

HARYANA OLD DOCUMENTS

**REPRINT OF
CUSTOMARY LAW OF SIRSA DISTRICT, 1882**



**GAZETTEERS ORGANISATION
REVENUE DEPARTMENT
HARYANA
CHANDIGARH (INDIA)**

2001

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PREFACE TO REPRINTED EDITION

The Manual of the Customary Law is a laconic brochure depicting the important aspects and features of the society consisting of the castes such as Jats (Bagri), Jats (Sikh), Chamar, Kumhar, Balmiki, Banya (Vaish), Khati, Rora, Brahman, Bawarya, Heri, Rajput and Jat Musalman, Rain, Bodla, Chishti and Lohar. The communities were following variegated avocations. The Customary Law Manual during pre-independent Haryana was a reliable and deciding document. Many decisions taken in those days by the society and other Government Agencies were based on such Customary Laws. The Manual throws light on family and tribal connections; betrothal, marriage, divorce; guardianship and minority; general rules of inheritance, adoption, bastardy; wills and legacies, special properties of females, etc.

The Manual of Customary Law of Sirsa District of 1882 was drawn up by J. Wilson, Settlement Officer of Sirsa district. He gathered the material from the representatives of various castes, who assembled before him. This document was compiled under the aegis of the then Punjab Government. It was printed by the Superintendent of Government Printing Press, Lahore in 1883.

The Manuals of Customary Law of the State published in the British regime contained very valuable information. These brochures have gone out of stock and are not easily available. There is a demand for these volumes by research scholars and educationists. As such, the scheme of reprinting of old documents was taken up by the Gazetteers Organisation of Haryana.

The Volume is the reprinted edition of the Customary Law of Sirsa District, 1882. This is the 21st in the series of reprinted old documents of Haryana. Every care has been taken in maintaining the complete originality of the Manual while reprinting. I extend my appreciation to Sh. A.K. Jain, Editor, Gazetteers and Sh. R.B. Bajaj, Assistant, who have handled the work with efficiency and care in the reprinting of this volume.

I am very thankful to the Controller, Printing and Stationery, Haryana and his staff in the press for expeditiously completing the work of reprinting.

Jeet Ram Ranga

Joint State Editor (Gazetteers)

August, 2001

GENERAL CODE

OF

TRIBAL CUSTOM IN THE SIRSA DISTRICT

OF

THE PANJÁB.

DRAWN UP BY

J. WILSON,

SETTLEMENT OFFICER.

1882.



CALCUTTA:

PRINTED BY THE SUPERINTENDENT OF GOVERNMENT PRINTING, INDIA.

1883.

Prefatory Memorandum by the late Editor of "Panjab Customary Law."

IN the Preface to the second volume of *Panjab Customary Law*, it was suggested that as the Settlement Department from time to time prepares accounts of popular customs, these should be published in continuation of the series of epitomes of local and tribal custom which that volume includes.

The Lieutenant-Governor has approved of this suggestion, and the present Code of Tribal Custom in the Sirsa District, drawn up by the Settlement Officer, Mr. Wilson, is now published accordingly.

For various reasons I am compelled to relinquish the task of editing the statements of custom and other reports which will be brought out as materials accumulate.

The duties of Editor of *Panjab Customary Law* have, by the desire of the Lieutenant-Governor, been undertaken by Mr. Wilson, who is solely responsible for the present volume.

7th October 1883.

C. L. TUPPER.

PREFACE.

THE following General Code of Tribal Custom combines the results of several separate enquiries. The leading men of each of the sixteen tribes whose customs are here recorded were summoned together at different times between April 1881 and September 1882, and the questions on tribal custom contained in the third volume of Mr. Tupper's "Pan-jáb Customary Law" were put to them as simply as possible and their answers carefully recorded, with any instances given by them or gathered from the revenue records. In the case of the large land-owning tribes, I called together the village headmen, the hereditary representatives of the people, who are, as a rule, the most intelligent and influential men of the tribe. The commercial and inferior tribes have no such recognised representatives, and in their case I simply summoned together from all parts of the district those men who were generally considered to be the leading members of the tribe. In the words of the Evidence Act, I ascertained and recorded for each tribe "the opinions of persons having special means of knowledge" as to its usages; and I believe that the tribesmen generally throughout the district would be ready to admit that their customs were correctly stated by the representatives of the tribe assembled before me.

