



# The legal system of sultans of Delhi: An overview

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## Abstract

This work focuses on legal system of the great Sultans of Delhi. It analyses the role of two prominent rulers, namely, Sultan Qutbuddin Aibak (1206-1210 Hereinafter Qutbuddin) and Sultan Shamsuddin Iltutmish (1211-1236 Hereinafter Iltutmish). Sultan Qutbuddin of the slave dynasty has founded Delhi Sultanate in 1206 and it was extinguished in 1290. The Sultans of Delhi possessed principal area in India for long period. Major important positions in the East were occupied by Sultans in the Deccan. The Sultans administered justice in well-manner and did not give relaxation to judicial officers for maintaining law and order and proper dispensation of justice. This paper critically evaluates and discusses the administration of justice and legal system under Sultans of Delhi. The main findings of the work in this perspective are that under the reign of Qutbuddin and Iltutmish the judiciary was independent. Sultans did not interfere in the judicial wings and despite the fact that Sultans were greatly influenced by Abbasside institutions they have introduced and reformed the system in Delhi and it was also applied in other parts of Indian-subcontinent. The procedure adopted by Sultans seems to show that for all Muslims there was common judicial system. The offices, functions and powers of judges were universal and in this regard, judiciary was self-regulating institution.

**Keywords:** Legal System; Sultans, Delhi Administration; Administration of Justice

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## 1. Introduction

The history of medieval India cannot be regarded as Muslim history of India. It was a period when there were several Indian rulers from martial background or those who took to arms whatever class to which they might have belonged to who ruled in different parts of India. However, the establishment of the Delhi Sultanate in 1206 A.D. marked the beginning of a new era in Indian history.

Dr. Muhammad Munir wrote excellent article on the administration of justice under Mughal Emperors in which he summarized history of Muslim rulers in few paragraphs, He states that: "In 15 A.H. the Muslim state sent expeditions to areas of today's Baluchistan and Sindh. Shahabuddin Muhammad Ghori (1173-1202 Hereinafter Ghori) annexed Punjab making it a part of the Caliphate. Delhi fell to the Muslim Commander Ghori in 1192 C.E. The Delhi Sultanate was founded by Qutbuddin of the Slave Dynasty in 1206. Though initially Qutbuddin made Delhi his headquarter as the Viceroy of his Royal master, Ghori, but officially the Sultanate came into existence in 1206, when the Viceroy became the first independent Sultan of Delhi after the death of his Royal Master in 1206. The Slave Dynasty lasted till 1290" (Munir, 2012).

After death of Ghori, Qutbuddin became the ruler. The Sultanate of Delhi consisted of: (a) Slave dynasty (1206-1290 AD), (b) Khilji Dynasty (1290-1320 AD), (c) Tughluq Dynasty (1320-1414 AD), (d) Sayyid Dynasty (1414-1454 AD) and (e) Lodi dynasty (1451-1526 AD), (Sulasman, 2013).<sup>1</sup> After them Mughals have ruled from (1526-1857), (Munir, 2005- 06).

The order of Sultans who ruled from (1206-1290) are: (i) Qutbuddin (1206-1210), (ii) Aram Shaih (1210-1211), (iii) Iltutmish (1211-1236) , (iv) Ruknuddin Feroz Shah I (1236), (v) Riziyat uddin Sultana (1236-1240), (vi) Muizzuddin Bahram Shah (1240-1242), (vii) Alauddin Masud Shah (1242-1246), (viii) Nasiruddin Mahmud Shah I (1246-1266), (ix) Ghiyasuddin Balban (1266-1286), (x) Muizzuddin Qaiqabad (1286-1290), (xi) Kayumars (1290), (Stanely, 1884). Focusing on the slave dynasty this work first, analyses the (1206 to 1290) period under which two prominent rulers (Qutbuddin and Iltutmish) have ruled; and second, it analyses Sultans's administration of justice.

