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نقل مرسلہ کمشنر فیزی (۱) حکومتی آگرہ شریف سنہ ۱۳۰۰ھ

بعد انتظام فاتحہ بعد قتل و غرت ذیب نواز محمد الدین نے فرمایا کہ

(۱) دروازہ یعنی اندرون جو سمت جنوبی جنوبی بیانین دروازہ اندرونی پر بنی دروازہ کے بنی ہیں اور جملہ دیوالصاحب و تولیصاحب
مع اپنے ہمراہیان بغرض فاتحہ اندرون گنبد مبارک جائیں کوئی صاحب نہیں کھڑے رہیں گے۔

(۲) گنبد مبارک کا غربی حصہ دیوالصاحب و تولیصاحب و اُن کے ہمراہیان و سیلاد خوانان کیلئے مخصوص رہیگا

(۳) دیوالصاحب و تولیصاحب کے ہمراہیان کی تعداد چھ سے زائد نہیں ہوگی یعنی دیوالصاحب کے ہمراہی چھ اشخاص تک
ہوسکتے ہیں اور اسیطرح تولیصاحب کے ہمراہی بھی صرف چھ اشخاص تک ہوسکتے ہیں۔ دیوالصاحب کے ہمراہی
اس امر کے لئے یا تو اُن کے رشتہ دار اور یا اُن کے واقعی ملازم (Bonafide Servants)
ہوں گے اسیطرح تولیصاحب کے ہمراہی اس توقع کیلئے یا تو اُن کے رشتہ دار یا اُن کے واقعی ملازم
(Bonafide Servants) ہونگے۔ بالفاظ دیگر دیوالصاحب مع اُن کے ہمراہیان کے تعداد سات سے
زائد نہ ہوگی اور اسیطرح تولیصاحب مع اُن کے ہمراہیان کے تعداد سات سے زائد نہ ہوگی۔ جو ملازم کہ
دیوالصاحب یا تولیصاحب کے ہمراہیان کی حیثیت میں اندرون گنبد مبارک جائینگے گنبد مبارک کے
غربی حصہ میں کھڑے رہینگے اور جو رشتہ دار اُن دیوالصاحب و تولیصاحب جائینگے وہ اُن کے پاس بیٹھینگے

(۴) بعد ختم ہونے فاتحہ دیوالصاحب و تولیصاحب مع اپنے ہمراہیان شمالی حصہ اندرون گنبد مبارک
ہوتے ہوئے شرقی دروازہ گنبد مبارک سے باہر ہوجاوینگے۔ بعد ازاں حصہ گنبد شریف
کہ جہاں فاتحہ پڑھی جاتی ہے شرقی دروازہ گنبد مبارک تک دیوالصاحب و تولیصاحب
و اُن کے ہمراہیان کے بدتکلف نکلنے کا راستہ رکھا جائیگا۔ اسیطرح جنوبی دروازہ غربی حصہ
گنبد مبارک تک اسوقت کہ جس وقت دیوالصاحب و تولیصاحب مع اپنے ہمراہیان اندر
آئیں راستہ بدتکلف گذرنیکا رکھا جائیگا۔

(۵) دیوالصاحب و تولیصاحب و اُن کے ہمراہیان کی جنتی دروازہ کے فاتحہ پڑھنے کی ذمہ داری
خود دیوالصاحب و تولیصاحب کی ہوگی۔ جن چھ ہمراہیان کیلئے دیوالصاحب و تولیصاحب
کیلئے اندر لئے جائینگے باقی اور کوئی شخص جنتی دروازہ کے اندر نہیں لیا جائیگا

(الف) شرقی دروازہ سے جبکہ دیوالصاحب و تولیصاحب و اُن کے ہمراہیان کیلئے راستہ رکھا جائیگا

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लखनऊ

न्यायालय जिला एवं सत्र
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3. That the Khadims are a distinct and a separate class of persons who have heriditary rights and privileges as well as duties to perform in respect of and at the said Holy Shrine.

4. That whilst the temporal affairs relating to the lands and buildings and income from the Durgah ~~Committee~~ property have been entrusted to the supervision and care of the Durgah Committee, its religious rites and ceremonies according to the tenets of the Chishtia sect of Sufi Musalmans are managed and officiated at by the Khadim community alone with this exception that during the annual Urs of the said Hazrat Khwaja Sahib the Diwan also takes part in only the later ones of the two Ghusuls performed daily on 6 days of the Annual Urs.

5. That the Durgah Committee exists since 1867 A.D but the said Committee is not entitled in any manner to interfere with or make any innovation in the time-honoured religious customs and religious usages of the said Durgah and, in fact, has never before so interfered with or made any innovation in the said customary rites and ceremonies. All interference and innovation if made or attempted are ultra vires the powers of the Durgah Committee and illegal.

6. That under the immemorial custom of the Holy Shrine the Khadims have heriditary rights exclusively to officiate at, and, perform, or to take part in the performance of, the various religious rights and ceremonies at the said Durgah with the single exception of the Ghusul ceremonies which the Diwan and the Mutawalli also join as stated here-in-after.

7. That the religious ceremony of Ghusuls is performed every year on the tomb of the Saint Hazrat Khwaja Sahib

during the annual Urs of the said Saint.

8. That during the annual Urs the said Ghusl ceremony is performed two times every night.

9. That in accordance with the ancient immemorial custom of the Shrine only Khadims at first time and the Khadims and the Dewan and the Mutawalli with one assistant each at the second time of the Ghusul during the annual Urs can join in to officiate at the Ghusul ceremoney and none else.

10. That there are standing Government orders as old as the year 1856 A.D laying down on the basis of ancient immemorial custom as well as agreement of the parties that none except a fixed number of the Khadims and the Dewan and the Mutawalli with one assistant each shall be permitted to be present at the time of the second Ghusul ceremonies inside the sacred tomb-dome and the said customary usage has been in force upto the date of the present suit. The Police is stationed at a respectable distance from the sacred tomb to see that none besides the fixed number of persons may enter the Dome area & to prevent breach of the peace.

11. That the defendant Committee is under an obligation to respect the ancient and immemorial customs of the shrine and to act accordingly.

12. That unfortunately recently some of the members of the said Durgah Committee have chosen to set at naught the time-honoured and immemorial customs of the said Holy shrine and have been trying to vex and annoy the Khadims and provoke breach of the peace in order to get an opportunity to vilify and maign the Khadim Community and to involve them in Criminal proceedings.

13. That accordingly the Durgah Committee has in its last

Session on 17th, 18th and 19th of March 1945 passed a resolution to force the presence of certain outsiders as the representatives or nominees of the Durgah Committee and join in the Ghusul ceremonies in the coming Annual Urs and threaten to carry out the same into action.

14. That such an act on the part of the Durgah Committee is violation of one of the ancient customs of the shrine and of the special rights of the Khadims and wholly ultra vires the powers of the Durgah Committee. It is also calculated to lower the prestige of the Shrine and amounts to a tresspass on the right of the plaintiffs and their community.

15. That under the above circumstances it has become necessary for the plaintiffs Khadims to bring the present suit in vindication and protection of their just rights and privileges and to have it declared that the resolution of the Durgah Committee mentioned in para 13 above be declared ultra vires the powers of the Durgah Committee and to prevent by means of a permanent injunction the Durgah Committee carrying out their said resolution.

16. That the cause of action for the suit arose on or about 17th to 19th March 1945 when the resolution was confirmed and ratified by the Durgah Committee.

17. That the valuation of the suit for purposes of jurisdiction and payment of Court fee is Rs. 500/- on which court fee is being paid.

