

2 *Zamīndārs*: Lords of the Marches

The earliest extant document pertaining to this family is a *parvāna* dated 1574, and so, from the reign of emperor Akbar. This *parvāna*, issued by an unidentified noble/officer, recited that since ‘obedient to Islam’ (*muti ‘al-Islam*) Jayanti Das and Narhar Das had made great efforts in the settling and ordering of *pargana* Dhar, they were granted 200 *bīghas*¹ of fallow (*uftāda*) land as ‘*inām*’ (that is, tax-free) in the *mauza* ‘ (village, as a taxation unit) of Gardawad and others, so that, having brought it under cultivation (*marzu ‘ namūde*) they use collections from that land for their livelihood and pray for the enduring good fortune of the ‘slaves of the Lord’ (i.e., the high-ranking Mughal official who made the grant). Officials of the tax department were instructed not to bother the grantees for taxes of any kind. On the grantees was imposed the rather broad obligation of continuing to make such efforts for the populating and regulating the district of Dhar and that their loyalty remained obvious, that is, to continue being useful in controlling the countryside and making it pay. The verso of the document listed five *mālik-i zamīn*: Jayanti Das and four others, each given lands in a particular village, of which only Mohanpur and Gardawad (both in Dhar district) are still identifiable on Google. This document, then, recorded a cluster of mutually associated *zamīndārs* in the district of Dhar.² The lead grantee, Jayanti Das, was the lineal ancestor of Mohan Das and the family at the core of this book. The lands granted specifically to him per this document were in Gardawad, about eleven miles from the town of Dhar.³

In rewarding the enterprise of ‘clan communities’ for expanding the agricultural, and hence revenue frontiers of the empire, and using the reward itself to encourage further enterprise along the same lines, this document records a particular instance of a well-known process. In some regions, especially Bengal, the expanding agrarian frontier became associated with that of confessional Islam.

¹ A measure of land, varying widely across the subcontinent. The Akbari *bigha* was defined as 3600 *Ilāhī-gaz*, or 3025 square yards. Wilson, *A Glossary of Revenue and Judicial Terms*, p. 85.

² The synonym for *zamīndār* used most often was *mālik*. In some documents, a *zamīndār* is alternatively termed as *mālik*.’ Habib, *Agrarian System*, p. 173, using mostly Mughal documents from the seventeenth century, held at the Uttar Pradesh State Archives, Allahabad.

³ LNS MS 235 (a), DAI, Kuwait.

Religious and agrarian pioneering proceeded hand in hand through the agency of Sufi *pīrs*, and was only subsequently rewarded by the Mughal regime.⁴ This was not the case in all other regions, and definitely not Malwa. Jayanti Das's title '*muti al-Islām*' indicated, as it did in other more eminent instances,⁵ functional rather than confessional concordance with the Mughal regime. In this chapter, we shall see how Jayanti Das, his kinsmen and associates built themselves up as rural powerholders and service-providers to the regime, with particular attention to the role of royal and subroyal grants – *farmāns*, *nishāns* and *parvānas*.

As noted in the introduction, *farmāns*, *nishāns* and *parvānas* were self-nominating Mughal documentary forms, partially shared with the wider Persianate world. They belonged to a world of orders. The language of all such documents was always directive – somebody was told to do something. That action could simply be taking possession of certain rights; for associated others, it could be just taking note of that fact and/or facilitating that transfer. In Jayanti Das's case, the *parvāna* noted that certain villages had been allocated (*muqarrar shud*) as '*inām*'; he and his associates were to be occupied (*mashghūl bāshand*) in keeping up the good work and praying for the good fortune of the grantee; imperial officers in the region were told to transfer the named villages into their possession (*ba-taşarruf-i ishān wā guzāshṭa*) and not to trouble the grantees for taxes.

While orders could of course be one-off (e.g., Come to court!), they could, in some cases, create powerful titles of right which were about 'property' in the broad and active sense. They did not simply hand out a finite movable or immovable unit to be possessed, but created the right to make money or enjoy power over other people – through strenuous activities constrained by several conditions. These rights could be, as with Jayanti Das's grant, a right to collect a portion of the peasants' produce in named villages, without paying taxes – a right whose fruitfulness depended on keeping the area inhabited, cultivated and under control.

In this and other royal grants, then, property rights were inextricably connected with military prowess and control of the local population. In other instances, such military prowess could be farmed out to the regime, bringing in further rights. Yet other grants could consist of appointment to services with more defined obligations, to be delivered over a longer duration. Looking upon royal orders as rights-creating legal documents, and doing so over a period of time within a continuous collection allows us to enter into the multi-pronged

⁴ Richard Eaton, *The Rise of Islam and the Bengal Frontier, 1204–1760* (Berkeley: University of California Press, 1993)

⁵ Such as Jai Singh Kachhwaha; see Shujauddin Khan Naqshbandi (ed.) *Fārsi Farmānon ke Prakāsh mein Mughalkālin Bhārat ewam Rājput Śāsak* (Bikaner: Rajasthan State Archives, n. d.), Vol. II pp. 89–90; a *farmān* from Aurangzeb, dated 12 Rabi I, regnal year 13 (1081 AH/1670 CE).

portfolio that inevitably went into the creation of the ubiquitous but elusive *zamīndārs*. It also allows us to see that entity as the lynchpin of agrarian society but also imperial polity; because this is where empire was actuated in rural India.

But orders were not simply received and obeyed by their recipients. They were actively consumed, among other things by being repeatedly confirmed, rerecorded, disputed and transferred by members of Jayanti Das's family. One source of right led to another; ad hoc military services leading to the acquisition of an office of record-keeping, for example, bringing its own perks, but also further business opportunities, such as contracting for taxes. As the fortunes and contacts of the family grew, charity provided yet another route, ostensibly of attracting and redistributing royal munificence, but incidentally of adding to family assets. Neither the documents nor the rights it recorded could assure permanence of position or of access to resources; important documents were therefore incessantly copied, authenticated and reconfirmed, drawing in a variety of authorities. Rights were questioned, lost and encroached upon; documents were disputed, lost and destroyed: royal grace was thus turned into property along a complex and proliferating paper trail.

In seeking to establish a contextually sensitive vocabulary to describe the nature of these documents of order (*farmāns*, *nishāns* and *parvānas*) and of the rights they conferred, it is necessary to transcend the limitations of modern usage of English words that once had much wider implications, even, and especially, in the English medieval and early modern context. If we choose to call what Jayanti Das received by this *parvāna* a 'grant', it is useful not to think of it simply as money or property given by the government to individuals, in the nature of the research grants, for example. Quite like royal grants in medieval and early modern England, *farmāns*, *nishāns* and *parvānas* could give the receiver a very large range of things – from perpetual rights to certain lands, to the right to hold fairs and markets in particular places, to pardons for crimes.⁶ It is perhaps most illuminating to conceive of all these things, which we would now classify in very different groups, as emanations from royal grace. The entire point of such grace was that it did not have to be justified with reference to an abstract body of law in the sense of doctrine; it was transcendent, sudden, and reflected the pure will of the sovereign.⁷

Recognition of the transformative potential of royal power does not require us to conceive of the countryside as a blank slate, empty of any rights, over which the unbridled will of the Oriental despot romped unfettered. Neither is it very productive to evaluate whether the *zamīndārs* were the 'true proprietors'

⁶ TNA, 'Royal Grants in Letters Patent and Charters from 1199' www.nationalarchives.gov.uk/help-with-your-research/research-guides/royal-grants-letters-patent-charters-from-1199/.

⁷ Lucien Febvre, 'La Sensibilité et l'Histoire: Comment Reconstituer La Vie Affective d'Autrefois?', *Annales d'Histoire Sociale*, 3: 1/2 (1941), 5–20.

of land in Mughal times; given that *zamīndārīs* could evidently be transferred, gifted, bought and sold, but were nested within superior and inferior rights in land.⁸ The nesting of rights persisted in colonial times, and is perhaps inevitable. The point in this chapter is to demonstrate the accretive process whereby rights were created in the countryside. The grant that Jayanti Das and his associates received, for example, recognised them for their local standing: they were recognised as *mālik-i zamīn* even as a specific order of *‘inām* purported to reward their activities, now rebranded as service to the empire. On the other hand, the grant of *‘inām* did create a new right, or a new order of right, too: it held back imperial tax officials from certain villages, creating a space of secure access to resources through the withdrawal of the regime’s claim and its apparatus for realising it. It also placed the implied weight of the regime behind the claims that Jayanti Das and his associates might make on other less-privileged peasants. This was not quite a *carte blanche*, for the fiction of imperial service entailed serious restraints: Jayanti Das and his kinsmen/friends had the obligation to treat the local peasants well enough to keep the area populated and cultivated, for that is what would demonstrate their loyalty, and in turn, ensure the continuance of the *‘inām*. This entire bundle of entitlements and obligations was clearly inheritable, but also expandable, for we find several subsequent generations *in situ* in the same area, referring to *‘inām* grants received in Emperor Akbar and Jahangir’s time, but also naming several other villages in which rights must have been acquired subsequently.

In reconstructing that process, we chance upon matters related to some of the most persistent legal concerns of post-Mughal, especially colonial, India: land law, with all its variety of tenures; the laws of inheritance and succession, and their relationship to patterns of kinship and norms related to religion. Here we have an exciting opportunity to explore those matters, but in a different landscape of entitlements, with its own categories, sensibilities, norms and institutions, in which kinship was intertwined with enterprise, religion with governance. It is by exploring that landscape, led by the papery ghosts of past aspirations rather than conceptual maps tied to our present-day concerns, that we can begin to understand how people like Jayanti Das acquired documents such as those mentioned, why their families preserved them, and what they wanted when they took them along to various authorities, asking for their rights.

Chī-st zamīndār?

‘What is a *‘zamīndār*?’ This was the burning question of the early days of the English East India Company’s rule in eastern India. In the late eighteenth

⁸ Habib, *Agrarian System*, pp. 187–91.

century, seeking to find a cost-effective method for extracting wealth from Bengal's countryside,⁹ and the most functional agents for facilitating that extraction, the English East India Company, its officials, supporters and detractors found themselves embroiled in highly arcane but utterly un-academic debates over who exactly those people were and whether their entitlements consisted of something that could translate as 'property' in a highly modernist sense of the word.¹⁰ These debates, which extended from determining whether the king or the *zamīndārs* were ultimate owner(s) of the land, to the nature of the Mughal constitution and of British imperium itself, produced a glamorous impeachment trial in London, and socially transformative land law in India. In 1793, the Company-state in India decided that the *zamīndārs* were proprietors, in the sense of absolute owners of the land in their possession.¹¹ This decision entailed drastic commodification of the land,

⁹ The English East India Company was a joint stock trading company, chartered in 1600 and trading in the Mughal empire since the 1610s. Outstanding studies of the first century and half of the Company's activities, focussing mainly on its trade, are Holden Furber, *Rival Empires of Trade in the Orient, 1600–1800* (Oxford: Oxford University Press, 1990); Om Prakash, *European Commercial Enterprise in Pre-Colonial India* (Cambridge: CUP, 1998); and K. N. Chaudhri, *The Trading World of Asia and the English East India Company, 1660–1760* (Cambridge: Cambridge University Press, 1978). More recent studies have pointed to the ambitions, models and techniques of sovereign rule that the Company brought with itself *ab initio*; see Philip Stern, *The Company-State: Corporate Sovereignty and the Early Modern Foundations of the British Empire in India* (Oxford: Oxford University Press, 2011).

¹⁰ It would be careless to suggest that the de-politicised and de-socialised notion of commodity ownership that was imposed on land in eastern India in the eighteenth century was the extension of a 'Western' notion of property. As Jon Wilson has shown, English legal and political thinkers were perfectly aware of the inevitable social enmeshing of property; as in many other cases, the legal developments of colonial India were at the spearhead of modernity, not the recipient of them. Jon E. Wilson, *The Domination of Strangers: Modern Governance in Eastern India, 1780–1835* (Basingstoke: Palgrave, 2009). It has been shown that although since the Middle Ages, English peasants did have the formal legal right to sell or otherwise dispose of their land outside their family, they did so very infrequently. Henry French and R. Doyle, 'English Individualism Refuted and Reasserted: the Land Market of Earls Colne (Essex), 1550–1750', *Economic History Review*, 56: 4 (2003), 595–622. On the persistence of collective and overlapping rights of access to and use of urban 'commons' in sixteenth- to eighteenth-century England, see Henry French, 'The Common Fields of Urban England: Communal Agriculture and the Politics of Entitlement, 1500–1750', in R. W. Hoyle (ed.) *Custom, Improvement and the Landscape in Early Modern Britain* (Ashgate, 2011), pp. 149–74. Sumit Guha alerts us that when we encounter English legal terminology, such as 'estate', in the words and writings of early nineteenth-century colonial administrators, we should be aware of the feudal meanings they themselves would have attached to those terms. Sumit Guha, 'Property Rights, Social Structure and Rural Society in Comparative Perspective: Evidence from Historic South Asia', *International Journal of South Asian Studies*, 5 (2013), pp. 13–22. English land law remains, to this day, a palimpsest of overlapping feudal titles overlaid with statutes.

¹¹ The classic study on these debates remains Ranajit Guha, *A Rule of Property for Bengal: an Essay on the Idea of Permanent Settlement* (Paris: Mouton, 1967); for a study that situates these debates within the broader context of British debates over the legitimacy of the Company's empire in India, see Robert Travers, *Ideology and Empire in Eighteenth Century India: the British in Bengal* (Cambridge: Cambridge University Press, 2011).

erasure of myriad nested rights in the countryside and demilitarisation of the *zamīndārs* themselves.¹²

This decision was only the beginning of a process; the official interpretation had to be actuated through nearly a century of legal and military interventions, right up to 1857 when, in the aftermath of military–agrarian rebellion, the mud forts of the thankless *zamīndārs* of northern and central India were flattened by British-employed armies.¹³ Even so, the *zamīndārs* of India never quite turned into a profit-oriented modern gentry. Failing to give up their spendthrift ways and coddled by the British-established Court of Wards which protected *zamīndārī* estates from insolvency, *zamīndārs* continued to see land as a component of their status as rulers, rather than a resource for commercial entrepreneurship,¹⁴ and were eventually undermined in the twentieth century (in most parts of India) through the combined effects of tenancy protection legislation, global economic depression and the sheer go-getting of enterprising cultivators.¹⁵

Zamīndārs and their rights were not just modified by colonial legislation; they were destined, in turn, to play a transformative role, albeit inadvertently, in the legal history of British-ruled India. Disputes over *zamīndārīs* produced the bulk of litigation in the *Sadr Diwani Adalat* – the revenue-civil courts of the East India Company, established in 1772.¹⁶ Since succession to *zamīndārīs* was adjudged according to the religion of the parties,¹⁷ we might say *zamīndārīs*

¹² Among the many studies on these processes, some of the best known are Bernard Cohn, ‘Structural Change in Indian Rural Society, 1596–1885’, in Robert E. Fryckenberg (ed.) *Land Control and Social Structure in Indian History* (Madison: Wisconsin University Press, 1969), pp. 53–122; Ratnalekha Ray, *Change in Bengal Agrarian Society 1760–1850* (Delhi: Manohar, 1979).

¹³ Thomas Metcalf, *Land, Landlords, and the British Raj: Northern India in the Nineteenth Century* (Berkeley and Los Angeles: University of California Press, 1979).

