

Judicial System in Kashmir: A Critical Analysis of Mughal Period

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ABSTRACT

Kashmir 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 1857 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 this region under its administration. Like rest of the subcontinent, Mughals also introduced significant administrative and judicial reforms in Kashmir. This paper critically analyzes and examines the differences between the judicial system in Kashmir and elsewhere in the subcontinent during the Mughal era. Moreover, this paper also aims at highlighting the flaws in the judicial system of Kashmir of the same era.

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, this region was ruled

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by various Hindu dynasties with almost 5000 years known history. Different Muslim dynasties ruled Kashmir till the invasion of the Mughals in 1586. The first dynasty of rulers was Sulateens who ruled Kashmir from 1339 to 1555, second dynasty was the Chak rulers who effectively ruled 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).¹

The judicial system of Kashmir can be traced back to the ancient Kings of Kashmir who were considered as the 'fountain of 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.²

The first ruler, Sultan Shams-ud-Din, appointed an officer named as Sheikh-ul-Islam with the responsibilities to do the administration of justice. After some time, 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. The Mughals established a very efficient and robust system of administration of justice in Kashmir and appointed Qazi-ul-Quzat as the Chief Justice and appointed Qazis at the provincial and town levels. The Mughal Kings particularly Humayun, Akbar and Aurangzeb were very much interested in the administration of justice and were used to decide cases by themselves on every Wednesday. The judicial system of

1 Nazir Ahmed Tashna, *Tareekh e Kashmir* [Urdu: History of Kashmir] (Lahore: Al Faisal Publishers, 2006), 1-10.

2 G. M. D. Sufi, *Kashmir: Being a History of Kashmir*, Vol. I (Lahore: University of Punjab, 1948), 239-94.

Kashmir during the Mughals was very much similar with the judicial system of India under the aegis of the Mughals.³

Kashmir: From Antiquity to 16th Century

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).⁴ 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.⁵ 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 established Buddhism there.⁶

Islamic culture came to Kashmir in the 13th Century. It is largely believed that Ranchan Shah (1325-1327) embraced Islam in Kashmir and adopted the title of Sultan Sadar-ud-Din and became the first Muslim ruler of Kashmir. The arrival of Sufis and Sayeds from the Central Asia also encouraged and motivated the local Hindu people to become Muslims. One of the prominent Sayeds 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, Kashmir was ruled by Chaks. The Chaks were the last local rulers of Kashmir and after Chaks, Mughals, Afghans and Sikhs were the foreign rulers

3 Abdul Ahad, *Kashmir Triumphs and Tragedies* (Srinagar: Gulshan Books, 2000).

4 M. A Stein, *Kalhana's Rajatarangini: A Chronicle of the Kings of Kashmir* (Mirpur: Verinag Publishers, 1991).

5 "A Memory of Religious Plurality in Jammu and Kashmir," *European Foundation for South Asian Studies (EFSAS)*, (June 2020).

6 K. S. Sexena, *Ancient Political History of Kashmir* (Srinagar: Gulshan Books, 1995).

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, assumed the status of a full-fledged province (Suba) during the rule of Jahangir.⁷

Mughal Arrival in Kashmir

Due to the beauty and strategic significance of Kashmir, the Mughals were planning to capture Kashmir right from the rule of Babar and even Babar himself tried to annex Kashmir, but failed in his maiden attempt to capture and subjugate Kashmir.⁸ After Babar, his son attacked and conquered Kashmir in 1531 A.D, but due to the local resistance, backlash of Chaks and small army, Humayun (second Mughal Emperor and son of Babar) could not retain his rule for more than two months period.

Due to the local strife as well as worst law and order situation in Kashmir during the period of Nazuk Shah, the local nobles invited Humayun in 1540 to come and conquer the land of Kashmir.⁹ Humayun authorized his relative Mirza Haider Dughlat who marched towards Kashmir and easily defeated Nazuk Shah. Then Mirza held the reigns of Kashmir till his death in 1552.

After the death of Mirza, the Chaks became rulers in Kashmir. Since, the Chaks were from Shia sect and majority of the Kashmiris were Sunni, therefore, there were so many conspiracies against the rulers. Out of these conspiracies and ill-will against the ruling Chaks, the nobles of Kashmir 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, Jalal Uddin Muhammad

7 M. Ashraf, "Kashmir's Judicial System," *Greater Kashmir*, July 29, 2006, <http://www.greaterkashmir.com/news/opinion/kashmir-s-judicial-system/10080.html>.

8 Vivek Yadev, "Invasion of Mughals in India: A Review," *International Journal of Scientific Development and Research (IJS DR)* 4, no. 3 (March 2019): 180 - 84.