This article is divided into six sections. Each section is sub-divided into sub-sections. In Section I of the paper, introduction is given in order to create context for further discussion. Section II analyses history, early life and role of two prominent Sultans. Such analysis leads to discussion on legal system of sultans of Delhi that is analysed in Section III under which their adherence to *Shari'ah*, respect for law, influence of Abbasside institutions, General administration under Sultans and land and tax taken by Sultans is taken into consideration. It is argued that judiciary under Sultans was independent and for analyzing it the organization of the Courts at centre, provinces, districts, towns, villages and officers attached to such courts, Section IV is specific to this issue. Section V discusses salient features of the sultanate. Finally, conclusions are drawn up in Section VI.

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<sup>1</sup> Sulasman, "Islam in South Asia: A Brief overview on historical Development of Islam in India, Pakistan and Bangladesh", *International Journal of Asian Social Sciences*, 3 (8): 1678-1687, (2013), p 1679. See also Dr. Muhammad Munir, "The Judicial system of the East India Company: Precursor to the Present Pakistani Legal System", *Annual Journal of International Islamic University Islamabad*, 13 & 14 (2005-06), pp. 53-68, Online available at: <http://ssrn.com/abstract=1820122>.

## 2. Role of two prominent sultans

### 2.1. Sultan Qutbuddin Aibak (1205-1210)

Qutbuddin founded slave dynasty in India. He was the slave of Ghori. Qutbuddin is the slave who was freed by Ghori and he became sultan since 1206 AD, since it stood the Sultanate of Delhi India (Sulasman, 2013). It is interesting to note that he was slave but he ruled in Indian subcontinent as a Sultan of the region. He rebelled against other rulers and procured his freedom. He possessed good moral character, generous and determined hearted man. He helped a lot Ghori in India.

He was placed as in charge of the major territories which were occupied by Ghori because he was very much close to him. Later, he himself became a Sultan. He occupied Bihar and Bengal with the help of Bakhtiar Khilji who was the General of the Army. He suppressed all voices of rebellion against him in Ajmer and Meerut. He occupied major part on the north in 1206. It is interesting that Iltutmish, who became sultan later, married daughter of Qutbuddin. It seems that Iltutmish was very close to him. Qutbuddin died in 1210. After him Aram Shah was the ruler who became Sultan only for eight months. People rebelled against him because of his cruelty and in this context Iltutmish (Governor of Badoun) defeated him (Smt, 2005).

### 2.2. Sultan Iltutmish (1211-1236)

One of the great Sultans of slave dynasty was Iltutmish. He was devoted, determined and hard worker. Because of his said attributes Qutbuddin took him in his custody and appointed as a Governor. He was very brave and powerful ruler in India. He defeated Aram Shah in 1211 and later, in 1216 he defeated Tajuddin Yildoz in order to get complete control. In Multan he defeated Nasiruddin Qabaccha. However, Nasiruddin Qabaccha rebelled against him and escaped. Finally, Iltutmish took control over the Bengal. Later he occupied major areas in different wars.

During his reign the judicial administration was well. He used to go outside his palace for hanging chain of justice in order to ensure effective justice. He directed *Qazis* to act with honesty, faithfulness and truth. He used to address *Qazis* for speedy disposals of the cases. He was considered as real founder of Muslim Kingdom of Delhi by many historians. He also shifted Capital from Lahore to Delhi. He was very efficient and conscious in respect of dispensation of justice. He applied Islamic law for Muslims and introduced *Pudits* for Hindus in courts. Hindus were assisted by pundits especially in religious matters.

