

CHAPTER XII

LAW & ORDER AND JUSTICE

(A) POLICE

157. Introduction

In early part of the 19th century law and order followed tribal sanction. The zamindar and the local chiefs had no real control over the hill tribes who remained in inaccessible jungles. Of the grave crimes committed in the district, the one that most attracted the attention of the British officers was the practice of Mariah or the sacrifice of human victims to propitiate the Earth goddess and other deities. Its existence was discovered by George Russell, the Special Commissioner, in 1836. In 1845, a special Mariah Agency was formed which included the Jeypore estate and other Khond tracts. An Agent was kept in sole charge of the administration of the area with many assistants.

The Mariah sacrifice was widely practised in the Khond tracts. This practice continued unabated for many centuries. Neither the Raja nor any local chief ever dared to interfere with this custom. After the formation of the Mariah Agency, steps were taken to suppress this inhuman practice. Similarly severe punishment was meted out to persons accused of witchcraft and sorcery. There were also organised gangs of Khongars (thieves) who systematically terrorised the country side. They generally formed a part of the establishment of men of influence in Jeypore. Captain A. C. Mc Neill reports that these bands of dacoits used to pay a yearly tax of one rupee per head to the Raja or rather to the person who was temporarily in charge of affairs in Jeypore*. He writes: "Some idea may be formed of the depredation committed by this lawless race, when I state that a yearly contract obtains in Jeypore called the 'Khondar Goota' averaging from one thousand to three thousand rupees per annum, and which is entirely obtained from the sale-proceeds of property stolen by Khongars. Numerous Bringaries complained to me that, whereas they at present pay transit duties amounting to 12½ rupees per one hundred bullocks, for passing through Jeypore country, they would willingly pay double that amount, if they were only guaranteed protection against the Khongars."

The lawlessness of Jeypore country in the 19th century can be known from the above accounts. Murder, dacoity and assassination continued unabated till the establishment of Police force in 1863. In 1864, to give only one instance, two Paiks at Nowrangpur fought a duel with broad swords in open daylight in one of the streets there to settle a dispute between their wives about a well, and one of them had his head taken off at one swoop of his opponent's weapon.

*Report of Captain A. C. Mc Neill, officiating Agent in the Hill Tracts of Orissa, to the Secretary to Government of India, dated the 12th May 1857.

158. Incidence of crime in the district—varieties of crimes and their relative importance

Offences against property relating to cases of house-breaking and thefts of different varieties are common in this district and in most of these cases the Domb, who are professional criminals, are involved.

Cattle thefts are very common and this is done for sale and in most cases for food purposes. The Domb criminals have got no inclination to be rehabilitated though steps are being taken by the Government in that direction. They find crime to be the easiest way of earning their livelihood and they profess it to be their birth-right. The Police feels it more difficult to exercise any control over these criminals to check their activities after the abolition of the Criminal Tribes Act. In the absence of rural watchmen, the Police finds it difficult to do surveillance work and to collect intelligence in the interior, touring being difficult in these hilly and forest areas.

Homicide among some Adivasis mostly in drunken brawls in petty matters had been a common affair in the district though the offenders who were mostly in revengeful mood very seldom escape trial as in almost all cases they used to make a clear breast of their guilt.

House dacoity has been rare, though road dacoity occurs at times and road robberies are not uncommon.

In all cases Domb criminals are mostly involved. Anti-road-dacoity-armed-squads are put into action to control the cases of a dacoity occurring on roads and this produces a salutary effect. Bullock-carts are attacked during night by the Domb criminals on market days while returning from market and to combat this, Police parties are provided to escort the bullock-carts in the affected areas to their destinations, and it is felt that crime of this nature could be stopped by this means. When road dacoity became a problem in Papadahandi road on market days, the anti-dacoity squad was put into action and they patrolled the affected portion of the road escorting bullock-carts.

The other forms of crime occurring in the district are smuggling of foodgrains from the district to the neighbouring States, swindling, breach of trust, rioting of petty nature (not communal or political) or offences affecting human body not resulting in death and cases arising out of land disputes under the I. P. C. and also crimes committed under other Acts, namely, Excise, Gambling and Arms Acts.