¹⁴ Walter C. Neale, ‘Land Is to Rule’, in Fryckenberg (ed.) *Land Control and Social Structure*, pp. 3–15.

¹⁵ In Bengal, this entailed the combined rise of the *jōtdārs* and the communalisation of class relations; see Rajat Ray and Ratnalekha Ray, ‘Zamīndārs and Jotedars: A Study of the Rural Politics in Bengal’, *Modern Asian Studies*, *Modern Asian Studies*, 9: 1 (1975), 81–102; and also Rajat Ray’s re-statement in Rajat Ray, ‘The Retreat of the Jotedars?’, *Indian Economic and Social History Review*, 25: 2 (1988), 237–47.

¹⁶ On the history of the *Sadr Diwani* and other courts in the first century of colonial rule in India, see: M. P. Jain, *Outlines of Indian Legal History* (Bombay: N. M. Tripathi, 1966); Mithi Mukherjee, *India in the Shadows of Empire: a Legal and Political History, 1774–1950* (New Delhi: Oxford University Press, 1950). Cases related to *zamīndārīs* formed a very large percentage of all cases heard by the *Sadr Diwani Adalat*. T. A. Venkasawmy Row (ed.) *Indian Decisions: Old Series* (17 vols., Madras: Law Print, 1911–16), Vols. 6–17.

¹⁷ In accordance with several declaratory, re-confirmatory and modificatory regulations, letters-patent colonial and imperial statutes. See ‘Plan for the Administration of Justice’ in Proceedings of the Committee of Circuit, 15 August 1772 in M. E. Monckton-Jones, *Warren Hastings in Bengal, 1773–74* (Oxford: Clarendon Press, 1918), pp. 324–6. This plan was followed by Regulations passed in 1781 and 1786. See W. H. Morley, *Administration of Justice in British India* (London: 1858), pp. 45–7, 156–7. See also B. S. Cohn, ‘Law and the Colonial State in India’, in Cohn, *Colonialism and its Forms of Knowledge* (Princeton: Princeton University Press, 1996), pp. 57–75.

were the concrete occasion for the production of what came to be known as Hindu and Muslim personal laws in India.¹⁸

Given this history, we can reach for an understanding of *zamīndārī* only with the awareness that much of the material, including the ubiquitous Persian manuals that offer glosses of the term, were produced in response to revenue and political imperatives of the British.¹⁹ Perhaps the most ‘official’ Mughal view was expressed in Persian chronicles, which were themselves of variable standing depending on their patrons. These used the term *zamīndār* – literally landholder in Persian – to indicate a very large range of rural powerholders. As Habib has pointed out, the word *zamīndār* was a distinctively Indo-Persian innovation, which began to appear in Persian language chronicles, dictionaries and formularies (*munshāts*) produced in regions controlled by the Delhi Sultanate from the fourteenth century. These earlier references to the *zamīndārs* also refer to the heterogeneous origins and status of such people, who could be village headmen (*muqaddamān*), those glorified by government appointment (*mafroziān*) and, more vaguely, owners/ lords (*mālikān*).²⁰ The picture becomes more complex as legal documents (such as ours) are brought into play to create a usage-based definition of the term – local terms abound for what appears to be a range of village powerholders, such as *muqaddam*, *khōt*, *bhūmia*, *pātil*, *dēśmukh*, only some of whom managed to make it to being regarded a ‘*zamīndār*’ in the regime’s view.²¹ Based on their size, function and relationship with the imperial structure, Nurul Hasan posited a typology consisting of three levels of *zamīndārs*: autonomous chieftains (substantial *rājas*,

¹⁸ The Anglo-Indian legal system recognised and applied a portion of Islamic law and Hindu laws, in a limited set of areas, mainly pertaining to family matters, including inheritance and succession. These preserved laws came to be known as personal (status) laws; their application depended on the legally recognised religious affiliation of the parties. These laws were sourced from a small body of jurisprudential texts from the respective traditions, which were translated into English, and from precedents produced in the British Indian courts. In effect, what was called Hindu and Muhammadan laws, were significantly different from the classical legal traditions they referred to, and are better referred to as ‘Anglo-Hindu’ and ‘Anglo-Muhammadan’ laws. For a short introduction to the subject of personal laws and their history, see N. Chatterjee, ‘Law, Culture and History: Amir Ali’s Interpretation of Islamic Tradition’, in Shaunnagh Dorsett and John McLaren (eds.) *Legal Histories of the British Empire: Laws, Engagements and Legacies* (London: Routledge, 2014), pp. 46–8; for consequent transformation of the Islamic legal system, see Kugle, ‘Framed, Blamed and Renamed’, pp. 257–313; Michael Anderson, ‘Islamic Law and the Colonial Encounter’ in Peter Robb and David Arnold (eds.) *Institutions and Ideologies: a SOAS South Asia Reader* (Richmond, 1993), pp. 165–85; Gregory Kozlowski, *Muslim Endowments and Society in British India* (Cambridge, 1985); Zaman, *The Ulama in Contemporary Islam*, pp. 17–37; for Hindu law, see J. D. M. Derrett, ‘The Administration of Hindu Law by the British’, *Comparative Studies in Society and History*, 4: 1 (1961), 10–52.

¹⁹ See, for example, James Grant, *An Inquiry into the Nature of Zemindary Tenures in the Landed Property of Bengal* (London: J. Debrett, 1790).

²⁰ Habib, *Agrarian System*, pp. 169–70. ²¹ *Ibid.*, pp. 160–6.

generally absorbed into the Mughal regime as *mansabdārs*); intermediary *zamīndārs*; and primary *zamīndārs* (land-owning cultivators).²²

If the term *zamīndār* could apply to highest ranking Rajput nobles of the Mughal empire down to the petty village chieftain, what we are left with is the awareness of the amorphousness of the category, and the methodological problems created by intense interest of successive regimes in precisely this social category. Perhaps what remains is the notion of *milkiyat*, derived from the Arabic *mulk*, equivalent to the Latin *dominium*, which ranged from property to kingship.²³ Such are the men whom peasants would address as *mālik*, their hands folded. The Mughals did not create most of them, they took them as they found them, provided they were effective enough and compliant enough, used them to collect taxes and manage the countryside, through a carrot-and-stick policy, replacing them with other similarly placed candidates when needed. The process of incorporation, however, wrought changes in these men; their aspirations evolving from local power to greater things – in some exceptional cases, to universal sovereignty.²⁴

Zamīndārs were inevitably armed, maintaining significant armies of their own, consisting mostly of foot soldiers, with a small number of more expensive horsemen and a tiny sprinkling of elephants. This capacity for arms-bearing is what made them useful to the Mughals, as well as to other regimes who competitively wooed them. In its account of the twelve provinces (*sūbas*) of the Mughal empire, the *Ā'in-i Akbarī* enumerated the number of soldiers maintained by *zamīndārs* in each subdivision of the *sūba* (*sarkār*), and, where data was available, for every district (*maḥāl*, which was the fiscal equivalent of the *pargana*).²⁵ The *zamīndārs* of *sarkār* Mandu, in which the district of Dhar was located, were reported by Abul Fazl as maintaining 1,180 horsemen to 2,526 foot soldiers,²⁶ the proportion of horsemen being significantly above the average for the empire as a whole. Dhar sported an even higher ratio, 120 horsemen to 150 foot soldiers. The *zamīndārs* of Dhar were small, but had some elite troops.

Such armed retainers had many uses; from the point of view of the regime, they were to be supplied for action when called upon to do so. Such calls for action would come, not directly from the imperial court, but from the *mansabdār*, who was the imperial official holding an official rank (*mansab*), which carried with it a cash salary and an allocation of taxes (*jāgīr*) from a certain number of revenue units, or *maḥāls*. Now although the *mansabdār-jāgīrdār* was allocated his cash salary and/or *jāgīr* so that he might maintain a

²² Hasan, 'Zamīndārs under the Mughals.'

²³ Richard Tuck, *Natural Rights Theories* (Cambridge: Cambridge University Press, 1979).

²⁴ Wink, *Land and Sovereignty*.

²⁵ 'Account of the Twelve Sūbas', in Abul Fazl, *Ain-i Akbari*, pp. 116–413.

²⁶ Abul Fazl, *Ain-i Akbari*, pp. 206–7.

dedicated army of horsemen, and although most *mansabdārs* recruited their ‘followers’ (*tābinān*) along clan networks,²⁷ they might call upon the *zamīndārs* to supply additional local troops, especially to suppress local rebellion. However, the same local armies could also be used by the *zamīndār* to self-aggrandise by waging war against other *zamīndārs*, to hold off imperial tax officials when necessary, and in very ambitious and/or desperate moments, to fight the imperial army itself. This was both the turbulent ‘interior’ frontier of the Mughal empire and its crucial source of military labour.²⁸ In following the adventures of Jayanti Das and his descendants, we shall see how the conduct of warfare – self-directed or at the empire’s behest – remained a constant feature of their activities. The office/service (*khidmat*) of *zamīndārī* entailed other obligations, which also required military capacity. This included law-and-order responsibilities, including acceptance of liability for all thefts in their domains (or at least those thefts about which imperial officials chose to make a fuss) and apprehension of thieves. The British order to *zamīndārs* in Bengal to dismiss their police force and the Cornwallis’ Police Regulations of 1792 formed the beginning of that *longue-durée* and ultimately incomplete effort to demilitarise the Indian countryside.²⁹

Mughal terminology was variable and may appear inconsistent because of our expectations, formed of colonial and postcolonial legislation. In general, however, Mughal chroniclers and gazetteers used *zamīndārī* as a general descriptor of social status (sometimes in order to make moral judgements); whereas in formal documents, such as our *parvānas*, the term was used refer to the specific kinds of service (*khidmat*) that we know to have been associated with *zamīndārs*, most commonly, that of being a *chaudhrī*.³⁰ As we shall see, many other kinds of offices could also be held by people counted as *zamīndārs*. *Zamīndārs* retained such offices due to their evident loyalty (*daulatkhwāhī*) and goodwill of the emperor and his representatives, although clearly the documents themselves recorded several other conditions that established a claim to *zamīndārī* – such as agrarian pioneering, past grants, inheritance and customary rights.

What makes *zamīndārs* an additionally elusive entity – apart from their clearly heterogeneous origins, status and functions – is the fact that, despite the claim of appointing them, official manuals of the empire, the *Ā’in-i Akbarī* onwards, did not list them among imperial officials. Official orders and other supplementary documents confirming a *zamīndārī* did however refer to a predictable bundle of functions. It is by these functions that *zamīndārs* have

²⁷ Athar Ali, *Mughal Nobility*, pp. 163–4.

²⁸ Gommans, *Mughal Warfare*; Kolff, *Naukar, Rajput and Sepoy*.

²⁹ A. S. Aspinall, *Cornwallis in Bengal* (Manchester: Manchester University Press, 1931), pp. 112–13.

³⁰ As we see in several of our documents; the post is described as *khidmat-i chaudhrāī*.

to be identified – Mughal documents often preferring to refer to them not as *zamīndārs* per se, but according to their contextually specific status, designation or even simply their names.³¹ And it is also through documents such as the one recognising Jayanti Das's tenure, and through many others acquired and preserved by subsequent generations, that we begin to form a picture of who these men were, what they did in order to acquire their rights and how they used law in order to secure those rights.

Royal Grace and Rural Eminence

John Malcolm, the first 'Political Agent' or British military-political administrator of Central India (which incorporated Malwa) noted in the early nineteenth century how several of the principal families in Malwa owed their origins to grants made by Muslim rulers, backed by those of the Rajas of Jaipur, Jodhpur and Udaipur.³² Grants of the kind that Jayanti Das and his four associates received, as well as the higher-end ones Malcolm discussed (such as those of Kishangarh, Jhabua and Ratlam) all sat within the broad spectrum of operations by which rural grandees were incorporated into successive regimes: the Malwa Sultanate and the Mughals, but then also the Marathas and the British.

Paperwork played a crucial part in that process of incorporation. Documents written on expensive paper and bearing elaborate seals and ciphers bore imperial orders (*farmāns*), princely orders (*nishāns*) and sub-royal orders (*parvānas*), turned people like Jayanti Das into the Mughal *zamīndārs*, awarding them rights to resources that they may have possessed to some extent already, but which were now clothed with the fiction of imperial service and consequent prerequisites, and backed up with the weight or threat of imperial force, if needed. Not all was window-dressing, for clearly some people, such as members of Jayanti Das's family, found such recognition through grants led to additional opportunities for imperial service and further grants.

Despite claims in other, later documents in this family's collection, that such rights as they possessed had been granted by imperial *farmāns*, the majority of documents in the collection are in fact *parvānas*, that is, issued by high-ranking nobles/officials, often identifiably the *jāgirdār* of the area. The closest this family got to the emperor was through *nishāns* of royal princes, of which there

³¹ Farhat Hasan, 'Indigenous Cooperation and the Birth of a Colonial City, Calcutta c. 1698–1750', *Modern Asian Studies*, 26: 1 (1993), 711–18; the document of sale of the *zamīndārī* of Dehi Kalkatta, Sutanuti and Gobindapur to the East India Company, for example, only referred to the current *zamīndārs* by their name and genealogy (*nisba*). '*Naql-i qibāla-yi kharīdgi-yi mauza 'dehi Kalkatta waghera* [Copy of the document of purchase of *mauza 'dehi Kalkatta etc.*]', Add. 24,039, f. 39, British Library.

³² Malcolm, *Memoir*, Vol. I, p. 45.

are a small and crucial number in the collection, which, moreover, are further attested to in the associated *parvānas*. There are eighty-two *parvānas* in the collection, and a further thirteen copies of *parvānas*, taking the total to ninety-five, out of a collection of one hundred and ninety. The collection of the DAI, Kuwait, is almost exclusively *parvānas* – thirty-nine out of forty-three documents; the other fifty-six *parvānas* or copies are from the NAI or from the family's private collection. From codicological, paleographic and diplomatic points of view, the *parvānas* are the best-written within the collection, on good paper, properly sealed and following uniform conventions. They are also clustered between the 1650s and 1670s, with a long tail thereafter; a cluster that also reveals a systematic association of this *zamīndār* family with certain specific nobles and members of the imperial dynasty. These grantees did not just give new gifts; more frequently, they reaffirmed what appeared to be existing rights, and sorted out disputes over them. They also demanded general and specific services and reprimanded the recipients for acts of omission or commission. In doing all this, they established themselves as lords of various realms, able to channel royal grace into the countryside and populate it with rights.

The *parvāna* of 1574, with which this chapter began, created a set of rights for Jayanti Das, and his associates. It is not clear why indeed these five men were selected for the privilege, except for some kind of pre-existing entitlement, signalled by the phrase '*mālik-i zamīn*'. Family histories, written and rewritten in Hindi and English in the nineteenth century, preserved a dynastic memory, claiming landed rights possessed from pre-Mughal times, through grants made by the Malwa sultans, in particular Hoshang Shah.³³ As far as the Persian documentary collection is concerned, there is no direct evidence to support this belief, but there are two bilingual documents of pawn/mortgage that purport to be from the fifteenth century.³⁴ Both documents date themselves to 21 Rabi II 867 (1463 CE); the first document records that a person called Manji, *mandloī* of *tappa* Sadilpur in *pargana* Dhar mortgaged (*girwī guzāsh*) several hereditarily owned villages for 18,505 Muzaffari rupees to *chaudhrī* Bhagwan Das, Gopal Das and Jit (or Jayanti) Das, sons of Ganesh Das, son of Gunraj. The other document is nearly identical in content as well as appearance; it is an inexact copy. Both are sealed with the same multiple seals; of the two large circular seals right above the main text of the document (the most authoritative position on the page) one reads '*... ma 'rūf Suhravardy*' and bears the date 945; the other reads '*qāzī muhyi sarāf (?) khādīm-i shari 'a*'. There are five smaller seals of witnesses on the right margin, with the superscript *gawāh shud* (it was witnessed). They both include Hindi writing; in one document, the

³³ These will be discussed in Chapter 7.