Iltutmish died in 1236 and Raziah became the next Sultan (Smt, 2005). Iltutmish consolidated the Kingdom by introducing several reforms and establishing peace across the regions. He was the first Muslim King to make India his permanent home and, while reaffirming his subordination to the Caliph in Baghdad, chose the title of Sultan for himself. Iltutmish tried to control the Forty Courtiers, who operated as an elite club of powerbrokers within the Court (Iftikhar, 2008). Iltutmish defended his empire from intermittent Mongol invasions and thus saved India from large-scale devastation. When advised by some *Ulama* to forcibly convert non-Muslims to Islam, Iltutmish resisted their pressures and attempted to create a wider institutional basis for his rule (Ishtiaq, 1974). Iltutmish displayed great intrepidity in the face of all these

difficulties and showed a shrewd sense of strategy and timing in tackling the various problems. However, “none of Iltutmish’s five successors – two sons, one daughter and two grandsons who followed each other in quick succession – proved to be capable leaders. The Mongols kept pressing on the frontier and both Lahore and Multan were subjected to raids and spoliation” (M.S. 1999).

### 3. 3. Legal system of Sultans of Delhi

#### 3.1. Faithfulness, observance and strict adherence to Shari’ah

Strict adherence and obedience to Islamic Law (*Shari’ah*) was adopted by the Sultans of Delhi. There are number of cases in which they had won their thrones through the military coup. They have tried to live their lives in accordance with the teachings of Islam in order to secure ends of justice throughout Indian sub-continent. In all circumstances they used to administer justice as dictated in *Shari’ah*.

Actually, Sultans wanted to please their army and require popularity outside the army coup i.e among people (Basheer, 1941). The most prominent work was done by first, Qutbuddin. He was the man of principles and possessed good reputation (Mountstuart, 1948). His Kingdom was governed under the best laws (Briggs, 1819). Second, Iltutmish not only tried to maintain law and order but also started practice of hanging chain of justice outside his palace. He personally wanted to be satisfied by looking into the offices of State functionaries in order to secure satisfactory administration of justice among people. According to jurists of his reign was well versed in law and practice (Azizuddin, 2013).

All of the Sultans after Iltutmish have tried to follow him. As a result most of them maintained strict adherence to law of *Shari’ah* and considered dispensation and administration of justice as religious, sacred and holy duty. For example, Alauddin Khilji (1296-1316) declared that Government is meant for the Kings and religion for *Qazis* and *Muftis*. Another Sultan Muhammad Tughlaq (1324-1351) addressed to one of his Judge to formulate new laws as per instructions of the Sultans but he (the judge) did not violate the basic and core requirements of *Shari’ah*. No one was allowed to go against the rules of Shari’ah” (Azizuddin, 2013).

According to Dr. Muhammad Munir, “Feroz Shah Tughlaq (1351-1388) prepared code of civil procedure *Fiqh Firoz Shahi* in which he specifically addressed that violation to the law of *Shari’ah* is completely banned. He also wanted to profess such instructions among the people. Later, *Fiqh Firoz Shahi* was replaced by *Fatawa Alamgiriya*, famous book which covers all *Corpus Juris* of legal provisions prevailed in India” (Munir, 2012).

#### 3.2. Strict implementation and respect of law

Respect for law and dispensation of justice was main objective of Sultans. For achieving such objectives they have appointed learned and competent persons on judicial posts. *Muftis* were also used to assist courts and they all were under an obligation to obey the law and administer it according to the law of *Shari’ah*. Even Sultans themselves obeyed decisions of Courts. They themselves were strict observer and have tried to make it compulsory for all state functionaries to respect law. All breaches to holy law were forbidden (Henry, 1877).

Ziauddin Barni describes the reign of Alauddin Khilji in following words: "During the last ten years of his reign, the heads of Muslims in general were inclined to rectitude, truth, honesty, justice and temperance"(Henry, 1877). It is crystal clear that under the reign of sultan's majority of the rulers are supposed to respect law and maintain its implementation in order to primarily dispense justice among people and secondly implement it at gross root level. Sultans have ensured and demanded respect for law during their reign in India. In this regard, early Abbasid institutions have influenced them and they have followed the practice of Abbasid Caliphate with certain modifications.