9 Kent Bob Huzen, "How did the Mughals Establish their Rule in India," *Researchgate* (September 2019).

Akbar (third Mughal Emperor) after the consolidation of his rule, began to interfere in the affairs of Kashmir. Accordingly in 1560, he deputed Qara Bahadur to annex Kashmir as appealed by the Kashmiri nobles owing to internal strife, but later on, changed his view.

During Chaks' rule, Kashmir witnessed a communal tension between Sunni and Shias who were together for decades which ultimately disturbed the peace and order in the territory. Consequently, Sultan Ali Shah ascended the throne in 1570 and introduced himself to his subjects publicly in a mass gathering at Jamia Masjid, Srinagar. Though he had promised people of fair administration and communal harmony yet the communal conflict continued, which forced his successors to beg for help to its neighbours. Consequently in 1573, Akbar sent two Ambassadors, Mulla Ishaqi and Qazi Sadr-ud-Din, to the court of Sultan Ali Shah (1570-78). Though the purpose 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 as well. Eventually, Mughals annexed Kashmir in 1586.¹⁰

The main factors which paved the way for the arrival of Mughals in Kashmir, the first foreign rulers, were internal strife, law and order situation, communal strife, internal conspiracies, wide 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

Mughals conquered Kashmir in 1586. Initially, Kashmir was not given the status of province during the reign of Akbar and

10 M. A Khan, *Kashmir Tareekh kay Aeenay Main* [Urdu: Kashmir in the Light of History] (Mirpur: National Institute of Kashmir Studies, 2008), 26-34.

was dealt under the province of Kabul. 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. That period was not a good period for the people of Kashmir especially the nobles of Srinagar who had invited Mughals to conquer Kashmir and to promote justice and restore law and order situation.¹¹

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 Mughal Kings of India in Kashmir as well as to dispense justice and took administrative control of all the parts of the Kashmir. Akbar, Jahnagir, 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. Mughals also established matrimonial relationships with local nobles.¹² Before the arrival of Mughals in Kashmir, the Sulateens and Chaks were very strict and they imposed rigorous taxation system on the poor and underprivileged Kashmiris.¹³ However, Mughals decreased the taxes on the poor people of Kashmir and had promoted justice through their Subedaars and other officers/offices especially appointed by Mughals to administer justice and oversee law and order.¹⁴

Jahangir established a Chain of Justice against injustice and biased decisions of the officials responsible for administration of justice. This Chain of Justice was a remedy for all the

11 Khan, *Kashmir Tareekh kay Aeenay Main*, 26-34.

12 Fida Muhammad Hussain, *Kashmir Legacy: Historical and Cultural* (Srinagar: Gulshan Books, 1998), 111-16.

13 Mushtaq A. Kaw, "Famines in Kashmir, 1586–1819: The Policy of the Mughal and Afghan Rulers," <https://journals.sagepub.com/doi/abs/10.1177/001946469603300103> at UNIV TORONTO on February 2, 2015.

14 Firoz Alam, "Political History of Mughal India from 1526-1857" (Dissertation of Master of Library & Information Sciences, Aligarh Muslim University, 1998).

masses to 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 Subadaar Zafar Khan to not get *Bigaar* (Urdu: forced labour 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.

Aurangzeb also introduced great reforms in Kashmir. Since, Islam was the leading religion of Kashmir even at that time, so Kashmiris were very happy on the Islamic reforms of the Aurangzeb. Aurangzeb 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.¹⁵ Aurangzeb 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 the King had violated the Shari Right (Arabic: Lawful Right) of anyone, that person can initiate a case in the court and he also appointed *Vakil-e-Shari* everywhere in Sultanate to carry out such cases in the courts. *Waqai Nagars* (Urdu: Event Reporters) were especially appointed at Subah and Sarkar levels to write *roznamchay* [Urdu: Daily Reports] to send to King which he used to read regularly.

There were especial Court of Subahdaar in Kashmir headed by Subadaar with allied officers including Mir Adil, Diwaan, Mir Bakshi and Sadar. The Darbaar of Subadaar used to hold according to the royal schedule, and Subadaar 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, Subadaar of Kashmir also

15 M. Reza Pirbhai. “A Historiography of Islamic Law in the Mughal Empire,” In *The Oxford Handbook of Islamic Law*, ed., Anwer M. Emon and Rume Ahmed (New York: Oxford University Press, 2018).

appointed Naib Subadaar of Kashmir for 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 1712-17.¹⁶

The history of Mughals in Kashmir was mostly compiled and preserved by the historians of Mughals in the Persian language.¹⁷ The most authentic and reliable book on the history of Kashmir today is the Raja Tarangini of Kalhana and it was started in the 15th 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 also translated into English by Mr. Jagdish Chandra Dutt of Calcutta in 1898 AD.¹⁸