There are, however, no organised gangs to be tackled. Sex crime has been rare.

Co-operation meetings are held every quarter at headquarters between the Police and Magistrates for speedy disposal of cases in the interest of justice and to solve other problems for an efficient running

of administration. Mobile Courts are also held to book offences under Motor Vehicles Act as breach of the law and rules have been common amongst the motor-owners and drivers.

159. Organisation of the Police Force

(i) Towards 1855 proposals were submitted to the Government for control of both police and revenue of the tracts above the Ghats. But Lord Dalhousie, Governor-General, objected to it on the ground that it would involve the British Government into military operation and protracted jungle warfare. Subsequently towards 1860 the Government revised the proposal and authorised the Inspector-General of Police to visit this district and advise the Government on the course to be adopted permanently, for the Police management of Jeypore. The Agent to the Governor at Vizagapatam and the Inspector-General of Police met and reported that there was no reason why Jeypore should not be included in the General Police arrangements of the district. In this, Government concurred and sanctioned introduction of Police in the Jeypore country. Accordingly, the Police Force was established in 1863 and Captain Galbraith was located at Jeypore as Assistant Superintendent of Police. In May 1864, Jeypore became a separate Police district consisting of all the parts of the estate lying above the Ghats. The remaining portion, corresponding to the present Rayagada subdivision, continued to be part of the Vizagapatam Police district. Though the headquarters of the Superintendent was moved to Koraput in 1870, his charge continued to be called the Jeypore district till the present Koraput district was formed in April 1936.

(ii) The force consisted in 1941 of a Superintendent, two Assistant Superintendents, a Sergeant-Major, two Sergeants, nine Inspectors, forty-one Sub-Inspectors, fifty-six Head Constables and five hundred and fifteen Constables. The Sergeant-Major and Sergeants, fourteen Head Constables and one hundred and thirty-seven Constables comprised the Armed Reserve at the headquarters of the district. The district was divided into three subdivisions under the control of the Superintendent and the Assistant Superintendent at Koraput and Rayagada, respectively. There were 9 circles, 31 stations and 11 out-posts.

(iii) Village headmen and officials appointed by the zamindars used to render assistance to the Police in the detection of crimes. In absence of any direct financial obligation to the Government, any act of negligence on their part was being brought to the notice of zamindar for correction. There was no village police establishment and the Naiks with their assistants, the Chellans and Barikis co-operated well with the Police in the prevention and detection of crimes and in punishing the offenders.

160. Regular Police, Railway Police Prohibition squad, etc.

(i) Koraput remains in charge of the Superintendent of Police with the headquarters at Koraput, the strength of the district force as on 31st

December 1964 being 12 Inspectors, 95 Sub-Inspectors, 103 Assistant Sub-Inspectors, 7 Havildars and 759 Constables of ordinary Reserve and

Name of circles	Name of Police-stations	
Koraput ..	1. Koraput	1 Reserve Inspector, 2 Sergeants, 4 Drill Sub-Inspectors, 2 Havildars-Major, 69 Havildars, 20 Naiks, 24 Lance Naiks and 517 Constables of Armed Police Reserve. The percentage comes to 0.1 when compared with the population (1961) of the district. Two Additional Superintendents of Police, one Assistant Superintendent of Police and four Deputy Superintendents of Police assist the Superintendent of Police in the office works and the district has been divided into nine police administrative circles and thirty-eight police-stations (as in the margin).
	2. Lakshmipur	
	3. Dasmantapur	
	4. Narayanpatna	
Nandapur ..	5. Nandapur	
	6. Padwa	
	7. Machkund	
	8. Semiliguda	
	9. Pottangi	
	10. Jeypore	
	11. Kundra	
	12. Boipariguda	
Borigumma	13. Borigumma	
	14. Bhairabasingpur	
	15. Kotpad	
Nowrangpur	16. Nowrangpur	(ii) Each circle is in charge of one Inspector of Police and the police-stations are controlled by the Sub-Inspectors. Assistant Sub-Inspectors and Constables have been posted to the police-stations (number varies according to the importance of police-station) mainly to release the Officer—in-charge of clerical and routine works and also to perform sentry and escort duties and other miscellaneous works including the collection of intelligence and surveillance over criminals and service of summons, etc.
	17. Papadahandi	
	18. Tentulikhunti	
	19. Kodinga	
Umarkot ..	20. Umarkot	
	21. Raighar	
	22. Dabugan	
	23. Jharigan	
Malkangiri	24. Malkangiri	
	25. Chitrakonda	
	26. Mathili	
	27. Mudulipada	
	28. Venkatapalam	
	29. Motu	
Rayagada	30. Rayagada	
	31. Kalyansingpur	In view of the remoteness and inaccessibility of the areas from the police-station the following police-stations have subordinate police out-posts and beat-houses established in the town and rural areas as mentioned below to control crimes and criminals.
	32. Ambadola	
	33. Kashipur	
	34. Bissamcuttack	
Gunupur	35. Gunupur	
	36. Puttasingi	
	37. Gudari	
	38. Padmapur	