18. It is therefore prayed :-

I. That it may be declared that the plaintiffs and their community, by the immemorial custom of the Shrine, alone have the exclusive right to officiate at and perform the religious ~~rights~~ rites and

and ceremonies at and in the shrine known as the Durgah Khwaja Sahib, Ajmer, except that in the case and on the occasion of Ghusul ceremonies, only the Khadims at the first time, and the khadims and the Dewan and the Mutawalli (the latter with one assistant each) at the second time during the annual Urs may officiate and be present inside the dome area ,

II . That the defendant Durgah Committee, having no power to interfere in the religious rights and ceremonies at and in the Durgah Khwaja Sahib, the said Committee and its agent s, servants, representatives etc be prevented by means pf Permanent injunction from inteffering in any manner with the peformance by the khadims of any and all religious ceremonies ~~xixxxthx~~ at and in the Durgah Khwaja Sahib including the Ghusul ceremonies.

III. Any other relief suitable to the nature of this case may also be granted .

Syo Ahmed Sahib
Mohammed Husain Chishty
S.A. Qudduss
Zahurul Hasan
15-5-45
Zida Hussain
Ghasot Lal
Advocate

We the above named plaintiffs do hereby verify this day the 15th May 1945 at Ajmer that what is stated in paras 1to 4 and 6 to 1o are true to our knowledge while what is stated in par=a 5 and paras 1 1 to 17 are true to our belief and para 18 contains the prayer claise.

Syo Ahmed Sahib
Mohammed Husain Chishty
S.A. Qudduss
Zahurul Hasan
15-5-45
Zida Hussain

प्रति हस्ताक्षरित
प्रभारी अधिकारी
केन्द्रीय प्रतिलिपि विभाग,
जिला एवं सेशन न्यायालय
अजमेर

प्रति प्रतिलिपि
केन्द्रीय प्रतिलिपि विभाग,
जिला एवं सेशन न्यायालय
अजमेर

50 PAISE 50 PAISE

نقل حکم مورخہ ۱۰ ماہ اپریل ۱۸۵۶ء مکتوبہ مسل ۵۷۵ مقدمہ نذر اپریل ۱۸۵۶ء رجسٹر درگاہ حضرت خواجہ
منشی محمود حسین الدین احمد خان عالم درگاہ کلاں اجمیر بحضور حکم صاحب کلکٹر بہادر اجمیر مرزا اجمیر

مقابل مدعی — نائب مساد قائم

Amin Khan
57545.

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Mirza Wahid Beg

Ex 55

حکم مورخہ

حسب طلب عرضی ناظر عدالت اور کوتوال کے صورتحال مندرجہ مسل و حجرہ نے مندل نور مبارک خواجہ صاحب جو متعرض طرفین
نے مقدمہ شرعیہ دور و شیخ رحیم چوہدری کے حضور صاحب کمشنر بہادر میں تلبی گئی موجب وکلای دلوریحی و متولی و خادم تلبی گئی
تو صورتحال میں ورسلی مسل و حجرہ نے مندل کے یہ کہا ہے کہ خادم فرش تنبید اور اندرونی ہر دو کنگرہ و چبوترہ مزار مبارک کے
تو تنبیہ کی کرس اور ہاتھ دلوریحی سے مسل بعد مندل جھڑ گیا اور دلوریحی اندرونی کنگرہ دو ہم پاس مزار مبارک کے رہتے
اور متولی اور باقی خادم اندرونی کنگرہ کی حسب معمول تقرر رہتے اور جو بعد مسل میں طرف خدام کے دیکر ہوگی وہ دیگی چنانچہ
اس تحریر سے وکیل دلوریحی اور رحمت اللہ وکیل خدام کو اقرار ہوا ہے اور طرفین عمل آوری اس تحریر پر مستعدی رہنی اسی موافق کی
بیان کرتے ہیں اور اس تحریر کا مطلب وکیل دلوریحی یہ سمجھتا ہے کہ دلوریحی اندرونی کنگرہ درجہ اول پاس مزار مبارک پر مسل کرا دیں
مندل حجرہ میں اور خادم اور متولی اندرونی کنگرہ درجہ دوم کے رہتے خادم ہر دو دلوریحی یہ دستور قدیم اور یہ تنخواہ ہے اور
رحمت اللہ وکیل نے عرض کیا کہ مطلب اس تحریر کا یہ ہے کہ جس کنگرہ میں دلوریحی پاس مزار مبارک کے رہتے ہیں اوس کنگرہ میں خادم
کے رہنے کا دستور ہے اور متولی باہر کے کنگرہ میں کرا دیتا ہے جو کہ صورتحال مندرجہ مسل میں صاف صاف لکھا ہے اور کوئی امر ایسا نہیں ہے
کہ وہ سمجھ میں نہ آوے اور سلی طرفین کو چاہیے کہ موجب تنخواہ رہنے کے کاربند ہوویں جو کہ یہ دونوں فریق مطلب اس
تحریر کا موافق اپنے اپنے بیان کے کہتے ہیں اور یہ صورتحال مندرجہ مسل حکمہ محکمہ کمشنر میں لکھی گئی اور سلی صدور حکم کا ہے
اوس حکمہ سے جانتے اللہ اطلاع ہوئے حضور ممدوح میں اور صدور حکم حضور ممدوح سے وقفہ چاہیے اور سلی وکلای طرفین کو
فہمائش ہو کہ جس طرح دو اور سے کام چلتا ہے اوسی موافق اپنی عرض میں کام کریں اور اسکو دشوار الحمل نہ سمجھیں اور
عرائض ناظر و کوتوال اور سلی صدور حکم مثالیہ اس تکرار کے حضور صاحب کمشنر بہادر میں بھیجی جاوے اور نقل اس حکم کی
پاس ناظر اور کوتوال کے بھیجی جاوے حررہ ۱۰ ماہ اپریل ۱۸۵۶ء

COURT FEE — EIGHT ANNAS — INDIA

نقل مطابق اصل
مرسل
عبدالحفیظ

نقل روبکار کرنل جارج ولکس صاحب بہادر مورخہ یکم ستمبر ۱۸۵۵ء مشمولہ نمبر ۲۰۷ منعقدہ اپریل ۱۸۵۶ء درگاہ خواجہ صاحب بقیہ بندوبست دیگہ فساد وقت نمبر

مورخہ خواجہ صاحب بموقعہ عرس شریف

مطابق اصل باختیار فقیر

Mir Zawar Ali Beg

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7.5.65

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مطابق اصل 4/5/65

A. G. G. Dixon Colonel

روبکار کمیٹی شہر اجمیر بابت عرس کرنل جارج ولکس صاحب بہادر کمشنر و ایجنٹ یکم ماہ ستمبر ۱۸۵۵ء

