

Influence of Fatwa on the judicial system of State of BaháwÉlpËr

• *Dr. Zia ur RehmÉn*
•• *Dr. Atiq ur RehmÉn*

ABSTRACT:

During the former era of the State of Bahawalpur the NawÉbs were in perpetual conflict with their relatives. The KehlwÉr family of Sindh and during the modern era remained under influence of the British. So we can say that the State of Bahawalpur remained under constant foreign influence and the NawÉbs did not have chance to rule with liberty and ease. In spite of these facts, the government of the State had many Islamic qualities and there are clear effects of Fatwa on judicial system in both eras.

Fatwa was a permanent department in the judicial system of the State during the initial period. The Muftis themselves were QÉDÊs. However in some instances the FatwÉ of Muftis proved weaker than the personal suggestions of NawÉbs and elites.

In the modern era of the state there is an intervention of British law in the Islamic judicial system. Modern educated experts of law have been deputed in the place of Muftis and

• *Lecturer, Department of Islamic Studies, The Islamia University of Bahawalpur, Punjab.*

•• *Assistant Professor, Department of Islamic Studies, University of Engineering & Technology, Lahore.*

scholars. Apparently it was shown that the judicial system was not in contrast to Islamic principles but in reality this system was synonymous with modern Western laws. Some of its clauses and particularly those related to family laws were conformed to the local customs.

That is why it created suspicion among the scholars and they struggled and succeeded in getting some laws changed and in getting rights of people. As a result the system of FatwÉ stabilized, DÉR ul Sharia'h was established, the post of MuftÊ was created at government level and the courts gave decisions according to FatwÉs. That is why HaĐrat Sayed Sulaiman Nidvi said, "Among all the Islamic states of HindĚstĚn this state is important because its special trait is justice and impartiality and every nation and religion likes it."

So we think that the State of BahĚwalpĚr has such ornaments of knowledge, character, civilization and traditions that it is not possible to deny the inevitability of their importance. The most important of these is the Islamic status which is proved in the pages of history.

According to historical evidence, the state of BahĚwalpĚr was the last stage of the Muslim Abbasid rule. It happened so that in 1257 AD (686 HijrĚ) after the decline of Baghdad, for almost one century, the former Abbasid royal family remained under the MemlĚke kingdom in Egypt. After that many Abbasid princes moved to reside in HindĚstĚn because of the respect and sincerity of the then ruler of Hindustan Muhammad Tughlak bin GhayyĚs Ěd Din. This continued till the arrival

of AmÊr SulîEn AÍmad II AbbÉssi who came with his tribe and settled in Sindh in 1366 AD (767) ⁽¹⁾.

In the beginning of the eighteenth century many local lords of Hindustan became independent because of the gradual decline of Mughal rule and the purchase wake of SÊkhs. The governor of Multan, on the intercession of superior saint of Ôch Sharif Makhdòm Abdul Qadir Fifth, appointed a virtuous and brave member of Abbasid family AmÊr ØÌiq Muhammad KhÊn First as the lord of Ôch SharÊf and its surrounding area in 1727 AD. (1140 HijrÊ) ⁽²⁾.

Muhammad BahÉwal Khan 1 was the heir of AmÊr Muhammad Sadiq 1. He laid foundation of a new city Bahawalpur near the river Satluj in 1742 AD (about 264 years earlier). After this the whole state was named as BahÉwalpËr.

According to MaulÉna Aziz ur Rehman, the author of TarÊkh ØubÉh Øadiq, Baha Ulla'h was a saint of Abbasids during their stay in Sindh who came to be known as BahawÉl Khan ⁽³⁾. It can be inferred from this that BahawÉl Khan is in fact abbreviation of Baha Ullah Khan which means 'the Glory of Allah'.

The former state of BahÉwalpËr remained from 1727 to 1955 AD and after that it was merged in Islamic Republic of Pakistan. Fourteen rulers ruled this state ⁽⁴⁾. The span of 228 years of rule of this state can be divided into two parts on basis of its judicial system.

1. Initial era 1727-1866 AD (before the intervention of British Government)
2. Latest era 1866-1955 AD (after the intervention of British Government)

It should be clear in the minds of readers that the study of system of Fatwa depends on two institutions of Fatwa i.e. knowledge and education and the educational institutes of Fatwa are of two types:

First: Those institutions which are not directly connected to Fatwa but the theory and practice of Fatwa is included in the education of these institutions which is called Dars-e-Nizám. This education is the base of system of Fatwa and without it the system of Fatwa cannot come into existence. That is why; many scholars attain the position of Mufti after completing Dars-e-Nizám because of their personal hard work.