NANDAPUR CIRCLE

There are out-posts at Totaput under Machkund police-station, Dumuriput and Sunabeda under Semiliguda police-station, Jalaput under Padwa police-station. All the out-posts are managed by Assistant Sub-Inspector of police. There are beat-houses at Sunki under pottangi police-station, Ranitota under Nandapur police-station and Lamptaput under Padwa police-station.

JEYPORE CIRCLE

Jeypore police-station has an out-post in the town area managed by Assistant Sub-Inspector of Police, Boipariguda and Kundra police-stations have Ramagiri and Ambaguda as their out-posts in charge of Assistant Sub-Inspectors. The beat-houses at Konga and Phampini which are under Jeypore police-station are managed by constables.

BORIGUMMA CIRCLE

There is an out-post at Ranigedda under Bhairabasingpur police-station which is managed by an Assistant Sub-Inspector of Police.

NOWRANGPUR CIRCLE

There is an out-post in town area of Nowrangpur under Nowrangpur police-station. Papadahandi police-station has an out-post at Maidapur near Kalahandi border and it remains in charge of an Assistant Sub-Inspector.

UMARKOT CIRCLE

There is an out-post at Chandahandi under Jharigan police-station and other two at Umarkot town and Kundai under Umarkot police-station. All the out-posts are managed by Assistant Sub-Inspectors.

MALKANGIRI CIRCLE

There is an out-post at Mundiguda under Mathili police-station and other two at Orkel under Chitrakonda police-station and at Chandili under Mudulipada police-station. All the out-posts are in charge of Assistant Sub-Inspectors.

RAYAGADA CIRCLE

Rayagada circle has an out-post at Muniguda under Bissamcuttack police-station and there are also out-posts in the town of Rayagada and Tiruveli under Rayagada police-station and at Tikri and Dangashil under Kashipur police-station. All the out-posts are managed by Assistant Sub-Inspectors.

GUNUPUR CIRCLE

Gunupur circle has an out-post at Ramanaguda under Gunupur police-station where there is also a town out-post. Chandrapur out-post, which remains in charge of an Assistant Sub-Inspector, is under Puttasingi police-station. A beat-house has also been established at Gadiakhola under Gunupur police-station.

The out-posts at Sunabeda (Semiliguda police-station), Ambaguda (Jeypore police-station), Tiruveli (Rayagada police-station) and Jalaput (Padwa police-station) are established mainly to control the law and order problems of the displaced persons, transit camps.

(iii) Courts

For proper prosecution of cases in courts, the Police prosecuting staff consists of an Inspector called the Prosecuting Inspector, two Sub-Inspectors at Koraput and two Sub-Inspectors called Court Sub-Inspectors, stationed at Rayagada and Nowrangpur. Sub-Inspectors are posted at Jeypore, Malkangiri and Gunupur with constables according to requirements.

The Prosecuting Inspector is responsible for conducting the prosecution of all police cases at headquarters. He also conducts prosecution in non-police cases when considered necessary by the authorities and is assisted by his court officers. In subdivisions the Court Officer presents the police cases.

(iv) Organisation of the Reserve

The Armed Reserve is kept at district headquarters in readiness for dealing immediately with disturbances.