عرصہ تخمیناً چھ ماہ کا روبانقضا ہوا یا کہ ایام عرس خواجہ صاحب میں باہم اہالیان درگاہ دنگا فساد نوبت زد و ضرب کی پہنچی بعد تیاری مثل حضور حکم آخر کے کمیٹی صاحب بہادر نے
اس امر کا حضور میں آنکہ ایک مثل درپیش ہے و ایک مقدمہ اس شادیانہ بھی رجوع اور اصل بنا اس فساد کی یہ پائی کہ وقت آنے دیوڑھی کے نفر سے شادیانہ کہ کوئی نوبت بجانے
خلفائان و متولی درگاہ کو ناگوار ہوا اور رسم بابت ہے جو دستور ایام عرس میں ساتھ دیوڑھی اور متولی اور خلفائان سے ہوتا تھا اسمیں کمی و بیشی ہوئی اور تکرار و فساد زیادہ ہوا
اور منظور حضور یہ ہے کہ جو طریق مذہب انکا ہمیشہ سے ہے اسی موافق ہے طرف سرکار سے کچھ کمی بیشی ضرور نہیں اور رسمی پرستش سے افراد متولی ہے اصل ایسے امور کے ملاحظہ کر کر جلد حکم اس کا جو
قسم کی ناراضگی دیوڑھی کی طرف متولی کی ہے جو سجادہ نشین سدرس و فوقی مانگتا ہے یہ بات تو جناب حکم سرکار ہے۔ متولی کو کچھ اختیار نہیں اللہ کر آورت دیوڑھی البتہ ثابت ہوئی اور اگر
خادم و متولی حسب دستور آورت دیوڑھی کرتے یہ نوبت نقصان کی نہیں پہنچتی اور بات آورت دیوڑھی کہ صاحب سجادہ اولاد خواجہ صاحب ہے صورت ہے کہ متولی و خادم آورت دیوڑھی کا کرنا
اور حضور نے کئی بار متولی کو کہلوایا اور حاکم کچہری میں بھی حکم دیا کہ اگر متولی اپنی جگہ رہنا چاہتا ہے تو اوسے تو عہد دیوڑھی کا کرے۔ اللہ باوجود اسقدر فہمائش کے تا حال اطمینان حضور نہ ہوا کہ خادم
تمیں اسکی متولی نے کری ہو اور حضور کو ہر حالت انتظام خاطر خواہ طرف نگران درگاہ سے مطلوب ہے کسی لئے کہ جب آپس میں راہ نہ ہو تو انتظام امور کا بہتر نہیں اور اگر متولی درگاہ خواجہ
دیوڑھی پر جاکے اطاعت انکی کرے اور گفتگو و نوشت و خواند بہت درستی سے ہو یہ امر کچھ مشکل نہیں۔ اسواسطے

Ex 52
Ball

حکم ہوا

کہ مفوض روبکار ہذا سے میر خیط علی متولی درگاہ کو اطلاع دیجائے کہ حسب الحکم حضور تمیں کرے دربارہ اوسے قواعد صاحب سجادہ کو تشفی کرے اور تفہیم الصلح و فساد کو سرکار میں الصلح کرے
بہت بہتر اور بعض خوشی خاطر حضور باعث نظم کی کارخانہ درگاہ شریف ہے۔ اور اگر بحکم ثانی یہ امر ظہور میں نہ آویگا۔ اور جو شکایات اور کسر آورت صاحب سجادہ کے وہ رفع نہ ہوئی تو خیر حضور
بدرجہ لاچاری اور حکم ہوگا وہ بندوبست مناسب بات کاموں درگاہ کے کرنا پڑیگا اور بات خاندان دیوڑھی کے پہلے عرصہ ۲ سال کے حضور نے بہت دل لگا کر اور بہت سال گرد دیوڑھی کرے اور تدبیر جاری کرے
قرضخواہی اُن کے کو دیکر سبکدوش کیا تاکہ بیس پچیس برس میں بات قرض سابق و جدید ہو جاتا اور صدر امین صاحب اول تو کہ کار بندوبست تعلق اُنکے ہے بار بار لکھا اللہ اسکے کچھ
قدرے تعمیل نہ ہوئے اور جب بندوبست پہلے تھا کچھ نہ رہا اگر صاحب سجادہ اپنے قول و قرار پر چلتے تو تا حال قرضخواہ سے فارغ ہو جاتا اور خورد و بیرونجات میں ہمیشہ انکے آیا اگر اس سے بندوبست خواجہ
اُتر جاتا اور یہ بھی کار ہے کہ جیسا ہر ایک آدمی عزت جگہ اپنی کے اُٹھاتا ہے اور آبرو رکھتا ہے ویسا ہی دنیا سے بھی بدلہ پہنچتا ہے اور افسوس کہ دیوڑھی جاتی اپنی جائداد اول جگہ بھول کر اور خود کر اپنے عامل مقرر
کرتے ہیں اور صاحب سجادہ کہ اپنے حضرت خواجہ صاحب کے ہیں۔ باوجود کے بخیر نیک راہ نہ چلتے اور پیروہ جگہ اپنی کی رکھتے تو دوسرے لوگ بھی ایسی بے پروائی کم کرتے۔ اور اب بھی حضور جیسا
پیروہ عزت اور جائداد دوبارہ خود ہو جائیگی اور حسب دستور بزرگان اپنے کے چلینگے تو پھر اسمیں ہمکو ضرورت تاکید و تنبیہ کی نسبت دیگران کے نہ ہوگی۔ بل جیسی قدر اور عزت اولاد حضرت کی ہے اسمیں زیادہ تنگنائی
ہوئی ہے۔ اور یہ بات ظاہر ہے کہ جو وکیل دیوڑھی اور متولی اس حکم بندوبست سے خبر صحیح و درست موکلان اپنے کو نہیں پہنچاتے اور اسی سے وہ ناراض و ناخوش ہوتے ہیں فساد زیادہ ہوتا ہے اور اول حکم
جاتے ہو حکم بندوبست ہو اسکی خبر درست و درست پہنچایا کریں اور راہ نمازی کی چھوڑیں اور جو اسپر بھی کچھ عمل نہ ہوگا تو نسبت دعدہ مرکوزی حکم مناسب نہ ہوگا۔ اب وقت ناظر کے ہر ایک کو اللہ عہدہ
اور ایک نقل بھی ناظر کو جائے کہ اصل روبکار پاس ہر ایک ہمیشہ رکھے اور بعد اطلاع یافت و خط خاص اُنکے کے لکھا کر حضور میں ارسال کرے فقط

A. G. G. Dixon

متابق اصل
قرار گئی

مرخیط علی متولی درگاہ شریف
مفوض روبکار ہذا سے اطلاع پائی

رحمت اللہ وکیل مہربانان درگاہ شریف
مفوض روبکار سے اطلاع پائی

الفقیر

نقل روئداد مورخہ ۲۹ فروری ۱۸۵۶ء مشمولہ مثل نمبر ۵۷۵ ۱۸۵۶ء مندرجہ رجسٹر درگاہ شریف منعقدہ ۱۰ اپریل ۱۸۵۶ء

بمقدمہ بندوبست غسل و فاتحہ خوانی مزار خواجہ معین الدین چشتی در ایام عرس شریف جب درخواست سرفراز علی
جاگیردار بخدمت جج صاحب کلکٹر بہادر پیش ہوا

مطالب دعوے

دستخط ہمافقد فر۔ صدر کلکٹری

Amin Khan

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Nizamuddin Bar
Ajmer Mewara

روئداد محکمہ کمشنری ضلع اجمیر یا جلاس کرنل جارلس جارج ڈکسن صاحب بہادر کمشنر واقع بست نہم ۲۹ فروری ۱۸۵۶ء

