	3	120
	Regular Appeals	..	..	38	57
	Miscellaneous appeals	..	..	..	14
	Miscellaneous cases	..	50	3	52
Sub-Judge,Dhanbad 2 nd court	Ex. Cases	..	116	..	116
	Suits.	..			
	O.P.	..	40	3	34
	S.C.C.	..	56	2	53
	Regular Appeals	..	..	70	78
	Miscellaneous appeals	..	..	..	14
Munsif 1 st court	Miscellaneous cases	..	76	..	85
	Ex. Cases	..	57	..	29
	Suits.	..			
	O.P.	..	510	18	401
	S.C.C.	..	224	3	22
Munsif 2 nd court Dhanbad	Miscellaneous cases	..	126	..	138
	Ex. Cases	..	353	1	328
	Suits.	..			
	O.P.	..	277	34	247
	S.C.C.	..	87	1	84
	Miscellaneous cases	..	68	2	77
	Ex. Cases	..	147	..	115

DHANBAD.

Statistic of the civil justice Cases form 1960to1961.

Courts.	Nature of case	Instituted.	Received By transfer etc.	Disposed of	Instituted.	Received By transfer etc.	Dispos ed of	Remar ks
1	2	3	4	5	6	7	8	9
District Judge Dhanbad Singhbhum.	Suits.	..						
	O.P.	..	15	2	8	23	1	22
	Regular Appeals	..	192	7	39	144	..	45
	Miscellaneous appeals	..	47	..	40	56	..	45
	Miscellaneous cases	..	54	..	49	142	..	50
	Execution Cases	..	..	1	1	..	..
Additional District Judge,.	Suits.	..	..			
	Regular Appeals	..	..		23			
					There was no Additional District Judge in the Judge Ship of Dhanbad in 1961.			
	Miscellaneous appeals	..	..				4	
	Miscellaneous cases	..	..				3	
	Ex. Cases	..	..				..
Sub- Judge,Dhanbad 1 st court	Suits.	..						
	O.P.	..	52	23	51	51	10	67
	SmllCause Court Suits	..	104	..	92	167	7	134
	Regular Appeals	..	..	26	27	..	78	52
	Miscellaneous appeals	..	..	..	14	..	7	3
	Miscellaneous cases	..	64	2	76	55	23	54
	Ex. Cases	..	102	1	156	117	..	95
Sub- Judge,Dhanbad 2 nd court	Suits.	..						
	O.P.(Ordinary Procedure)	..	41	19	61	50	7	27
	S.C.C.	..	41	..	49	54	5	36
	Regular Appeals	..	..	25	42	..	71	47
	Miscellaneous appeals	..	..	2	2	..	7	2
	Miscellaneous cases	..	81	..	80	88	5	77
	Ex. Cases	..	77	..	75	49	..	52
Munsif 1 st court	Suits.	..						
	O.P.	..	540	23	391	625	42	421
	S.C.C.	..	147	5	187	154	21	151
	Miscellaneous cases	..	172	1	145	141	3	152
	Ex. Cases	..	293	..	376	427	..	486
Munsif 2 nd court Dhanbad	Suits.	..						
	O.P.	..	271	15	268	349	63	300
	S.C.C.	..	63	..	84	86	6	83
	Miscellaneous cases	..	85	..	80	78	30	82
	Ex. Cases	..	160	..	153	151	..	172