Police Motor Transport is kept at headquarters to be utilised in the ordinary course of business and in emergencies. The Sergeant-Major remains in charge of armed and ordinary Reserve and he is responsible for their control, discipline, training and efficiency. He is also responsible for the care and custody of arms, ammunitions and equipments, stores, tents, uniforms, etc. and is assisted by two armed Sergeants in matters relating to the drill, discipline and training of the force.

To act as an instructor to the mobilised contingent, a Drill Sub-Inspector is attached to the Armed Reserve and his special duty is to visit all parts of Reserve Line daily to ensure cleanliness and sanitation.

(v) Railway Police and relationship with District Police

There is one Government Railway police-station at Rayagada station which remains under the Superintendent of Railway Police,

Cuttack. All ranks of the District Police and the Railway Police render mutual assistance in the execution of their duty through frequent exchange of information.

(vi) Prohibition Squad

Prohibition has been introduced in this district since 1st April 1956 and to make prohibition a success, raids are being organised by the local Excise staff independently and also in co-operation with Police staff. Illicit distillation is common with the Adivasis as they are heavily addicted to drinking.

(vii) Vigilance Branch

Staff of the Vigilance Branch consisting of an Inspector and subordinates have been stationed at Jeypore to detect cases of corruption. They remain under the direct control of the Superintendent of Police.

(viii) Anti-smuggling staff

Anti-smuggling staff with one Sub-Inspector and an Assistant Sub-Inspector have been stationed at Godaikhola in Gunupur police-station and at Chatua in Padwa police-station to detect smuggling cases. A statement showing details of such cases instituted and disposed of from 1955 to 1960 is given below :

Year	Number of cases reported	Con- victed	Acqu- itted	E.R.T.	M.F.	N.C.	Dis- charge	Trans- ferred	Pending
1	2	3	4	5	6	7	8	9	10
1957 ..	97	75	4	2	5	..	3	6	2
1958 ..	74	43	9	..	7	1	..	12	2
1959 ..	139	115	6	1	2	..	..	13	2
1960 ..	83	64	2	1	3	..	..	3	10

(ix) Wireless Grid and Pigeon Service

These have been referred to in Chapter VII (Communication).

161. Jails and lock-ups

(i) The District Jail at Koraput was under the Madras Government prior to the formation of the Province of Orissa in the year 1936. This was functioning as a District Jail for the Agency tracts

under the District of Vizagapatam. After 1936, the status of this Jail was reduced to that of a Special Sub-Jail in the district of Koraput but later on the District status was restored again. In 1936 it became a II grade District Jail and was upgraded to grade I on 1st March 1958. Though once more it was reduced to that of a II grade District Jail in 1958, it is functioning as a grade I District Jail since 1st April 1959.

The capacity of this Jail was 298 till 1953. After the construction of three new association blocks, capacity of the Jail has been increased to 324 which includes accommodation for 6 female prisoners. This Jail has got cellular accommodation for 60 prisoners, the largest of its kind in the State. It works under the Circle Jail at Berhampur and there are five Sub-Jails under this Jail. The staff of Koraput Jail consists of 1 Jailor, 2 Assistant Jailors, 1 Clerk, 1 Pharmacist, 1 Teacher, 4 Head Warders, 1 Female Warder and 41 Male Warders.

(ii) Sub-Jails

The capacity of Jeypore Sub-Jail is for 30 prisoners, but it has always been overcrowded for the last several years as the daily average population has been about 80. The Assistant Surgeon in charge of the Government Hospital is the Superintendent. Nowrangpur Sub-Jail has 21 cells, each meant to accommodate two prisoners. The Sub-Jail at Malkangiri was taken over by the Jail Department from the Revenue Department during the year 1951. The daily average population of this Sub-Jail was 34 during the 1st year against its capacity of 25. The capacity of Gunupur Sub-Jail is 36. The staff in each of these Sub-Jails consists of 1 Head Warder and 6 Male Warders.

The main building of the Sub-Jail at Rayagada has three blocks of which one is for undertrials, one for female prisoners and the other for convicts. The capacity of this Jail is 35 including three for females.

(iii) Prison discipline

The prisoners are subjected to a strict daily routine and are counted and checked every morning.

If any prisoner commits any crime, such as disobedience, refusal to work, mutiny, escape, introduction of prohibited articles inside the jails, etc., he is dealt with by the Superintendent either by minor or major punishment according to his crime. Criminal cases are tried at the courts.