Sd. C. G. Dixon

سالگذشتہ کو شب دوم عرس حضرت خواجہ معین الدین چشتی کے عین جلسہ محفل میں زد و ضرب ہوئی اور کئی
آدمیوں کے چوٹ آئے نے پولیس اور بیرسرکار سے بندوبست نہونے فوجداری و دنگہ فساد کا ساتھ قیناتی سواران و سپاہیان گارد
و مذکوریان عدالت مع ناظر و کوتوال اجمیر کیا گیا تھا یہانتک کہ اندرون گنبد شریف ملازمان سرکاری نے ساتھ جاتے
جاتے کر غسل کرایا اور اب کہ پھر ایام عرس کے قریب آئے صاحب اسسٹنٹ بہادر نے بھی روئداد برائے انتظام اس امر کے
حضور میں بھیجی اور خط دیلو الجیا صاحب سجادہ کا حضور میں آیا اور وقوع دنگہ سالگذشتہ کا ایسی بڑی درگاہ اور جائے
ادب و عبادت مسلمانان میں سراسر بیجا اور ناواجب تھا اگرچہ معاملہ مذہب میں حضور دخل نہیں کرتے الا ہو جانے فوجداری
میں احتمال تلف جان و بڑھ جانے مفسدہ زیادہ کا تھا اسلئے طلبی قاضی نیر الدین برادر صاحب سجادہ و میر حفیظ علی متولی درگاہ و ہفت
کس خدمایان ہفت چوکی کے واسطے بندوبست اس امر کے ہوئی تھی چنانچہ اسکے روز قاضی موصوف و متولی درگاہ و ہر ہفت کس خدمایان
نے جسکی تفصیل ذیل میں درج ہے برضامندی و بیاسطر جبر تصفیہ کیا کہ سالگذشتہ میں نابجا فساد کیا اور بیجا دخل غسل کے ہوئی
تھا اسواسطے کام جبر کے دخل و کرنے غسل کا موافق نرد دوسری کے کہ جبر العدیب سب کے ہوئے ہیں کریگا اور سب کام
محلسی کا موافق معمول کے ہوگا اور دستور قدیم سے موید برابر تفاوت و فرق طرف کسی فریق نہو دیگا اور ساتوں خدمایان
نے بھی روبرو حضور عرض کیا کہ سوائی ساتھ خادم و صاحب سجادہ و متولی و ہر دو کسی برادر انشی یا نوکران وقت غسل و دخل
اور کوئی اندرون گنبد نہ جاویگا اور اگر اندرون گنبد دنگہ و فساد ہو جاوے ذمہ داری ہماری ہے اور حضور کو طرف
غرض بندوبست سے ہے اسواسطے یہ تجویز منظور ہوئی اور اب بندوبست بیرونی ضرور ہے ہر چند ہمیشہ سے واسطے
بندوبست فوجداری کے مذکوریان طرف سرکار سے نوکر رکھے جاتے ہیں۔ اور اندرون درگاہ شریف اور بندوبست
طرف درگاہ سے رہتا ہے اور کوتوال اجمیر اندرون درگاہ میں جبر گران و منتظم ہوتا ہے مگر برائے حضور لبیب اسکا کہ
باوصف تقرری تجویز بالا کہ پھر دنگہ ہو جاوے اور طرف اوپر سے اقرار خدمایان کے کیفیت خود ہیں ایسا ہی مناسب
دیکھا یا کہ واسطے بندوبست اندرونے درگاہ اور بیرون گنبد بھی قیناتی کوتوال و ناظر رہنے اور

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اور بندرہ مذکوری نوکر رکھی جاویں اور تعلق ناظر کے رہیں - اور کوتوال محوجر رسیان وغیرہ ملازم کوتوالے اور
ناظر محوجر رسیان و مذکوریان نو ملازم ہر وقت گشت رکھیں اور جسکی طرف قصور یا بناء دنگہ معلوم ہو اوسکو
اوس حرکت ناواجب سے باز رکھیں اور جرمانہ مانیں اور دنگہ کرنے والے خواہ بڑا ہو یا چھوٹا ہو فی الفور گرفتار کریں
اور خرچ مذکوریان نو ملازم کا خزانہ درگاہ سے دلایا جاوے اور وقت غسل کے کوتوال اجیر بھی اندر وقائع بند
کیے جاوے اور اب تعمیل اس تجویز کی واجب ہے اسواسطے =

حکم ہوا

کہ پروانجات بنام کوتوال اجیر و ناظر جاری ہووین کہ موافق مندرجہ بالا بندوبست رکھیں اور پروانہ بنام متولی
درگاہ بھی جاری ہو کہ کل بوجہ ذمہ تمہارے ہے اس بندوبست سے مطلع ہو کے حسب معمول و موافق معروضہ تمہارے بندوبست رکھو اور کوئی
امر خلاف شرع نہ کرو اور نہ ہونے دو کہ جسمیں فساد یا بگاڑ کا ہو اور خط بنام صاحب سجادہ بھی لکھا جاکہ سب حال سے واقف رہکر سب
نوکران اپنے کو سمجھا دیں کہ کوئی امر جدید نہ کریں اور بندوبست متعلقان اپنے کا بھی رکھیں اور حکم بنام فرمایان بھی لکھا جاکہ موافق قول و قرار
اپنے کے چلو اور ذمہ داری نہ ہونے فساد کی اندرون لگبد تمہاری طرف سے ہے بصورت وقوع کسی امر خلاف کے طرف تمہاری سے بہتر نہ ہوگا اور
فرد صورتحال غسل و ضلع بیالف کو اخذات پاس ہر سے فریق بھیجی جاوے اور بعد اجرائی جمیع احکامات کے اصل روبکار ہذا
موصل سابقہ فرمت میں صاحب کمشنر بہادر کے بھیجی جاوے اور صاحب ممدوح اس موافق تعمیل کرادیں اور بندوبست رکھیں اور اگر طرف
کسی کے خلاف اسکے ظہور میں اویگا صاحب ممدوح بندوبست فرماوینگے اور جیسا مناسب ہے حکم دینگے اور یہ بھی حکم احکامات ہر سے فریق ہو کہ
جو جو ہمیشہ سے قاعدہ اور دستور اور طریق ہر یک کے ہر سے فریق سے مقرر ہے اوسمیں یا اس مذہب اور جاری اوپر اپنے ہر گز فرق نہ کریں فقط
اور کوتوال اور ناظر ایسا بندوبست رکھیں کہ کوئی شخص ساتوں روز میلہ میں کسیکو لوٹے یا سونٹے یا ہتیار کیا اندرون احاطہ درگاہ
اور کیا اندرون لگبد کے بیچنے نہ دیوے اور جو ہمیشہ مذکوری نوکر طرف سرکار سے نوکر رکھے جاتے ہیں اور بندوبست واجب ہے
اور جیسے سے ہو تا ہے اوس موافق صاحب کمشنر بہادر بندوبست کریں =

S.d C. G. Dixon

INDIA EIGHT ANNAS 8 AS. COURT FEE

مقابلہ شد
ترجمہ کا
عبدالحمید خان

नकल हस्ताक्षर
11.7.75
प्रभारी अधिकारी
केन्द्रीय प्रतिलिपि विभाग
भाषा एवं संचार मंत्रालय
अजमेर

नकल प्रमाणक
मुख्य प्रतिलिपिक
केन्द्रीय प्रतिलिपि

50 P. COURT FEE 50 P. भारत INDIA

(۲) ریسیور صاحب کو اختیار ہے کہ اندرون گنبد مبارک ہمیشہ کے لئے قفل لگا دے اور کسی کو داخلہ نہ ہوگا۔

(۳) اگر افسران پولیس کی ضرورت کی بنا پر انتظامی نقطہ نظر سے کسی افسر کو اس قطعہ پر اندرون گنبد مبارک جانا ہو تو ایک افسر پولیس اندرون گنبد مبارک حسب قاعدہ رہے گا۔

(۴) بشکار صاحب گزشتہ کمیٹی محمد صاحبزادہ صاحب بیٹے اس قطعہ پر رہیں گے اور بعد قتل و فساد فوراً تمام حالات کی پریسیڈنٹ صاحب کو رپورٹ پیش کریں گے۔

(۵) اس ریزولیوشن کی ایک ایک دیوان صاحب و متولی صاحب و خدام صاحبان ہفت چوکی و ریسیور صاحب کے پاس ارسال کیا جائے اور متولی صاحب سید و خوانین کو مطلع کریں۔

ہر کارروائی میں ریزولیوشن مندرجہ بالا بنیاد قرار دیا جائے اور اسکے مطابق عمل کیا جائے۔ دستخط پریسیڈنٹ صاحب

میں پریسیڈنٹ صاحب کی رائے سے اتفاق ہے۔ دستخط محمد عبداللطیف صاحب — مجھے بھی اتفاق ہے دستخط سید نصیر حسین صاحب

پریسیڈنٹ صاحب کی رائے سے اتفاق کرتا ہوں۔ دستخط سید محمد حسین صاحب — پریسیڈنٹ صاحب کی

رائے سے اتفاق کرتا ہوں۔ دستخط سید ذوالفقار علی صاحب

نقل مطابق اصل باعتبار مقابلہ

دستخط محمد رحمت اللہ بشکار کنتا

۱۵ اکتوبر ۱۹۳۳ء

30/10/65

सही प्रतिलिपि

मुख्य प्रतिलिपिकार
केन्द्रीय प्रतिलिपि विभाग,
जिला एवं सेशन न्यायालय
अजमेर.