The historians that came to Kashmir with the Mughal emperors inspired few local Kashmiris and they started writing history. Among them the following Kashmiri historians 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 Persian manuscripts have not been translated despite 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. It is important to translate those Persian manuscripts to get more information and better narration of the history of Mughals in Kashmir and details about their social, economic and judicial reforms. Akbar signed a special pact with the Kashmiris with the provisions as follows:

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- 16 Mirza Muhammad Haider, *Travels in the Mughals of Central Asia (Tarekhi Rahidi)* (Srinagar: Gulshan Books, 2012), 24.
 - 17 Mir Shabir Ahmed, *The History of Kashmir Literature*. Vol. I (Srinagar: Gulshan Books, 2011).
 - 18 Suresh K. Sharma & S. R. Bakshi, *Ancient and Medieval Kashmir* (New Delhi, Anmol Publications, 1996) 304-305.

- 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 not have any male or female Kashmiri as a slave.
- c. That the inhabitants of 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.¹⁹

This pact also highlighted 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 peaceful that promoted justice, art, wellbeing of the people and civilization of Kashmir.

Judicial System of Kashmir during Mughal Era

The Mughal Empire was divided into a number of Subahs (provinces). Kashmir was one of such Subahs. Each Suba was governed through a Subadaar. The Subadaar was the head of the provincial administration and was also responsible for the maintenance of the law and order. He was assisted by Diwan who used to be the 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.²⁰ The principal officers of Kashmir Suba were four at that time like that of the capital and other subas as follows:

- a. Diwaan: He was called as the Chief Minister and was responsible for revenue and finance.

19 Sharma & Bakshi, *Ancient and Medieval Kashmir*, 304-305.

20 Nandini Chatterjee, "Reflections on Religious Difference and Permissive Inclusion in Mughal Law," *Journal of Law and Religion* 29, no. 3 (October 2014): 396-415.

- b. Mir Bakhshi: He performed the duties that had been the responsibilities of the Ariz-i-Mamalik during the early period and he also 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 or a superior to the minister was also appointed called as *Vakil* and the *Vakil* functioned like a deputy of the Sultanate.

The judicial system of Mughals was very simple based on various different approaches to deal with the different categories of the disputes.²¹ The unit of judicial administration was Qazi. Every provincial capital had a Qazi and every province was divided into Qasbas on the basis of population. A Qazi was appointed for every Qasba to administer justice. The head of the judicial administration was the Supreme Qazi or the Qazi-ul-Quzat. However, the courts were not organized in a proper hierarchy 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 an expert in the sacred law.²²

Qazi Muhammad Saleh was appointed as the first Qazi by Akbar. The King himself used to present in the court every Wednesday in order to decide a few selected cases. 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 the Islamic law and Qazis used to rely on the decisions already settled and Mir Adils used to write the decisions and pronounced it in open courts.

21 Muhammad Zahid Malik, *Mughloun Ka Dour e Hakoomat aur in Ka Zawal* [Urdu: Mughals Rule and their Downfall] (Lahore: Asad Publishers and Printers, 2015), 301-303.

22 Muhammad Din Fauq, *Tareekh e Kashmir* [Urdu: The History of Kashmir] (Lahore: Mushtaq Book Corner, 2005).

Qazis were responsible to manage the civil and criminal cases.

Like rest of the Sultanate, in Kashmir, the Mughal Emperor was the highest forum of appeal. Mir Arz had to present the appeals to the King. There used to be seven Mir Arzs and there was no hard and fast hierarchy of courts under Mughal rule.²³ At the level of the Suba of Kashmir, the Subadaar was the administrative head and used to perform his judicial responsibility with the assistance of Mir Adil and Diwan-e-Suba. Following important officers were also appointed to assist the Subadaar for his efficient performance: 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 administrative system of Suba was centralized in the capital of the Suba (Province) of Kashmir. Kautwal was the Police Officer and in few matters, he had even the powers of the Magistrate. Moreover, he was responsible to maintain law and order of 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 pronouncing legal decisions in the Sultanate.²⁴ Aurangzeb issued the *Al-Fatawa Al-Alamgeria*²⁵ related to the fatawas [Urdu: Judicail Verdicts] on different matters pertaining to *fiqh* to replace Fiq-e-Feroze Shahi.²⁶ There used to be three kinds of accused: Firstly, those who commit crimes against the Sultanate, secondly, those who commit crimes against Allah and thirdly, those who commit

23 Vijayalakshmi Suresh, "Administration of Justice during the Mughal Period," *International Journal of Legal Research and Studies* 2, no. 4, (October-December 2017): 219-23.