Second: The institutions which permanently instruct the theory and practice of Fatwa and in these institutions Fatwa is instructed for one or two years after the completion of education.

The state of Bahawalpur is that lucky state which had both of these types of institutes in both eras of its rule.

In this research paper the study of system of Fatwa is presented in the context of both eras of rule of the state of Bahawalpur in such a way that the education system of both these eras will be presented in the first place and then the evolution of judicial system and the influences of Fatwa on it will be discussed later.

1. Initial Era of Rule:

An introduction to the great personalities and the centers of education behind the Fatwa system of this era is as under:

The second ruler of the state Amír Muhammad Bahawal Khan was himself a Hafiz-e-Quran⁽⁵⁾. When he established the new city with his own name he invited the families of scholars and the pious people of suburbs to reside in Bahawalpur⁽⁶⁾. The grandfather of historian scholar

MaulānĒ Aziz ur Rehman, who resided at the bank of river Ghagra, came to Bahawalpur in the same era at the request of ruler of the state⁽⁷⁾. Likewise MolvĒ Saleh Muhammad reached there in 1748 AD after migrating from JalĒlpĒr KhĒkhiĒn and he was appointed as instructor by the said ruler⁽⁸⁾.

After some years HaĒrat Khwajah Noor Muhammad (Kharl) Maharwi (1730-1791 AD), who got education from Delhi, made Maharan Sharif (Chishtian) a center of learning and knowledge⁽⁹⁾. In the same era Maula'na Hassam ud Din of Chalay Wahan was Hafiz-e-Quran and extraordinary scholar. His son Hafiz Emad ud Din was also a brilliant scholar. Likewise there was Maula'na Hafiz Ghulam Murtaza whose sons Hafiz Muhammad Akmal and Hafiz Muhammad Afzal were famous scholars of their time. Hafiz Muhammad Akmal calculated the most difficult problems of inheritance on finger tips⁽¹⁰⁾.

In the same era Hazrat Khwaja Khuda Bukhsh (1737-1835 AD) established an institution in Khairpur Tamewali where Tafseer, Hadith, Fiqh and other subjects were taught⁽¹¹⁾. Amongst those saints was a pious scholar Khwajah Muhammad Aqil Korejah (1738-1814 AD). He established a high level madrassah in Kot Mithan and it produced many learned scholars and one of those scholars is Khwajah Ghulam Fareed⁽¹²⁾.

Nawab Mubarik Khan (1749-1776) founded a madrassah in BahĒwalpĒr city and Jamia Masjid Al Sadiq stands there today⁽¹³⁾.

The time of Nawab Muhammad Bahawal Khan the Second was very outstanding as far as the guardianship of scholars is concerned. In the meanwhile, Hafiz Hifz ul Islam (1802 AD) along with his three brothers (Molvi Faiz ul Islam, Molvi Imam Din, Molvi Ghulam Din) and one son Molvi Moin ud Din came from Lahore and Nawab Sahib gave him a piece

of land in Ahmadpur Sharkiah as a gift⁽¹⁴⁾. Nawab Sahib himself attended the lectures of Hafiz Hifz ul Islam⁽¹⁵⁾. Nawab Øahib also spent most of his time in study and he also established a royal library in Ahmadpur⁽¹⁶⁾.

Sayed Hashim Shah Hamdani (1822) is a notable scholar among those who came from foreign states. He came to Bahawalpur from Kasur in 1781AD and resided in Khairpur Tamiwali (17). Likewise the name of Maula'na Muhammad Asad Ullah is worth mentioning who migrated to Bahawalpur from Maharan Sharif and Nawab Bahawal Khan the Third came to meet him. He was a very prolific writer and his son Maula'na Noor Jahanian became famous afterwards⁽¹⁸⁾.

The famous scholars during the reign of Nawab Fateh Khan (1853-1857 AD) were Molvi Jamil ud Din, Molvi Mahmòd ud Din and Molvi Qaim ud Din. Molvi Qaim ud Din was appointed as teacher of Khwajah Ghulam Farid at the order of Nawab Sahib⁽¹⁹⁾.

