
Customary Law of the Muzaffargarh District

Kaul Hari Kishan

Title: Customary Law of the Muzaffargarh District

Author: Kaul Hari Kishan

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CUSTOMARY LAW
OF THE
MUZAFFARGARH DISTRICT

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BY
PANDIT HARI KISHAN, KAUL,
Settlement Collector, Muzaffargarh.

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PREFACE.

This Code of tribal custom has been prepared in accordance with paragraph 565 of Douie's Settlement Manual. A record of tribal custom was printed at last Settlement for each tahsil under the orders of the Settlement Officer (Mr. O'Brien) but no abstract thereof was prepared in English. The *Rivaj-i-am* has been re-attested, but instead of collecting information by tahsils I summoned the headmen and other leading members of each important tribe at one time, put the questions suggested in Sir Lewis Tupper's Punjab Customary Law, Volume III, to them, and recorded their answers in vernacular. The dates on which the customs of each tribe were attested, the number of men who attended each attestation, and the percentage of the members of each tribe to the total population, are noted in the table below :—

1	2	3	4	5	6
No.	Name of Tribes.	Number of the tribe in the district.	Percentage of the total population.	Date of attestation of tribal custom.	Number of the representative present.
1	Jat	1,69,110	41	10th and 11th July 1902.	159
2	Biloch	76,586	19	22nd and 23rd July 1902.	57
3	Sayyad	7,567	2	Do :	24
4	Pathan	4,019	1	26th April 1902, and 9th and 10th July 1902.	10
5	Kureshi	3,054	1	22nd and 23rd July 1902.	9
6	Hindu	55,446	14	25th and 26th July 1902.	75
	Total ...	3,15,782	78

I was present at every one of the meetings, and the greater part of the work was done by me personally in presence of the Extra Assistant Settlement Officer and the Tahsildars. When, however, I had to attend to other work, my Extra Assistant, Sheikh Muhammad Munir, did the attestation during my absence. The questions now put differed considerably from those answered at last settlement, but

wherever anything in the old *Rivaj-i-am* corresponded to any of the present questions, it was read out to the people, in order to help them in discussing the questions. A number of cases were cited by people in support of customs. These were noted down. The cases noted in the old *Rivaj-i-am* were always read out and were entered again in the proper places, unless it appeared that they were not correctly quoted. In preparing this Code, I have taken Mr. Wilson's Code of tribal customs in the Shahpur District as my model, and I began my attestations by reading out each question and then the answer given to that question by the Awáns of Shahpur. This greatly helped the people in grasping the meanings of the questions. Instead, however, of drawing up the vernacular code in so many parts, I have followed the arrangement adopted here at last settlement of recording a question in one column and noting the answers given by each tribe against it in separate columns. This has saved some copying. The Musalmans are mostly agriculturists, but the Hindús include Brahmans, Khatris, Arorás and Labánás, only a few of whom really live on land. The majority of them, *viz.*, the Arorás (Kirárs) are shopkeepers or money-lenders. The customs of the landowning as well as the trading classes have therefore been included in this Code. This book is an abstract of the customs which have been recorded in the vernacular *Rivaj-i-am*. I have tried to put together the answers of all the tribes to each question.

These answers were based generally upon facts, but in many cases no instances could be quoted, and there, the answers represent the opinions of men who are in the best position to judge what the customs should be. This Code may be taken as an authoritative statement of the customs of the various tribes in this district.

In the introduction to the book I have noted down the more important facts relating to, and some of the principles underlying the main customs.

HARI KISHAN KAUL,

Settlement Collector,

Muzaffargarh.

Dated 9th April 1903.

CODE OF TRIBAL CUSTOM IN THE MUZAFFARGARH DISTRICT.

INTRODUCTION.

1. This is principally a Musalmán District, of a total population of over 400,000 souls, over 350,000, or 86 per cent., being Musalmáns. The Musalmáns all follow the Muhammadan religion. The non-Musalmáns are, with the exception of a few Native Christians, all Hindús, including Sikhs. The only Sikhs to be found in the District are Labánás who live mainly by rope-making but have also taken up agriculture as tenants. The sweeper class professing the Muhammadan religion are known as Kutánás. The non-Muslim sweepers, called Chuhrás, have a religion of their own.

2. Caste as a religious institution does not exist among the Musalmáns, all followers of the prophet being treated as equal from a religious point of view. The word *zát*, which is the equivalent of caste, is, however, used to denote the clan; and within a clan strong social feelings and prejudices are known to exist. The institution of caste prevails among the Hindús. The Brahmans, the Khatris and the Arorás exist as separate castes. There are no Sudras to be found. The restrictions of caste are, however, much less stringent here than in the central or eastern Districts of the Punjab.

3. With the exception of menials who are known by their respective professions and fresh converts to the Muhammadan religion who are known as Sheikh, the Musalmán population is divided into distinct bodies known as tribes (*kóm*), each supposed to be descended through males, from a common ancestor. The main tribes of the District are Jats, Biloches, Patháns, Sayyads and Kureshis. Although intermarriage between the tribes is considered legal, yet marriages are generally confined within a tribe, and when an intermarriage takes place, the woman severs her connection with her tribe, so that the integrity of her husband's tribe is not affected. Among the Hindús the caste is in vulgar parlance called the *kóm* or tribe. For instance, a Hindu will state his *kóm* to be Arora or Khatri in the same way as a Musalmán will profess to belong to the Jat or Biloch *kóm*.

4. There are subdivisions within each tribe known as *zát*. A Jat may be Hinjra, Angra, Khar or the like. He will call himself a Jat, Hinjra, Angra or Khar by *zát*. These are only narrower groups of agnates descended through