

Judicial System in Kashmir during the Mughal Period: A Critical Analysis

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ABSTRACT

Kashmirⁱ has a long history of around 5000 Years and was a princely state till 1947 when its larger part was forcibly occupied by India. The Mughal dynasty ruled the Indo Pakistan subcontinent from 1526 to 1558 and made great judicial and administrative reforms. During this period, Mughals also took over the state of Kashmir in 1586 in the era of Akbar and brought Kashmir under its administration. Like the rest of the sub-continent, Mughals also introduced significant administrative and judicial reforms in Kashmir. This paper will critically analyze the judicial system applicable in Kashmir during the rule of Mughals. This paper will also critically and objectively examine the differences between the judicial system in Kashmir and judicial system in the subcontinent during the period of the Mughals.ⁱⁱ Moreover, this paper also aims at highlighting and critically analyzing the flaws in the judicial system of Kashmir during Mughals. Mughals ruled the Kashmir for a long time and have made great impact on the legal system of Kashmir. This research has great significance and importance and it will of great value for all the researchers, intellectuals and academicians interested to carry out objective research on the judicial system in Kashmir during the Mughal period.

INTRODUCTION

The first Muslim ruler who ruled the state of Kashmir was Sultan Sadar –ud- din and his period of rule was from 1320 - 1323). Before the rule of Sadar - ud -Din, the region of Kashmir was ruled by various Hindu dynasties with almost 5000 years known history of this region. Different Muslim dynasties ruled the Kashmir till the invasion of the Mughals in 1586. The first dynasty of rulers was Sulateens who ruled the Kashmir from 1339 to 1555, second dynasty was the Chak rulers who effectively ruled the Kashmir from 1555 to 1586, then came Mughals in 1586 and continued to rule Kashmir till 1752, then came Afghans (1752 – 1819), Sikhs (1819 – 1846) and Dogras (1846 – 1947).ⁱⁱⁱ

The judicial system of Kashmir can be traced back to the ancient Kings of the Kashmir who used to be considered as the Fountain of the Justice during their respective periods and dynasties. During the Hindu period of the Kings, all the Kings were independent in their decisions and dispensation of justice. But, the practice of Muslim rulers during the Sulateens, Chaks, Mughals and Afghans was quite different.^{iv}

The first ruler, Sultan Shamsud Din appointed an officer named as “Sheikh ul Islam” with the responsibilities to do the administration of justice. Then, after some period, the offices of Qazis and Mir Adil were also established with judicial responsibilities. Before the arrival of the Mughals

in Kashmir, the Chaks ruled the Kashmir and they abolished the office of “Sheikh- ul -Islam” and reorganized the office of “Qazi” as “Qazi ul Quzat” or Chief Justice. When Mughals came to Kashmir, they also introduced some reforms in Kashmir. The Mughals established a very efficient and robust system of administration of Justice in Kashmir and appointed Qazi ul Quzat as the chief of the administration of Justice. Then the Mughals also appointed Qazis at the provincial and town levels. The Mughals Kings themselves were very much interested in the administration of justice and were used to decide cases by themselves on every Wednesday particularly Akbar, Humayun and Aurangzaib. The judicial system of Kashmir during the Mughals was very much similar with the judicial system of the India under the aegis of the Mughals.^v

Brief Account of Ancient History of Kashmir

According to Kalhana’s Rajatarangini and Nilamatpurana, the valley of Kashmir was once a big lake called as Satisar, the lake of Sati (Hindu goddess Durga).^{vi} In Hindu mythology, Kashmir has a significant place and Hindu rulers and culture made a great impact on the history of Kashmir before the Muslim dynasties of Kashmir.^{vii} During the period of Korkotas, Kashmir created its own indigenous humanistic philosophy with the name of “Shaivism”. Famous Hindu King Lalitaditya (699 – 736 CE) was very tolerant towards other religions and he built many monasteries and stupas of Buddhism in Kashmir. Ashoka conquered Kashmir in about 250 BCE and he established Buddhism in Kashmir.^{viii}