³⁴ Choudhary Family Collection, Bada Rāolā Dhar (BRD), 29 and 30.

Hindi element is on the reverse,³⁵ in the other, on the right-hand margin.³⁶ Despite all this adherence to form, however, these documents are clearly elaborate forgeries – the handwriting is quite modern, as is the poor-quality, transparent paper, the terms *mandloī* and *tappa* derive from the post-Maratha period. While it is difficult to reconstruct the specific context in which these would have been produced, they are parallel indications of the family's strong belief of their pre-Mughal establishment in the area. There may indeed have been some truth in that belief; given the *parvāna* awarding or recognising rights in 1574, so soon after the Mughal conquest of Malwa.

State Office as Property: the Qānūngō of Pargana Dhar

In almost all subsequent *parvānas* and the handful of *nishāns* in the collection, references to *asnād-i sābiq* (old documents) and *dastūr-i sābiq* (old, i.e., long-established rules/customs) is a constant refrain. This is true even of the highest-status documents in the collection; the three documents that purport to be copies of *nishāns*, two of these from Prince Khurram (later Emperor Shah Jahan) and one from Prince Murad Baksh, Shah Jahan's son, who was executed by his brother Aurangzeb in 1658. Murad Baksh's *nishān*, issued some time in 1657, is better evidenced; this princely order clearly generated a series of knock-on effects which generated supplementary documentation that appears authentic.

Two (copies of) *nishāns* of Prince Khurram (enthroned as Emperor Shahjahan, 1628–1658) confirmed Mohan Das, a descendant of Jayanti Das, in the post of *qānūngō* of *pargana* Dhar, and described his entitlements in connection with that post. The first of these is the document that this book opened with; it is held at the National Archives of India, and does not bear a date of issue, but refers to itself as *naql-i nishān-i Khurram Shāh*. The document we have today is a copy of this *nishān* as authenticated by *qāzī* Muhammad Mustafa, a regular acquaintance of this family for a long period at the very end of the seventeenth century and the beginning of the eighteenth, with a seal bearing the date 1103 (1690 CE). The contents this document hint at the manner in which the fortunes of the family had grown – the descendant of agrarian pioneers acclaimed by the imperial order, Mohan Das had discovered yet another way of making the state work for him. He had acquired the 'office' of '*qānūngō*' in the district of Dhar. Since being a *qānūngō* entailed being the officially recognised repository of local tax information,³⁷ it required the ability to memorise and compute local tax information, and usually to read and write to some extent. So Mohan Das, descendant of the *mālik* Jayanti Das, may well

³⁵ BRD 29, Dhar family collection. ³⁶ BRD 30, Dhar family collection.

³⁷ Habib, *Agrarian System*, p. 333; Saiyid Zaheer Hussain Jafri, 'The Sarkar Qānūngō 16th-17th century documents', *Proceedings of the Indian History Congress*, 46th session (Delhi: Indian History Congress, 1986), 253–64; Siddiqi, *Land Revenue Administration*, pp. 87–91.

have undergone some self-improvement. That did not seem to have damaged his capacity for military action (as we shall see), and in fact, his appointment to *qānūngō*-ship may have had less to do with his computing skills than his prowess with horse and sword.³⁸

Military prowess was naturally paired with a penchant for getting into trouble with one's imperial superiors. The document said in a rather cryptic fashion that Mohan Das had been appointed the *qānūngō* of the (unnamed) *pargana* (but) had subsequently been taken to the fort of Asir (the formidable Asirgarh – which is quite some way from Dhar) and the (unnamed) village had been taken under the administration of the *khalṣa* (the directly administered and taxed imperial domains). Now that Mohan Das had demonstrated his loyalty (which had become suspect for a period, and we shall see why later in the book) and had been reappointed to the *qānūngō*-ship of Dhar *ba-dastūr-i sābiq* (according to old custom), the exalted order was issued that said village, which was excluded from the salary of the (local) *jāgirdār*, was appointed as '*inām* to him'³⁹ There are so many intertwined entitlements mentioned in this scrappy little document, written in ambiguous Persian legalese, that it is difficult to say exactly what was granted. For example, *dastūr-i sābiq* literally meant 'as per old rule/customs', so it could be saying that Mohan Das was made *qānūngō* 'as of old', but it could also be saying that he was made *qānūngō*, together with the customary rights to collect local taxes as his perks.⁴⁰ If the latter, then this document may be indicating two sets of rights – the first, the *dastūr* (customary rights) associated with the post of the *qānūngō*, and the other, the '*inām* additionally granted to him on this occasion by the clearly impressed prince. Prince Khurram was *sūbadār* of Malwa in 1614⁴¹ and had been in Asirgarh several times in the 1620s, but Mohan Das must have been an enterprising man to have caught his eye; one suspects that he did not do that just by balancing the books. Family histories preserved by the descendants propose a military adventure as an explanation; we shall discuss that narrative later in this book, in Chapter 7.

There was also at least another powerful stakeholder in the story – the noble who held the *jāgīr* in the region, and in whose area of claims the village granted as '*inām* would make a little financial/fiscal hole. The family would naturally need a good relationship with the local *jāgirdārs* as they came and went in order to realise the dues from this village. And this is indeed what we see in the many subsequent *parvānas* in the collection.

³⁸ NAI 2668/6, 1661 (or 1662) – this is a *maḥẓar-nāma*, a testimonial document produced in the context of a later dispute; which will be discussed in the following section.

³⁹ NAI 2703/31, purportedly pre-1628, date in the seal on the copy 1693.

⁴⁰ As it did in Gujarat, see M. P. Singh, *Town, Market, Mint and Port in the Mughal Empire (1556–1707)* (New Delhi: Adam Publishers, 2015), p. 213.

⁴¹ M. Athar Ali, *The Apparatus of Empire: Awards of Ranks, Offices and Titles to the Mughal Nobility, 1574–1658* (Delhi: Oxford University Press, 1985), p. 56.

But which exactly was the village that was granted to Mohan Das? There is another document, now held in the family's collection, which also purports to be a copy of a *nishān*, issued on 12 Muharram 1026 (1617 CE) which would make it emperor Jahangir's reign.⁴² Although the document does not bear any seals, even of validation of the copy, and the handwriting is no older than the nineteenth century, the existence of this copy, together with the notarised copy from the National Archives, does suggest a very strong memory of a grant received from Prince Khurram.⁴³ The document says that *mauza* ' (village) Ahu in *pargana* Dhar, was given as '*inām* to Mohan Das, the *qānūngō* of the same district, on condition of *khidmatkārī* (service) and *daultakhwāhī* (loyalty). Ahu is currently a tiny village a few miles from the city of Dhar, close to the villages of Gardawad and Mohanpur, where Jayanti Das and his kinsmen had received a grant of land in 1574. Present-day descendants also confirmed that, until recently, the family had owned land in the village. Thus the family were not just *māliks* in the area, but also regime-recognised keepers of tax for the district, with additional land rights derived from that office.

State office, tax-collection in particular, formed a key source of income as well as prestige for the family. The *zamīndār* as *chaudhrī* was a local tax-collector in the Mughal view, but members of this family held the more professionally oriented position of *qānūngō*, or village-level keeper of taxes. In fact, the *qānūngōī* of Dhar, and later other districts, formed an important source of entitlements for Jayanti Das's family, which returned, tautologically, to rights in land, and its produce. Moreover, these position and rights could be acquired and extended not just through training and heredity-based selection, but also through rewards upon military service and interpersonal transactions. Chapter 3 will discuss the processes of tax-collection and the family's role in it in more detail; here we approach their holding of *qānūngōī* – of Dhar, and other districts – as another form of title to property. As such, this is intended as a beginning of the argument whereby I propose modifications to the concept of 'service communities' detached from land and violence, and point instead to multi-pronged strategies of self-aggrandisement that could work for those that could marshal both pen and arms in Mughal villages.

Military Services

Besides government service and landholding, the family derived its prominence from another source: military prowess. It is this capacity and function that allows us to securely identify this shape-shifting family as *zamīndārs*,

⁴² 1617 BRD 4.

⁴³ And in what is often a giveaway with forgeries, here we have a perfect concordance between the regnal year and the Hijri year.

given, as we have said, that the documents do not always refer to them as such. And it tells us something about the mental world of Jayanti Das and his descendants when we note that whenever it came to making ‘overview’ declarations of their status and entitlements, it is this source of privilege that leading members of the family stated most frequently and insistently.

Military service could be rendered proactively, and used as a route into the good books of powerful nobles/imperial officials, and from thence, into public office and associated gains. For instance, in a *maḥzar-nāma* sealed by *qāzī* Fath Ilyas, with the date on the seal being 1072 AH (1661–2 CE),⁴⁴ *chaudhrī* Purshottam Das, son of Mohan Das, recited how his father had hugely expanded the family’s fortunes. There was once, he said, a *rahzan* or highway robber called Bira, who also happened to be a *rāna*, that is, a Rajput chieftain, of the neighbouring *pargana* of Hindola. Because of his ‘looting’, the *parganas* of Dhar, Nalcha, Digthan and Amjhera, and even the royal highway that passed through these districts, could not remain *abādān* (inhabited) and *rawān* (moving/working). After a few years of this, a knight in shining armour showed up – his father, Mohan Das – who, looking to repopulate the area, undertook war and struggle (*jang va jaddal*) with Bira.

Despite Mohan Das’s valour, Bira was not defeated easily. At some point, the *sūba* of Malwa was given as *jāgir* to the (since deceased) Nawab Mirza Sultan,⁴⁵ who graced the fort at Mandu by visiting it in person. Around this time, matters came to a head as a caravan of merchants travelling with fine gold-woven clothes and unstitched cloth (*rakhūt va parcha zarīn*)⁴⁶ from Akbarabad (Agra) to Burhanpur, were looted on the highway at Jahangirabad (Orchha),⁴⁷ Bira making off with all the expensive wares. Worse, he even attacked, killed and looted the sons of a certain Saiyyid Jamal al-din Hussain who were ‘*Mughaliān*’.⁴⁸ Jamal al-din Hussain may have been none other than

⁴⁴ NAI 2668/6, 1661 (or 1662).

⁴⁵ This generic name and title combination suggests a royal prince, but it impossible to say who exactly.

⁴⁶ Irfān Habib mentions several types of cloths manufactured in India (but not Agra), in ‘Non-Agricultural Production and Urban Economy’, in Habib and Raychaudhrī (eds.) *Cambridge Economic History of India*, Vol. I, pp. 79–80.

⁴⁷ The merchants would have been following a crucial trade route, from Agra to Surat, that passed through Bundela territory. In 1630–1, Peter Mundy took a route from Surat that took him through Burhanpur and Asirgarh, north-eastwards through Narwar (close to where Bir Singh Bundela had assassinated Abul Fazl), to Gwalior and from there to Agra. Mundy, *Travels*, II, pp. 39–67 and map opposite p. 39. Orcha, the stronghold of Bundela Rajput chiefs, had been renamed Jahangirpur in honour of the alliance between Prince Salim-turned-Jahangir and the Bundelas. See Busch, *Poetry of Kings*, p. 51.

⁴⁸ ‘Mughal’ generally referred to Turkish nobles; Jamal al-din was Hindustani. However, the term may have been used to refer to an imperial official. Recently, Mana Kia has suggested that the term applied to Iranis in India.

the then-governor of Malwa, appointed in 1616,⁴⁹ and if so, then Bira had indeed overstretched himself.

The appeal (*faryād*) of the merchants, and the grandchildren of Jamal al-din Hussain reached Emperor Jahangir's court, and an imperial order reached Mirza *ṣāhib 'jū'* (an Indic honorific suffix frequently used in our documents), the *jāgirdār*, to arrange for the return of the clothes stolen from the merchants in his area, and to expel the miscreant from the region. Thus prodded, the Mirza 'jū' called up the *faujdār* of district Nalcha, Iwaz Muhammad Khan, to deal with the matter, but the troublemaker could not be overcome. On receiving this bad news, Mirza 'jū' declared in some desperation: 'How is that damned [Bira] to be cured (managed) ('*ilāj-i ān bad-bakht chi-taur mi āyad*)?' Now, luckily for every one, in those days a wise old religious scholar (*mard-i 'ulamā*) called Maulana Ghausi used to live in the fort of Mandu. The *maulāna* sent a petition saying that the matter had to be entrusted to *zamīndārs*. When consulted, the *maulāna* said that Mohan Das of *pargana* Dhar was the best at getting things done ('*umda ba taraddud ast*). And so Mohan Das got his career break.

Mirza *ṣāhib* promptly summoned Mohan Das, bestowed on him a *sarōpā*,⁵⁰ tied a sword to his waist and gifted him with an excellent large mare.⁵¹ Thus incorporated as the government's agent, Mohan Das was also put in charge of fifty horsemen, together with a certain Khwaja Dilawar *jiū*, and instructed remove all traces of the *maqhūr* (loser; i.e., Bira). Together they attacked some villages of the Bhils but clearly to no avail, because Mohan Das then reasoned with the Khwaja that they needed to go further, beyond the *thāna*, in order to really cure, that is eliminate, the *mufsid* (mischief-maker).

Having achieved permission to search further afield for Bira, Mohan Das then recruited a Rajput called Bharmal, an old *naukar* (retainer) of Raja Keshav Das, whom we know to have been the ruler of the petty Rajput principality of

⁴⁹ This could be Mir Jamal al-din Hussain, appointed to Bihar and then removed to Malwa in 1616. Ali, *Apparatus of Empire*, p. 60. As source of information, Athar Ali refers to the published memoirs of Thomas Roe, the East India Company envoy to the Mughal court. Jamal al-din Hussain was one of the very few Mughal nobles the normally irascible Roe liked. *The Embassy of Sir Thomas Roe to India, 1618–1619* (ed.) (London: Hakluyt Society, 1899), Vol. I, pp. 238–9; 245. If Roe is to be trusted, Jamal al-din was grumpy about the way Mughal administration was run, and gave him his own memoirs in which he noted down all instances of royal willfulness and other such failings. This manuscript may be available at Berlin.

⁵⁰ On *sarōpā* – the head-to-foot attire – and its role in the classic Mughal ceremony of investiture, see Harbans Mukhia, *The Mughals of India* (Oxford: Blackwell, 2004), p. 104; Bernard S. Cohn, 'Cloth, Clothes, and Colonialism: India in the Nineteenth Century' in *Colonialism and Its Forms of Knowledge* (Princeton: Princeton University Press, 1996), pp. 106–62; Richards, 'Norms of Comportment', p. 255–90.

⁵¹ On the symbolism of the mare, see Shahid Amin, *Conquest and Community: the After-Life of Warrior Saint Ghazi Miyan* (Chicago: Chicago University Press, 2017), pp. 91–7.

