CHAPTER-VI

ADMINISTRATION OF POLICE AND SAILS

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ADMINISTRATION OF POLICE AND JAILS

The administration of police and jails forms a significant part of the judicial system in the period under study. The chapter has been divided into two major parts:

- A) Administration of Police Department and
- B) Administration of the Jails.

In the study of the administration of police, hierarchy, salary, strength and powers of policemen, the problems concerning their recruitment and discipline have been noted. The criminal Investigation Department, the institution of police Patil, raising of extra police force for special occasions, night watchmen also constitute an important part of the police system. In addition, some of the main cases investigated by the Kolhapur police in the period and the famous Poison Case have been included in the Chapter.

The administration of jails has been also dealt with by highlighting upon the general administration and the facilities like food, work, education and medicines given to the prisoners.

POLICE DEPARTMENT IN KOLHAPUR STATE:

The police department in Kolhapur State was under the control of sursubhe. The police officer who was immediately below the Sursubhe was the Chief Police Officer. On December 20, 1920, as the Police work increased a post of Assistant Chief Police

Officer created. But prior to 20th December, 1920 there was special police officer immediately below the Chief Police Officer. Under the Special Police Officer there were four posts of Foujdar, two posts of Jamadar, two posts of Havaldar and two posts of Naik in the deminishing scale of heirarchy. The police jamadar came to be called as the Police Sub-Inspector by an order of 12th January, 1917. But no changes in salary and pension were made as it was a change in designation only. The heirarchy in the Police Department, except the Additional Assistant Chief Police Officer in December, 1920, remained the same during the rule of Shahu Chhatrapati.

The information regarding the salary of policemen from the other staff of clerk, Dafterband and Labekari can be gathered from the chart given below. The policemen were not given any monthly allowances but they were given daily allowances for their service within and outside their specific area. We do not get any information about the rate of daily allowances which was paid to the police.

The following chart will also reflect upon strength of police force in Kolhapur by 1894. The strength was 504 in 1891-92 in 1894-95 it was 689 and in the year 1921-22 the strength of the police was -

The information about the salary of policemen in the year 1891-92 only was available and it is, therefore, given in chart below:

Chart No.4

Er.	Discription of office		Grade	expen- diture
1.	Kolhapur proper			
1.	Chief Police Officer	1	275	-
2.	Special Police Officer	1	60	•
3.	Foujdar 1st Class	1	5 0	
4.	Foujdar 2nd Class	2	40	-
5.	Foujdar 3rd Class	1	35	
6.	Foujdar 4th Class	3	30	•
7.	Jamadar 1st Class	7	20	-
8.	Jamadar 2nd Class	6	15	-
9.	Havaladar	20	12	-
10.	Naik 1st Class	16	10	- '
11.	Naik 2nd Class	31	9	-
12.	Sepoy 1st Class	102	8	-
13.	Sepoy 2nd Class	127	7	-
14.	Sepoy 3rd Class	182	6	-
15.	Clerk	1	25	-
16.	Dafterband	2	15	-
17.	Labekari	1	8	-
18.	Labekari	1	5	-
	Total :	505 ========		57,975-2-4

Balaji Dhondhdeo Pendharkar who worked as Police
Superintendent retired in year 1914 and he was given pension
by Kolhapur Government. A special fund called pension fund

was earmarked in the annual expenditure of the Police Department.

POWERS OF THE POLICE-MEN:

In the available sources there is no mention of the powers that policemen exercised. It is, therefore, not possible to elaborate the powers enjoyed by the policemen. The Chief Police Officer could fine a policemen drawing a monthly salary of less than rupees twenty five per month. He could fine such a policeman to the maximum limit of 25% (percent) of the monthly salary of the policeman.