Islamic culture came to Kashmir culturally in the thirteenth century. It is largely believed that Ranchan Shah (1325 – 27) embraced Islam in Kashmir and adopted the title of Sultan Sadar ud Din and became the first Muslim ruler of the Kashmir. The arrivals of Sufis and sayeds from the central Asia also encouraged and motivated local Hindu people to become Muslims. One of the prominent Sayyeds was Mir Syed Ali Hamdani who came from Hamdan and played a pivotal role in mass conversions of the people in Kashmir. After the Sultan Sadar ud Din, the dynasties of Sulateens, Chaks, Mughals, Afghans, Sikhs and Dogras ruled Kashmir till 1947. At the time of the arrival of Mughals, the Kashmir was ruled by Chaks. The chaks were the last local rulers of the Kashmir and after chaks, Mughals, Afghans and Sikhs were the foreign rulers who invaded and ruled Kashmir. Kashmir was annexed to the Mughal Empire in 1586. Though for some time it remained a part of the province of Kabul, Kashmir assumed under Jahangir the status of a full-fledged province (Suba).^{ix}

How Mughals came to Kashmir

Due to the beauty and strategic significance of the Kashmir, the Mughals were interested and planning to capture Kashmir right from the rule of Babar and even Babar himself tried to annex Kashmir with his sultanate but failed in his maiden attempt to capture and subjugate Kashmir.^x After Babar, his son Kamran, attacked and conquered Kashmir in 1531 A.D but due to the local resistance, backlash of Chaks and small army, he could not retain his rule for more than two months period.

Due to the local strife and law order situation during the Nazuk Shah, ruler of Sultanate period, the local nobles invited Humayun in 1540 to come and conquer the land of Kashmir.^{xi} Humayun authorized his relative Mirza Haider Dughlat who marched towards Kashmir and easily defeated Nazuk Shah. Mirza held the reigns of Kashmir till 1552 and his rule ended with his death in 1552.

After that, Chaks became the rulers in Kashmir. Since, Chaks were from Shia sect and majority of the Kashmiris were from Sunni sect, that is why, there were so many conspiracies against the ruling Chaks. Out of these conspiracies and ill will against the ruling Chaks, the nobles of Kashmir specially invited Humayun in 1556 to come and conquer the territory of Kashmir. Humayun could not invade Kashmir due to his commitment in Sultanate. In 1556 Akbar the great succeeded Humayun as the ruler of India, who after the consolidation of his rule began to interfere with the affairs of Kashmir. Accordingly in 1560 he deputed Qarabahadur to annex Kashmir as appealed by the Kashmiri nobles owing to internal strife, but changed his view later on. The Sultans of Kashmir were replaced in 1561 by Chak's rulers who were of Shia sect, while as the masses belong to Sunni faith.

1586 under Chak's rule witnessed a communal tension which disturbed peace and order in the territory for decades together. Consequently Sultan Ali Shah who ascended the throne in 1570 and introduced himself to his subjects publically in a mass gathering at Jamia Masjid Srinagar. Though he promised of fair administration yet the communal conflict continued, which forced his successors to beg for help to its neighbors. The situation provided the outsiders an opportunity to intervene. Consequently in 1573 Akbar sent two ambassadors, Mulla Ishaqi and Qazi Sadurr-uddin to the court of Sultan Ali Shah (1570-78). Though their object of visit was to negotiate a marriage between a Kashmiri princess and prince Saleem (Jahangir) yet they had come to assess the possibility of the Mughal conquest of Kashmir. Eventually, Mughals annexed Kashmir with Mughal Empire in 1586.^{xii}

So the main factors which paved the way for the arrival of Mughals in Kashmir, the first foreign rulers, were internal strife, bad law and order situation, communal strife, internal conspiracies, mistrust between the sitting rulers and the nobles, that is why they were going to Delhi, time and again to invite Mughals to conquer Kashmir, weak administrative control of the last rulers of Chaks, widespread poverty and bad economic conditions due to bad governance and mismanagement of the last rulers of Chak Dynasty and game of thrones.

Mughals in Kashmir

Finally, Mughals arrived and conquered Kashmir in 1586. Initially Kashmir was not given the status of Province during the reign of Akbar but was dealt under the province of Kabul. So during the time of its annexation with the province of Kabul, there was no separate Subehdaar of Kashmir and Kashmiris were directly controlled from the Kabul by the local Afghans at that time. That period was not a good period for the people of Kashmir especially the nobles of Srinagar who especially invited Mughals to conquer Kashmir and promote justice and better law and order situation in Kashmir.^{xiii}