### 3.3. The impact of Abbasside institutions

The Sultans were greatly impressed by the Abbasids, therefore they used to establish institutions i.e *Diwan-e-Muzalim*, *Ihtisab* and grades of courts on the same pattern. They have recognized the Caliphs in Egypt and Turkey. Azam Tara (Ex-minister of Istanbul) was invited by Sultans to become Minister at Delhi. Before that he had served Turkish sultans. It is necessary here to mention that in the reign of Sultans the judicial institutions and functions of *Qazis* in Courts were based on Abbasid Model. Among all Sultans, judicial reforms are introduced by Feroz Shah Tughlaq (1351-1388) who worked hard in this regard. There was common system for all Muslims and not for Hindus.

It is well recognized principles in Islamic law that the Non-Muslims i.e *Zimmis* should resolve their disputes and affairs through their own religion. They are not main subject of Islamic Law. Therefore, in the reign of Sultans the civil cases, inheritance and alike matters are resolved through Islamic law whereas Hindus had their own special law. They were allowed to respect law of the land. Regarding criminal law, both Hindus and Muslims were treated similarly. In the local areas of Hindus there was self government under which they had to apply their own law. Surprisingly, Sultans had interfered in the small arrangements where only the administrative units were important. Sultans had authorized Hindus to apply their own special law.

### 3.4. Overview on general administration under Sultans

The Emperor was the Sultan himself. His election was same like as of Caliphs of Islam, that is to say, he was elected by leading men at the capital. Most of the Sultans were elected on the same pattern however; some of the strong and powerful sultans had promoted their young sons to become Sultan. In terms of judiciary, the Chief Justice was the sole authority. He was known as *Qazi-ul-Quzat*. Sultan was introduced before public in the presence of Chief Justice and other officers. The Chief justice was subordinate to Sultan. Most of the Sultans did not interfere in the judicial wing. Sultan was also assisted by Council of Ministers but he was not bound to act on such advice. He may take decisions at his discretion. The major departments include: (i) Finance, (ii) Army, (iii) General administration, (iv) Ecclesiastical Department, (v) Law and justice.

In some cases Chief Ministers of the Sultans were given special judicial powers to try cases. They used to perform judicial duties along with executive duties (*State vs. Khwaja Ahmad*), (Shams, 1891). The Sultan's Empire was divided into provinces. Provinces were divided into Districts. Again districts are sub-divided into *Parganas* or villages (today towns). In each province there was one Governor. He was also known as *Nazim*.

The executive authority of the state is exercised by Governor in the name of Sultan in each province. Other departmental heads were under the authority of Governor. Usually they work on the directions issued by Governor. The primary function of the Governor is to maintain law and order. His helping officer in this regard was known as *Faujdar*. *Faujdar* was the principal executive officer of Governor. Police Department was also under control of *Faujdar*. In cities and *Parganas* same functions of *Faujdar* are performed by *Kotwals* and *Shiqhdars* respectively.

The Governor was also chief judicial officer in the province. However there was separate department of administration of justice known as *Mehkam-a-Qaza* in which chief justice is the supreme officer and all other *Qazis* are subordinate to him. In provinces, there were provincial chief *Qazis*. In Districts, district *Qazis* were there. The institutions were same as in Abbasid caliphate.

The Ecclesiastical department was also known as *Mehkama-Shari'ah*. There was separate Chief judicial officer in said department in the capital. He had to perform a lot of judicial functions at imperial level. He was responsible for administration of justice in center. If the Sultan was on an official visit to other country or absent then said chief judicial officer was judge in criminal and civil courts. Criminal courts were also known as *Muzalim* whereas civil courts were known as *Risalat* in the reign of Sultans. The other *Qazis* were selected on competence and merit (Mountstuart, 1841).