Jhabua in the early seventeenth century.⁵² Since Keshav Das had just died, Bharmal was between jobs, so Mohan Das retained him. Mohan Das then established a *thāna* called Sultanpur, named after the *jāgirdār*, who expressed satisfaction when this was reported to him. The mission was a success; the *harāmkhōr*⁵³ Bira was found and hounded out of the country. The *pargana* (not sure which) which had become *ghair ‘amalī mawās* (totally ungoverned) was taken into the *khālṣa sharīf* of the government (i.e., turned into crown lands). As reward, the Rajput Bharmal received no less than an imperial *mansab* and three *parganas* – Hindola, Jamli and Bawani – as his *jāgir*, besides the *thānadārī* of the royal highway of Jahangirpur. And Mohan Das appointed him his own *gumāshṭa* (agent) for the office of the *chaudhrāī* and *qānūngōī* in the *qasba* of Sultanpur, himself receiving the *dastūr* (rights to collect certain taxes) of the *pargana* and five villages including Ajnai as *‘inām*.

Years passed, and the families that were once allies, fell out with each other. Paras Ram, Bharmal’s son, tried to take over the other family’s perquisites, and even had Mohan Das assassinated. Mohan Das’s brother Chandar Bhan, and later his son Purshottam Das inherited his position, salaries and allotments. Purshottam Das’s position must have remained unstable, since he appealed for testimony from all those in the know, that there were no sharers in the *dastūr* and the villages of *‘inām*. The reason for the instability appeared to be that Bharmal’s descendants, having turned to robbery themselves and lost their *mansab*, had established themselves in the hills on the boundaries of Jhabua and wanted to grab the *zamīndārīs* of Dhar, Hindola, Sultanpur, Jamli and Nalcha. In the typical style of a *maḥẓar-nāma*, the testimony was witnessed by various individuals: there was a certain Nasirullah, ‘resident of Dhar’; Abdul Fatah, son of Abdul Hamid Sadr Jahan; a Shaikh Kani or Kali who claimed to be the grandson of no less than Hazrat Shah Kamal of Malwa (see Chapter 1); and a Sayyid whose name I cannot read – their names were written in the Perso-Arabic script. Besides theirs, was the name of a certain Paras Ram (clearly not of the Bharmal family, and possibly Purshottam Das’s long-standing associate), written in a very difficult archaic Nagri script. Paras Ram also added an interesting symbol: that of the *katār*, the short Indian push dagger, which was both a symbol of military courage and status – frequently associated with Rajputs, as well as the Mughals.⁵⁴ It

⁵² Keshav Das had risen to some prominence in the retinue of Prince Salim, later emperor Jahangir, and deputed, just after Jahangir’s accession in 1605, to deal with the troublesome Jhabua Naik and various other associates who had made the region difficult to govern. Keshav Das killed Jhabua Naik and was granted his territories, but was murdered by his own son soon afterwards. C. E. Luard, *The Central India State Gazetteer Series: Western States (Malwa) Gazetteer*, Vol. V, Part A (Bombay: British India Press, 1908), p. 518.

⁵³ A swear word – one who eats what is *harām* (i.e., forbidden to him).

⁵⁴ For an instance of the *katar* being incorporated into Mughal iconography, see the MSS of the *Hamza nāma*, commissioned by emperor Akbar. John Seyller, *The Adventures of Hamza: Painting and Storytelling in Mughal India* (London: Azimuth, 2002), cover.

appears that there was no getting away from martial symbols, and the people they represented, in this south-western corner of Malwa.

The story of the rise and fall of Mohan Das maps onto the political geography of Malwa, outlined in Chapter 1. A landscape crisscrossed by trade routes but also dotted with military encampments, formal and informal, created a dangerous environment, which also provided opportunities for military entrepreneurs. Some such entrepreneurs formed little and frequently ephemeral warrior-polities (such as Jhabua), alternately hounded and patronised by imperial regimes. Others did not progress to that stage, but remained service providers to various regimes, but always on the brink of slipping over to the other side themselves. Mohan Das may not have been Rajput himself, but there is no discussion of his precise caste status in the document; this was a land of Rajput-ness. To that heterogeneous spectrum belonged various kinds of individuals and groups, including the Bhils, who lived in the forests and hills of west-central India, were familiar faces in the Mughal army and continued to be recruited by *zamīndārs* as strong-arm men even in the nineteenth century. While their social superiors never managed to stop thinking of them as thieves,⁵⁵ several of them managed to replicate the techniques of small-scale war and aspirational marriage in order to rebrand themselves as similarly ‘spurious’ Rajputs. The relationship between Bhils and Rajputs continues to be fraught as well as intimate to the present day.⁵⁶

In behaving like boundary-keepers or ‘lords of the marches’ – *marzbān* – and consequently a militarised landed gentry,⁵⁷ while also seeking the *jāgirdār*’s patronage for his confrontation with Bira, Mohan Das, his protégé Bharmal, and their descendants exemplified the dynamics of incorporation of local military groups into the Mughal regime. The persistent militarisation of the Indian countryside and the development of certain zones as simultaneously hotbeds of rebellion but also centres of military recruitment has been studied by military historians.⁵⁸ This well-recognised interplay between forces of disorder and order has been extended by Wink to a broader thesis about the constantly contested nature of sovereignty in India – where any would-be sovereign had to not only suppress insubordinate inferiors, but compete with peers and superiors in order to recruit them to his own flag rather than theirs.⁵⁹ Mohan Das and Bira were both potential foot soldiers of the empire; they established their market

⁵⁵ Kolff, *Naukar, Rajput, Sepoy*, p. 117–19; William Irvine, *The Army of the Indian Moghuls: Its Organization and Administration* (London: Luzac & co., 1983), p. 170.

⁵⁶ Janet Kamphorst, *In Praise of Death: History and Poetry in Medieval* (Leiden: Leiden University Press, 2008), pp. 199–202, offers the historical sociology of this relationship; the entire book is an examination of the tension through written and oral literary sources.

⁵⁷ Gommans, *Mughal Warfare*, p. 15; the idea of *marzbān* as *zamīndār* is based on Habib, *Agrarian System*, p. 169.

⁵⁸ Kolff, *Naukar, Rajput and Sepoy*; Gommans, *Mughal Warfare*.

⁵⁹ Wink, *Land and Sovereignty in India*, p. 386; also Peabody, *Hindu Kingship and Polity*.

value through the conspicuous display of force, and in doing so, they dipped into the seemingly bottomless military labour market – the Bhils and the *girāsīyas* – until order and disorder melted into each other. Bira, Mohan Das and their descendants were all locked in an embrace of mutual as well as collective violence, all inspired by visions of upward mobility.

Exactly like their European contemporaries, whether they would be deemed privateers/state agents or pirates/highwaymen depended on their success in attaching themselves to the state apparatus at the right time. But what turned their temporary gains into entitlements, and part of the *dastūr* of the area was the recording of those rights on paper, and repeated deployment and/or refreshing of those magic scraps of paper at crucial points.

Brushes with Greatness: Princes and Their Gifts

Although we have seen shadowy references to Prince Khurram in connection with Mohan Das's career, the member of the Mughal dynasty who is mentioned most frequently in the documents of this family is his son, Prince Murad Baksh. This ill-fated prince, who was executed by his younger brother Aurangzeb during the succession battles of 1658, remained a long-remembered source of royal munificence for this family. Several later documents in the collection, while airily and vaguely claiming older *farmāns* and *asnād* as sources of the family's rights, referred very specifically to a *nishān* of Murad Baksh. While this *nishān* (if it ever existed) has disappeared, we do have three or four other documents in the collection that attest to this family's brush with royalty, and specifically, with the sons of Shah Jahan. Some of these documents have been noticed by Munis Faruqi as an illustration of the process by which an imperial prince took charge of the revenues of his *jāgir* through the offices of a deputed representative – in this case Dianat Khan – and, in that process, interacted and clashed with the local *zamīndārs* in the inevitable tussle to extract resources from the *jāgir*.⁶⁰ While Faruqi's reading helps us confirm the presence of both Murad and his appointee Dianat Khan in the story of this family's fortunes,⁶¹ there are some important inaccuracies which, when corrected, reveal a more complex process, with more than one prince and noble involved.

⁶⁰ Faruqi, *Princes of the Mughal Empire*, p. 96.

⁶¹ Although he does not, in this case, cross-reference to any other source of information, such as an *Akhbarat*, so it is difficult to see how he established these facts. The documents cited are LNS MS 235 (b) DAI, and (c), (d), (i), (j), (k), (l) and (mm) from the same series. I have not been able to trace the last document (mm), the others are in the calendar in the Appendix. There seems to be some misreading on Faruqi's part, for document LNS MS 235 (i) DAI refers to Dara Shukoh, not Murad Baksh.

Prince Murad Baksh was governor of Malwa between 1651 and 1654.⁶² The earliest document within the collection to mention him directly was a *parvāna* sealed by a noble who styled himself ‘Abd al-Salam, son of [. . .] Khan, *banda-yi* (slave of) Sultan Murad Baksh’. The seal bore the date 1054 (1644 CE), but the document could be from later, and from during Murad Baksh’s incumbency, because non-royal seals were not necessarily renewed every year. The document introduces two other active characters into the history of our family – Purshottam Das and Paras Ram – both referred to as *chaudhrīs*. As we know from the later *maḥẓar-nāma*, just discussed, Purshottam Das was Mohan Das’s son and indirect heir; Paras Ram appears to have been Purshottam Das’s constant associate, and witness to the crucial *maḥẓar-nāma* just discussed. Together, documents pertaining to these two men, active in tandem in the middle of the seventeenth century, made up nearly half of the entire collection. In this case, Abd al-Salam, the servant of Murad Baksh, who may have been a noble himself, instructed the two men to send the corrected record of *siyāhā-yi roznāmcha* (account of daily activities) and *āmadan va jama’* (taxes) *ba-zūdi-yi zūd* (ASAP), because he had none of these records in front of him. Appended instructions consisted of forwarding news of Gujarat if anybody arrived from there.⁶³

Although the writing in this document is particularly difficult to read, it still indicates the difficulties faced by the entourage of a new *jāgīrdār* who moved into his new *jāgīr* and attempted to find out how much it could pay. Records needed to be extracted from those in the know; and in being the appropriate repository of such information Purshottam Das revealed that he was in fact a *qānūngō*, a record keeper, not just in name, even if he may have been proud of his father having won his state offices and grants through military adventure. As for Abd al-Salam, as Faruqui has eloquently explained, as soon as a prince was allocated *jāgīrs* in a region, he sent his own men to take charge of the revenue collection. These men were frequently high-ranking nobles themselves; incorporated, through that mix of politics and administration that characterises everything about Mughal governance, into the prince’s team, or household. The same noble possibly occurs in at least one other document from 1658, and if so, had done a rather rapid change of affiliations after Murad Baksh’s death and Aurangzeb’s coronation.⁶⁴

Another person who appears in a series of documents in the mid-1650s, and about whom we have much more information, is Dianat Khan, who is known to have worked as Murad Baksh’s *divān*. Several of these were *parvānas* issued in the twenty-eighth regnal year of Shah Jahan (1655 CE) and pertain to the

⁶² Ali, *Apparatus*, pp. xxxix–xv, 262, 279, based on *Waris, Pādshāhnāma* 114(b), 179(a), Ethé 329. Faruqui suggests that Dhar was within Murad Baksh’s *jāgīr* between 1653 and 1657, but his sources are not evident.

⁶³ 1644 (?) BRD 16. ⁶⁴ 1658 BRD 18, dated 6 Ramzan RY1.

confirming of Purshottam Das's title to the *qanūngōī* of Dhar and other entitlements after the death of his uncle and predecessor, Chandar Bhan.⁶⁵

But the most striking documents in the collection that refer to an imperial prince do not pertain to Murad Baksh, but to Dara Shukoh, known by the title Shah Buland Iqbal. There is a brief flurry of such documents issued between 1656 and 1658, when the *jāgīr* of Malwa was taken from Murad Baksh and given to Dara Shukoh. The first of these is a letter bearing the seal of a certain *banda-yi* (slave of) *Shāh Buland Iqbāl* (Dara's title), and the date RY 29 (1656). In this, an employee of Dara's acknowledged the secret information that Purshottam Das and Paras Ram had supplied, about the depredations of Audi *girāsiya* and about counter-measures taken by Muhammad Aqil, Harnath Singh and Nand Lal (possibly nobles and/or imperial officials) and by Purshottam Das himself. The letter writer instructed Purshottam Das to take agreements (*muchalkas*) from the local village headmen, that they would not let the 'ill-fated monster' pass through their area, at the pain of committing a crime. For all this effort, however, Purshottam Das did not even qualify for a discount in the taxes he was supposed to collect, for after all, there had been good rains and no natural disasters, and the order only grudgingly suggested some minor adjustments for the difficulties caused by the *girāsiya*.⁶⁶

We also have a copy of a *nishān*, dated 1657, preserved in the National Archives of India, addressed to the local Chandrawat Rajput noble, Rao Amar Singh, informing him about the transfer of the districts from the *jāgīr* of Prince Murad Baksh to the 'representative of the government' (i.e., the current *jāgīrdār*), and instructing him to make his way to the *maḥāls* (revenue areas) with twenty horsemen, to make sure that nobody created a disturbance while the new *amīns* and *karorīs* arrived.⁶⁷ The document had an elaborate list on the verso and bore the seal of Rao Amar Singh Chandrawat.

This copied *nishān* was referred to, and complemented by, a *parvāna* dated 24 *Safar* 1068 (29 November 1657), this time issued by Rao Amar Singh on his own authority – now the striking lotus-crested Nagri-script seal was placed on the front.⁶⁸ Amar Singh's *parvāna* declared:

Since now the exalted *nishān*, necessitating respect and obedience, has been glorified by being issued, [ordering] that the *pargana* Sanawar (?) etc. according to the details on the reverse [of this document], due to the transfer of the representative of the celestially-titled

⁶⁵ LNS MS 235 (b) DAI, dated 9 Rabi I RY 28 (January 1655); 1655 BRD 1, dated 10 Rabi II RY 28 (February 1655).

⁶⁶ LNS MS 235 (i) DAI, (RY 29 on seal; 1066 AH = 1656). This document appears to have been misconstrued by Munis Faruqui, who sees in it evidence of rebellion by *zamīndārs* of Dhar due to enhanced tax collection led by Dianat Khan, Murad Baksh's agent. Faruqui, *Princes of the Mughal Empire*, p. 96, note 78.

⁶⁷ NAI 2703/6 (6 *Safar* 1068/13 November 1657)

⁶⁸ LNS MS 235 (l) DAI, (R +V) 11 *Safar* 1068 (29 November 1657).

Nawab Murad Baksh, according to the order that the world obeys, has been allocated to the *jāgīr* of the representative of the Nawab of [glorious deeds] of the exalted government from the beginning of the Kharif harvest of the [Turkish duodenary year] Qawi-II . . .

Hence, the writer said, ‘We have made a copy of the *nishān* and brought it into action, so that the servants of the court protect the subjects and their property’ and more importantly, that ‘no one pays any attention to the old officials (*ahdi ba-‘amalān sābiq ‘amal na dahand*)’.

As for Amar Singh’s precise role, this may be an instance of princes, princesses and *mansabdārs* making subordinate *jāgīr* grants within their own *jāgīrs*, which has been noticed elsewhere,⁶⁹ but it was also a case of a low-ranking *mansabdār* (with nearby but distinct *jāgīrs*) being deputed to manage a prince’s *jāgīrs*, quite like Dianat Khan. In any case, these two documents bring to light a network of interlocking authorities and derivative documentary orders which confirmed and created, as well as displaced local rights. Amar Singh used a striking lotus-crested seal, which bore the Nagri-script legend ‘Sri Ram Upasak (Worshipper of Ram) Chandrawat Rao Amar Singh’.