Finally, Kashmir was given the status of Province (Suba) in the reign of Shah Jahan and a Subadaar used to be appointed to look after the Suba and to represent and protect the interests of King of Mughals in Kashmir as well as to dispense justice and took administrative control of all the parts of the Kashmir. Akbar, Jahangir, Shah Jahan and Aurnagzaib visited Kashmir many times and all the Mughals were very inspired from the beauty of the Kashmir. Mughals built many gardens and forts in Kashmir as well. Mughals also established relationships with local nobles through marriages.^{xiv} Before the arrival of Mughals in Kashmir, the Sultateens and Chaks were very strict and they imposed rigorous taxation system on the poor and under privileged Kashmiris.^{xv} Mughals decreased the taxes on the poor people of Kashmir and promoted justice in the valley through his

Subedar and other officers/offices especially appointed by Mughals to administer justice and law and order in Kashmir.^{xvi}

Jahangir established a Chain of Justice for all the masses in case of any injustice and biased act of the officials responsible for administration of justice. This Chain of Justice was a direct remedy to all the masses to get the remedy for their grievances. Jahangir also issued Ten Commandments through which he lifted many taxes and also decreased the rates of taxes in many fields and areas of life. Shah Jahan directed to his Subedar Zafar Khan to not get *Bigaar* (forced labor without compensation) for picking flowers rather to give compensation to those who pick flowers from the treasury of the Crown. Through these reforms and measures, Mughals promoted justice and wellbeing for the people of Kashmir.

Aurangzaib also introduced great reforms in Kashmir. Since, Islam was the leading religion of Kashmir even at that time and Kashmiris were happy on the Islamic reforms of Aurangzaib. Aurangzaib declared that his Kingship is a sacred trust of Almighty Allah and he is responsible to Allah for his all the acts and decisions as a King.^{xvii} Aurangzaib abolished all the non-Islamic and illogical customs prevailing at that time in Sultanate in general and in Kashmir particularly. He also appointed *Alam-e-Darohga* to control and punish people for wine, *Bhang* and other drugs. He issued order that if King has violated the Shari right of anyone that person can initiate a case in the court and he also appointed *Vakil Shari* everywhere in Sultanate and to carry out such cases in the courts. *Waqai Nagars* were especially appointed at *Subah* and *Sarkar* levels to write *roznamchay* to send to King which King used to read regularly.

There were especial Court of *Subahdar* in Kashmir headed by *Subadar* and all the other allied officer including *Mir Adil*, *Diwaan*, *Mir Bakshi* and *Sadar* were also there. The *darbaar* of *Subadar* used to hold according to royal schedule, and *Subadar* used to do administration of justice as per directions and principles laid down by the Mughal Kings and the principles of *Shariah*. *Saadaat Khan Bahadar*, *Subadar* of Kashmir also appointed *Naib Subadar* of Kashmir almost four times when he had to go somewhere or not present in Kashmir for proper administration of justice in his absence during the period of 1712 – 17.^{xviii}

The history of Mughals in Kashmir was mostly compiled and preserved by the historians of Mughals in Persian language.^{xix} The most authentic and reliable book on the history of Kashmir today is the *Raja Tarangini* of *Kalhana* and it was continued in the fifteenth century by four *Pandits* who brought their narratives one after the other down to the occupation of Kashmir by Mughals in 1586 A.D. This series is the last word on the history of Kashmir in *Sanskrit*. It was translated into English by *Mr. Jagdish Chandra Dutt* of *Calcutta* in 1898 AD.^{xx9}

But when Mughals came to Kashmir with their own historians whom the intelligent Kashmiris imitated. Thus we come across the following Kashmir historians who wrote their narratives in Persian: *Haider Malik* (1617 AD), *Pundit Narayan Kaul* (1712 to 1740 AD), *Mohd Azam*, *Pundit*

Birbal Kachroo (1835 AD) and *Hassan Malik* (1900 AD). All these works are in Persian and their manuscripts have not been translated in spite of their historical merit. This is one of the reasons that the detailed account of the history of Mughal period in Kashmir could not be obtained so far through those authentic and original sources and it is important to translate those Persian manuscripts of above mentioned writers to get more information and better narration of the history

of Mughals in Kashmir and details about their social, economic and judicial reforms. The Akbar signed a special pact with the Kashmiris with the provisions as follows:

- a) That the King shall not interfere with the religious affairs, the purchase and sale of goods and the rates of food grains and cereals.
- b) That the officers of the Government shall have no male or female Kashmiri as a slave.
- c) That the inhabitants of the Kashmir shall not be molested in any way.
- d) That the nobles of Kashmir having been a source of mischief in the past shall have no share in the administration of the country.^{xxi}

This pact also highlight the approach of Mughals and their compassionate measures towards the Kashmiris during their rule in Kashmir. The period of Mughals in Kashmir is considered a very positive and healthy period that promoted justice, art, wellbeing of the people and civilization of Kashmir.