The judicial system of the initial era and influences of FatwÉ on this system:

Ameer Bahawal Khan the First appointed Sheikh Ghulam Mustafa, an eminent religious scholar, as QÉÐi in 1748 AD. His ancestors were the Qazi in Shor Kot. After Sheikh Ghulam Mustafa, his son Qazi Mubarik Mahmood was made Qazi and after him Sheikh Muhammad AzÉm and Sheikh Ismat Ullah of the same family became Qazi respectively⁽²⁰⁾.

During the reign of Nawab Bahawal Khan the Second, Molvi Hifz ul Islam was appointed Sahahi KhatÉb and Qazi and then the posts of Khitabat and Qazi remained in this family ever after. Towards the end of this era Qazi AzÉm ud Din (1986 AD) was a member of the same family (21). In addition to this, Mufti Baqa Farooqi of Lahore was brought to

Bahawalpur on the suggestion of Molvi Hifz ul Islam and he was appointed on the post of Mufti⁽²²⁾.

Nawab Sahib gave much importance to the suggestions and decisions of Qazis and Muftis and did not accept any intervention in it from anyone. Once a Hindu used foul speech against Islam and he was sentenced to death⁽²³⁾. If a Qazi committed a mistake he would suspend him from service like he suspended Qazi Moin ud Din and Fakih ud Din on their negligence⁽²⁴⁾.

Molvi Jamil ud Din Lahori was appointed Qazi ul Quzah in the reign of Nawab Fateh Khan. Likewise Molvi Mehmood ud Din was inducted as Qazi. Molvi Faiz Muhammad and Qazi Ahsan Ullah were posted at the administrative court. In the mean while the Qazis of Uch Sharif were Qazi Khuda Bukhsh and Din Muhammad and Qazi Muhammad Sharif was appointed as their deputy⁽²⁵⁾. Molvi Asad Ullah, Hafiz Muhammad Shuja and Hafiz Muhammad Fazil remained posted on the seat of Qazi and they also had the title of Mufti of the state⁽²⁶⁾.

Initially the judicial system of Bahawalpur State was under the governor of Multan and it was influenced by the Mughal system⁽²⁷⁾. The verdicts of court were according to the teachings of Holy Quran, Hadith and Fiqah. Muftis, who were expert in Fiqah, were deputed by the government for the help of court⁽²⁸⁾. The verdicts of subordinate courts could be challenged in the superior court. However the decision of Qazi ul QuDa could be challenged in the court of Nawab Sahib and in such cases he would call the scholars of the area and observe the cas⁽²⁹⁾.

Justice was provided very quickly according to the Islamic custom as the secret reporter of East India Company, Boliov reported to the Governor General in 1837 that in the State of BahÉwalpËr justice is

provided very quickly. He gave example of a case in which a woman of Mitthan Kot came to BaháwalpËr with her lover. Two people of her husband's tribe pursued her and killed her lover and the court captured the murderers. It was then investigated whether the husband was among the murderers or not because according to the law of the state if a husband killed the lover of his wife then he was deemed innocent. And when it was discovered that the husband was not among the killers, the court readily decided to sentence the killers to death⁽³⁰⁾.

Besides this the decisions of Hindu minority were taken according to the religious code of Hindus by the Burhmans and Mukhis but the cases related to inhibition were decided according to the Islamic law. Therefore in cases of murder or blasphemy the culprits were sentenced to death⁽³¹⁾. Severe punishments were given in case of rebellion, as Nawab Bahawal the Second got the bodies cut of those who heÉlped his rebel son Wahid Bukhsh in running away⁽³²⁾. Likewise they persecuted their relatives in suspicion of rebellion⁽³³⁾.

But Colonel Minchin has written about the court of Bahawalpur that there was no particular system of judiciary in that era. A police chief or even a policeman had the authority to investigate the crimes. There was no system of food for the prisoners; they used to beg for their survival. The Molvis decided the matters of murder and they only punished with death penalty. Often the murderers ran away and when any member of aristocracy committed a crime no Qazi had the courage to punish him. He even got Fatwa in his favor by giving gifts to the Molvi⁽³⁴⁾.

From the details above it is quite clear that though in the beginning the State of Bahawalpur had no stable government, as it remained under incessant rivalry with their opposing tribe "Kalhwar", but despite this

rivalry the state judicial system was founded on pure Islamic principles⁽³⁵⁾. Well known scholars, pious people and Qazis from the suburbs were invited to the state and educational institutes were established. The eminent scholars of the area were selected. Probably there were no salaries for the QÉDis⁽³⁶⁾ but they were given accommodation and agricultural land. With the passage of time QÉDis were appointed in every area as the necessity of courts increased and then higher courts were established and Qazi ul Quzat were appointed.