The prisoners are allowed to have interviews with their relations once in every two months and to write letters once in every month. Apart from ordinary remission allowed under the rule, special remissions are also awarded for good behaviour and meritorious work. Special gratuity up to twelve annas per month is allowed to prisoners maintaining good behaviour and giving extra outturn of work. They utilise this money for purchase of personal amenities.

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(iv) Welfare of prisoners

A Jail School has been started at Koraput with the appointment of one paid teacher to impart elementary education to all prisoners. The prisoners are allowed to attend school for two hours daily in batches.

Panchayat system has been introduced in the Jail to teach the prisoners to shoulder responsibilities of administration of the Jail and of the routine work with regard to their diet, sanitation and regulations of recreational activities. The Panchayat members are elected by the prisoners every quarter.

The system of allowing convicted prisoners to go on parole on certain conditions and specific grounds has been introduced.

Approved newspapers are subscribed and supplied to the prisoners. There is a small library in Koraput Jail for use by the prisoners. They are allowed to engage themselves in singing and do musical performances during their leisure hours, on holidays and at night after lock-up till 9 P.M.

The prisoners sentenced to hard labour are employed in gardening and industries in addition to the miscellaneous jail services. The area of the Koraput Jail garden is about 9 acres. Mainly vegetables are grown in the Jail garden throughout the year. Weaving of cotton textiles, extracting fibres and preparing useful articles, tailoring, small-scale carpentry and smithy, etc., are the main industries taught to the prisoners. The requirements of prisoners' clothings and beddings of this Jail and five Sub-Jails in this district are met by the Manufactory Department of this Jail. Gauge and bandage cloths are also manufactured and supplied to the dispensaries of the district. Manufacture of durry, newar, net-bags, bags, bed-sheets, towels, etc., is done for public sale.

(v) Treatment of special classes of prisoners

As there is no accommodation for juvenile prisoners in Koraput Jail, after admission they are transferred to the Juvenile Jail at Angul in the district of Dhenkanal.

Political prisoners on admission are kept in separate blocks specially meant for them. They get more facilities and are entitled to better privileges.

Leper prisoners are transferred to the Jail at Berhampur for their onward transfer to the Sub-Jail at Bhanjanagar which is specially meant for them.

Prisoners suffering from T. B. are sent either to Cuttack or to Berhampur.

(B) JUDICIARY

162. History of Judicial Organisation

There is no recorded evidence to show the system of administration of Civil and Criminal Justice prevailing in these parts prior to assumption of direct administration by the British in 1863. With the meagre accounts gathered from the reports of the early British officers we can only say that civil liberties or administration of justice were not in force. It is useful to quote here the report of Mr. Smith, the first Agent, written in 1865 :

“The administration of both Civil and Criminal Justice was entirely in the Rajah's hands till January 1863. Before that he was supposed to send down to the Governor's Agent any serious cases of homicide but they never came down unless they were sent for. They were punished by the Rajah either by cutting of the offender's hands, or by fine if he was a man of property.....female infanticide used to be very common all over the country, and the Rajah is said to have made money out of it in one large taluk. The system was to consult a Dasari, when female child was born, as to its fate, if it was to be killed the parents had to pay one Narrain Misra, the Amin of the taluk, a fee for the privilege for killing it and the Amin used to pay the Rajah Rs. 300 a year for renting the privilege of giving the licence and pocketing the fees.

In cases of rape, the procedure was to cut the woman's nose off, and after beating the man well to turn him out of the caste, by stuffing his mouth with beef. In cases of murder the Rajah generally had the man's hands, nose and ears cut off, but after all that he seldom escaped the vengeance of the deceased's relatives. In short, the authority of the Rajah and of the Chief's subordinate to him was supreme within their respective circles. They administered such rude justice as they pleased, and if any person was suspected of an intention of proceeding to Vizagapatam to complain to the District Officer or to inform against his local superiors, he was immediately seized and confined in a safe quarter.”