Judicial System of Kashmir during Mughals

The Mughal Empire was divided into a number of Subah (Provinces). Kashmir was one of such Suba. Each Suba was governed through a Subadaar. The Subehdaar was the head of the provincial administration and was also responsible for the maintenance of the law and order. Subadaar was assisted by Diwan, in charge of the financial matters and Faujdaar.

As far as judicial system was concerned, Mughals constituted the same judicial system that was in practice in other subas of the Sultanate with Delhi as its capital.^{xxii} The principal officers of Kashmir Suba were four at that time like that of the capital and other subas as follows:

- a) Diwaan: He used to be called as the Chief Minister and he was responsible for revenue and finance.
- b) Mir Bakhshi: He performed the duties that had been the responsibilities of the Ariz - I – Mamalik during the early period and he used to look after the war office.
- c) Mir Saman: He was responsible for state Karkhanas, store ordnances and communications.
- d) Sadar or (Sadar – e – Jahan): He was the director of religious matters, charities and endowments.

Occasionally, a dignitary, superior to the minister was also appointed called as Vakil and Vakil functioned like the deputy of the Sultanate.

The judicial system of Mughals was very simple, being based on a different approach to many categories of the dispute. During the period of Mughals, the valley of Kashmir had a well settled system of administration which resulted in an efficient system of justice.^{xxiii} The unit of judicial administration was Qazi. Every provincial capital had a Qazi and even every large enough to be classified as Qasba has its own Qazi. The head of the judicial administration was the Supreme Qazi or the Qazi – ul – Quzat. However, the courts were not organized in a regular gradation from the highest to the lowest. During the Mughal period in Kashmir, following were the qualifications of the Qazis:

- a) The Qazi had to be Muslim Scholar of blameless life, and
- b) The Qazi had to be thoroughly with the sacred law.^{xxiv}

Qazi Muhammad Saleh was appointed as the first Qazi by Akbar. The King himself was considered as the fountain of justice and held his court every Wednesday and decided a few selected cases personally. The King primarily functioned as Court of Appeal. Normally, the decisions were made by Qazis, Muftis and Mir Adils. Muftis used to conduct research under Islamic law and Qazis used to conduct on the decisions already settled and Mir Adils used to write the decisions and pronounced it in open courts. Qazis used to hear the civil and criminal cases.

Like the rest of the Sultanate, in the Suba of Kashmir, the Mughal Emperor was also the highest forum of appeal. Mir Arz had to present the Appeals to the King. There used to seven Mir Arzs and there was no hard and fast hierarchy of courts under Mughal rule.^{xxv} At the level of the Suba of Kashmir, the Subedaar was the administrative head and also used to perform his judicial responsibilities at the level of suba with the assistance of Mir Adil and Diwan e Suba. Following important officers were also appointed to assist the Subedaar in the efficient performance of his duties and responsibilities: Diwan Bakhsi, Faujdaar, kautwal, Qazi Sadar, Aamal, Batakchi, Pootdaar or Khazandaar, Waqae Naweess, Qanungu and Patwari. The whole Suba was divided into Sarkar or Zillah and Pargana or Mahal. All the system of Suba was centralized in the capital of the Suba (Province) of Kashmir. Kautwal was the Police Officer and in few matters, he even enjoyed the powers of the Magistrate as well. Moreover, he was also responsible to maintain law and order in the city.

During the Mughal period in Kashmir, there was no written codified form of law and no highest court in the overall judicial hierarchy responsible for making the laws in the Sultanate.^{xxvi} Aurangzaib issued the Al Fatawa Al Alamgeria^{xxvii} related to the fatawas on different matters pertaining to fiqh to replace Fiq -e - Feroze Shahi.^{xxviii} There used to be three kinds of accused: Firstly, those who commit crimes against the Sultanate, secondly, those who commit crimes against the Allah and thirdly, those who commit crimes against Individuals. Similarly, the categories of punishments used to impose at that time were Hadd, Tazir, Qisas and Tasheer.^{xxix}

The salient features of the Judicial System during the Mughals' rule in Kashmir were as follows:

- i) It was very simple as compared to judicial system of the British India.
- ii) Normally, no lawyers were allowed to appear to present the complaints. There was the concept of Vakil – e- Sarkaar or Vakil -e -Shari but they had separate role and responsibilities in the administration of justice.
- iii) The disputes used to be settled speedily. So there was a speedy disposal of justice at that time in Kashmir under Mughals.
- iv) Generally, issues used to be settled on the basis of equity and natural justice. In case of Muslims, the injunctions and precedents of Islamic law applied where existed.
- v) Crimes used to be considered as the individuals' Grievances and not as crimes against the society.
- vi) The individual complaints were compoundable.
- vii) The complaints of the crimes were not initiated by the Police rather initiated by the aggrieved individuals.
- viii) The aim of the judicial administration was primarily to settle the individual's complaints and disputes and not to enforce any code of criminal law.
- ix) The cases of Hindus were to be decided by the Hindu judges and not by Muslim Qazis.
- x) Except during the period of Aurangzaib, the principal courts for settlement of the

- disputes were presided over by the Emperors, other Governors and other Executive officers.
- xi) There were also Panchayats at the village levels where different disputes used to be settled under the local usages and customs.
 - xii) The Principal ecclesiastical court for the settlement of disputes was the Qazi's court.
 - xiii) The Qazi was the repository of Muslim Law and used to attend the hearing of executive authorities whether Governor, Faujdor or Kotwal assisted the latter in arriving the decisions consonant with Quranic precepts.
 - xiv) The death penalty had to be confirmed by the Emperor himself.^{xxx}

In short, during the Mughal period in Kashmir, the judicial system of the Kashmir suba was similar to the other subas of the Mughal Sultanate. In the capital, there used to be the Emperor with all the executive, legislative and judicial powers with him. Alongwith, the court of Diwan e Mazalim and Chief Justice or Qazi ul Quda in the capital of the Sultanate. These highest forums were also present for the people of Kashmir Suba against the actions and decisions of the Subadaar of Kashmir.^{xxxi} At the level of Kashmir Suba, the Subadaar was the court of appeal for all the revenue cases and also used to appoint Daroga e Adalat e Aliah to carry out the judicial work of the Subadaar till 1820.

Then, there used to be a Qadi -e -Subah appointed by the Emperor as the chief court of appeal hearing all the civil and criminal appeals against the decisions of District or Zillah Qazis. There were also used to be an office of Diwan e Subah in Kashmir for the matters of revenue and financial cases. Then at the level of District (Sarkar), there used to be a District Qazi who used to hear appeals against all the decisions of the courts situated in the districts. Then finally at the Parganah level, there used to be a Parganah Qazi who used to dispose of the cases at the level of Parganah. Then in the villages, there was also a mechanism of Panchayats to dispose of the differences and issues amicably and peacefully at the level of Panchayats through Alternate Dispute Resolution (ADR) means in accordance with the local customs and usages.^{xxxii}

Impact of Mughals on the Legal System of Kashmir

The Mughals have made great impact on the legal system of Kashmir that is still applicable today. Modern judicial system was evolved in Kashmir during the Mughal period and became possible only at the intervention of the Lord Curzon, the Viceroy and the Governor General of India.^{xxxiii} Although, the present criminal justice system and civil justice system was also greatly developed by the Dogra period in Jammu and Kashmir but there has also been a significant impact of the Mughal period in the legal system of Kashmir.^{xxxiv} The legal reforms of Aurangzaib which have also developed and survived to the present legal systems of India, Pakistan and Bangladesh, have also developed and influenced the legal system of Jammu and Kashmir. It is pertinent to mention here that the legal system of present Indian Occupied Kashmir is still different from that of India. Like in India, there is Indian penal Code, but in Kashmir, there is Ranbir Penal Code after the name of Maharaja Ranbir Singh. Similarly, there are many land laws and other laws mostly developed by Dogra period are different from Indian Laws and these Dogra Laws have the great influence of the Mughal period reforms in Kashmir. Moreover, the legal reforms of the Aurangzaib which are still present and reflecting in the legal systems of India, Pakistan and Bangladesh are also the part of the legal system of Jammu and Kashmir.^{xxxv}