Though the powers of specific police officers are available in sources. Some of the powers enjoyed by the police Department can be known from the Kolhapur State Gazette. It became the duty of the Police Department by an order to kill vagrant dogs by use of the poison, strychnic sulfate mixed in the paste of Jawar or meat. The Police Department was to investigate the cases regarding the wealth that was discovered underground by persons in Kolhapur State. An order to that effect was published in Kolhapur State Gazette of year 1915. In Kolhapur due to the royal partonage of Shahu Chhatrapati wrestling bouts were held frequently. It was the duty of the uniformed police to maintain law and order in the wrestling arena. Moreover, policemen in civil dress were also deputed by the police department to maintain peace during the wrestling bouts. By 1919, the Pathans practised as Sahukars with very high rates of

interests in British India. These Pathan bankers were also involved in the cases of dacoity. Such Pathan bankers entered into territory of Kolhapur State with the permission that they had received in British India. D.C. Fernandis, the Chief Police Officer requested Shahu Chhatrapati that such Pathan bankers should not be allowed to practise their profession without proper official permission, from the Kolhapur State. The suggestion made by Fernandis was accepted and a thorough control over the entry of Pathans in Kolhapur was established. The Police Department also dealt with offences of political nature. On the control of Pathans in Kolhapur was of political nature.

THE SELECTION OF PERSONS IN THE POLICE DEPARTMENT:

The Faujdar was the lowest officer in the Police

Department of the Kolhapur State. The practice of taking

examination of persons to be selected as the Foujdars prevailed

in Kolhapur State. 21 There were in all eight subjects in the

examination out of which seven were relating to different acts,

laws and the remaining one was of drill. 22

This method of examination was improved in the year 1914, when it was relised that there was shortage of competent and intelligent police officers. 23

The revised syllabus of the examination was extensive consisting of a total of 600 marks. 24 The first paper in written examination was of 200 marks in which Indian Penal Code and

Criminal Procedure Code were to be studied. 25 In the second paper of 200 marks the Police Acts, Extradition Act and Evidence Act were to be studied. 26 The third paper was oral carrying 150 marks, in which the candidates knowledge regarding Acts like Weapons Act, Smuggling Act, Exchange Duty Act and Press Act was to be judged. 27 The fourth paper consisting of 50 marks, was about the drill. 28

In order to set questions on the knowledge of the laws, which a police Officer ought to know, ²⁹ Examiners and Paper setters like Balaji Dhondev Pendharkar Ex. Police Chief Officer and Sontakke Additional Sessions Judge, were appointed in the year 1919. ³⁰

MAINTAINING DISCIPLINE IN POLICE DEPARTMENT:

their failure in duties, ³¹ disobedience, ³² irregular attendance, ³³ and currption. ³⁴ were the main reasons for the termination of services. Three sepoys in the 1913 were removed from services for their indiscipline, ³⁵ while three was removed because of their long absence from service. ³⁶ Five other police sepoy in the year 1913, resigned their services. ³⁷

In 1914, one Babu Santramsing Rajput was dismissed from Police Department for indiscipline and one Shankar Dattatraya Kulkarni on charges of curruption.

CRIMINAL INVESTIGATION DEPARTMENT :

The first reference to the C.I.D. of Kolhapur State occurs in the year 1909. One By an order of September 15, 1909, Mr. D.C. Fernandis was appointed the Police Superintendent of Criminal Investigation Department of Kolhapur. His powers were equal to the powers exercised by Raosaheb Chief Police of Ilakha Karveer.

In the next month that is in October, 1909, the powers were elaborated. The C.I.D. of Kolhapur was given the powers to investigate offences to file suits and all other powers enjoyed by the police according to the criminal procedure code. In December, the official designation of Fernandis was made the Superintendent of Investigation Department of Kolhapur State.

by an order from District Magistrate it was declared that the persons holding pistols under licences should forward their weapons to D.C. Fernandis and take receipt from him. 46 D.C. Fernandis, Superintendent of Criminal Investigation Department served Kolhapur State faithfully. 47 He was, therefore, given an increment of rupees fifty from 1st February, 1910. 48 The work of the criminal investigation department increased 49 and department was asked to investigate different important cases. 50 It was, therefore, decided to increase the force and powers of the Department. 51

The force of the C.I.D., Kolhapur increased by this order can be known from the table given below:

Table No. 8

Sr.	Designation	Stre- ngth	Monthly Salary	Monthly Allow- ances	Total monthly expenditure
	Za in			. === == == == ==	
1.	Foujdar	1	30	10	40
2.	Jamadar Class I	1	20	-	20
3.	Jamadar Class II	2	15		30
4.	Havaldar	1	14	- .	14
5.	Havaldar	2	13	-	2 6
6.	Naik Class I	2	12	-	24
7.	Naik Class II	2	10	-	20
8.	Sepoy Class I	10	9	-	90
9.	Sepoy Class II	14	8	-	112
10.	Sepoy Class III	15	7	-	105
-	Total	50	138	10	481
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The allowance of the staff in the department was abolished because of the increase in salary. 53 The staff was, however, given daily allowance while on duty in the rates as given below: 54

Chart No. 5

Sr.	Rank of the employee	In the State	Out of State
1.	From Jamadar to Naik	3 (Anas)	§ 5 (Anas)
2.	Sepoy	6 2 (Anas)	ნვ (Anas)

The powers of the Superintendent of the C.I.D. were extended, ⁵⁵ and the additional powers of the Superintendent were as follows:

- A Superintendent could transfer the powers of the Foujdar to any Jamadar.
- 2) He had right to fine the members of the staff for any failure in the duty.
- 3) The Superintendent could ask for additional police force for a certain period from the Raosaheb, the Chief Police. 58
- 4) The C.I.D. could investigate violent and distructive movements in Kolhapur State proper. 59
- D.C. Fernandis and his staff helped Mr. Wallianger,
 Police Superintendent on special duty appointed by Bombay
 Government to investigate into the attempted murder of Colonel
 Ferris, 60 the Ex. Political Agent of Kolhapur State. The weapons
 like revolvers and pistols and the case of the bomb were found in
 the territory of the Kurundwad Junior. 61 D.C. Fernandis and his

manner. The Bombay Government, therefore, presented medals and cash to eight different members of the C.I.D. D.C. Fernandis was presented with a Sword of Honour. 64

In 1914, the two distinct police departments - District Police and C.I.D. - were united into one police force with a common list. The office of the Superintendent of C.I.D. was abolished. D.C. Fernandis the Superintendent of C.I.D. was appointed Chief Police Officer with an increment of Rupees fifty in his monthly salary. 67

POLICE PATIL:

autonomy in judicial matters. This autonomy was destroyed in British period. The British Government, however, continued some of the judicial rights of the Patil. The British Government by an act 1867, created the post of Police Patil in villages, as the hereditary Watandar. The Act was implemented in the Bombay Presidency from 12th December, 1867 and in Kolhapur State by about 1891-92. The Police Patil was legally distinct from Gao-Kamgar Patil, though both the posts could be held by one and same person. The duties of the Gao-Kamgar Patil were in relation to land-revenue matters and those of the Police Patil were by and large judicial in nature. To

DUTIES OF THE POLICE PATIL :

The Police Patil was an important authority in village. The main duty of Police Patil was maintain law and order in the village. 71 The Ramgounda Allgonda Patil, the Police Patil of village Tamdalge, in Peta Hatkanangale, skillfully maintained law and order on May 16, 1919, in the village. He was, therefore, honoured by the Government and given additional rights. 72 The Yadgonda Deogonda Patil, the Police Patil of village Hupari in Peta Hatkanangale worked satisfactory and therefore, Shahu Chhatrapati had gave additional rights to him in April, 1919 according to the Police Act. 73 There were some times cases of deaths under suspicious conditions in a village. It was the duty of the Police Patil to send the dead-bodies in such cases, for postmortem, to the surgeons authorised by the Kolhapur Government. 74 The Police Patil also to make the Panchanama when a murder, thefts or decoity and other violent act occured in the village. 75 The Police Patil also helped the Karkuns and the Bailiffs of in the judicial departments in serving summons and warrants. 76

In the mountainous area of the Kolhapur State the boars in the jungle used to destory the standing crops of the cultivators. It was, therefore, ordered in 1918, that the Patils of the villages should hunt such boars with the help of cultivators. 77

The Kolhapur Government supplied the necessary weapons to the Police Patils to hunt the boars. In order to control the misuse of the weapons, restrictions were put on the use of weapons by the Police Patils. 78