प्रति हस्ताक्षरित
प्रभारी अधिकारी
केन्द्रीय प्रतिलिपि विभाग,
जिला एवं सेशन न्यायालय,
अजमेर.

COURT FEE INDIA
EIGHT ANNAS

In the Court of the ~~Sub~~ Judge, First Class, Ajmer.

Civil Suit No. 245 of 1945.

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1. Khan Bahadur Syed Abdul Wahid son of Master Abdul Majid
2. Khan Sahib Syed Mohammed Hussain Chishty son of Syed Mardan Ali, Hony Magistrate & Munpl: Commissioner, Ajmer.
3. Syed Zahoorul Hasan alias Maula Miyan son of Nazar Mohammed, Municipal Commissioner, Ajmer.
4. Syed Mohammed Hanif son of Syed ~~Ummat~~ Dutabsh Ali
5. Syed Abdul Quddus, M.A., L.L.B.
6. Syed Zahoor Ahmed son of Syed Ghulam Mohammed
7. Sheikh Fida Hussain son of Rahmatullah Musalman Khadim of Hazrat Khwaja Sahibm, Ajmer.

on their own account as also on account of all other Khadims of Hazrat Khwaja Sahib of Ajmer Plaintiffs,

Versus

The Durgah Committee, Ajmer, through and by its President Hafiz Sadiduddin Sahib Sajjadanashin, Tausa, Dera Ghazi Khan, ... Defendant

---

Plaint under Order 7 Rule 1 of the Code of Civil Procedure.

The above named plaintiffs beg to submit as follows:-

1. That there is at Ajmer a Holy Shrine known as Durgah Hazrat Khwaja Sahib Moinuddin Chishti of Ajmer.

2. That the said Holy Shrine is an ancient one and of all-India fame and importance and has for centuries past been visited by thousands of pilgrims from all parts of India and from abroad.

Statement before the Commissioner Mr. Raj Kishen Bhargava

C.S.No.245 of 1945.

K.B.Abdul Wahid & others. Plaintiffs.

Versus.

Durgah Committee. Defendant.

Name of Witness:- Dewan Syed Ale Rasul Ali Khan
Father's name:- Syed Mansoor Ali
Age 52 years
Resident of Ajmer
Occupation:- Sajjada Nashin Durgah Khwaja saneb

Dated.20-4-1947.

States on solemn affirmation:- I am a sajjadanashin Durgah Khwaja Saheb. The Gushal in his days takes place in the Durgah at about 1 A.M. The Gushal takes place once in one day i.e. 24 hrs.

Question:- How does Gushal takes place, to whom it is made and what are the details? (objected to)

Answer:- It relates to the Sajjadanashin only. It is performed by the Sajjadanashin himself alone. The Khadims helpme in the performance of Gushal at my discretion i.e. they pour water. Afterwards they clean the floor and this work they also do before the Gushal. Then the Khadims dry the floor by cloth supplied by Durgah for the purpose. After this I then apply sandal on the Mazar sharif, which is supplied by Durgah. After this Rose Water (गुलाब का जल) is poured. After cleaning the floor the Khadims then spread a 'Ghilaf' over the grave. After this flowers are placed on the grave. After this Fatiha is completed. Seven Khadims of ~~Hafaj~~ Hafat Chaki Talla are present at the time as is written in the Robkar of 1856. A chokidar, myself is Sajjada nashin & ~~his brother is also~~ one more male member. The family of Sajjadanashin is also present. A water carrier is also present. Besides there a Police Officer or two are present. A mutwalli ~~or~~ his servant is also present for the Durgah Committee ~~& on behalf of it~~. After the Gushal ceremony the Sajjadanashin washes his hands and feet at a place provided for the

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जिला-पूर्व सेशन न्यायालय
अजमेर.

Question:— Who is responsible for the management & performance of religious rights and ceremonies at the Dargah? (Objected to)

Answer:— The management alone is the function of Dargah Committee.

XX by Mr. Swaroop Narain:— I can not say when the Gushal started but it is a very old custom. This ceremony started because it is customary in Christian shrines and so it has been in existence since long. The Sajjadanashin are performing Gushal since its inception. The ceremony of Gushal is now a days being performed as per directions and terms contained in the Robkar of 1856 and the Robkar of 1856 contains what was being done previously.

Question:— Can the Dargah Committee send any person it chooses in your place? (objected to)

Answer:— No. The Dargah Committee cannot send anyone in my place.

Question:— Can the Dargah Committee send any person it likes in place of the Seven Khadims of Hafat Chowki?

Answer:— I am not an employee or servant of the Dargah. I am the religious head of the shrine. Khadims are servants of the Dargah Committee. Therefore it can if it thinks necessary send any other person.

I can not says if the Dargah Committee can send any other person in place of the Police officers. As the Police officers remain there on behalf of the Government I can not say whether Dargah Committee can send anyone else in their place without the consent & consultation of the Government. The Khadims have been in existence since before the advent of the Dargah Committee. I can not say how many years before the advent of the Dargah Committee. The shrine of Dargah came into existence after the 6th Century Hijri. I can not give the exact date of the coming of Khwaja Sahab to Ajmer.

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ONE RUPEE
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सही प्रतिलिपि
केन्द्रीय प्रतिलिपि विभाग
सत्र एवं सेशन न्यायालय
अजमेर

Question :- How long after the death of Khwaja Sahib the Dargah was established here? (objected to)

Answer :- The Constructions have been put up at different times during the ~~Maz~~ Rulers after his death. The Mazar tomb was constructed after his death. By Mazar I mean the original grave.

Question :- Did the ancestors of the Khadims came along with the Khwaja Sahib? (objected to)

Answer :- No.

Question :- Can you say now even approximately as to when the community of Khadims came into existence? (objection)

Answer :- The Khadims came in different groups. I can not say orally as to when the first group of Khadims came here. I can say after going through the history. I have not got it now.

Question :- Which Book you wanted to refer? (objected)

Answer :- Different histories by different historians. The names of one of such books is Baz Farmain.

Question :- Kindly give name of one of such books.

Answer :- The reference to Khadims is found in certain Farmans & other later histories, whose name I do not ~~know~~ remember now.

Question :- When was Sajjadanashin first appointed?

Answer :- The Sajjadanashin came into existence immediately after the death of Khwaja Sahib.

The Rohkar of 1856 is not on the basis of the compromise between the Sajjadanashin, Mutwalli & the Khadims. It embodies those customs which have been in existence before that date. I can not say if the Sandal is applied daily. The Sandal during the urs is supplied by the perfumer of Dargah. The Dargah Committee pays the price of the Sandal wood. I apply my own Sandal also. This Sandal is applied along with the Sandal from Dargah. ~~The~~ now says that I apply the Sandal of the Dargah Committee first and then my own. I have been applying Sandal of the Dargah since I came here. The Sandal which the ~~Quest~~ Khadims apply comes from the pilgrims.

सही प्रतिलिपि
मुख्य प्रतिलिपिकार
केन्द्रीय प्रतिलिपि विभाग,
पटना एवं पेशी न्यायालय
अजमेर.

The khadims have never applied the sandal of the Dargah. ~~The perfum~~ Lib 41.