CONCLUSION

In a nutshell, it is concluded that Mughals ruled the Kashmir with justice and positive approach. Akbar, Aurangzaib, Jahnagir and Shah Jahan were the main Kings who use to visit Kashmir and were in love with the beauty of the Kashmir landscape. During the Mughal period, the judicial system of the Mughals were very organized and well settled. The judicial administration during the Mughal period in Kashmir suba was similar to the judicial administration of all other subas and there was also direct supervision of the King on the role and working of the Subadaars through the Roznamchas of the Waqae Naweess regularly sent to King for his personal perusal. There were Qazis and courts system in the Suba of Kashmir at the levels of Pargana, District and Suba and the administration of justice was carried out in accordance with the laws and principles enforced by the Mughal rulers at that time. The judicial system of the Kashmir Suba was very effective and efficient under the Qazi - e - Subah who used to the highest appellate authority at the level of Suba against the decisions of the Zilalh Qazis and who in turn used to hear appeals against the decisions of the Pargana Qazis. The Mughal period in Kashmir promoted justice and wellbeing of the people and all the extra taxes and non-Islamic traditions and practices were abolished by the Mughals particularly in the reign of Aurangzaib. Moreover, there were also some institutions of the Justice present in the Kashmir before the arrival of the Mughals and were established and developed in the period of Mughal Sultans of Kashmir. Those were the periods of Shah Mir and Chak dynasties of the Kashmir. The institutions and offices like Shaikh ul Islam and Qazis were also present in Kashmir but when Mughals arrived in Kashmir,, they further developed these institutions and offices and had established a systematic and well organized Justice system under the aegis of the King himself in the capital with the highest court of appeal and jurisdiction in the diwan e Mazalim and also the institutions like Jharoka e Darshan and Chain of Justice provide access to the common person to the highest court of appeal in case of any injustice or irregularity at any subordinate level of the judicial departments in the Subas. This highest forum for justice was new to the people of Kashmir as before Mughals, the local rulers were independent and were not answerable to anyone but Mughals brought this new institution and higher forum for the people of Kashmir which addressed their longstanding grievances to great extent and also resolved their longstanding problems of internal strife, communal unrest and forced heavy taxation.

In short, the Mughals rule in the valley of Kashmir was beneficial for the downtrodden and poor people of Kashmir and from this onward, they came in contact with a sophisticated civilization and also learnt so many things in the realm of culture, art, knowledge, history writings and other related areas.

REFERENCES

- i. Dr. G.M.D Sufi, *Kashmir (A History of Kashmir) Vol. I*, (Lahore, University of Punjab, 1948), 239-294
- ii. G.M.D. Sufi, *Kashmir being the history of Kashmir from the Earliest Times to our own*, Volume – II, (Lahore, The University of Punjab, 1949)
- iii. Prof. Nazir Ahmed Tashna, *Tareekh - e - Kashmir*, (Lahore, Al Faisal Publishers, 2006)
- iv. Dr. Abdul Ahad, *Kashmir Triumphs and Tragedies*, (Srinagar, Gulshan Books, 2000)