24 Ghulam Mustafa Bismal, *The Greater Mughal Rule in India* (Lahore: Ever New Book Palace, 2003).

25 Muhammad Khalid Masud, "Religion and State in Late Mughal India: The Official Status of the Fatawa Alamgiri," *LUMS Law Journal* 3 no.1, (2019): 32-50.

26 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).

crimes against the individuals. Similarly, the categories of punishments used to impose at that time were Hadd, Tazir, Qisas and Tasheer.²⁷

The salient features of judicial system were as follows:

- i. It was simple as compared to judicial system of the British India.
- ii. Normally, no lawyer was 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 responsibility in the administration of justice.
- iii. Speedy disposal of justice.
- iv. Generally, issues were 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 by the aggrieved individuals.
- viii. The aim of the judicial administration was primarily to settle the individual's complaints and not to enforce any code of criminal law.
- ix. The cases of Hindus were decided by the Hindu judges and not by Muslim Qazis.
- x. Except during the period of Aurangzeb, the principal courts for settlement of the disputes were presided over by the emperors, governors and executive officers.
- xi. There were also *Panchayats* at the village levels where different disputes were 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, Faujdar or Kotwal assisted the latter in arriving at the decisions consonant with the Quranic precepts.

27 Tashna, *Tareekh e Kashmir*, 203.

- xiv. The death penalty had to be confirmed by the emperor himself.²⁸

In short, during the Mughal period, 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. Besides, there used to be the court of Diwan-e-Mazalim and Chief Justice or Qazi-ul-Quzat in the capital of the Sultanate in Delhi. These highest forums were also present for the people of Kashmir Suba against the actions and decisions of the Subadaar of Kashmir.²⁹ At the level of Kashmir Suba, the Subadaar was the court of appeal for all the revenue cases and he also used to appoint Daroga-e-Adalat-e-Aliyah 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 was also an office of Diwan-e-Subah in Kashmir for the revenue and financial matters. Then, at the level of District (Sarkar), there used to be a District Qazi for hearing 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 for resolving the cases at the level of Parganah. Likewise, in the villages, there was a mechanism of *Panchayats* to resolve the issues amicably and peacefully through the means of Alternate Dispute Resolution (ADR) in accordance with the local customs and usages.³⁰

Impact of Mughals on the Legal System of Kashmir

The Mughals made great impact on the legal system of Kashmir that is still applicable to a significant extent on the

28 Muhammad Munir, *The Administration of Justice in the Reign of Akbar and Aurangzeb: An Overview* (Islamabad: International Islamic University, Islamabad).

29 Parvez Dewan, *Jammu, Kashmir, Laddakh* (New Delhi: Mens Publications, 2003).

30 Munir, *The Administration of Justice in the Reign of Akbar and Aurangzeb*.

present legal system there. Modern judicial system was evolved during the Mughal period and came into formal structure only at the intervention of the Lord Curzon, the Viceroy and the Governor General of India.³¹ Although, the present criminal and civil justice system were also greatly developed by the Dogra period in Kashmir yet there has also been a significant impact of the Mughal period.³²

The legal reforms of Aurangzeb 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 Kashmir. It is pertinent to mention here that the legal system of present Indian Occupied Jammu and 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, many land laws and other laws mostly developed by the Dogra period are different from Indian laws and these Dogra laws have the great influence of the Mughal reforms in Kashmir. Moreover, the legal reforms of 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.³³ However, India has been rapidly changing the local laws in the Occupied Jammu and Kashmir in post-August 05, 2019 scenario.

Conclusion

In a nutshell, the Mughals ruled Kashmir with justice and positive approach. Akbar, Aurangzeb, Jahangir and Shah Jahan used to visit Kashmir frequently. During the Mughal period, the judicial system of the Mughals was organized and well settled. The judicial administration during the Mughal period in Kashmir Suba was similar to all other

31 Haider, *Travels in the Mughals of Central Asia*, 24.

32 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.

33 P. N. K. Bamzai, *Cultural and Political History of Kashmir* (Srinagar: Gulshan Books, 2007).

Subas. The judicial system was effective and efficient under the Qazi-e-Subah who used to be the highest appellate authority against the decisions of the Zilah Qazis and who in turn used to hear appeals against the decisions of the Pargana Qazis. The Mughal period in Kashmir promoted justice and well-being of the people. Moreover, all the extra taxes and non-Islamic traditions and practices were abolished by the Mughals particularly in the reign of Aurangzeb. Besides, 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 Sultateens of Kashmir. Few institutions were also conceived during 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, they further developed these institutions and offices and 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. The Mughals brought this new institution and higher forum for the people of Kashmir which addressed their longstanding grievances to a great extent and resolved their 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 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.