Question:- Is the sandal ~~of Dargah Committee~~ by the perfumer given to the Dargah Committee or to you? (objected to)

Answer:- It is given to my 3

Question:- Is the sandal of the Dargah Committee sent to your house or given to you in the Dargah? (objected to)

Answer:- It is given to me by the perfumer in the Dargah Sharif. Some times he sends it to my haveli. The cup containing the sandal of Dargah is taken by my man to the Mazar and after the ceremony my man brings it back. No Gushal takes place on the 9th of Rajab. Volunteers that all the floors are washed & the Mazar is not washed. I do not take part in the ceremony ~~[illegible]~~ perfumes on the 9th Rajab. The rose water is taken by me and some is supplied by Dargah. Besides the persons given by me above, anyone whom the Dargah Committee chooses in connection with the management can be present there. During my life time no such necessity has arisen. I can not say previous to it.

Adjourned at this stage at the request of the witness as the witness says he can not sit for one hour more which time the counsel for plaintiffs says may be taken in cross examination.

Rai Ishwar Sharma

R.A.A. Correct.

At the time of reading it the witness states that the ceremony of Gushal takes place inside the house.

Rai Ishwar Sharma

S. Ali Rasul
" Ali
Sajjadanashin

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सही प्रतिलिपि
सत्य प्रतिलिपि
जिला एवं सेशन न्यायाधीश
अलवर

Dated. 27-7-1947 47 42

Cross-examination Continued:- From 20th April 1947 upto now I did not happen to see any ~~secondary~~ history from which I could say as to when the first group of Khadims came here. I cannot even give the name of the history to-day as I did not think it necessary to look through it. I had an occasion to read Gul Dastai Chisti Chaman (गुलदस्ताए चिश्ती चमन) in which the existence of the Khadims is mentioned. The writer of the said book is Maulvi Misvasauddin. It is wrong to say that this book was written at the instance of Deputy Imamuddin. I can not give the date of the first edition approximately, but I can give the date after seeing the book. I have not gone through the whole of the books 'Akbarnama' & 'Tozauk-e-Jahangiri'. The first Sajjadanashin was Khawaja Fakruddin eldest son of Khwaja Saheb.

Question:- Can you give the pedigree table of the Sajjadanashins? (Objected to)

Answer:-

Khwaja Saheb
| (son)
Khwaja Fakruddin
| (son)
Khwaja Hisamuddin

As far as I remember after Khwaja Hisamuddin came Khwaja Muthinuddin Khurd. He was either a son or a grand son of Khwaja Hisamuddin. After him came Khwaja Nizamuddin Bewaria. After some generations came Khwaja Bayazid uddin. From him the line of the Sajjadanashin continues up to me. I can not exactly give the names and order of the intervening Sajjadanashins. I can not orally give the period of the Sajjadanaship of each of the foregoing Sajjadanashins. In February 1922 I became Sajjadanashin.

Question:- You were appointed Sajjadanashin by orders of the government? (Objected to)

Answer:- No. I was not appointed by the government. I became Sajjadanashin by succession.

मुख्य प्रतिलिपिकार
मुख्य प्रतिलिपि विभाग
राजस्व मंडल अजमेर
अजमेर

was made by the Government. (Volunteers)
As the jagir was attached to the office of Sajjada nashin so the enquiry was made. Jagir & Sajjada-nashinship are inseperable. (अविभाज्य अंग)
(Lazim & Malzoom). This was in answer to the question whether enquiry was made for the Sajjadanashinship or jagir.

Question:- The language on the title page of the book 'Gulldasta-e-Chisht-Kawan' that it was written at the instance of Deputy Imamuddin. Who is described as Extra Assistant Commissioner & patron of the family of Sajjadanashin is correct or not? (directed by as the words are already given on the title page of the book.)

Answer:- ~~From the language~~ It is incorrect to say that from this language it follows that it was written at the instance of Deputy Imamuddin but it was published at his instance.

The book shown to me & marked 'A' is the book to which I have reffered above.

Question:- Is the language on title page correct? (objected to)

Answer:- I do not follow the sense of the question whether the correctness of the construction or the spelling of the language is being questioned.

Question:- Even now do you maintain that it was not written at the instance of Deputy Imamuddin?

Answer:- I have already answered the question.

The doors of mazar sharif open before the morning prayers. The Khadims open the doors of mazar sharif. ~~No service of the~~ The Khadims clean the floor. (Volunteers) as servants. The flowers are taken off by the Khadims in the morning. The Khadims offer flowers daily in the morning. The flowers for mazar sharif are supplied from the funds of Dargah. (Volunteers They get remuneration for it.)

What services are performed by Khadims, I can not say in detail. I can say only what services I render.

The Khadims do not perform any religious ceremonies (Volunteers) but whatever services they

render. They are rendered as servants. 43

The cleaning of floor, opening of doors, offering of flowers and reading of Fatha by Khadims are not religious ceremonies.

Question:- What are the religious ceremonies performed in Dargah?

Answer:- Kindly explain what do you mean by 'religious' whether you mean according to Shariat or what else.

Q:- (By Counsel.) I mean the religious ceremonies ~~which~~ performed ~~by~~ at Dargah whether according to Mohammedan law or otherwise?

Answer:- The duties performed by khadims are not religious. This is my answer with respect to the question of the Counsel of the plaintiffs.

Question:- What religious ceremonies do you perform?

Answer:- Whatever (I take such majlises) (इसमें सवाल में जिसको मजलिसें होती हैं वह मैं ही सरंजामी में होती हैं। In this the daily, Thursday Mahfils' and urs are also included.

These mahfils and majlises are being held from time immemorials. About these Mahfils there is a firman of Emperor ~~Shah~~ Shahjahan.

Question:- Can you say whether these Mahfils were held during the time of Emperor Jahangir?

Answer:- They were ~~being~~ held in the time of Emperor Jahangir also.

Besides these mahafils some ceremonies called religious ceremonies but which are not in fact religious are also performed. Gushal is one of such ceremonies. There are other ceremonies besides Gushal but I cannot recollect them now.

The management & control of the functions referred to above is in the hands of Dargah.

Question:- What management & control does the Dargah Committee perform in connection with these ceremonies referred to you? (Objected)

सही प्रतिलिपि
मुख्य प्रतिलिपिक
केन्द्रीय प्रशासनिक न्यायालय, शिक्षा एवं खेल मंत्रालय
अजमेर

Answer:- Whatever things are required in this connection, they are supplied by Dargah Committee ~~at its expense~~ from the funds by disbursement.

Question:- Is this the only function the Dargah Committee perform?

Answer:- ~~All~~ The management control in connection with the Dargah & the Wakf is according to the statute done by Dargah Committee.

Question:- Does the Dargah Committee take any actual part in the performance of religious ceremonies in majlis?

Answer:- No.

The above answer also applies to the so called religious ceremony referred to above.

No member of the Dargah Committee has attended or remained present at the Gushal during my period of office. The President & the Vice President also have never remained present at the Gushal during my term of office.

I can not say whether the services rendered by Khadims in the morning are also rendered by them at 3 P.M. Similar is my answer with respect to night.

I can not say whether Sandal is applied on mazar Sharif at 3 P.M. daily. I have read the annual reports of the Dargah Committee, but I can not give their purport now.

The Khadims had objected to my brother acting in my place at the Gushal ceremony during the beginning of my term of office. At that time the ~~was~~ Dargah Committee consisted of five members. As far as I remember it was decided by the Committee, and the Mela Magistrate also ordered accordingly.

Question:- Was any resolution passed by the Dargah Committee?

Answer:- As it was 2 A.M. therefore no resolution was reduced to writing but it was orally resolved by the Committee. I have no letter from Colonel Hill in this connection so far as I remember.