The Police Patil was given the police duties of investigating crimes in the villages. The Police Patil was also authorised to trace the missing persons, ⁷⁹ and the political offenders. ⁸⁰

The Police Patil was to maintain the record of life and death in the village. It was expected that the Police Patil should carefully maintain the record of life and death in the village on a thick paper and preserved the record properly. 81

In year, 1917 the 'Compulsory Primary Education Act' was passed in Kolhapur State. 82 It was the duty of the parents to send children to the school. If the students was found to be absent for a long period, the Police Patil of village could upon the report of Head-Master, find the parents. 83

CONTROL OF THE POLICE PATIL:

powers. There was, therefore, likelihood of the misuse the powers by the Police Patils. The Police Patil of Kasba Wadgaon in Peta Alte was guilty of audacious and violent behaviour. He was, therefore, dismissed from his services. R.R. Shirgaonkar Sarsubhe of Kolhapur gave warning, by his order of August 13.

1914, that the Police Patil and Kulkarni guilty of misbehaviour and aggressive acts would be deported to the other villages for a period laid down by Mamlatdar. The deported Patil was ordered to give Hajeri with the Police Patil of the village, where he was deported. When it was found that the Police Patil of Mouje Kerle of Peta Karveer was found to be guilty of misbehaviour, he was, therefore, removed from the post by an order of December 7, 1913. The Bhag-Karkun also controlled the Police Patil. The Dafter of the Police Patil was to be checked by the Bhag-Karkun.

EXTRA POLICE FORCE :

shahu Chhatrapati as a ruler wanted to maintain peace and order in his State. However, when the number of offences, thefts and dacoities increased in a village he sanctioned extra Police Force or established what was could as Punitive Force Posts in the villages.

Due to misbehaviour of the people of mouje Nandani Shahu Chhatrapati sanctioned extra police force for one year. Shahu Chhatrapati by an order of 1894, made it clear that the expenditure of the extra police force would not be borne by the Government, but by the people of Nandani, according to the Bombay Act 7, Article 16, of 1867. The following table shows the actual strength and cost of the extra police force, which was appointed at Nandani in 1894:

Table No.9

Sr. No.	Designation	Strength	Salary	Total yearly expenditure
1.	Naik	1	10	120
2.	Sepoy	6	7	504
3.	press	-	-	197
4.	Pension Fund		-	78-2 Anas
	Total:	7 	52	899-2 A nas

In the next year i.e. in 1895, Shahu Chhatrapati again sanctioned the extra police force, because the Berads committed many offences in Basapur Prant. Shahu, therefore, ordered the establishment a punitive at Basapur, for one year and its expenditure was levied on the villagers of the same Prant. Shahu, therefore, ordered the establishment a punitive at Basapur, for one year and its expenditure was levied on the villagers of the same Prant. Shahu, therefore, ordered the establishment a punitive at Basapur, for one year and its expenditure was levied on the villagers of the same Prant. Shahu, therefore, ordered the establishment a punitive at Basapur, for one year and its expenditure was levied on the villagers of the same Prant. Shahu, therefore, ordered the establishment a punitive at Basapur, for one year and its expenditure was levied on the villagers of the same Prant. Shahu, therefore, ordered the establishment a punitive at Basapur, for one year and its expenditure was levied on the villagers of the same Prant. Shahu, therefore, ordered the establishment a punitive at Basapur, for one year and its expenditure was levied on the villagers of the same Prant.

Table No. 10

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Sr. No.	Designation	Stren- gth	Monthly salary	ances	Monthly expendi- ture	Yearly expen- diture
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1.	Foujdar	1	3 0	10	4 0	480
2.	Havaldar	1	12	-	12	144
3.	Naik	1	10	-	10	120
4.	Sepoy	4	8	-	32	384
5.	Sepoy	5	7	-	35	420
6.	Sepoy	8	,6	-	48	576
7.	Dress	- 、	-	-	-	647-4-3
8.	Pension Fund	-	-	-	-	492-12
	Total :	20	167	10	177	3464-0-3

PROVISION OF PRIVATE NIGHT WATCHMAN:

The epidemic of Plauge which repeately occured in Kolhapur State by the beginning of the 20th Century, created problems of providing protection to the personal private property. The people in the fear of the plauge epidemic left Kolhapur and stayed at nearby villages with the bare necessities. The private property in Kolhapur was left unattended. During this emergency the people appointed their own watchmen. In order to control such private watchmen R.V. Sabnis, the Diwan and Plauge Commissioner of Kolhapur State ordered that such private watchman must carry with themselves identity passes issued by the Government. 93

SOME CASES INVESTIGATED BY THE POLICE DEPARTMENT:

There are a few references about some of the cases that the Police Department normally investigated. These cases, belonging to the period from year 1891 to 1896 are about the missing persons, thefts, dacoities and tracing the dead bodies found in the Kolhapur State. In the year 1891 a girl of 6 year age disappeared from the Munavali a place in Belgaum District. 94 The District Police Superintendent of Belgaum gave the description of the girl and ordered the Police Patil of Kolhapur to investigate and to trace girl in Kolhapur. 95

THE POISON CASE :

One Mr. James, a member of Council paid visit to Kolhapur on 5th August, 1899. A dinner was arranged in his honour in the Hall of New Palace. During this dinner the so called attempt on the life of Colonel Wray, the Political Agent of Kolhapur, was made. Colonel Wray had received some anonymous letters informing about the plot to kill him. Colonel Wray and his wife, therefore, made security arrangement during the dinner. After the dinner was served Colonel Wray sent the eatables to the Chemical Analyser. In the loaves of bread served to Colonel Wray during the dinner, sand and glass were traced by the Chemical Analyser.

This was the famous poison case during the reign of Shahu, which gave Shahu through understanding of the circumstances

in which he had to function, as the ruler of Kolhapur. The case was exploited by Colonel Wray, the Political Agent and some of the apponents of Shahu Chhatrapati to create difficulties for the new and young ruler of Kolhapur, so that they could fish in the troubled water.

Shahu Chhatrapati, however, took the view that a competent police officer like Mr. Brewin from the Bombay Presidency and a British Judge should investigate and decide the case. 101 He steadfastly opposed the attempt made by Colonel Wray to suppress the case for two important reasons. One reason was that the Political Agent in future would try to blackmail Chhatrapati Shahu and atmosphere of suspicion would prevail. 102 The second reason was that Shahu Chhatrapati believed that proper investigation which would go to the bottom of the case was necessary in the cause of justice. 103 Shahu, therefore, persisted in his demand for an open and thorough examination by Competent British Officers and the appointment of British Judge to hold the trial of the accused person. 104

In order to facilitate proper inquiry, Kirtikar, one of the officials of the Kolhapur State was asked to proved on leave for six month. Inspite of the provocative activities of Colonel Wray Shahu calmly faced the situation, even when people were suffering from plauge.

The case ultimately closed when the British Officials
like Nugent and Brewin made their reports, "that there really
was no bonafide plot to murder or injure Col. Wray, but that the

whole affair was conspiracy to ruin Fernandez and secure his removal from Kolhapur. 106 "He (Brewin) also believes that the Butler Phillip (Of Colonel Wray) was the prime mover in the conspiracy but greatly doubts whether any evidence to prove this will be forthcoming. 107 The case is an excellent example, which throws light on the repressive British system under which the Indian rulers like Shahu Chhatrapati had to function and of the statute which Shahu adopted towards law and justice right from the beginning of his carrier as the ruler of Kolhapur State.

B) JAIL ADMINISTRATION IN KOLHAPUR STATE:

The jail administration forms an important part of the judicial administration, as the jails are closely connected with the working of the judicial courts. It would be, therefore, necessary to understand the details of the jail administration and the functioning of jails in Kolhapur State.

Jail Administration in Kolhapur State:

The number of jails in Kolhapur State went on increasing in the period under our study. In the year 1893-94 there were seventeen jails and lock-ups, including the Central Jail at Kolhapur proper. The number increase upto twenty-one by the year 1911, 109 and during the year 1922-23 (the last year of the reign of the Shahu Chhatrapati) there were nineteen jails and lock-ups. 110

Central Jail :

The Central Jail was established in the year 1847.