QÉDis themselves were Muftis and in spite of this Muftis were appointed by the government for their help. The right of appeal was given against the decisions of QÉDis and the final chance of appeal rested with the court of NawÉb Sahib.

We come to know that the judicial system of the state at that time could not be segregated from the Fatwa system. Moreover, the Fatwa system was a department of the court and whenever any case was appealed in the court of NawÉb Sahib he decided the case according to the advice of scholars. Therefore, the decisions of Muslims and the minorities were established according to the Islamic canons.

As far as the statement of Colonel Minchin is concerned, it seems to be an exaggeration because he wrote that “there was no particular judicial system”. However, it has been proved through research that there was a stable judicial system then how can this fact be denied? It can be said that the judicial system had certain flaws. If the statement of Colonel Minchin and the secret report of East India Company is considered then it is proved that the judicial system of that time of the State of BahÉwalpĒr was deeply influenced by the Fatwa system and the scholars have collectively tried to decide cases according to Islamic law and NÉwab

Sahib would support them. But as regards the personal interests of NÉwabs, Lords and QÉDis then no one listened to the Muftis. Likewise there was a chance of error and self-interest on some occasions.

2. Modern era of reign:

The role of scholars and madÉris is vital as far as the system of Fatwa is concerned. The details are as under:

In the middle of the nineteenth century a well-known personality Wazir Ahmad Khan established a madrassa'h of Dinia'at in Mohala Katra Ahmad Khan in Ahmadpur Sharkiah. It was an institution for oriental and religious studies⁽³⁷⁾. A famous hakeem Rahim Bakhsh of Bahawalpur established a religious institution⁽³⁸⁾. Likewise a Rais Bahar Khan Kaheri established a mosque and Madrassa'h in Chah Bahar Khan Wala. An agricultural land, orchard and a well was devoted and its caretaker was Molvi Muhammad Hussain⁽³⁹⁾.

In the same time period, Molvi Asad Ullah of Maharan Sharif established a great educational institution in Mohala Maharan which was situated inside Ahmadpuri gate in Bahawalpur. It was later on brought to fame by his son Molvi Noor Jahanian and the place came to be known as "Thalla Molvi Noor Jahanian". Molvi Ghulam Rasool Chinar (1873) got his education and his students caused the spread of knowledge not only in Bahawalpur but also in Dera Ghazi Khan, Multan and Muzaffar Garh. He is also the teacher of Molvi Shams ud Din Alvi, chief judge of Bahawalpur⁽⁴⁰⁾.

Besides these, religious institutes were established in Bahawalpur at Masjid Hakim Bukhsh Wali by Allama Muhammad Abdullah, in Bahawalnagar by Molvi Allah Bukhsh, in Minchinabad by Molvi Ghulam Qadir, in Chele Dahan by Hafiz Muhammad Afzal Khan and Hafiz

Muhammad Ismael and in Fatehpur Kamal (Khanpur) by MolvÊ Hamid Ullah and masses were educated in these institutions⁽⁴¹⁾.

Nawab Muhammad Sadiq the Fifth (1879-1899 AD) established religious institutes in five big cities of the state. One institution which is particularly important among them was built in Litten Ganj Bazar (now Shahi Bazar) under the supervision of the deputy of Bahawalpur QÉDi Gul Hassan. Maula'na Khalil Ahmad Saharanpuri (1852-1917 AD) was posted as teacher there who was brought from U P at the request of Molvi Shams ud Din chief judge Bahawalpur. Molvi Syed Chiragh Shah was the caretaker of Madrassa'h before the arrival of Maula'na Khalil Ahmad Saharanpuri⁽⁴²⁾. In the beginning this Madrassa'h was known as Sadar e Dinia'at. In 1882 it was upgraded to Agertan School and in 1886 it was made Sadiq Agertan College. Madrassa'h Dinia'at remained its part. Major scholars who taught in this Madrassa'h were Molvi Noor ud Din, Molvi Abdul Malik, Molvi Ahmad Bukhsh, Molvi Jamiat Ali, Molvi Farooq Ahmad and Molvi Rahim Bukhsh.