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सत्य- प्रतिलिपि
केन्द्रीय प्रति-लिपि शाखा
पटना एवं पटना न्यायालय
अजमेर.

purpose within the Dargah premises. This is also mentioned in the Robkar of 1856. One of the khadims is a chokidar. Out of the seven khadims five khadims remain outside & the other two remain on both sides of the Mazar near me. These two khadims pour water from two sides & dry & clean the floor. There are two fencings inside round the Mazar. I wash the ~~grave of~~ sides of the grave with water. No one else besides me can wash the sides. This ceremony is called "Gushal-ai-mazar Sharif". The water carrier fills cups of water and gives them to khadims inside who then pour the water under my instructions. The police officers remain there to maintain peace. The water carrier is an employee of the Dargah & draws his salary from the Dargah. The Mutwalli also takes part in ~~one of the~~ pouring water ceremonies ~~of Gushal. He simply pours rose water~~. The Gushal takes place from the 'Chandrat' to ~~six~~ five days thereafter i.e. the Gushal takes place on six nights. Tabiz and Mazar are one and the same. The supply of the requisite things and to look after the ceremony of Gushal is the function of Dargah Committee. (Volunteers) The khadims Dargah had once objected to my brother acting in my place, & the Dargah Committee had upheld my brother's right to act in my place. After I have applied sandal, the khadims also apply sandal. Gushal only means the pouring of water & applying of sandal. The flowers are supplied by the Dargah.

Question:- In what capacity are the khadims present at Gushal? (objected to)

Answer:- They are there as servants of the Dargah. The cleaning and drying of floor is not a part of the 'Gushal'. It is wrong to say that two Gushals take place in ~~a day~~ one night during Urs. The last night of Gushal is the night intervening between 5th and 6th Rajab. Dargah Committee can appoint any one to look after its rights at Gushal. The Dargah can ~~appoint~~ send as many persons as it likes at the time of Gushal according to the necessity.

सही प्रतिलिपि
सत्य प्रतिलिपि
प्रादेशिक प्रतिलिपि विभाग,
राजस्व मंडल, अजमेर.

It is not the Kobllar of 1855 to which I refer.

Q. Is it ~~It is~~ not correct to say that you began applying the Sandal of Dargah since 2 years back when Deputy Commissioner intervened, & with the consent of the Khadims began temporarily to apply the sandal of Dargah.

Answer:- It is absolutely incorrect. The Deputy Commissioner maintained what was written in the Kobllar of 1806 and which was in vogue, Rev.

Question:- What was the matter in issue before the Deputy Commissioner two years ago of which occasion you refer? (Objected)

Answer:— There were certain complaints from the Khadims and the question of applying sandal was also one of them.

As far as I remember I had also written a letter about the sandal. The question of sandal was raised by me.

Re-examination:- Question:- Do the Khadims alone offer flowers at the Mazar Sharif? (Objected to.)

Answer:- Anyone can offer flowers at Mazar Sharif.

Question:- You have said that the Dargah Committee doesn't take part in the performance of religious ceremonies whether the Dargah committee has any right to see that the ceremonies are correctly performed? (Objected)

Answer:- The Dargah Committee sees that every ceremony is being correctly performed.

Question:- Is there any person appointed by the Dargah Committee to look after these ceremonies? (Objected to)

Answer:- The mutwalli is there on behalf of the Dargah Committee.

Question:- What was the constitution of the Committee during its days of inception? (Objected)

Answer:- There were 3 members from the Khadim community, one member from the so called Syed Jadas & one from so called Sheikh Jadas & one from Mutwalli who was also a Khadim at that time, one member from the public and are representative appointed by me.

Sd/-

Question :- How many persons are there who are paid by the Dargah Committee for performing duties at Dargah Sharif ? (objected to) 49

Answer :- [illegible] दरगाह कमेटी [illegible] खादिमों को [illegible] दिया जाता है। जो खादिम [illegible] करते रहते हैं।

The Dargah Committee can increase or decrease the remuneration allowed to Khadims for service rendered.

Question :- Can you give any instance where the remuneration was increased or decreased.

Answer :- I saw an application of Khadims for increament of remuneration and so I say that increase of remuneration took place.

I saw this certified copy of this application about 2 or 3 months back. It was an old application. I can not give the year or date of the application. This application was made in the time of the first Dargah Committee constituted in 1867. I can not give the name of persons who made this application.

Question :- How do you say that the Khadims render services as servants of the Dargah Committee ? (objected to).

Answer :- As they have been addressed as (नौकर) servants in the Robkar of 1856 so I say this.

It is the same Robkar which concerns Gushal.

Question :- Is it a fact or not that certain Khadims are employed in the Dargah Committee as 'शागिर्द पेशा' Shagird Pesha while others are not ? (objected to)

Answer :- All the Khadims are employees of the Dargah Committee

Please look into the document 'B' dated 10-3-56 & let us know whether it is the same Robkar. (Production objected to by mr. Khalil.) This is not the Robkar referred to by me as Robkar of 1856.

Please look into the document dated 29-2-56 marked 'C' & say whether this is Robkar of 1856 referred to by me.

xx Questions by Counsel of Plaintiffs :— Objected by Mr. Md. Khalil :

50. 45

Question :- Can any person offer flower sheet at the Mazar sharif ~~sent by~~ the Dargah Bus

Question :- Can any person offer flower sheet sent by the Dargah at the Mazar Sharif ?

Answer :- Anyone employed by the Dargah Committee for the purpose can offer the flower sheet.

Question :- Has any one appointed by the Dargah Committee offered flower sheet in your life time.

Answer :- I can not say about all the 24 hrs.

Question :- Then how do you say that any employee of the Dargah Committee can offer such flower sheets.

Answer :- As the rights of employment & termination of services of Dargah employees are given in the Shahi so I say this.

Question :- Can the Dargah Committee compel you to observe any time regarding Mahfils.

(Objection as it does not arise from re-examination)

Answer :— The function of the Dargah Committee is not to make wrong as correct. It simply sees that right thing is done.

Question :- Can the Dargah Committee remove you from office if the Mahfils are not held in fixed time ?

Answer :- The ~~accession to my~~ recognition of my office is in the hand of the Government. It can not therefore terminate my service.

Question :- Was the Mutawalli appointed after the inception of Dargah Committee ?

Answer :- The office of Mutawalli is present from before the Dargah Committee. Since the inception of the Waqf the office of Mutawalli comes in existence.

Mutawalli, JM

Read over & admitted correct. Nai Kishan Bhargava

G.S. Dr. Fazal Ali

प्रति हस्ताक्षरित
प्रभारी अधिकारी
केन्द्रीय प्रतिलिपि विभाग,
जिला एवं सेशन न्यायालय
अजमेर

In the Court of the Sub Judge, First Class, Ajmer.

Civil Suit No.____ of 1945.

1. Khan Bahadur Syed Abdul Wahid son of Master Abdul Majid
2. Khan Sahib Syed Mohammed Hussain son of Hafiz Mardan Ali.
3. Syed Zahoorul Hasan alias Maula Miyan son of Nazar Mohammed, Municipal Commissioner, Ajmer.
4. Syed Mohammed Hanif son of Syed Qutub Ali
5. Syed Abdul Quddus, M.A, L.L.B
6. Syed Zahoor Ahmed son of Syed Ghulam Mohammed
7. Sheikh Fida Hussain son of Rahamatullah Musalman Khadim of Hazrat Khwaja Sahib, Ajmer.

on their own account as also on account of all other Khadims of Hzrat Khwaja Sahib of Ajmer,....Plaintiffs

versus

The Durgah Committee, Ajmer, through and by its President Hafuz Sadiduddin Sahib Sajjada Nashin Taunsa, Dera Ghazi Khan, ... Defendant

Written statement under Order 8 Rule 1 of the C.P.Code.