This worshipper of the Hindu Vaishnava god Ram most likely belonged to Chandrawat branch of the Sisodia Rajputs of Udaipur, who were settled in Antri, at the northern edge of Malwa in the fifteenth century by the patronage of the Malwa Sultans. Their capital was Rampura.⁷⁰ Rescued from the control of Udaipur by Akbar and favoured with *waṭan jāgīrs*, that is, *jāgīrs* within one’s ‘homeland’ or power-base, as only Rajputs were, this clan became rebellious towards the end of the seventeenth century, because of one of those several succession crises badly handed by Aurangzeb.⁷¹ In the mid-seventeenth century, the family seemed to be doing well. In 1060/1650, Amar Singh had received a *mansab* of 1000 *zāt* and 900 *sawār* and the title Rao; the next year, he received a small promotion and went up to 1000/1000 *zāt/sawār*; the following year, he was raised to 1500/1000 *zāt/sawār*; and in 1655–6, he was on 2000/800 *zāt/sawār*.⁷²

So in 1657, we see this member of a Mughal-sponsored Malwa Rajput clan being drawn into Prince Dara Shukoh’s entourage either with the grant of a derivative *jāgīr* or deputation to handle the prince’s *jāgīrs* close to his *thikāna*.

⁶⁹ Habib, *Agrarian System*, referring to Princess Jahanara’s grants within her *jāgīr* in Surat. The copy of this order is in the collection Suppl. Pers. 482, ff.33a-34a, Bibliothèque Nationale de France; it refers to these sub-grants as *tankhwā jāgīr*.

⁷⁰ *Imperial Gazetteer of India*, DSAL Vol. 21, p. 191 (Sheo Singh Chandrawat, settled in Antri by Dilawar Khan, capital Rampura); Mellia Belli Bose, *Royal Umbrellas of Stone: Memory, Politics and Royal Identity in Rajput Funerary Art* (Leiden: Brill, 2015), offers a genealogy; Sinh, *Malwa in Transition*, pp. 48–9.

⁷¹ Gopal Singh Chandrawat of Rampura rebelled against his son’s conversion to Islam; the Kacchwaha noble Jai Singh II effected a reconciliation between father and son after Aurangzeb’s death. Sarkar, *History of Jaipur*, pp. 164–5; Kolff, *Naukar, Rajput, Sepoy*, p. 127.

⁷² Ali, *Apparatus*, pp. 257, 264, 271.

۱۲

ادب کتب

سلطان مراد خوش
 چو در میان دکانو کمویان و متحدان و رعایا و مزارعان و سایر کسب عموم
 پر که دثار من اغفال مکر کا مند و بد آمد که چون درینو لالت و الا سن
 واجب الطاعت و الا اذعان به شرف صد و بیعت که در کتب
 و غیره و بموجب مصلحت ضمن از تعمیر و کلای نواب بدی القاب
 احب کسب هم مصلحت عالم مطمع در حکم و کلای نواب
 عالمیان ماب پیکار و الا شای از ابتدا انضام کسب کافوی
 میل متفرک شده چنانکه فضل بن و الا اشار امیر صد و رموده ام
 و ام حلیل القدر صادر است که سب در کاه مخلصت حال و مال رعایا
 و حر است پر کنت مذکور نماید و متعاقب فوجدار و کردوران
 و امینان از حضور پر نور میر سندنبا علیه مژ توم مسکود که مخاط
 جمع در استمالت و ابا دانی ز که مذکور سی کبار زند و احدی
 سابق عمل ندهند اگر خلاف حکم و الا خواه نمود از عهد
 نبر شرط است و عقب پر و جمعیت ایجاب رسیده دانند
 ۱۰۴۸

۴۴۵ ۰۳۵۸۵۶

Figure 2.1 *Parvāna* of Rao Amar Singh Chandrawat, 1658 DAI LNS MS 235 (1); © The Al-Sabah Collection, Dar al-Athar al-Islamiyyah, Kuwait

But we also see this grant leading to an immediate effort to displace older officials, those of Murad Baksh, and to forge a relationship of deference with the local rural powerholders. The addressees of this *parvāna* were the *chaudhrīs*, *qānūngōs*, *riā'ia* (peasants), *muzari'ān* (agriculturists) and general inhabitants of the *pargana* of Dhar, which was within the *jāgīr*. And so, just as Mohan Das had picked up a retainer of a neighbouring Mughal-sponsored Rajput kingdom for his military adventure, his son Purshottam Das was drawn into subordinate service by yet another Rajput noble – the intertwining of empire and warrior groups continuing to create the local state machinery as well as local polities in a constant dance.

As for members of our *zamīndār* family, these documents, issued by nobles in the entourage of imperial princes, reveal both their entrenchment and the precariousness of their position. The claims of multi-generational occupation, of good service and past grant, as the transactions through which these confirmatory grants were extracted, will be discussed further in the subsection on inheritance. It is worth noting here, however, that despite both Murad Baksh and Dara Shikoh dying at their brother Aurangzeb's behest, orders given by them and their officers were upheld later. For example, a *parvāna* dated 1674 confirmed Purshottam Das's title to Ahu and nine other villages, 3,300 *bighas* of land and several mango trees, due to, it said explicitly, a *nishān* of Murad Baksh, as well as other *asnād*. The verso of this document produced a detailed and categorised list of all his rights – villages Ahu, Chandwada, Balwada, Dhamanda, Aguthia, Sindhawda, Phulwada, Taliwada and others forming a phonetically similar and surprisingly long arc stretching across several districts.⁷³ Mughal emperors and their nobles respected the orders of rulers of the past, even those that they had killed.

Noble Language

Besides the matter of martiality, honour and rights, we may also pause here for a brief reflection on the use of languages and script. The use of Nagri-script seals in Persian documents is unusual; we have only one other such example in our collection, from the later, Maratha-ruled period (1735 CE, to be precise). I will discuss that document in Chapter 4, because it is a transactional document, of a type called *fāriḡh-khaṭī* (a deed of release).⁷⁴ The opposite, that is, Persian seals in Hindi or other regional Indic language documents being a far more common practice, continued by landed families and princely states well into the twentieth century. As the symbolic display of power, seals are significant artefacts for studying the deployment of scripts in early modern South Asia. I

⁷³ LNS MS 235(i1) DAI (R+V), 8 Shaban 17 and 1085 AH (both dates given) 6 November 1674.

⁷⁴ NAI 2668/27 (1735).

intend to do this in a future project; for now I note the possibility of a precocious, that is, a Mughal-era Malwa Rajput tradition of the use of Hindi and Nagri in official documentation. We have two unsealed copies of *parvānas* in our collection, both issued in the summer of 1671 CE by the then-*jāgirdār* of Amjhera, a Jujhar Singh. Jujhar Singh was very likely of the *Rāthoḍ* family that became entrenched in Amjhera as a result of service to the Mughals from the sixteenth century; he acquired the seat of power after his father's death in a battle with Shivaji around the family's fort at Morigarg in 1678.⁷⁵ Prince Jujhar Singh was already issuing orders a few years prior to that; his first order in our collection entailed informing the officials and landlords of the district of Amjhera that some parts of the *qānūngōī* of the district had been sold to Purshottam Das and his son Nathmal.⁷⁶ By the second *parvāna*, Rao Jujhar Singh granted 101 *bīghas* of fallow but arable land to Nathmal, for the setting up of a garden in the town of Amjhera, together with wells and mango trees. Both documents began: '*Naql-i parvāna ba-mazmun-i Hindī ba-muhr-i Rao Jujhar Singh, jāgirdār-i Amjhera . . . (Copy of a parvāna of contents/text in Hindi, bearing the seal of Rao Jujhar Singh, jāgirdār of Amjhera . . .*'⁷⁷ It does appear that at least some Rajput *jāgirdārs* felt free to develop their own epistolary styles in Hindi (which may mean a range of languages, including variations of Rajasthani). But the recipients of such orders found it most useful to store only the Persian translations in their household archives. Such a finding should push us to reconsider the clean ethno-linguistic boundaries that we may anachronistically impose on the past by explaining bilinguality in documents on the basis of variable reading skills alone. People may simply prefer to keep Persian documents, even if they did not read them very well, because those appeared to be more authentically 'legal' to them.

It is frustrating to not be able to see what Jujhar Singh's original Hindi/Hindvi *parvānas* were like, and compare them to what purported to be their Persian translations. As we shall see with bilingual tax contracts and legal deeds (in Chapters 3 and 4), such 'translations' often included significant variations, both in the formulaic opening and closing sections and in content that was considered relevant. Also, given the availability of a mass of Kacchwaha *parvānas* from the sixteenth through to the nineteenth centuries, with relation to the temples at Mathura, Vrindavan and later Jaipur, it would offer us the possibility of comparing the development of epistolary styles across various Rajput noble households.⁷⁸

⁷⁵ Sandla, *Amjhera Rājya kā Itihās*, p.111. ⁷⁶ NAI 2733/17 (1671). ⁷⁷ NAI 2733/18 (1671)

⁷⁸ For published examples of these, see Horstmann, *In Favour of Govinddevji*. The Jaipur royal house moved over to Rajasthani-only *parvanās* in the 1710s, although the usage of Persian in other kinds of documentation, for example, diplomatic correspondence, continued until much later.

We do have, however, a very intriguing Rajasthani document in our collection, which I gathered from the residual documents at the family's household. The document is unsealed, but bears a decorative dagger-like symbol used like a cypher (as the Kacchwaha documents also do), and the date 1723 *Samvat*, which is 1667 CE. The invocation is 'Shri Gopal Satya'. The document's language, undifferentiated words and an eccentric archaic Nagri script make it very difficult to read, even with the assistance of experts from the region. In summary, however, it seems to be a letter written by a certain Maharajadhiraja Maha Singh to Nathmal *qānungō*, acknowledging the receipt of news about Hari Ram *qānungō* of *pargana* Amjhera. Thereafter, matters become a bit unclear, but the recipient is assured that his *watan* has been given him by Gopalji (i.e., Krishna; god), that the writer was pleased with him, and that Nathmal would always have a place in the writer's court. Thus, Nathmal should remain content, work well and keep reporting.⁷⁹

While much remains unclear about the sender of this letter/order, it is clearly related to two other documents in the collection, both issued in the Regnal Year 9 of Aurangzeb or 1666–7, one currently at DAI, Kuwait, and the other at the NAI, New Delhi. The first document is a *parvāna* bearing the faint but clear seal of a high-ranking *mansabdār*, Wazīr Khan, ordering confiscation of the *chaudhrāi* of Hari Ram and *qānungōi* of Bulandar (name unclear) of Amjhera in favour of Purshottam Das and Paras Ram of Dhar and some other associates, who had stood *zāmin* for him.⁸⁰ The second is a copy of a *yād-dāsh*t (literally, memory; in Mughal usage, a register entry) recording the ordered transfer.⁸¹ Wazīr Khan was none other than the provincial governor or *shūbadār* of Malwa from 1664;⁸² he appears at least twice in our documentary collections, both times in relation to confiscation of *chaudhrāis* and *qānungōis*. We shall discuss this episode in more detail in Chapter 3. Suffice here to note that while these transactions were recorded in Persian, somebody, perhaps the Rajput *jāgirdār* of Amjhera with a longer-term relationship with our landlord family, wrote to them in Rajasthani, congratulating them on their good fortune, and asking them to keep up the chain of communication that clearly proliferated in several languages alongside the Persian.

Jāgirdār and *Zamīndār*

There was an unavoidable love-hate relationship between these two points of the Mughal spectrum of state. In theory, the *jāgīr* was an assignment of revenue from a specific jurisdiction – *maḥāl* – or several of them. Most *maḥāls* were territorial, but there were also important non-territorial jurisdictions, such as customs dues.

⁷⁹ P Das 1667 Hin NCD, Choudhary Family Collection, Baḍā Rāolā, Dhar. I thank Elizabeth Thelen for helping me understand this document.

⁸⁰ LNS MS 235(f). ⁸¹ NAI 2733/15 (1667). ⁸² Khan, *Ma'āsir-i 'Ālamgiri*, p. 31.

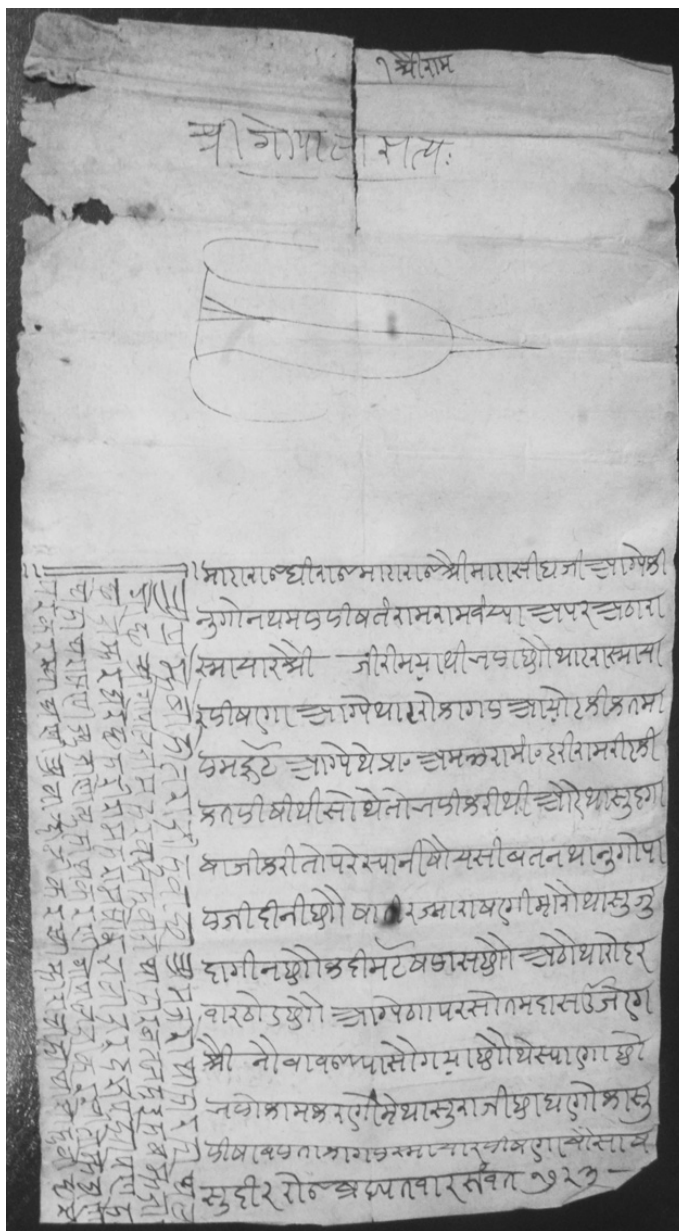


Figure 2.2 *Parvāna* of unknown Rajput noble, possibly of Amjhera, P Das 1667 Hin NCD

Such assignments – the right to collect taxes from designated *maḥāls* – was the Mughal method of paying a centrally conceived military bureaucracy, without the necessity or ability of channeling all taxes to the centre and redistributing them again. Thus the highest-ranking imperial officers, called *mansabdārs* (holders of *mansabs* or positions) were assigned, besides the occasional and very partial cash salary, the right to collect taxes from a number of *maḥāls* – which formed their *jāgīr*. Again, while in theory there was a separate and autonomous revenue bureaucracy which would just deliver the taxes as collected to the relevant *jāgīrdār*, in most cases the *jāgīrdār* was expected to supervise and even organise the collection of taxes. This then brought them into contact with those lynchpins of rural society – the *zamīndārs* – who held the keys to the wealth of the countryside. The extent to which a *jāgīrdār* was successful in extracting that wealth, depended on his military might, which, tautologically, depended on the funds he had available for recruiting his soldiers.