Maula'na Khalil Ahmed Sahranpuri resigned in 1889 and Molvi Noor ud Din was posted as head of Madrassa'h. Then due to space problem its building was built in Mohala Kajal Pura near Gray Ganj Bazar during 1890-1895 and the college was transferred to the new building. It became Jamia Abbassia in 1925, Jamia Islamia in 1964 and in 1975 it became Islamia University⁽⁴³⁾. Among the eminent scholars of Jamia Abbassia Maula'na Ghulam Muhammad Ghotowi, Maula'na Farooq Ahmad Ansari (1978), Maula'na Ubaid Ullah (1967), Maula'na Muhammad Sadiq and Maula'na Abdul Hameed Rizwani are worth mentioning.

During that era, besides the above mentioned institutions there were educational institutes in Khairpur, Chachran, Tranda Molvian, Qila Derawar and other places as well⁽⁴⁴⁾.

The system of judiciary of the modern era:

This is the era when the British Government intervened in the State of Bahawalpur. Two things are important in this regard. First, that in 1833 a treaty was signed between Nawab Bahawal Khan the Third and East India Company that the State of Bahawalpur will be under the control of the British. A British official will be present in the court of Nawab but he will not intervene in the administrative matters⁽⁴⁵⁾. In return to this the English gave Kot Sabzal, Bhong and Bhara under the control of Nawab Sahib⁽⁴⁶⁾.

The second important thing is that at the death of Nawab Bahawal in 1866, the age of his heir was just four years so the administration of state was handed over to British Government for thirteen years by the decision of members of the state. Likewise in 1899 and 1907 the same step was taken on account of the very young age of the heirs. During these short periods the control of the state remained under British Counsel of Regency⁽⁴⁷⁾.

In these circumstances such laws were made at the order of the British Political Agent that apparently they were not against Islam. The knowledge of English language was made compulsory for the judicial staff, criminal and civil courts were separated and in religious cases the decisions were made according to the suggestion of QÉDi and Pundits⁽⁴⁸⁾. High court was named as Capital Court. After this capital courts of sub-judge and then courts of sub-judge were established. Beside these civil reconciliatory courts were established in all cities and towns for initial

hearing and these consisted of local lords and religiously educated people. They were not given salaries by the government as this was an honorary post and the scholars worked as a religious duty. It was called the *Punjaiti* Court of local committee⁽⁴⁹⁾. It was compulsory for the *Punjaiti* Courts to have a deep knowledge of their religion and should be aware of the local customs and traditions. Ftawa Alamgiri was consulted for the decisions of Muslim cases. But due to lack of interest of the government these honorary courts did not last long and the interest of people diverted to the Capital Court⁽⁵⁰⁾. After thirteen years the reign was handed over to Nawab Sadiq Muhammad the Fourth in 1879, Maulvi Shams ud Din was made chief judge and the supreme authority of court was given to Nawab Sahib⁽⁵¹⁾. Generally the British judicial system continued but there were partial modifications with the passage of time and there were partial effects of Fatwa and the perpetual struggle of scholars and Muftis.

Fatwa System of the Modern Era:

During this era the system of Fatwa could not flourish as an institution as it flourished in the previous era. In the beginning it was partially included in the *Punjaiti* Courts and it too ended after a short time and the judicial system of state was devoid of Islamic principles. As a result of unrest among the masses many organizations originated. Certain private welfare organizations were founded, among them Anjuman Moed ul Islam was founded in 1879, Jamiat ul Muslimin in 1925 and Anjuman e Khudam ud Din in 1932. Their purposes were to reform the society, to take care of the expenses of students and to get justice for Muslims according to the Islamic principles.

In 1933 these organizations met in a meeting in which people like Maula'na Ghulam Muhammad Sheikh Al Jamia and Maula'na Ubaid

Ullah were present. It was thereupon decided that they should meet Nawab Sahib in the form of an envoy and ask for public rights, but Nawab Sahib was in Shimla at that time so he was informed about the desire of meeting through letter and then in 1934 Nawab Sahib met the envoy of Ulema and their demands were:

1. The decisions of the cases of Muslims should be according to the Islamic principles.
2. A permanent institute namely Dar ul Sharia'h should be established for the propagation and progress of Islamic principles.
3. The *PunjÉti* courts should be set up in an organized manner⁽⁵²⁾.

1. Establishment of Dar ul Sharia'h:

In 1938 a class of Al Tashree Al Islami was started in Jamia Abbassia. The subject of Fatwa writing was taught in this class. Sayed Muhammad Ali Shah, Meer Muhammad Ar Rai and Qazi Azeem ud Din were posted as Muftis for this purpose⁽⁵³⁾.