- v. K.S Sexena, Ancient Political History of Kashmir, (Srinagar, Gulshan Books, 1995)
- vi. M.A Stein, *Kalhana's Rajatarangini (A chronicle of the Kings of Kashmir)*, (Mirpur, Verinag Publishers, 1991)
- vii. Publishers, 1991)
- viii. M. Ashraf , "Kashmir's judicial system" Greater Kashmir , July 29, 2006, <http://www.greaterkashmir.com/news/opinion/kashmir-s-judicial-system/10080.html>.
- ix. Prof. Fida Muhammad Hussian, Kashmir Legacy (Historical and Cultural), (Srinagar, Gulshan Books, 1998)
- x. Suresh K Sharma & S R Bakshi, Ancient and Medieval Kashmir, (New Delhi, Anmol Publications, 1996)
- xi. Muhammad Din Fauq, Tareekh e Kashmir, (Lahore, Mushtaq Book Corner, 2005), 467 - 635
- xii. Ghulam Mustafa Bismal, The Greater Mughal rule in India, (Lahore, Ever new Book Palace, 2003)
- xiii. Prof. Nazir Ahmed Tashna, Tareekh e Kashmir (1324 – 2005) , (Lahore, Al Faisal Publishers, 2006), 149 – 239
- xiv. Muhammad Munir, The Administration of Justice in the reign of Akbar and Aurangzaib: An Overview, (Islamabad, International Islamic University, Islamabad)
- xv. Parvez Dewan, Jammu, Kashmir, Laddakh, (New Delhi, Mens Publications, 2003)
- xvi. P.N.K.Bamzai, Cultural and Political History of Kashmir, Srinagar: Gulshan Books, 2007.
- xvii. Prof. M.A Khan, *Kashmir Tareekh Kay Aeenay Main* (Mirpur, NICS, 2008) 26 – 34
- xviii. Mirza Muhammad Haider (*Travels in the Mughals of Central Asia (Tarekhi Rahidi)*), (Srinagar, Gulshan Books, 2012), 24
- xix. Mir Shabir Ahmed, *The History of Kashmir Literature. Vol. – I* (Srinagar, Gulshan Books, 2011)
- xx. Muhammad Zahid Malik, *Mughloun Ka Dour e Hakoomat aur In Ka Zawal*, (Lahore, Asad Publishers and Printers, 2015), 301-303
- xxii. Vijayalakshmi Suresh, "Administration of Justice during the Mughal period", International Journal of legal research and studies 2, no. 4, (October - December 2017): 219 -223.
- xxiii. Nandini Chatterjee, "Reflections on religious difference and permissive inclusion in Mughal Law", Journal of Law and Religion 29, no. 3 (October 2014): 396 – 415
- xxiv. Firoz Alam, *Political History of Mughal India from "1526 – 1857"* (Dissertation of Master of Library & Information sciences, 1998 – 99), (Aligarh, Aligarh Muslim University, 1999)
- xxv. M. Reza Pirbhai. "A Historiography of Islamic Law in the Mughal Empire", The Oxford Handbook of Islamic Law, (online publication date: March 2016)
- xxvi. A memory of religious plurality in Jammu and Kashmir, (Amsterdam, European Foundation for South Asian Studies (EFSAS), June 2020)

- xxvii. Dr. Kent Bob Huzen, How did the Mughals establish their rule in India, (Research gate, September 2019)
- xxviii. Sarveer Ahmed, Muzaffar Ahmed Mir and Arif Ahmed Dar, "Socio – cultural impact of Mughal rule on Kashmir" International Journal of Scientific Development and Research (IJS DR) 2, no. 5 (May 2017): 202 – 205
- xxix. Mushtaq A. Kaw, "Famines in Kashmir, 1586 – 1819: The Policy of the Mughal and Afghan Rulers" Download from ier.sagepub.com at UNIV TORONTO on February 2, 2015
- xxx. Vivek Yadev, "Invasion of Mughals in India: A Review", International Journal of Scientific Development and Research (IJS DR) 4, no. 3 (March 2019): 180 – 184
- xxxi. Dr. Muhammad Khalid Masud, "Religion and state in Late Mughal India: The official status of the Fatawa Alamgiri", LUMS Law Journal: 3 (1), 32 – 50

ENDNOTES

- ⁱ Kashmir was a princely state of India and now, it is a disputed territory and major part of it is under the occupation of India.
- ⁱⁱ G.M.D. Sufi, *Kashmir being the history of Kashmir from the Earliest Times to our own*, Volume – II, (Lahore, The University of Punjab, 1949), 599 – 610
- ⁱⁱⁱ Nazir Ahmed Tashna, *Tareekh e Kashmir*, (Lahore, Al Faisal Publishers, 2006), 1 - 10
- ^{iv} Dr. G.M.D Sufi, *Kashmir (A History of Kashmir) Vol. I*, (Lahore, University of Punjab, 1948), 239-294
- ^v Abdul Ahad, *Kashmir Triumphs and Tragedies*, (Srinagar, Gulshan Books, 2000)
- ^{vi} M.A Stein, *Kalhana's Rajatarangini (A chronicle of the Kings of Kashmir)*, (Mirpur, Verinag Publishers, 1991)
- ^{vii} A memory of religious plurality in Jammu and Kashmir, (Amsterdam, European Foundation for South Asian Studies (EFSAS), June 2020)
- ^{viii} K.S Sexena, *Ancient Political History of Kashmir*, (Srinagar, Gulshan Books, 1995)
- ^{ix} M. Ashraf , "Kashmir's judicial system" Greater Kashmir , July 29, 2006, <http://www.greaterkashmir.com/news/opinion/kashmir-s-judicial-system/10080.html>.