By 1863 judicial administration was well organised in India through establishment of High Courts, the Courts of District and Sessions Judges and those of other Subordinate Judges and Magistrates. But in the Jeypore territory on account of the Ganjam and Vizagapatam Act of 1839 a different system of justice was applied completely through executive officers. In Chapter X discussion has been made showing the line of development of Judiciary in this district through Executive set-up till the repeal of the Ganjam and Vizagapatam Act in 1952. The normal administration of Justice both civil and criminal operated in the district with effect from 1st January 1953.

Since then civil cases are being tried under provision of the Civil Procedure Code and no longer by the Agency Rules. The Criminal Procedure Code is being applied as previously, excepting that the Sessions Judge has powers to dispense with the aid of Assessors during Sessions trial. But along with the rest of the State the administrative officers of the State continued to function as Magistrates and disposed of criminal cases. No doubt, the Munsifs of the district were invested with magisterial powers, but they only disposed of such cases as were transferred to them by the Subdivisional Magistrates. So in 1953 Koraput district attained only that much of separation of the judicial functions from the executive as the coastal districts of Orissa had.

163. Organisation of Civil and Criminal Courts

On assumption of administration by the British Government in 1863, the Collector of Vizagapatam as the Agent to the Government was vested with the entire civil and criminal administration of the present Koraput district. He was assisted by the Assistant Agent located at Jeypore with jurisdiction covering the present Nowrangpur and Koraput subdivisions excepting Narayanpatna P.-S. and another Assistant Agent with headquarters at Parvatipuram having jurisdiction over the Rayagada subdivision and Narayanapatna P.-S. of Koraput subdivision. These Assistant Agents were the Subdivisional Magistrates so far as disposal of criminal cases were concerned. On the civil side they had powers to hear appeals from the decision of the Agency Munsifs, as well as to try original suits up to a particular limit. They could thus be compared to Subordinate Judges on the civil side.

Under the Assistant Agent at Parvatipuram were appointed two Subordinate Magistrates for the two taluks of Rayagada and Gunupur. Similarly under the Assistant Agent at Jeypore were appointed Subordinate Magistrates at Jeypore, Nowrangpur, Aurada near Padwa and Mahadeoput, 7 miles from Koraput. The Assistant Agent's headquarters was shifted from Jeypore to Koraput in 1870 and the headquarters of the Subordinate Magistrate at Jeypore was transferred in the same year to Kotpad. In 1882 his headquarters was reshifted to Jeypore. The Subordinate Magistrate at Mahadeoput was moved to Koraput and the Aurada taluk was abolished and a new one was created at Malkangiri. In 1883 and 1893 Bissamcuttack and Padwa taluks were respectively formed.

On 1st April 1936, the Jeypore estate along with the Parlakimedi zamindari transferred to Orissa constituted the Koraput district with headquarters at Koraput. It had then two subdivisions named Rayagada and Koraput. Rayagada subdivision with headquarter at Rayagada had four taluks, viz., Rayagada, Bissamcuttack, Gunupur and Parlakimedi. Koraput subdivision with headquarters at Nowrangpur had five taluks, viz., Nowrangpur, Jeypore, Koraput, Malkangiri and Pottangi. Padwa was abolished and its Orissa portion

was merged with Pottangi. In 1941 Parlakimedi taluk was restored to Ganjam district. About the year 1940, Pottangi taluk was abolished and merged with Koraput, and Bissamcuttack taluk was abolished and merged with Rayagada. From 1st March 1941, Koraput subdivision was created out of the enlarged Koraput taluk with Narayanpatna police-station of the previous Rayagada subdivision and the remaining taluks of the Koraput subdivision were constituted as Nowrangpur subdivision.

The matter remained as such till 1953 when on the abolition of the Jeypore estate it was found necessary to effect a redistribution of the taluks or tahsils. The list of tahsils under each subdivision is given in Chapter I.

On 1st January 1953, when the normal system of justice was introduced, there were three Stationary Magistrates and Additional Munsifs, besides the Tahsildars who were *ex officio* Magistrates and Munsifs. It may be mentioned that during and after the war period there was increase in criminal work on account of State control of commodities. Additional Magistrates at Jeypore, Koraput, Rayagada and Gunupur were, therefore, being appointed periodically to try these cases. Since 1945, the court of the Additional District Magistrate also started functioning at Koraput. Since 1st January 1953, the Magistrates' courts as already mentioned continued to exist but the Magistrates were divested of their civil powers and the Subdivisional Magistrates of their powers under section 30, Criminal Procedure Code. The District Magistrate is no longer the Sessions Judge.