### 3.5. Land taxation

The Sultans of Delhi divided their sprawling estate into lands (*Khalsa*) administered and taxed directly by the crown and lands farmed out to their servants and slaves as payment for service (Kunwar, 1988). Sultan was himself the Landlord therefore most of them “employ the resources of the state to enhance their productive capacity” (Ilhan, 2006). The tax rate varied on different lands. However one-third of the land was taken by sultans. Some of them used to take one-half tax on private property and agricultural produce (Peter, 1999). Moreover, a central depository was maintained at the capital to control the distribution and taxation of certain goods, and traders who did not submit to its discipline were punished by having their joints “opened” by a blade (Habib, 1981). Retailers and traders were dependent on the apparatus for their personal safety and prosperity, whose inspectors and supervisors were authorized to deal with them “through the whip of justice” (Habib, 1981).

## 4. 4. Judicial administration under Sultans of Delhi

### 4.1. Court organization/hierarchy at Centre

At centre there following Courts are there, namely, (i) *King's Court*: It was the superior Court at the centre. The Sultan is the presiding officer of this Court. The jurisdiction of this Court is to try all kinds of cases; (ii) *Chief Justice Court*: It was another Court at the centre. It was headed by *Qazi-ul-Quzat*. It had same jurisdiction as of King's Court; (iii) *Diwan-e-Muzalim*: This Court was the superior Court in respect of criminal cases. It had the original criminal jurisdiction to try cases. It is the highest Court of criminal appeal. This court was headed by *Sadre Jahan*. During Mughal period *Sadre Jahan* was known as *Sadr-us-Sudur*; (iv) *Diwan-e-Risalat*:

This court was the superior and highest Court of appeal in respect of civil cases. It had jurisdiction in civil matters only. This court was also headed by *Sadre Jahan*; (v) *Sadar-e-Jahan Court*: Beside all other courts there was *Sadre Jahan* court. It specifically deals with ecclesiastical cases. *Sadre Jahan* was the presiding officer in this Court; and (vi) *Diwan-e-Syasat*: It was the temporary Court for sanctioning criminal prosecutions. It was only in the era of Muhammad Tughlaq (1324-1351). He was the Chief officer of this Court (Azizuddin, 2013).

## 4.2. Officers in the courts at Centre

### 4.2.1. The Sultan

The Sultan was the sole authority not only in the Court but also in the state as well. He used to try all kinds of cases. He was highest Court of appeal in King's Court. Where he has any doubt in resolving an issue he may consider opinions of two *Muftis* of high moral character and experts in Islamic law attached to his court. *Muftis* give their opinion on the Islamic matter however, the sultan may consider it. Such opinion was not binding (Henry, 1867).

### 4.2.2. *Sadre Jahan*

He was also known as *Sadre Kul*. It is important to mention here that this superior post was introduced by Sultan Nasiruddin in 1248. Before that in judiciary, Chief Justice was the sole authority to try all kinds of cases. Sultan has appointed chief justice to it. *Sadre Jahan* was also head of the *Diwan-e-Muzalim*. From 1248-1290 he became the supreme head of judiciary at imperial level. He was also head of the ecclesiastical department. His duties include: appointment of *Qazis* in all other Courts, administration of justice, issuance of letters and recommendations to subordinate officers, high court of appeal, and jurisdiction in all matters. His other duties include, decision of all cases (*iqta*), grant of titles (*Khitabat*), leadership in prayers (*Immamat*) and supervisor of all religious issues.

### 4.2.3. Chief Justice

Chief justice was the sole authority in judiciary. He was the head of the judicial wing. All appeals of *Diwan-e-Muzalim* and *Diwan-e-Syasat* were disposed of by Chief Justice. The Sultan usually appoints the learned person as Chief Justice. Letter of appointment was issued by Sultan himself. Moreover, he may be removed from his office by Sultan.

#### 4.2.3.1. Functions of chief justice

He used to administer justice in his jurisdiction. Further, he used to administer oath of the office of the Sultan. He swear oath of accession to the Sultan. He may give recommendations when laws were framed by sultan. His responsibility was also extended to educational institutions in some cases. Most of the chief justices in the reign of the sultans were learned in law and independent in character.