Even so, the relationship between *jāgīrdārs* and *zamīndārs* was not persistently adversarial. Although the *jāgīrdār*'s demands for his share of the revenue pie squeezed what the *zamīndār* could retain for himself, the *jāgīrdār* also represented a ladder into the imperial system, and consequently, a route for the acquisition and legitimisation of further resources. Documents within our collection indicate specific lines of mutual dependence, as well as stress between our *zamīndārs* of Dhar and the many imperial *jāgīrdārs* who came and went.

Mohan Das and his descendants – his son Purshottam Das and grandson Nathmal – reveal their incorporation into the regime by the regular summons they received from the incumbent *jāgīrdār* to render military and other services. In particular, a not-very successful *mansabdār-jāgīrdār* called Nawazish Khan developed a long-standing relationship with the family: at least twenty-six out of the ninety-five *parvānas* or their copies were issued under his seal, or that of his servants. Nawazish Khan was appointed *qila' dār* and *faujdār* of Mandsaur in the thirtieth year of Aurangzeb's reign, or 1687, and then of Mandu until the forty-eighth year of Aurangzeb's reign, or 1704.⁸³ He also appears in documentary collections related to other landed families in the region, especially the *qānūngō* of Dharampuri, Nandlal.⁸⁴ He is mentioned several times as fairly ineffective against Maratha invasions in a collection of

⁸³ Khan, *Maāsir-i-Ālamgiri*, pp. 170, 286.

⁸⁴ S. K. Bhatt, 'Five Persian Documents of Aurangzeb's Reign from Malwa', *Proceedings of the Indian History Congress*, 39: 1 (1978), 398–401. These documents were taken at random from the Mandu Daftar of Natnagar Shodh Samsthan, Sitamau. Thanks again to the help of Dominic Vendell, I have been able to access these records in full. The records of the Mandu Daftar are numerous, and I am still analysing them, but there is a partial list with Hindi summaries in Manohar Singh Ranawat, *Mālwa Itihās ke Phārsī Kāgaz-Patroṅ kā Vivaranātmak Sūchī-Patra* (Sitamau: Shri Natnagar Shodh-Samsthan, 2000), pp. 84–100. Of these, the very first *parvāna*, from 1700 CE, addressed to Nandlal, *qānūngō* of *pargana* Dharampuri (about 50 miles south of Dhar), is sealed by Nawazish Khan.

Aurangzeb's orders known as the *Kalimāt-i Tayyibāt*.⁸⁵ He struggled throughout his career, recording his woes in an unhappy little notebook of which a single, highly damaged contemporary manuscript copy survives in the National Library, Kolkata, as part of Jadunath Sarkar's collection. Fortunately for us, there is a pristine copy at Sitamau, commissioned by Jadunath Sarkar's princely scholar-disciple, Raghubir Sinh. It is a small codex, consisting of a compilation of letters (*ruqa'āt*) addressed to nobody in particular (i.e., anonymised), and completed, according to the final folio, on 24 Zil-Hijjah 1115 (1704 CE). The letters mention several characters in our story – the *Rāthod jāgirdār* based in Amjhera, Jagrup; Wazir Khan, an important *mansabdār* and *sūbadār* of Malwa for a period from 1664; as well as Purshottam Das himself. In his letters, Nawazish Khan complains incessantly – of the weather, his poor health, undue punishments from the emperor and Maratha invasions.⁸⁶ Plaintive as he may seem in his letters, in the documents in our family's collection, Nawazish Khan comes across as an intimidating man and a formidable, if occasionally benevolent patron, in whose *dā'ira* lay, for a period, the work and fortunes of our family of landlords.

Of the twenty-five *parvānas* in our collection that are clearly associated with Nawazish Khan, several are issued under the seal of a certain Asadullah, who designates himself in the legend on the seal as '*murīd-i khāṣ'* (special servant/disciple) of Nawazish Khan. The *parvānas* range in date from 1659 CE to 1675 CE, that is, from an earlier period of his career than evidenced by the imperial chronicles. This noble was clearly deeply, if unhappily, entrenched in the region. Most of the *parvānas* are written in what appears to me to be a similar hand, and bear marginal notes in a very distinctive handwriting, written with a thicker pen than the main text. It would be a plausible speculation that these marginal notes were written by Nawazish Khan in his own hand, adding a further layer to what we know about corporeality and authenticity/authority in Mughal documents. It was not just emperors whose palm-prints could render orders more valuable;⁸⁷ the 'sign of the hand' of nobles could do similar, if smaller tricks.

The first three *parvānas* we have under the seal of Nawazish Khan bear dates ranging from April to May 1659 and clearly relate to a tense period when the imperial throne was still in dispute. It is striking that, although by this time Shah Jahan had been imprisoned and Dara Shukoh in flight, this noble hung on to his

⁸⁵ On the *Kalimāt-i Tayyibāt*, ascribed to Inayatullah Khan Kashmiri, also the author of *Ahkām-i 'Alamgīrī*, see S. M. Azizuddin Hussain, '*Kalimat-i-Aurangzeb: a Source of Aurangzeb's Reign*', *Proceedings of the Indian History Congress*, 40 (1979), 314–18.

⁸⁶ *Letterbook of Nawazish Khan* – No. 14 under 'Aurangzib Histories' in handlist of Natnagar Shod Samsthan, Sitamau. I am extremely grateful to Dominic Vendell for procuring this copy for me.

⁸⁷ We see such *farmāns* in Mahendra Khadgawat, *Phārsī farmāno ke Prakāsh mein Mughalkālīn Bhārat evam Rājput Shāshak*, Vol. IV (Bikaner: Rajasthan State Archives, 2018).

old seal, according to which he was ‘*murīd* (disciple)’ of Hazrat Shah Jahan. The first of these *parvānas* was written in response to a petition from Purshottam *chaudhrī* and his long-term associate Paras Ram *qānūngō* of Dhar about their *nānkār* villages, that is, villages whose revenues were given as payment to *chaudhrīs* for their tax-collection duties.⁸⁸ Nawazish Khan said dismissively that the matter had already been raised by an unnamed *qāzī* ‘*jū*’ and would be decided according to the recommendations of the same *qāzī*.⁸⁹ The marginal note merely summarised what the main text had said. The next two orders from Nawazish Khan were strict instructions to pay up; the first said that the arrears of the year 1065 Hijri (1654–5 CE) must be paid up, and that anything Purshottam Das or Paras Ram had to say in the matter could be sent in writing to the *wizārat panāh* (the *wazīr*?). A marginal note summarised the order and then said: Whatever the petitioners had to say could be said to the *qāzī* ‘*jū*’ when he reached the area.⁹⁰ The second document backs up the first with a generally intimidating order to Purshottam Das and Paras Ram to make sure that the cultivation of the area was improved significantly, because their welfare lay in achieving these goals.⁹¹

In the next year, 1660 CE, Nawazish Khan was cracking his whip again. Nawazish Khan’s ‘*murīd-i khāṣ*’ (therefore, probably Asadullah), wrote to Purshottam Das and Paras Ram reporting that a camel of *Khalīfa jū* had been stolen from the town of Dhar. It is not clear who this *Khalīfa*, literally ‘successor’ may have been; perhaps it was being used as a *laqāb* (honorific title) for the *jāgirdār* himself, nicely indigenised through twinning with the Indic honorific ‘*jū*’, as the *qāzī*’s title had been in the first set of *parvānas*. Whoever it was that had a camel stolen, he was important enough for Purshottam Das and his colleague to be set scurrying. ‘Search, and make such efforts’, the *parvāna* said, ‘Such that the camel may be found. Certainly do not consider yourself forgiven/exempt (*ma’āf*) in this matter’.⁹² It was a spree of highway robberies, including the looting of the caravan of a rich merchant, which had offered Mohan Das his career break sometime in the early seventeenth century. Now, maybe forty years later, his son found himself ordered to catch thieves as a routine matter.

Again, in the very hot months of the 1664, a clearly harried Nawazish Khan, still taking tax proceeds from the same *jāgīr*, urged Purshottam Das: ‘It is necessary that [you] appoint and engage [your] own son in the collection of revenues, [and] come with [your] collection of horsemen and foot soldiers.’ However, military exigency did not excuse sloppiness in maintaining the cash

⁸⁸ Habib, *Agrarian System*, pp. 182, 213.

⁸⁹ LNS MS 235 (e), DAI, Kuwait; dated 30 Rajab 1069 (21 April 1659).

⁹⁰ LNS MS 235 (f), DAI, Kuwait; dated 7 Shaaban 1069 (28 April 1659).

⁹¹ LNS MS 235 (g), DAI, Kuwait; dated 8 Ramzan 1069 (30 May 1659).

⁹² LNS MS 235 (11), DAI, Kuwait.

flow, so the *jāgīrdār* warned darkly, ‘If there occurs any laziness in the collection (of revenues), the results will not be good and his excuses will not be heard, the arrears will be seized.’⁹³ We can only speculate what the urgency was about.

On other occasions, Nawazish Khan could be more helpful to Purshottam Das and his associates. In 1660, for example, Nawazish Khan granted the possession of two houses to Purshottam Das. The first *parvāna* was addressed to a certain (again anonymous) *qāzī ‘jūū’*, informing him that he (Nawazish Khan) had given a house, formerly belonging to Muhammad Hashim Shiqdar, to Purshottam Das. This order also said that the wood and tiles of the house, should be dispatched to Nawazish Khan himself and the land made over Purshottam Das, on payment of 150 rupees as *pīshkash* (tribute).⁹⁴ Then there were two other *parvānas*, issued within two days of each other, both about a house formerly belonging to a certain Bulaqi Chand. The first of these spoke of an architect called Hamid who had done some good work. After this, the order gets somewhat difficult to interpret because of the poor use of pronouns that plagues Persian documents. According to ‘his’ request, ‘he’ was gifted the house on condition that the wood be sent to ‘the Lord’ along with a *pīshkash* of 150 rupees.⁹⁵ The second of these two *parvānas* was clearer; here Bulaqi Chand’s house was granted unequivocally to Purshottam Das ‘out of kindness’. The instruction that the house be destroyed (*mismār*) and the wood sent to His Lord (the noble who issued the *parvāna*, i.e., Nawazish Khan himself) was repeated.⁹⁶ It is not clear what Nawazish Khan was going to do with all that wood, but this was a regular pattern.

Handing over a mansion or two were important acts of self-interested benevolence; in some cases such transfers helped not just aggrandise Purshottam Das’s family, but discipline unruly relatives. As we shall see in greater detail in the following section, Nawazish Khan also played an important role in sorting out disputes relating to inheritance within the family. In these matters, Nawazish Khan’s responses could vary – sometimes he helped sideline and excise difficult or nonconformist members of the family, and on others, he insisted on the respecting of the proper distribution of inherited rights.

In addition to *parvānas*, we also have *qaul-qarār* documents (tax contracts, to be discussed in Chapter 3) sealed by servants of Nawazish Khan. For example, we have a bilingual *qaul-qarār*, dated 1664, whereby Gambhir Chand, another son of Purshottam Das, took on the *ijāra* of the village Nalawada for 894 rupees for the year.⁹⁷ There are also multiple collective

⁹³ LNS MS 235 (d1), DAI dated 13 Shawwal 1074 and RY 7 (9 May 1664).

⁹⁴ P Das 1660 AC-BRD ii (Dhar family collection), dated 6 Muhrram 1071 (11 September 1660).

⁹⁵ P Das 1660 (Dhar family collection), dated 28 Zil-Hijjah 1070 (28 September 1660).

⁹⁶ P Das 1660 BRD 8 (Dhar family collection), dated 26 Zil-Hijjah 1070 (26 September 1660).

⁹⁷ NAI (1664) 2703/15.

gaul-qarārs covering the entire district, for example, one for Dhar in 1659, for the amount of 109,571 rupees. This agreement, which involved many *chaudhrīs*, also had a very clear seal of Nawazish Khan, and also a characteristic superscript.⁹⁸

Such engagements led to further difficulties, negotiations and orders. A final *parvāna* we have from Nawazish Khan dates from the thirtieth year of an unnamed emperor, most likely Aurangzeb, that is, the year 1675 CE.⁹⁹ This is a response to a petition that Purshottam Das and Paras Ram had written, complaining about the ‘setting aside’ of certain villages by two men called Abdul Hamid and Khuda Dost. The *parvāna* ordered these men to withdraw their soldiers, and as a compensation, exempted Purshottam Das and his associate from a payment of 3000 rupees, possibly from the taxes they had agreed to collect. In a rambling and plaintive marginal note that circled around the main text, a clearly desperate hand wrote with a thick pen, ‘It is strange that you have not sent me a part of mine [my dues]. Now, it is suitable that you send the money here, and you make a little effort to please me’. A second note added: ‘Entrust my money, with speed, to the person selected by me, so that he can send it’, continuing, somewhat contradictorily: ‘Allah, Allah, *zar che khwāhad būd*’, which could mean ‘God, what will happen of the money’, or indeed, ‘God, what good is such money!’

The *jāgīrdār*’s frustration, in conjunction with his willingness to be flexible, reining in imperial officials and offering discounts, demonstrates the constant negotiation that structured the relationship between the *jāgīrdār* and the *zamīndār*. The episodes described in this section also highlight the crucial role of the *jāgīrdār* in representing the ‘state’ in the Mughal empire. Here we see not a state–society binary, but in fact a three-way formation: the *mansabdār-jāgīrdār*, the *faujdār* and the *zamīndār*. The *jāgīrdār* could hardly hope for an automatic smooth flow of taxes towards his salary; what flowed in depended on the relationships he could cultivate, which included both intimidation and negotiation. Also, what the *jāgīrdār* could achieve, in terms of his duties, depended on such local ties – the *faujdār* of Nalcha had been helpless to maintain law and order or protect highways without the help of *zamīndār*s such as Mohan Das; Nawazish Khan needed to turn to Mohan Das’s son Purshottam Das to deal with thefts of property belonging to important people. At times, this negotiation approached a breaking point, and we can sense a figurative throwing up of hands by either side or both. But in most cases, difficult terrains, interrupted cash flows and endemic violence served to establish symbiotic relationships between *jāgīrdār* and the *zamīndār* – two points on the spectrum of martiality that constituted the Mughal state – and ensured the continuance of landed patrilineages such as ours.

⁹⁸ NAI (1659) 2703/7. ⁹⁹ LNS MS 235 (q1) (1675), DAI.

Passing the Mantle: Death, Incorporation and Succession

Deaths of incumbent patriarchs inevitably led to a flurry of documentary activity, recording negotiations of the family with outside authorities as well as efforts to re-define the boundaries of kinship and associated entitlements. This was so when the family mantle passed to Purshottam Das. We observe this in high focus during the period of Prince Murad Baksh's holding of Dhar as *jāgīr*.