-
- ^x Vivek Yadev, “Invasion of Mughals in India: A Review”, International Journal of Scientific Development and Research (IJS DR) 4, no. 3 (March 2019): 180 – 184
- ^{xi} Dr. Kent Bob Huzen, How did the Mughals establish their rule in India, (Researchgate, September 2019)
- ^{xii} Prof. M.A Khan, *Kashmir Tareekh Kay Aeenay Main* (Mirpur, NICS, 2008) 26 – 34
- ^{xiii} Prof. M.A Khan, *Kashmir Tareekh Kay Aeenay Main* (Mirpur, NICS, 2008) 26 – 34
- ^{xiv} Fida Muhammad Hussian, *Kashmir Legacy* (Historical and Cultural), (Srinagar, Gulshan Books, 1998), 111- 116
- ^{xv} Mushtaq A. Kaw, “Famines in Kashmir, 1586 – 1819: The Policy of the Mughal and Afghan Rulers” Download from ier.sagepub.com at UNIV TORONTO on February 2, 2015
- ^{xvi} Firoz Alam, *Political History of Mughal India from “1526 – 1857”* (Dissertation of Master of Library & Information sciences, 1998 – 99), (Aligarh, Aligarh Muslim University, 1999)
- ^{xvii} M. Reza Pirbhai. “A Historiography of Islamic Law in the Mughal Empire”, The Oxford Handbook of Islamic Law, (online publication date: March 2016)
- ^{xviii} Mirza Muhammad Haider (*Travels in the Mughals of Central Asia (Tarekhi Rahidi)*), (Srinagar, Gulshan Books, 2012), 24
- ^{xix} Mir Shabir Ahmed, *The History of Kashmir Literature. Vol. – I* (Srinagar, Gulshan Books, 2011)
- ^{xx} Suresh K Sharma & S R Bakshi, *Ancient and Medieval Kashmir*, (New Delhi, Anmol Publications, 1996) 304– 305
- ^{xxi} Ibid
-

-
- ^{xxii} Nandini Chatterjee, “Reflections on religious difference and permissive inclusion in Mughal Law”, *Journal of Law and Religion* 29, no. 3 (October 2014): 396 – 415
- ^{xxiii} Muhammad Zahid Malik, *Mughloun Ka Dour e Hakoomat aur In Ka Zawal*, (Lahore, Asad Publishers and Printers, 2015), 301-303
- ^{xxiv} Muhammad Din Fauq, *Tareekh e Kashmir*, (Lahore, Mushtaq Book Corner, 2005)
- ^{xxv} Vijayalakshmi Suresh, “Administration of Justice during the Mughal period”, *International Journal of legal research and studies* 2, no. 4, (October - December 2017): 219 -223.
- ^{xxvi} Ghulam Mustafa Bismal, *The Greater Mughal rule in India*, (Lahore, Ever new Book Palace, 2003)
- ^{xxvii} Dr. Muhammad Khalid Masud, “Religion and state in Late Mughal India: The official status of the Fatawa Alamgiri”, *LUMS Law Journal*: 3 (1), 32 – 50
- ^{xxviii} Dr. Shaikh Musak Rajjak, “Justice and Punishment during Mughal Empire (Based on Foreign Travelogues)”, *International Journal of Science and Research (IJSR)* 3, no. 12, December 2014.
- ^{xxix} Nazir Ahmed Tashna, *Tareekh e Kashmir*, (Lahore, Al Faisal Publishers, 2006), 198 – 203
- ^{xxx} Muhammad Munir, *The Administration of Justice in the reign of Akbar and Aurangzaib: An Overview*, (Islamabad, International Islamic University, Islamabad)
- ^{xxxi} Parvez Dewan, *Jammu, Kashmir, Laddakh*, (New Delhi, Mens Publications, 2003).
- ^{xxxii} Muhammad Munir, *The Administration of Justice in the reign of Akbar and Aurangzaib: An Overview*, (Islamabad, International Islamic University, Islamabad)
- ^{xxxiii} Mirza Muhammad Haider (*Travels in the Mughals of Central Asia (Tarekhi Rahidi)*), (Srinagar, Gulshan Books, 2012), 24
- ^{xxxiv} Sarveer Ahmed, Muzaffar Ahmed Mir and Arif Ahmed Dar, “Socio – cultural impact of Mughal rule on Kashmir” *International Journal of Scientific Development and Research (IJS DR)* 2, no. 5 (May 2017): 202 – 205
- ^{xxxv} P.N.K.Bamzai, *Cultural and Political History of Kashmir*, (Srinagar: Gulshan Books, 2007).
-