111

Central Jail situated at Kolhapur, only the long-termed prisoners were kept under the confinment. The long termed was usually the period of prison tenure which was more than one month.

Usually the prisoners confine upto one month imprisonment were kept in the sub-ordinate jails. In the Malkapur and Ichalkaranji Jagirs the long-termed prisoners were also kepts. 114

The building of the Central Jail was substantial, spacious and surrounded by four walls, twenty-two feet in height. The building was constructed in the year 1847-48. The building of the Central Jail was divided into wards, in which the prisoners were kept under close control. In the construction of the building care was taken to make it difficult for the prisoners to run away from the Central Jail. The cells within the wards were capable of accommodating one hundred fifty eight prisoners. 117

Sub-ordinate Jails:

There were sub-ordinate jails in the taluka places of Kolhapur State and in the head-quarters of the Jahagirs. 118

The sub-ordinate jails located at Karveer, Panhala, Alte,
Shirol, Gadhinglaj, Bhudargad, Raibag, Katkol, Chanwad,
Radhanagari, Malkapur, Mahagaon, Bawada, Kagal (Sr.), Kapashi,
Ichalkaranji, Ajra, Kagal (Jr.), Himat Bahadur lock-up and
Surlashkar Bahadur's lock-up. 119

The total expenditure on the Kolhapur Central Jail, subordinate jails and lock-ups and on the prisoners was rupees 19,944/- in 1903-04. In the year 1922-23 the expenditure was Rs. 46,193/-. 121

Jail Officials:

The Diwan of the Kolhapur State was the Chief Jail authority. 122 Immediately below the Diwan there was the Jail Superintendent was also known as Jailor. The Jail Superintendent or Jailor at a salary of rupees sixty per month. 123 The Jail superintendent could be transferred to the other Government department and his place any other government officer could be appointed as the Jail Superintendent on the monthly salary of rupees fifty. 124 It, therefore, seems that the Jail Superintenden was a trained official as was case in British India.

The jail police, distincts from other police in Kolhapur State and peons worked under the authority of jail Superintendent. There were also the post of Jail Wardens and other jail servants who were appointed from among the convicts.

Reforms in the Jail Administration:

During the period of our study only two important reforms were made in the establishment of Central Jail in the year 1892-93.

The police peons were recruited from the regular police force prior to 1892. After the year 1892-93 a separate jail establishment of wardens and Peons was established to guard the prisoners. The tenure of the prisoners was reduced for good behaviour in the prison in British India. This practice was adopted in the prison administration in Kolhapur, in 1892-93 under the Mark and Remission System. 128

It seems that the Kolhapur Darbar Surgeon was expected to keep a watch on the prison administration in Kolhapur State. There is for example report of the Kolhapur Darbar surgeon for the year 1897-98, in which he says, "The exemplary conduct of the Wardens, Peons and members of the jail establishment has again been fully maintained during the year 1897-98." 129

Facilities provided to prisoners in Kolhapur State:

The prisoners were given facilities regarding food, medicines, education and vocational training.

regulated and mentioned in the Gazette of the Kolhapur State. The food of the prisoners usually consisted of rice, dal, gogery, vegitables, potato, onions, milk and meat. The annual expenditure per prisoner was about forty rupees in the year 1893-94. An amount of more than two rupees was spent on clothing of the prisoners. 132

There was separate Jail Hospital attached to the Central Jail. The prison hospital was consisted of two well ventilated wards, a small office, a dispensary, kitchen and a latrine. The sick prisoners were admitted in the prison hospital. For example, during the year 1893-94 forty six prisoners were admitted in the prison hospital. The prisoners were admitted in the prison hospital. The prisoners died in the prisons due to different deceases and old-age. In the year 1916-17 there was not a single death due to plague, because all the prisoners were inoculated. Senerally light indoor work was taken from old and unfit prisoners. Similarly from the female prisoners work suitable to women was taken.

were taught various useful handicrafts like weaving carpets, coarse cloth and mats. They were also taught cane-work. The articles like carpets, woollen blankets etc. which was manufactured by the prisoners was sold to the general public. This vocational training not only kept the prisoners engaged in the tedious prisons but also provided them with necessary training which could be useful them after the end of their prison tenure.

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