In January 1655, a *parvāna* was issued, possibly under the seal of Dianat Khan, officially affirming Purshottam Das's status as *chaudhrī* of *pargana* Dhar, and also helpfully tracing the genealogical and historical route by which the office and its perquisites were inherited by him. 'Muti' *al-Islam* Purshottam Das', said the *parvāna*, 'son of the elder brother of Chandar Bhan, *chaudhrī* of *pargana* Dhar, know that the petition you had sent, has reached, and from its contents, we learnt that Chandar Bhan has died . . . according to [i. e. conditional upon] good service, you will receive the *sanad* of *chaudhrāī*'. The *parvāna* also noted that the family was in some difficulty at this juncture, with 4,000 rupees of dues remaining outstanding. However, it noted that a certain *sādat* and *iqbāl panāh* (Refuge of blessings and glory) Mir Ibrahim had written in, no doubt to encourage leniency, hence, it was loftily declared: 'investigations in this regard would [only] lead to exile [of the defaulters] and nothing would be achieved'.¹⁰⁰ Mir Ibrahim's recommendation appears to have hit the mark, thus in the following month, Rabi II, an order was issued, forgiving the outstanding dues, confirming Purshottam Das in place of his uncle and, per form, admonishing him to stay loyal and work hard, or else. Here, the source of authority was clearly spelled out: the *madār al-mahām* Dianat Khan had agreed to excuse the *pīshkash* of 4,000, the document said.¹⁰¹

While the position of the *chaudhrī* and *qānūngō* tended to be hereditary, they clearly had to be negotiated at generational borders, and this involved hefty exchanges that modelled themselves on imperial ones. *Pīshkash* is most commonly translated as tribute, and indeed conquerors from around the Persianate world made claims to it from defeated kings, especially when they were principally interested in a quick raid-and-return operation.¹⁰² But it always included a spectrum of implications ranging from tribute to tax to gift.¹⁰³ In

¹⁰⁰ LNS MS 235 (b), DAI, dated 9 Rabi I RY 28 (17 January 1655); (parts of the seal impression are too blurred to be legible, but appear similar to perfectly clear impression on LNS 235 MS c), dated 20 Muharram RY 28 (8 Dec 1654).

¹⁰¹ 1655 BRD 1, Baḍā Rāolā Dhar.

¹⁰² For example, Nadir Shah's claim to *pīshkash* during his 1739 raid of Delhi and north-western India. Sanjay Subrahmanyam, *Europe's India: Words, People, Empires, 1500–1800* (Harvard: Harvard University Press, 2017), pp. 202, 205

¹⁰³ Ann Lambton, "'Pīshkash': Present or Tribute?", *Bulletin of the School of Oriental and African Studies*, 57: 1 (1994), 145–58.

post-conquest Golconda in the late seventeenth century – that is, a few decades after Purshottam Das's succession to his uncle's estate – Naiks, semi-independent warlords, paid *pīshkash* as they formally acknowledge the overlordship of the Mughal empire and their own transformation into *zamīndārs*.¹⁰⁴ However, the payment of *pīshkash* was not necessarily attached to the immediate aftermath of conquest and change in regimes; in the early eighteenth century, the *dēśmukh* (southern equivalent of *chaudhrī*) of *pargana* Pathri in erstwhile Bijapur paid a hefty *pīshkash* in order to receive an imperial *farmān* confirming his succession.¹⁰⁵ Before the consolidation of Anglo-Hindu law from the late eighteenth century, succession to *zamīndārī* titles was more a process of royal incorporation than reference to abstract doctrine of any kind. Scholarship on courtly gift-giving¹⁰⁶ points us towards understanding the simultaneity of royal incorporation, economic transaction and assertion of entitlement that is contained in this moment when *pīshkash* was demanded of Purshottam Das, but also graciously excused, as royalty can always do. In this case, such grace may have been exercised by a noble who had a penchant for appropriating royal jurisdiction; for instance, by granting *jāgīrs* of his own accord.¹⁰⁷

Purshottam Das's father, as we know, was Mohan Das, the brave man who had defeated the highwayman Bira. Why had Mohan Das not passed on the *chaudhrāī* of *pargana* Dhar to his son, but to his younger brother, Chandar Bhan, leaving him to make the transfer in turn? Was it because his son had been too young? Or was it a case of co-parcenary title, which was being affirmed on the death of a senior co-parcener? Or maybe it a bit of both: the position of *chaudhrī*, while inheritable, entailed certain specific services relating to tax-collection and administration, and could not be passed on to an unsuitable family member at will, since it required affirmation by the senior provincial officials. With Purshottam Das having demonstrated his worth for nearly thirty years, and his uncle, perhaps the oldest male member of the family, now dead,

¹⁰⁴ M. A. Nayeem, 'Mughal Documents Relating to the Pīshkash of Zamīndārs of South India, 1694–1752 A.D.', *IESHR*, 12: 4 (1975), 425–32.

¹⁰⁵ W. H. Moreland, 'The Pargana Headman (Chaudhrī) in the Mogul Empire', *The Journal of the Royal Asiatic Society of Great Britain and Ireland*, 4 (1938), 511–21, at page 514, discussing Document E.

¹⁰⁶ Bernard Cohn posited a stark cultural opposition between transactional Europeans and incorporationist Indians; William Pinch strongly disagreed with this opposition especially for the early modern period, when Europeans were equally located in courtly cultures. The latter view appears strengthened, without direct reference, by Kim Siebenhüner in 'Approaching Diplomatic and Courtly Gift-Giving in Europe and Mughal India: Shared Practices and Cultural Diversity', *Medieval History Journal*, 16: 2 (2013), 525–46.

¹⁰⁷ Dianat Khan, when *diwān* of Dakhin towards the end of Aurangzeb's reign, may have granted *jāgīrs* under his own seal, without the usual validation by the emperor or the imperial *diwān*. P. Saran, *The Provincial Government of the Mughals, 1526–1658*, 2nd ed. (Bombay: Asia Publishing House 1973), p. 263, *Maasir al-Umara*, translated Beveridge and Prashad, Vol. I, pp. 472–5, at 473.

the provincial governor willingly confirmed his title, despite the evident glitch during the period of transition.

However, as generally happens with large propertied families, matters were not quite as smooth as this suggests. Purshottam Das may have been an obvious successor, and clearly the documentary record the dominant line of the family preserved made him look that way, but he was not the only claimant to Chandar Bhan's legacy. Almost immediately after Purshottam Das was confirmed in his position, Chandar Bhan's own son, Suraj Bhan, turned up to assert his claims. Now this cousin was one who has been systematically erased from the family's documentary records (more about which in later chapters), and we only know about him (and his line) because of their occasional disruptive appearances, always to make complaints about rights that they were being denied. In doing so, they reveal to us the multiple bases of entitlements in the villages of Mughal India, and the variety of authorities that could (or had to) be mobilised in order to claim them.

In 1660, Purshottam Das wrote an *'arzdāsh*t (petition) to this patron, Nawazish Khan, which led to the latter seizing Suraj Bhan's *havelī* (mansion), which was attached to that of Purshottam Das's own, for reasons unknown. In any case, the mansion as handed over to Purshottam Das, subject to the payment of a substantial sum of money – two hundred rupees.¹⁰⁸

As we have already seen, there was a long-term relationship between Purshottam Das and the not-so-eminent *jāgīrdār*, Nawazish Khan. However, in the next few years, this relationship failed to shield all of Purshottam Das's wheeling and dealing. August 1664, Purshottam Das received a rather stern *parvāna* from the provincial governor (*sūbadār*), Najabat Khan.¹⁰⁹ 'Purshottam Das', it said, 'you should know that Suraj Bhan had come as a petitioner (*mustaghās-i shud*) complaining that the *chaudhrāī* of *pargana* Hindola (which had been gained by the family by defeating Bira) belonged to the plaintiff, as co-owner with him (*ba-sharkat-i ū, ba-rafe' ta' aluq dārad*) [but] at present, he had no control over the *dastūr* (customary due) of *chaudhrāī*, [for] by oppression and force [Purshottam Das] had himself taken possession of these. Apart from this, there was also the matter of the eighteen villages which had been allocated to the family as *'inām*, from ancient times. Of these *'ināmī* villages, Suraj Bhan had populated one village called Ajnai.¹¹⁰ Out of malice, the partner [i.e., Purshottam

¹⁰⁸ BRD 2 (1660).

¹⁰⁹ LNS MS 235 (m) DAI, 19 Muharram RY 7 (22 August 1664). The name of the official is unfortunately unclear on the seal, but Najabat Khan had been appointed governor of Malwa in August or September 1663. Khan, *Ma'āsir-i 'Ālamgiri*, p. 29. Najabat Khan is also mentioned as the authority issuing the *parvāna* that is cited in the document recording the continuance of the dispute in the *qāzī's* court.

¹¹⁰ The *parvāna* misses out the final 'noon' but comparing this document with the next one helps us identify this village, which is probably the same as the one now called Anjan Kheda, in district Dhar.

Das] had desolated the peasants of that village'. Now, while familial squabbling was something that all aristocratic families were used to, destroying the revenue capacity of a village was not something that a *jāgirdār* would put up with. So, he wrote rather crossly to Purshottam Das that he should not interfere with the plaintiff, but above all, that none of them should cause disturbance to the population of the village (*dar abādānī-yi mauza 'khallal nakunad*), or else. After this general instruction from the governor, the local *qāzī* was set to work out the details of the two cousins' respective entitlements, which clearly spilled beyond the district of Dhar into the neighbouring district of Hindola and towns such as Sultanpur.¹¹¹

Suraj Bhan appears to have fared much the worse in this conflict. In 1673, he turned up, practically begging, at the door of the *kotwāl* of the *pargana*, Sheikh Ghulam Muhammad, asking for a house to live in. He declared himself currently resident in the village of Kharpura, in the same *pargana*, but clearly life was intolerable in the village, and he wished to move to the town of Dhar. The *kotwāl* was sympathetic, and so he called for Bardman and Bhagwati Das, who appear to be members of the same extended family, and asked them to arrange things. A suitable empty townhouse was found – it had belonged to someone called Santokni, who was now dead, and before her (?), to Sundar Das, resident of Sultanpur. The house, together with some goods left therein, was made over to Suraj Bhan, who, let us hope, was able to end his days in peace in there.¹¹² Forty years later, somebody in the family found it necessary to have a copy of this document – which must have functioned like a kind of conveyance deed – made, and *Qāzī* Muhammad Mustafa dutifully affixed his seal, bearing the date 1123 (1711 CE) noting that it was a 'true copy'.

The cycle of disputing and recording was repeated in the next generation. Around 1684, for example, Purshottam Das died, and his heirs immediately fell upon each other to gain bigger shares for themselves. In that year, an unsealed *maḥẓar-nāma* was produced in favour of Purshottam Das's son, Narsingh Das. The document again told the rollicking tale of exploits of their illustrious ancestor, Mohan Das, but also narrated how the cycle of order and disorder had been repeated in the next generation. Because his own sons were too young, the title had passed from Mohan Das to his brother Chandar Bhan. When Purshottam Das came of age, he had secured his title by seeking and receiving various confirmatory orders from *jāgirdār*. But because he had not been able to keep up a sufficient armed contingent, the Bhils and *girāsiyas* had again surfaced as a major problem, blocking the trade route to Gujarat. The merchants, peasants and general inhabitants now testified that after Purshottam

¹¹¹ NAI 2703/17 (1665), attested in 1692.

¹¹² NAI 2668/25 (1684); date on seal attesting the copy 1123 (1711); NAI incorrectly catalogues it as dated 1732.

Das, his son Narsingh Das was the best man to be granted the titles and dues, so that he could protect the area and make life and trade possible again.¹¹³

Narsingh Das was not the only claimant, in fact, he may have been the weaker party, for in 1683, it had been decided in a court (it is not clear whose) that Hamir Chand, the eldest brother, had exclusive right to certain villages, because they were associated with the office of the *chaudhī*; the rest of the family estate had been shared out.¹¹⁴ But Narsingh Das had clearly not been satisfied, for he kept seeking and securing specific grants giving him titles to lands and rights,¹¹⁵ while probably also battling more distant cousins, such as Kanwal Das and Tilok Chand, whose claims had to be warded off with yet another *maḥzar-nāma*, repeating a variant of the Mohan Das story, and favouring the main line of the family.¹¹⁶

It is worth noting in this connection that in none of these documents is there any reference to an entity such as ‘Hindu law’. Inheritable property, which included offices and associated perks travelled downwards along the male agnatic line, but not according to any of the *dharmaśāstric* rules that came to dominate the legal fortunes of Hindu *zamīndāri* families under British rule. What appeared to apply instead was a conjunction of documented possession of specific shares and remaining within the family’s affective circle and in the good books of incumbent *jāgirdārs*. Having said that, there was at least a sense of long-established custom, repeatedly referenced as *dastūr*, and the sense that property and offices that had remained in the family for generations may not be lightly disposed of, even within the same family. Hence the *sūbadār*’s stern intervention in 1663, when Purshottam Das tried to cut out Suraj Bhan from his *dastūr* (customary entitlements). But here, too, it was no *śāstrī* that made the decision, but an imperial *mansabdār*, aided by a *qāẓī*.

Local Patronage

Noblesse oblige required that members of a wealthy family such as this one also undertake charitable activities, with enlightened self-interest at work. Conspicuous giving, especially associated with permanent and popular structures, was an effective way of stamping one’s status on the landscape, from emperors down to rural grandees. Especially where such architectural interjections could rest on, and feed off, existing lines of worship and/or commerce, it also offered opportunities for dialogue or, more cynically speaking, transaction, between lower and higher rungs of the imperial hierarchy. The seeking and granting of royal and sub-royal grants, inevitably out of the same pool of

¹¹³ NAI 2703/61 (1684). ¹¹⁴ NAI 2703/27 (1683).

¹¹⁵ NAI 2733/108 (1684); undated, unsealed, much-later copy.

¹¹⁶ NAI 2703/62 (1684?); the document is undated and unsealed; the date is contextually guessed by the catalogue of the National Archives of India.

agrarian resources, was yet another mode of creating spaces of entitlements, but it was also a way of demonstrating the power of benevolence of several powerholders at the same time.

In 1662 (1073 AH) a certain Kishan Das managed to secure a grant from Muhammad Hussain of twenty *bīghas* of *banjar pokhta* (fallow) land in Sultanpur, the *thāna*-town in the neighbouring *pargana* of Hindola which Mohan Das had established, for setting up a much-needed garden and rest-house for travellers.¹¹⁷ A remarkably accurate, although scrappily scribed copy of this *parvāna* was also produced and authenticated at some point, and preserved within the collection before it was dispersed.¹¹⁸ Since this is the only instance in which Kishan Das is mentioned in our collection of documents, it is hard to say what exactly his relationship was with the other protagonists, whom we have come to know better. It is possible that he was an individual unrelated to the family. Since in the 1655 dispute between Suraj Bhan and Purshottam Das, the latter had secured control over the well-bearing towns and villages of Sultanpur, Kishan Das's grant would have impinged upon the holdings of the dominant family faction, and this maybe why the document was preserved in the family collection. The family would have looked upon the building of said garden and rest-house as an effective way of attracting potentially toll-paying commercial traffic through their areas. In other instances, it is clear that such percolation was facilitated by recognisable members of the family. The official called Muhammad Hussain made more than one grant in the month of Rabi I, year 1073/1662, this too for the establishment of gardens in which travellers could rest. A few days before the grant to Kishan Das, another grant of 25 *bīghas* of fallow land, located in the village of Sindhauri had been made to Nathmal, son of Purshottam Das *chaudhrī*.¹¹⁹

Muhammad Hussain himself declared the grant a *taṣadduq* – that is, a virtuous act of charity. Quite like Kishan Das and Nathmal, his piety was no doubt along the lines of enlightened self-interest, for, as he said, the garden would be for the *ārām-i musāfirān* (comfort of the travellers). Such grants may be connected with similar awards made in the same period by higher-ranking noble/officials of Malwa to the temple complexes of Ujjain and their keepers.¹²⁰ In recent and ongoing studies of the Rajput Kacchwaha dynasty, their channelling of imperial grants and redistribution of their own empire-derived resources have much to tell

¹¹⁷ LNS MS 235 a1 (1662).