All other *Qazis* in provinces and districts were influenced by office of the chief justice. Chief justice was required to perform his functions independently without any interference by sultan. Staff attached to Chief Justice Court includes: *Mufti, Mohtasib, Pandit, Dadbak* and *Qazi-e-Urdu*.

### 4.3. Provincial level

#### 4.3.1. Court organization/hierarchy at provincial level

In provinces same law was applicable for Muslims as in centre. There were separate Courts as well and officers attached to it. There were five courts in the province. The hierarchy of courts and officers are explained as follows: (i) *Adalat Nazim Subah*: It has original and appellate jurisdiction. It was headed by Governor. He was also known as Nazim; (ii) *Adalat Qazi-e-Subah (Provincial Qazi Court)*: It specifically deals with Canon and common law cases. It is also appellate forum for such cases and presided by Chief *Qazi* appointed by Governor; (iii) *Governor's Bench*: Beside governor's court there was Governor Bench as well. It has also original jurisdiction to try all kind of cases. It was the highest appellate Court in the province; (iv) *Diwan-e-Subah*: All revenue matters are decided by this court. It has original and appellate jurisdiction to try all kinds of cases related to finance and revenue; and (v) *Sadar-e-Subah*: This Court particularly deals with ecclesiastical department. In this court sometimes sultans constitute a special bench.

#### 4.3.2. Officers in the provincial courts

The officers in provincial Courts include: (i) *Governor*: The Governor was the head in the province. He represented Sultan in the province. He used to appoint one judge to decide issues. He has original and appellate jurisdiction. Governor's bench was also there in which appeals against judgments were heard. It is important to mention here that *Qazis* have no jurisdiction to try land revenue cases however Governor is the sole authority to decide them (Basheer, 1941). His main function was to maintain law and order in the province; (ii) *Qazi-e-Subah*: In province there was one another officer known as the chief provincial *Qazi*. He had jurisdiction to try civil and criminal cases in the province. He did not resolve revenue matters. The judiciary under Chief Provincial *Qazi* was independent. Though he was subordinate to the governor but it has not been found that governor interfered in his state of affairs.

*Qazi-e-Subah* was also president of the tribunals which specifically deal with religious issues. All other *Qazis* are supervised by him in the province. He was responsible for administration of justice in the province. He performed major functions and appointed by the King. Sometimes he used to act as acting Chief Justice. His attached officers include: *Mufti, Pandit, Mohtasib* and *Dadbak*. *Dadbak* used to see the persons who come in the Court when summoned. He was administrative officer in the Court; (iii) *Diwan-e-Subah*: Regarding land revenue cases *Diwan* was the sole authority. Appeal lay to the Governor court; and (iv) *Sadre Subah*: He was the chief ecclesiastical officer in the province. He used to decide matters pertaining to religion. He also sat in governor's bench with *Qazi-e-Subah*. He represented *Sadre Jahan* in province. He used to decide only those cases which are not in the jurisdiction of the *Qazis*.



#### 4.3.3. Sarkars or district head quarters

In districts there were six separate courts and officers attached to it to perform judicial functions. These courts are: (i) *Qazi Court*: He used to decide all kinds of civil and criminal cases. He also heard appeals from *parganas, Kotwals* and *Faujders*. It is the highest court of appeal in the district); (ii) *Dadbak or Mir Adl*: This Court was created by later Sultans i.e Lodis. They used to decide matters which are purely civil and of petty nature. Appeal of this court lay to provincial *Qazi Court*); (iii) *Faujdar*: In criminal cases *Faujdar* used to decide matters. Such matters are not capital but of petty nature; (iv) *Sadr*: In district *Sadr* specifically deals with land and registration cases); (v) *Amils*: Land revenue cases in district were decided by *Amils*; and (vi) *Kotwals*: This court was active in dealing with petty criminal cases. Police cases are also in its jurisdiction.