It has been already mentioned that an Agency Assistant Judicial Commissioner's court was created in 1921 and after abolition of the post of the Agency Commissioner the court of the Agency Subordinate Judge was created in 1924. These officers had their headquarters at Vizagapatam but were coming on tours to these areas for disposal of cases. These officers had jurisdiction over the other Agency areas as well, such as those of Ganjam and Godavari districts. On creation of the Province of Orissa, the court of the Agency Subordinate Judge was transferred from Vizagapatam to Jeypore and he tried the cases of Koraput district only. This court of the Agency Subordinate Judge was made permanent in 1948. From 1936 till 1943 the Agency Subordinate Judge had no criminal powers. In 1943 he was given Assistant Sessions powers and in 1945 Additional Sessions powers and he continued to exercise the same till 1st January 1953, when the post was converted to that of the District and Sessions Judge. On the abolition of the Agency Rules, a Munsif with powers to try cases up to Rs. 4,000 was appointed at Jeypore having jurisdiction over the entire Koraput district. In June 1958 Rayagada Division was constituted a separate Munsifi with headquarters at Rayagada, but the Stationary Subordinate Magistrate at Gunupur continued to be an *ex officio* Munsif.

164. Nature of cases handled

(i) Revenue Cases

Revenue cases were mostly suits for arrears of rents filed by the then zamindar under the Madras Estates Land Act. There were also some suits filed by the *mokhasadars* under the said Act. Most of these suits were uncontested. There has been an end to such litigation on the abolition of the Jeypore estate as well as the Inams and *mokhasas* and the State Government is realising its arrears of rent under the Madras Revenue Recovery Act.

(ii) Criminal cases

The number of cases of homicide in the court of Sessions Judge is considerable. A few cases of dacoity and abduction also occur. These cases of homicide come from almost all parts of the district but most of them concern the aborigines. On this the Bonda Porajas contribute a substantial number. Most of the murders are unpremeditated and take place consequent to drink and petty quarrels. Murder for gain or for vengeance is of rare occurrence. At times land disputes have also contributed to cases of rioting and murder. Other crimes that are disposed of by Magisterial trials mostly concern thefts of various types, offences of hurt, trespass and mischief on land. A common complaint preferred by private prosecutors is enticement of wives, an offence under section 498 of Indian Penal Code. Occasionally cases of extortion and cheating also occur and of late, cases of forgery and breach of trust have increased.

(iii) Civil cases

The civil litigation mostly relate to suits for recovery of possession of lands and debts. The suits are usually of a very simple type. Previously the parties had absolutely no documents and relied only on oral evidence. The scrappy land-cess accounts prepared under the Madras Local Boards Act of 1920 were not of much help to courts. Now since 1952 survey and settlement operations commenced in Koraput district and records-of-rights are being given to the tenants. Previously several of the land suits related to recovery of possession on the assertion that the land was orally mortgaged. Now such type of suits is getting rare. It is believed that on the creation of the regular civil courts the litigation is gradually falling. The preparation of the record-of-rights has stabilised the people's notions about their rights over immovable property. Probably on account of the Money-lenders Act suits for recovery of debts are of sufficient number.

Number of cases dealt with

Year	1953	1954	1955	1956	1957	1958	1959	1960	1961	1962
Civil ..	1,740	1,335	2,657	2,223	2,149	1,426	1,816	1,130	1,180	1,179
Sessions cases	66	61	82	98	90	100	104	118	134	130
T. R. cases Triable by Special Judge.	6	4	6	6	2	3	3	1	1	1
Criminal (Appeals and Revisions).	184	123	173	213	323	284	290	205	131	123

165. Legal professions

When the British took over administration of justice there were no English educated persons in Koraput district and so the Agent was given the power to appoint any person he chose as a pleader by giving him a Sanad. These Agency Sanad-holders were the only lawyers of this district for a good length of time. Almost all of them knew no English and were conducting their cases in Oriya or Telugu. The Agency Rules while giving power to the Agent to appoint any person as a pleader also enabled him to refuse such permission even to qualified legal practitioners. So a qualified pleader had also to take an Agency Sanad to practise in Agency courts though in his case it was a matter of routine.