¹¹⁸ NAI 2703/11 (wrongly dated as 1665 by the archivist; based on a misinterpretation of the word '*amali*', which follows the date; date of copying not known).

¹¹⁹ LMS MS 235 s (1662).

¹²⁰ Jnan Chandra, 'Alamgir's Grants to Hindu Pujaris', *Journal of the Pakistan Historical Society*, 6: 1 (1958), 54–65. The grants were made by Najabat Khan and Khan-i Azam, successive *sūbadars* of Malwa in the 1660s, to a family of priests who served at the Mahakaleshwar temple of Ujjain.

us about layered efforts at capturing sacred geographies; that can take us beyond the stale and inaccurate stories of Mughal ‘tolerance’ or its obverse.¹²¹ Of course all these grants were made in Emperor Aurangzeb Alamgir’s time; but they were not all his own, and as such are poor evidence for his tolerance or bigotry. As in earlier periods in south-central India, the creation of resources providing water supply and facilitating travel were an established form of charity in which locally deputed officials and local gentry could cooperate.¹²² Just as the neighbouring Bijapuri nobles had been, Mughal nobles-officers were provided with opportunities for patronage; *zamīndārs* such as this family witnessed the drawing of the apparatus of the Mughal state into rural pockets, and managed to haul themselves up into it, bit by bit.

As Mughal nobles-officers themselves, local Rajput families with *jāgīrs* did not hold back from making similar charitable grants. We have already seen how Nathmal, son of Purshottam Das, was able to benefit from one such grant in 1672, when the Amjhera-based *Rāthoḍ* noble Jujhar Singh granted 101 *bīghas* of land, tax-free, for the setting up of a garden in Amjhera town. This order did not call the grant anything specific; it was just said that a certain amount of land ‘was given’. The order had a certain earthiness about it – it declared that anybody who interfered with the grant would be judged *nāmak-harām* or unfaithful, and appended some kind of specific curse/threat towards such Hindu and Muslim interlopers.¹²³

Finally, all these grants were repeatedly reconfirmed by additional confirmations. In 1671, Purshottam Das’s son Nathmal appears to have been on a spree of organising gardens; he secured another *parvāna*, this time from the district tax official (*amīn*) Sheikh Ibrahim, confirming 50 *bīghas* of land in the village of Gondhra, *pargana* Dhar, on the basis of old custom (*ba-dastūr-i sābiq*) and unspecified old documents.¹²⁴

Here, it is worth commenting on the terminology used in the making and recording of grants such as these. The endowment of lands or property for the establishment and upkeep of charitable institutions is recorded across the Islamicate world with the legal device of *waqf*, which derives from the Arabic root w-q-f, implying stopping, bringing to a standstill. For centuries, the making of *waqf* has been a method for taking property out of the fiscal reach

¹²¹ Catherine Asher, ‘Kacchavaha Pride and Prestige: the Temple Patronage of Raja Mana Simha, in Margaret H. Case (ed.) *Govindadeva: a Dialogue in Stone* (New Delhi: IGNCA, 1996), pp. 215–40.

¹²² A. A. Kaderi, ‘A Mahdar from Hukeri in Karnataka’, in *Epigraphica Indica: Arabic and Persian Supplement* (Delhi: Archaeological Survey, 1972), pp. 51–77. The bilingual Persian–Marathi inscription studied here recorded the endowment of lands to support the maintenance of a *karanja* (water-tank) and a *mehmān-khāna* (guesthouse). Unlike the later Mughal grants, however, the Bijapuri grant was collectively made by a range of local individuals, from a *qāzī* down to the humble *mehtar* (cleaner).

¹²³ NAI 2733/18 (1671). ¹²⁴ NAI 2703/24 (1671).

of the state and beyond the ordinary distributive rules of Islamic inheritance laws. Within the Persianate sphere, deeds creating *waqfs* – *waqf-nāmas* – were prolific well into the twentieth century.¹²⁵ In South Asia, despite acrid politics over the validity of specific types of *waqfs*, and their significance for Muslim identity formation under British colonial rule and afterwards,¹²⁶ the legal device of *waqf* and *waqf-nāma* documents appear to be startlingly absent until the nineteenth century.¹²⁷ The situation may have been somewhat different in the Deccan Sultanates,¹²⁸ but this was certainly the case in the Mughal empire. None of the collections of documents associated with charitable grants that I have seen, these including grants to Hindu temples and monasteries as well as Muslim scholarly families, contain any *waqf-nāmas*. The term of choice for charitable grants in the sixteenth and seventeenth centuries is *madad-i ma'ash* (lit. 'help with livelihood expenses'). Such grants are made using documentary forms for royal and sub-royal orders – *farmāns*, *parvānas* – and so on.

In the first two documents discussed, the officer-noble Muhammad Hussain uses a particular set phrase '*taṣadduq-i farq-i mubārak-i bandegān-i hazrat Suleimān martabat*', which is best translated as 'charitable donation on the part of the servants of His Solomonic Majesty'. The phrase is followed by a gap in the text which is the usually the indication of *elevatio*, or a name respectfully elevated. Here one is clearly meant to read the name of the donor, Muhammad Hussain himself, as written within the seal. Looking at the formulaic phrase more closely, however, one finds elaborations of Indo-Persianate legal terminology that occupied the lexical space for '*waqf*'. The phrase '*taṣadduq-i farq-i mubārak*' was pan-Mughal; it also occurs in a *parvāna* issued by a Mughal governor, which granted a regular levy from certain villages to a group of ascetics associated with the temple complex at Vṛndavan. '*Farq-i mubārak*' is difficult to translate; Habib has suggested 'For His Majesty's good fortune'.¹²⁹ Another scholar proposed that the literal meaning of 'blessed head' may

¹²⁵ Christoph Werner, *Waqf en Iran: Aspects Culturels, Religieux et Sociaux* (Paris: Association pour l'Avancement des Études Iraniennes, 2015); on *waqfs* created in the Qajar period for the establishment of allopathic (i.e., western medicine based hospitals), see Fabrizio Speciale, *Hospitals in India and Iran, 1500–1950* (Leiden: Brill, 2010), pp. 4–5.

¹²⁶ Kozłowski, *Muslim Endowments*.

¹²⁷ Although Irfan Habib mentions *waqf* as a type of grant, he refers only to the text of jurists such as Barani and Badauni, rather than any of the vast numbers of documents he has surveyed. Habib, *Agrarian System*, p. 359.

¹²⁸ There is a photocopy of a purported Qutb Shahi *farmān*, dated 1672, making a *waqf* for the upkeep of a resthouse for Indian pilgrims to the shrine of Imam Reza in Mashhad in Iran; even for this, the original document is not traceable. Omid Reza'i, '*Dilbastagī mazhabī angize-yi dīgar barā-yi muhājirāt az shabe qare be falāt Iran*', in Iraj Afshar and Karim Isfahani (eds.) *Pazūhesh-hā-yi Irānshānashī* [Iranian Studies] (Tehran: Chapkhane-yi Tarana, 2014), pp. 198–213.

¹²⁹ Habib, 'A Documentary History', p. 135.

indicate the cultural practice of twirling a donation above the recipient's head before handing over.¹³⁰ It may also mean that that all such donations were theoretically made on the behalf of the emperor. In any case, Muhammad Hussain aimed, by making this *taṣadduq* or charitable grant, to enact the royalty through generosity, just as Solomon the Great had done in his legendary charitableness.

Copies, Lists and Assertion of Rights

However successful one might be, in the Mughal empire it was essential to be proactive about one's entitlements, and the family was well aware of this need, demonstrating this awareness by acquiring authenticated copies *nishāns* issued by imperial princes. In this section, we will consider the possibility that the making and validating of such copies reveals an active approach to recording rights, and excluding those of others. And in doing so, I shall consciously depart from standard practice in Mughal historiography, in which historians display great care in detecting forgeries but treat what appears to them as plausible copies as the equivalent of originals.¹³¹

Reconfirmation could take place through the instrumentality of a documentary form specifically intended for this purpose, called *taṣdīq* (derived from the Arabic root *ṣa-da-qa*, related to truth). We have one such *taṣdīq*, said to be issued under the seal of a certain Mirza Khan, which noted that since *farmāns* of *Arsh Āshiyānī* (Akbar) and *Jannat Makānī* (Jahangir) and other documents of past governors, [granting] village Ahu and others as '*inām* and *nānkār*, in the name of Mohan Das, Chandar Bhan and Purshottam Das, had reached the office [of the verifying authority] and had been found correct after checking, 'For this reason, these two words were written in the manner of *taṣdīq* (*li-hazā, in dō kalme tariq-i taṣdīq tahrīr yāft*)'. There followed a list of fifteen villages,

¹³⁰ Dan Sheffield, personal communication, 30 August 2019.

¹³¹ Two examples will suffice here: the use of the set of copied documents in the Bibliotheque National de France (BNF), referred to by many historians as MS. Blochet Supplementary Pers. 482; and the use of the copied documents in the British Library, London, shelfmark Add. 24039. The BNF codex is referred to as 'a collection of contemporary documents, mostly concerning Surat, compiled in the mid-seventeenth century, by an anonymous Mughal official in Surat' from Surat, and used several times in the book; by Hasan, *State and Locality*, Bibliography, p. 132, and as 'Documents Mostly Relating to Surat, Ranging over the Period 1583–1648', by Shireen Moosvi, in her *People, Taxation and Trade in Mughal India* (New Delhi: Oxford University Press, 2008), Bibliography, 440. The British Library codex relating to Calcutta, shelfmark Add. 24,039 is treated by Hasan as if they were original documents, when in fact, they are copies of unclear provenance bound in a notebook. See Hasan, 'Indigenous Cooperation', 65–82. Both sets however, are copies; as per a note on the first page, the Surat collection was clearly produced for the collection of the Orientalist A. H. Anquetil-Duperron. The location and exact contents of the originals is unknown in both cases.

grouped into two categories: ten in their entirety (*mawāzī dah mauza* ') and five in which some *bīghas* of land were claimed.¹³²

Although by content alone, it would appear that the *taşdıq* was issued to Purshottam Das, the document we have is itself a copy. This *naql* of the *taşdıq* was validated by the seal of the familiar *qāzī*, Muhammad Mustafa, who, as we know, worked in the area between the 1690s and 1710s. Thus, rather mind-bogglingly, what we have is a validated copy of a verificatory document confirming older orders; which shows, if nothing else, how the family's claims on various villages and their produce, on the basis of *inām* and *nānkār* (that is, non-specific and specifically office-related grants) had expanded. The making of this copy also hints that, towards the end of the seventeenth century, a certain line of the family was obsessively recording and rerecording those rights, to establish a seemingly uncomplicated line of succession to those rights.

Reconfirmation could also be achieved through declarative orders. In 1672, for example, Islam Khan, the *jāgīrdār* who appears to have replaced Nawazish Khan as principal patron of the family, declared that since several villages including Ahu, further arable land and several mango trees belonged to Purshottam Das as a result of *nishāns* and *asnād* (generally, documents), their possession was reconfirmed.¹³³ By 1693, by which time Purshottam Das was dead and gone, a serious division of spoils needed to be achieved. On that occasion, the then-*jāgīrdār* Asad Khan, possibly a well-known noble of Aurangzeb's reign, together with the *Qāzī* Muhammad Mustafa sealed a *taqşīm-nāma* (partition deed) pertaining to no fewer than 178 villages. Three major lines, related to the five original *māliks* emerge from the divisions – and so fifty-two villages went to Tilokchand, Lalchand and others, heirs of Gopal Das; fifty-six villages to the descendants of Bhagwant, and fifty-six to the descendants of Jayanti Das.¹³⁴

In 1731, the family secured a *parvāna* from none other than the *wazīr al-mumālik* Qamar al-Din Khan, 'Asaf Jah', who had by this time established a practically autonomous kingdom of his own, the Nizamat of Hyderabad.¹³⁵ But a breakaway provincial governor still respected old imperial documents. When Hamir Chand and Nihal Chand, two sons of Purshottam Das, who did not quite get along with their other brothers, petitioned the governor, stating the *chaudhrāī* of the *pargana* Dhar belonged to them, noting their loyalty (to whom, one wonders) and the fact that they possessed copies of *farmāns* and a *nishān* of Murad Baksh in support of their rights, their claims were upheld and confirmed. In the twilight of the Mughal empire, there was a clear case of

¹³² NAI 2733/60 [date unclear; archive dates it incorrectly as 1637–38]

¹³³ LNS MS 235 (x) DAI (1672). ¹³⁴ NAI 2668/15 (1693)

¹³⁵ Avril Powell, *Muslims and Missionaries in Pre-mutiny India* (London: Routledge, 1993), p. 45.

authentication inflation – and so a copy of this order was sealed by none less than the Chief *Qāzī* – the *Qāzī al-Quzzāt*.¹³⁶

Ironically, these efforts at recording and erasing assist us in recreating the family tree, tracking the genealogical, but even more importantly, personal and consequently legal relationships of various men and women with each other. Conceiving of the family as a fluid matrix of emotional and material resources¹³⁷ complements our concept of law and an interlocking field of orders, transactions, obligations and entitlements. As we shall see in subsequent chapters, the documents in our collection played an active role in the evolution of the matrix of kinship and entitlements within this family – and bear clear signs of having been deployed as instruments for the consolidation of certain familial knots, paired with the exclusion of certain other lines.

Conclusion

Orders issued by emperors, princes and nobles co-created enforceable rights in the countryside, which rested on multiple references, most importantly to pre-existing titles, custom and written documents. Custom, or customary dues, while being references to antiquity, could themselves derive from older written orders conferring rights – of office-holding, collecting taxes or exemption from them. These rights were acquired and expanded through a capacious portfolio of enterprise by families such as ours; clan-based landholding, military enterprise and literacy- and numeracy-based state services all fed into the building of rural eminence that made the *zamīndār*. The entitlements all broadly consisted of the rights to share in the produce of the land – whether one calls that landowning with right to rent, office-holding with right to tax, or tax exemption. And so it is to tax – the state's extraction of resources from its subjects, and its potential as a business opportunity – that we turn in the next chapter.

¹³⁶ NAI 2703/44 (1731).

¹³⁷ Margot Finn, 'Family Formations: Anglo India and the Familial Proto-State', in David Feldman and Jon Lawrence (eds.) *Structures and Transformations in Modern British History* (Cambridge, 2011), 100–17; Leonore Davidoff, Megan Doolittle, Janet Fink and Katherine Holden, *The Family Story: Blood, Contract and Intimacy, 1830–1960* (London: Longman, 1999), Introduction, pp. 3–51.