#### 4.3.4. Officers attached to district Qazi court

These include: first, *District Qazi*: He was the chief judicial officer in the District. He used to decide all kinds of cases in the district. He focused on all questions of law and facts. He may also take opinion of mufti in this regard. He was the head in the district and used to decide minors, lunatics, missing persons, and intestate property, *Waqf* and Trust cases as well. His duty was also to supervise district jail. His attached offices are same as of Provincial *Qazi*. Other staff of court included: (i) *Katib* (For writing evidence and statements in the Court), (ii) *Faqih* (for writing *Fatwas* or Precedents in Court), (iii) *Nazir* (To administer Establishment), (iv) *Subordinate clerks* (For official work), (v) *Barqandaz* (For purpose of security in the Court). Beside them *Akhbar-Nawis* were also attached to this court; Second, *Faujdar*: The appointment of *Faujdar* was made by Governor. He used to decide petty criminal cases. If there was threat regarding security, he became active (Azizuddin, 2013). The third officer is *Kotwal*. His powers are also limited to petty criminal cases.

#### 4.4. Parganah headquarters

A *Parganah* was divided into a group of villages. For each group of villages there was a Village Assembly or *Panchayat*, a body of five leading men to look after the executive and judicial affairs. The *Sarpanch* or Chairman was appointed by the *Nazim* or the *Faujdar*. The *Panchayats* decided civil and criminal cases of a purely local character (Cyril, 2010). The courts and officers attached in *Parganas* include: (i) *Qazi-e-Parganah*: It was the lowest court. It has jurisdiction to try all Civil, Criminal and Canon law cases; and (iii) *Kotwal*: Beside *Qazi-e-Parganah* court there was *Kotwal* court whose jurisdiction was limited to petty Criminal cases.

##### 4.4.1. Judicial officers in Qazi-e-Parganah court

First, *Qazi-e-Parganah*: Sultans have followed the practice of Abbasid model under which in each town there was one *Qazi-e-parganah*. He had all the powers except appeal. The Second officer is *Kotwal* who used to decide minor Criminal cases. The third officer was known as *Shiqhdar*. The *Shiqhdar* was active when *Kotwal* was absent. He has some magisterial powers in the town. He also required preventing commission of crime in towns (Basheer, 1941).

#### 4.4.2. Army

In cantonment area there used to be a *Qazi Urdu Court*. He has same powers as *Qazi-e-Parganah*. He was limited to try cases of troops and cantonment area. This Court possessed original jurisdiction in respect of troop's cases.

### 5. Features of Sultanate

#### 5.1. Influence of Abassid Institutions

It is crystal clear that the model of Abbasid institutions was adopted by Sultans. They were greatly influenced by Abbasids.

#### 5.2. Strict adherence and respect for law

During the reign of Sultans there was strict adherence to law meaning thereby rulers and people respected law and order as laid down by Shari'ah.

#### 5.3. Institution of Hisba

One of the most special institutions *Hisba* was established. *Mohtasib* the chief officer was *Mohtasib*. His duties include abolishment of immoral acts as laid down in Shari'ah. He used to be censor of morals and sometime he also acted as prosecutor in state cases.

#### 5.4. Justice in the villages

Sultans did not interfere in the local *Panchayts*. They only used to administer justice in the villages.

#### 5.5. Special court for proclaimed offenders

Great contribution was done by Muhammad Tughlaq (1324-1351). He established Court for hardened criminals. Later, it was abolished by Firoz Tughlaq (1351-1388).

#### 5.6. Fiqh Firoz Shahi--- Great contribution

In respect of *Taazir* punishments Firoz Tughlaq modifies such punishments mentioned in his book titled *Fiqh Firoz Shahi*.

#### 5.7. Post of Mir Adi

One special post was created by Sikander Lodhi (1489-1517). It was known as *Mir Adl*. He has jurisdiction to try civil cases.