The Agency Sanad-holders were the only persons practising in the Agency courts practically up to the year 1930. It was only in important cases that qualified practitioners used to be brought from the neighbouring areas. The Agent had unlimited powers to appoint as an Agency pleader any person to any court within his jurisdiction till the year 1924. That year his powers were limited to appoint such persons only to the Agency Munsif courts and not to the court higher than that. His powers were further taken away in the year 1944, whereafter he could only renew the Sanads already granted but could not grant fresh Sanads to qualified persons. The Agency Rules framed under the Ganjam and Vizagapatam Act concerned mainly with procedure in civil cases. As the Criminal Procedure Code was in force, they had no reference to criminal trials. Only the Agency Rules empowered the Agent to issue Agency Sanads to pleaders. So the question of the authority of the Agency Sanad-holders to practise in criminal courts was never clarified excepting that it was contended that

the Agent had power to appoint pleaders in criminal courts under section 3 of the Ganjam and Vizagapatam Act which stated that the administration of justice shall vest in the Agent to the Government.

On the introduction of the normal administration of justice, the Koraput District Regulation I of 1953 was enforced extending the Legal Practitioners Act of 1879 and preserving the rights of persons already practising in Agency courts.

The Bar of Koraput district is mainly a creation after 1936. Since then qualified pleaders began to practise at Gunupur and Rayagada, and their number at Jeypore increased.

Statement below shows the number of Advocates, Pleaders and Mukhtars practising at different places of the district :

Year	Advocates	Pleaders	Mukhtars
JEYPORE			
1955	6	13	8
1956	6	13	7
1957	6	15	6
1958	6	15	6
1959	7	16	6
RAYAGADA			
1955	..	8	2
1956	..	10	2
1957	..	10	2
1958	..	10	2
1959	..	11	2
GUNUPUR			
1955	..	5	2
1956	..	7	2
1957	..	7	2
1958	..	7	2
1959	..	7	2

Year	Advocates	Pleaders	Mukhtars
NOWRANGPUR			
1955	..	2	2
1956	..	2	2
1957	..	2	2
1958	..	2	2
1959	..	2	2
KORAPUT			
1955	..	1	..
1956	..	1	..
1957	..	1	..
1958	..	1	..
1959	..	1	..

STATE
Cognizable

Law and offences	Number of			
	1952	1953	1954	1955
I. P. C., ss. 143—153, 157, 158, 159. Rioting or unlawful assembly.	..	..	..	..
302, 303. Murder ..	44	54	57	65
307. Attempts at murder	..	..	..	..
304, 308. Culpable homicide.	..	..	..	..
305, 306, 329. Attempt at and abetment of suicide.	..	..	..	..
325, 326, 329, etc. Grievous hurt.	..	..	..	..
324, 327, 330. Hurt ..	..	..	..	..
363 to 369, etc. Kidnaping or abducting, selling, etc., for prostitution.	..	..	..	..
Dacoity ..	44	54	14	6
Robbery ..	27	28	54	48
House-breaking ..	389	350	359	381
Thefts—				
Cattle ..	} 514	553	605	670
Others ..				

MENT

Crimes

cases reported/true cases

1956	1957	1958	1959	1960	1961	1962
..	60/28	69/34	64/50	61/49	42/39	44/38
67	42/33	45/31	60/34	51/49	44/42	75/73
..	4/2	3/4	2/2	7	9	5
..	21/15	13/11	22/17			
..	3/1	7/5	8/3	3	3	4
..	65/47	64/46	78/37	54/40	39/29	46/32
..	52/36	59/58	68/56	24/19	44/30	33/20
..	2/1	8/2	9/9	7/6	6	7/6
3	1/2	8/4	7/5	10	7	2
32	35/22	33/30	33/20	35/33	23/20	33/30
319	364/326	407/392	392/327	408	402	370
{	..	145/107	183/168	195/152	207	134
	679	511/474	616/535	642/518	586/532	530/520
						466/450