The following statement shows the dates on which the customs of each tribe were attested, the numbers of represen-

tatives present, and the proportion the tribe bears to the total population of the district :—

No.	TRIBE.	Religion of majority.	Ordinary occupation.	Number of the Tribe in the District.	Percentage of the total population.	Date of attestation of tribal custom.	Number of representatives present.
1882.							
1	Ját Bágri	Hindú	Agriculture	38,320	15	29th to 31st May	112
2	Jat Sikh	Sikh	Ditto	21,855	9	19th to 21st June	127
3	Chamár	Hindú	Leather-working.	18,022	7	22nd September	40
4	Kumbár	Ditto	Agriculture and pottery.	18,112	8	18th & 19th Sept.	42
5	Chúhra.	Ditto	Sweepers	16,051	6	22nd September	29
6	Banya	Ditto	Shop-keeping	10,213	4	20th to 23rd Sept.	48
7	Kbáti	Ditto	Workers in wood.	6,922	3	18th & 19th "	21
8	Rora	Ditto	Shop-keeping	5,554	2	20th to 23rd "	21
9	Bráhmañ	Ditto	Religious ceremonies.	5,389	2	20th to 23rd "	29
10	Báwariya	Ditto	Agriculture and hunting.	3,335	1	23rd September	35
11	Heri	Ditto	Agricultural labour.	3,368	1	23rd "	24
12	Rájput and Jat Musalmán.	Musalmán	Agriculture	45,717	18	21st & 22nd August	135
1881.							
13	Ráin	Ditto	Ditto	4,742	2	17th to 21st June	23
14	Bodla	Ditto	Ditto	749	...	6th to 9th April	19
15	Chishti	Ditto	Ditto	about 500	...	6th to 9th "	6
1882.							
16	Lohár	Ditto	Workers in iron	1,642	...	18th & 19th Sept.	15
TOTAL				198,742	78		726

The Code thus gives a statement of the customs of 78 per cent. of the population of the district as attested by 726 representatives of the most numerous tribes; and as the general character of the customs of all these sixteen tribes (who comprise both those at the top and those at the bottom of the social scale,) is much the same, it may be taken for certain that the customs of the remaining 22 per cent. of the popula-

tion are very similar, and the following Code may be accepted as generally applicable to the whole population of the Sirsa District.

The customs of three of the tribes, *viz.*, Banya, Rora, and Bráhmaṇ, were attested before Munshi Gobind Sahai, Extra Assistant Settlement Officer, a man of judgment and experience, and the record made in vernacular by him was afterwards translated by me. I myself attested the customs of all the remaining tribes in the following manner. I explained each question to the assembled representatives of the tribe, and encouraged them to discuss the subject among themselves, recording in English at the time anything of interest that came up during the discussion. I asked for instances on all doubtful points, and consulted the village pedigree-tables in order to stimulate the memories of the headmen regarding cases that had actually occurred among them, and recorded any instances that came to light. I endeavoured to distinguish between statements as to the custom actually existing and mere opinions of the tribesmen as to what the custom ought to be. The opinions I recorded in a note, and the statement of actual custom I drew up in the form of an answer, which I read out and explained to the tribesmen, who agreed that it was an accurate statement of their custom. From this English record I afterwards drew up in English a Code of Tribal Custom for each tribe separately, with several hundreds of instances attested before me by the tribal representatives; and from those separate Codes I have compiled the following General Code for all the tribes, showing where their customs agree and where they differ, and

adding notes to explain the answers and to call attention to other matters of interest. The separate Code for each tribe (not printed) will show the custom as stated by the representatives of the tribe, and the instances there given will guide the Courts before whom any custom may be disputed to the means of proving it; while this General Code will show that the customs of all the tribes agree on most points of importance, and will thus add weight to the statement of custom of any particular tribe. I claim for the Code thus compiled after careful enquiry from the people themselves, the character of an authoritative statement of the customs of the various tribes of the Sirsa District.

I give, by way of introduction, an account of the origin, traditions, pursuits, and character of each tribe, and a summary of the most prevalent tribal customs.

J. WILSON,
Settlement Officer.

28th October 1882.

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