2. Stability of Dar ul Ifta':

Scores of madarris were present in the whole state where the scholars and Muftis gave Fatwas according to the problems of public. There was always a scholar or a group of scholars for this purpose in Jamia Abbassia. The most eminent among those scholars were Maula'na Khalil Ahmad Saharanpuri, Mufti Farooq Ahmad Ansari, Maula'na Ghulam Muahammad Ghotowi, Mufti Muhammad Amin, Maula'na Abdul Hamid Rizwani, Mufti Ghulam Farid and Mufti Ghulam Qadir⁽⁵⁴⁾.

Mufti Ghulam Qadir of Khairpur writes in his autobiography that he was selected as Mufti e Azam by the Department of Religious Affairs of the State of Bahawalpur and he worked on this post for three and a half years. But later on he had to return to Khairpur and in 1978 he established

the Department of Dar ul Ifta' in Jamia Khair ul Uloom⁽⁵⁵⁾. The services of Hazrat Mufti Ghulam Qadir with reference to Fatwa are of vital importance as all of his Fatwas are present in written form and after his death this custom is still going on in Jamia Khair ul Uloom through Mufti Muhammad Arshad ul Haq⁽⁵⁶⁾.

Likewise in the Islamiyat Department of Islamia'h University, Dar ul Ifta' is still going with its former sequence. This activity is carried out by a group of scholars under the supervision of Professor Doctor Shams ul Basar. However, after the retirement of Prof. Dr. Shams ul Basar no one has been appointed as the Head of DÉR ul IftÉ' for some months.

3. Establishment of *PunjÉtÉ* Courts:

In the above lines it has been made clear that the blend of judicial and Fatwa system during the initial era of the state was modified into *Punjaiti* and honorary courts in a disorganized manner at the beginning of the modern era i.e. in the era of Counsel of Regency. But during the era of Counsel of Regency, the state passed *PunjÉtÉ* Act in 1939 after a strong demand from the scholars and Muftis. Department of *Punjait* was established under this act. The authority of government of rural areas was given under local *PunjÉtÉ* committees so that free and instant justice could be provided.

The *PunjÉtÉ* of every area consisted of three to seven members and they were deputed for three years only. One of the members would be given the post of *Sur-Punj* and another would be appointed as *Naib Sur-PÉnj*. They would have one meeting during one month. A fund was established to bear the expense of this system. The *PunjÉit* has the authority to investigate the court decisions and corruptions and it also had the authority to spend money for welfare of the needy⁽⁵⁷⁾.

The effects of System of Fatwa in the Modern Era:

The effects of system of Fatwa in the modern era are presented through the examples and incidents as under:

1. A married Hindu woman embraced Islam and Ahmad Din son of Hassan caste Tarkhan of Ahmadpur Sharkia married her. The scholars gave Fatwa against the marriage and said that the husband of the newly converted woman should have been asked to embrace Islam and if he had become Muslim then the previous marriage would have been valid and if he had refused to accept Islam then the marriage would have become null and void and the marriage of the woman with any Muslim would have been right. So the marriage of the new couple was not accepted and they were punished. After this Fatwa of the scholars the court rejected the validity of marriage and they were punished⁽⁵⁸⁾.

2. Due to the complexity of the modern judicial system the verdicts came very late and it created unrest among the masses. So after the struggle of scholars and learned people of Bahawalpur, the State issued an order that the judicial system should be smooth and speedy, no case should be prolonged to one year and judicial report should be prepared every year⁽⁵⁹⁾.

3. According to the British law, fornication with the consent of woman was not a crime. People were very upset because of this and this law was becoming a cause of crimes. Then at the demand of scholars and people a law was made to punish the crime of adultery. According to this law the punishment for man was three years imprisonment and a penalty of two hundred and for woman the punishment was nine months imprisonment. This law was also implemented in the State of Hyderabad Deccan after this⁽⁶⁰⁾.

4. Another result of such struggle that appeared was; Chief Judge Raja Muhammad Atta Ullah Jan gathered the honorable people of the state in municipal hall on 27th May, 1898 and said that in their area people wait for good life partners for their daughters and delay their marriages and it is causing crimes. So he suggested that a committee consisting four honorable people should be formed in every mohala and they educate the people and stop them from this delay⁽⁶¹⁾.