### 5.8. Submission of reports to Sultan

It was held by Yusuf Shah (1474-1481, Sultan of Bengal) that all subordinate judiciary is bound to submit report in respect of their work done, weekly.

### 5.9. Daily information taken by Sultan

*Akhbar-Nawis* or Newswriters were also requires to prepare complete report in respect of daily proceedings. They forward it to Sultan.

### 5.10. For Hindus, Pudits were appointed

Itutmish did a lot of judicial work in his reign. He appointed separate Pundits for resolving issues of the Hindus. He didn't interfere in their laws. Along with these features the best thing was that Judges who were corrupt and proved guilty, they were dismissed by Sultans.

## 6. Conclusion

In summing up the discussion about legal system of sultan it is concluded that Sultans were greatly influenced by Abbasside institutions and they have followed the same model of administration as of Abbasids. The period of Slave dynasty is from 1206-1290 and was founded by Qutbuddin. Eleven rulers have ruled under this dynasty and last of them was defeated by founder of Khilji dynasty Jalaluddin Firoz Khilji (1290-1296) 1290. Most of Sultans were serious towards administration of justice. Among all, two prominent rulers Qutbuddin and Itutmish have make it certain to follow Islamic law. They personally involved in settling the disputes of the people. The former span of ruling was short but he focused on the administration of justice whereas the latter has introduced few legal reforms under which he directed all judges that there should be strict adherence to law and people should be well acquainted with dispensation of justice. He himself used to go outside his palace for hanging the chain of justice. Later, such practice was also followed by Mughal Emperors.

Sultans of Delhi had focused on the legal system therefore required impartiality from judges while deciding the cases. They required strict adherence and observance of *Shari'ah* law and ensured respect for it. No one was allowed to violate it under any circumstances. The Sultan was the chief and sole authority in India. He was also the final court of appeal. Sultans have divided subjects into different departments. Each head of the department was required to do justice in his capacity. Sultans have also levied tax on the agricultural produce and personal property.

In terms of judiciary, Sultans have divided there empire into centre and provinces. Provinces were sub-divided into districts and districts were further sub-divided into *parganas*. At centre there were six courts with different functions and officers attached to such courts were Sultan, Chief Justice, *Sadre Jahan*, *Muftis* and Ministers. There was great responsibility on the shoulders of the chief justice for administration of justice. In some cases *Sadre Jahan* also used to perform functions of Chief Justice however he was the chief head of the ecclesiastical department. In provinces, all judicial functions are performed by the provincial *Qazi*

along with Governor. The sole job of Governor was to maintain law and order in a province. In districts, there was district Qazi who used to dispense justice according to Shari'ah. Same is the case in Towns. For army special Qazis were appointed to resolve their issues in cantonment area. The officers attached to all courts were: Mufti, Pundit (for Hindus only), Mohtasib and Foujdar or Kotwals.

The paper has revealed that the judiciary was independent in the reign of Sultans. They did not interfere with judiciary. There was a balance between executive, legislature and Judiciary though Sultans were more powerful i.e the sole authority. In terms of legislation he used to be assisted by Chief Justice and *Muftis*. Sultans did not only focus on law but on morality as well and for this purpose they have appointed *Mohtasibs*. Common judicial system was applicable to all Muslims.

Though, Sultans are greatly influenced by Abbasids but some of them reformed the structure of the courts for the sake of administration of justice. Later, Mughals especially, Jalaluddin Muhammad Akbar (1556-1605), Nuruddin Muhammad Jehangir (1605-1627) and Muhiyuudin Muhammad Awrangzeb (1658-1707) also have contributed in the field of law. Awrangzeb introduced number of legal reforms which are still present in Pakistan and India. Sultans have tried a lot to strictly follow Islamic law and devoted in the field of law by enunciating reforms. Sultans were serious about the administration of Justice. Irrespective of their power and popularity, they were keen to prevent abuse of process and secure ends of justice.

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