5. In 1880 a Hindu complained in the court of Nawab Sahib that a constable of Rahim Yar Khan bought a carpet from him but had not paid the amount even after seven months. Nawab Sahib not only addressed his problem but also announced in the state that if anyone complains against a government officer in the court of Nawab Sahib his problem would be addressed and ample action would be taken against the official⁽⁶²⁾.

6. When Meer Siraj ud Din was session judge he would not allow anyone of the parties to sit in the chair during the proceedings of court. Once he stopped a member of royal family to sit in the chair during court proceedings. It was complained to Nawab Sahib but he sided with the decision of judge and issued orders that no party should be given a chair in court⁽⁶³⁾. Such incidents depict the education of public by the scholars and Muftis.

7. Once Nawab Sahib offered Juma prayer and his dress was below his ankles. According to the local Muftis prayer was not valid in this condition. When people objected against this action of Nawab Sahib he left the mosque in embarrassment and he went to Qila Derawar directly but the scholars went to him at Qila Derawar thereupon Nawab Sahib admitted his mistake and compensated the prayer⁽⁶⁴⁾.

8. Maula'na Ilahi Bukhsh of Ahmadpur Sharkia married his immature daughter, Ayesha to Abdul Razzaq. After sometime Abdul Razzaq converted to Qadyani religion. The father of the girl took the stance that as Abdul Razzaq has converted to Qadyani religion his marriage has become null and void. But Abdul Razzaq said that Mirzaiat is a sect of Islam and he has not become non-believer and his marriage is still valid.

The case was lodged in the court of Ahmadpur. The decision of court came in favor of Abdul Razzaq. The father of girl then appeal in the chief court and again the decision came in favor of Mirzaiat. In the end the father appealed in Supreme Court counsel of Bahawalpur. A group of Muftis of Bahawalpur under the headship of Maula'na Ghulam Muhammad Ghotowi met the members of counsel and clarified their point of view. The counsel then decided to hold a detailed discussion between the Muslim and Mirzai scholars in court and in the light of discussion the case will be decided. This discussion went on for three years.

Once when Nawab Sahib was in London to spend summer, a member of executive counsel of Viceroy, Sir Zafar Ullah Khan met him many times and even pressurized him through the British. But Nawab Sahib made it clear that he had left the court without any pressure and it was up to court to decide whatever it found after analyzing the facts.

In 1935 the court of Bahawalpur gave verdict according to the Fatwa of scholars that Mirzai of Qadyani is non-believer and that the marriage of Abdul Razzaq is null and void⁽⁶⁵⁾.

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2. Ibid, Pg. 74.
3. Ibid, Pg. 61.
4. The Names of these people are:
 - i. Ameer Muhammad Sadiq Khan the First 1727-1746 AD.
 - ii. Ameer Muhammad Bahawal Khan the First 1746-1749 AD.
 - iii. Ameer Muhammad Mubarik Khan 1749-1772 AD.
 - iv. Nawab Bahawal Khan the Second 1772-1809 AD.
 - v. Nawab Sadiq Muhammad the Second 1809-1825 AD.
 - vi. Nawab Muhammad Bahawal Khan the Third 1825-1852 AD.
 - vii. Nawab Muhammad Sadiq the Third 1852-1853 AD.
 - viii. Nawab Muhammad Fateh Khan 1853-1858 AD.
 - ix. Nawab Bahawal Khan the Fourth 1858-1866 AD.
 - x. Nawab Muhammad Sadiq the Fourth 1879-1899 AD.
 - xi. Nawab Bahawal Khan the Fifth 1903-1907 AD.
 - xii. Nawab Muhammad Sadiq Khan the Fifth 1924-1955 AD.
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13. Muhammad Tahir, Riasat Bahawalpur Ka Nazm e Mamlikat, Pg. 487; Merani, Muhammad Hassan Khan, Tazkira Malook Shah, Pg. 27.
14. Muhammad Tahir, Riasat Bahawalpur Ka Nazm e Mamlikat, Pg. 478-479; Gorgani, Muhammad Ashraf, Molvi Muhammad Din, Sadiq ul Tareekh, Pg.193.
15. Muhammad Tahir, Riasat Bahawalpur Ka Nazm e Mamlikat, Pg. 483; Molvi, Muhammad Azam, Jwahir Abassia, Pg. 96.
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23. Muhammad Tahir, Riasat Bahawalpur Ka Nazm e Mamlikat, Pg. 811.
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