The defendant Committee begs to submit as follows:-

1. That para 1 of the plaint is admitted.

2. That para 2 of the plaint is admitted.

3. That para 3 of the plaint is vague, indefinite and incorrect and is not admitted. The Khadims are heriditary servants belonging to the Shagirdpesha establishment of the Shrine and as such are subordinate ▪▪▪▪▪▪▪▪▪▪▪ and subject to the control and disciplinary

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jurisdiction of the defendant Committee. The reply to the assertion regarding heriditary rights and privileges and duties, will be given on plaintiffs' furnishing details and further and better particulars of the same which they are hereby required to do.

4. That para 4 is emphatically denied, as it is not only the management of the property but also the regulation and conduct of the established rites and ceremonies of the Shrine which vest exclusively in the defendant Committee. The plaintiffs hold a much humbler position and have either nothing to do with the rites and ceremonies at all or as in the case of Ghusul, they only render assistance & service as subordinate servants of the Shrine , to the Sajjadanashin who is the spiritual head of the Shrine and who alone is the person entitled to, or does in fact, perform the Ghusul viz the ceremony of washing the actual sepulchre. The cleaning and sweeping of the floor underneath the dome which is done by the khadims as servants of the Shrine is not what is known as the Ghusul ceremony.

5. The defendant Committee is enjpined by the Act to regulate and conduct the established rites and ceremonies in accordance with the tenets of the Chsihti Saints and they have not departed nor have they any intention to depart from that rule of Law. The right to introduce innovations in matters of religious rites and ceremonies is neither asserted nor claimed nor enforced. But in matters of administration as distinguished from religious observances, the Committee have and do claim unfettered discretion.

6. That para 6 again is too vague and is

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emphatically denied. The plaintiffs are required to furnish details and particulars of the rights claimed in this para. The Ghusul is performed by the Sajjada Nashin and the Khadims have only secular duties to perform on the occasion. Their presence at the time of Ghusul is only to render such services of a secular nature as the Sajjadanashin may need at the moment.

7. Para 7 of the plaint is admitted.

8. Para 8 is denied. The Ghusul is performed only once every night during the Urs.

9. Para 9 is denied. The Khadims only wash and clean the ground floor underneath the dome other than the sepulchre before the arrival of the Sajjadanashin, who alone performs the Ghusul ceremony. The service rendered by the Khadims consists in the pouring of water while the Sajjadanashin is performing the Ghusul. The pouring of water is a secular act which does not amount to participation in the actual washing of the sepulchre itself which alone is known as the Ghusil Sharif and constitutes an established religious ceremony of the institution; and not the washing and cleaning of the floor done by the Khadims before the performance of the Ghusul ceremony.

10. The existence of the orders dated 1856 A.D. is admitted. But these orders contain :-

(a) directions of an administrative character

(b) details of the religious rites and ceremonies.

The Committee is bound by (b) but is neither referred to in (a) nor bound by it. In fact the powers regarding (a) are now possessed by the Committee or the District Magistrate. The Committee is not debarred from sending a

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a representative on the occasion of the Ghusul in the interest of administration and discharge of its statutory duties and not with the object of participating in the actual performance of ceremonies or discharge of their respective functions and duties by the Sajjadanashin and the Khadims. In fact such representation is accepted by the District Magistrate and the Superintendent of Police who station the Police on the occasion inside the dome, and it is they and the Committee and not the Khadims who alone are responsible for enforcement of that part of the order which deals with the administrative aspect of this function.

11. Para 11 is vague. The Committee is under an obligation only in respect of rites and ceremonies and not in administrative matters to continue the past practices. In fact it is the past practice in matters of administration which the Committee is bound to correct and alter, if so required, to ensure efficiency.

12. The allegations in para 12 are emphatically denied.

13. Para 13 is denied. The Committee passed the resolution in 1942 and not in 1945. They deputed the President of the Committee and not an outsider to go inside the dome and the object of this deputation was not to participate or join in the actual performance of the Ghusul ceremony but only to watch and see if the ceremonies were performed in accordance with the tenets of the Chishti Saints and the manner laid down in the order and the agreement of 1856 A.D referred to above. The Sajjadanashin too whose sole prerogative it is to perform the Ghusul has not objected to the above deputation of its nominee by the Committee for the aforesaid purpose. The Khadims have no locus standi

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to raise an objection or institute this suit which has been instituted without a cause of action, and the Court too has no jurisdiction to entertain it.

14. That para 14 is emphatically denied.

15. Para 15 is denied. The suit is altogether baseless and the plaint is liable to rejection under Order 7 Rule 11 C.P.C. for want of a cause of action.

16. Para 16 is denied. The resolution was passed in 1942. In 1945 only the objections of the Khadims were over ruled.

17. Para 17 is legal and needs no reply.

18. The prayer is preposterous and not tenable in fact and law and should be dismissed with costs and the Committee should also be allowed costs under Section 35 A of the Civil Procedure Code.

19. The suit is also not cognizable by the Civil Courts.

Mirza Abdul Qadar Beg
Vice - President
Durgah Committee, Ajmer.
7/7/45

Md. Mahmuddin Mukhtar
Advocate

I, Mirza Abdul Qadar Beg Vice-President, and Md. Mahmuddin Mukhtar Durgah Committee, Ajmer, do hereby solemnly affirm and verify that the contents of the above-written statement paragraphs 1 to 18 are true according to my own knowledge and information based on the records of the Durgah Sharif.

Md. Mahmuddin
Mukhtar

Mirza Abdul Qadar Beg
Vice - President
Durgah Committee, Ajmer

اس بیان میں سرفراز علی صاحب فالنیا ہے کہ اسرِ دیوان صاحب بہ سے
عمل میں شرکت نہ کر سکیں تو انکی جگہ پر ایک بھائی یا لڑکا
عمل کی رسم ادا کر دیتا ہے۔ 169

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Province of Ajmer - Merwara

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Deposition sheet of Witness.

In the Court of the Additional Sub Judge, First Class, Ajmer.

Civil Suit No. 245 of 1945.

K.B.Abdul Wahid ... Plaintiffs

Versus

Durgah Committee ... Defendant

Witness No.2 for plaintiffs

Name - Syed Sarfaraz Ahmed Ex 7

Son of Syed Yusuf Ahmed

Sd B.K.D.Badgel
Additional Sub Judge
First Class, Ajmer

Age - 67 Caste Muslim Khadim

Resident of Ajmer

Occupation Khadim Jagirdar.

States on oath or solemn affirmation :-

I am Jagirdar of Nandla. I am a Khadim also. I am doing the work of a Khadim of the Nazar Sharif for the

प्रतिलिपि प्रमाणित

प्रभारी अधिकारी
न्यायालय
कृते जिला मजिस्ट्रेट
अजमेर

the last 44 years. In the month of Rajab from the night before the 1st to night of the 6th, Ghusal takes place tweice every day. These six days are called Urs days.

In the first Ghusal only khadims take part. They may carry any pilgrim with them but the pilgrims take no part in the Ghusal. This Ghusal takes place after 9 p.m. and finishes by 10-30 or 11 p.m. The second Ghusal takes place at 1 a.m. . In this following persons take part -

1. Seven Sarghanas of the khadims
2. One Baridar who is also a khadim
3. One Mutawalli and his servant
4. Aley Rasul Sahib, his servant or brother
5. Two Policemen i.e, Sub Inspector and a constable.
6. One waterman.

None of the members of the Durgah Committee or any person on behalf of the Committee takes part in this Ghusal. The Durgah Committee came in existence in 1867 A.D. The Ghusals have started from 1850 A.D so far as I know when there was compromise. ~~xxxxxxxx~~ Now says I do not know since when this Ghusal ceremony started. One Ghusal takes place on the 9th of Rajab in which only khadims take part.

There are other rites performed by the Khadims besides the Ghusal. They are -

1. Offering of Sandal and flowers on the Mazar Sharif.
2. Offering of chader and changing chadar
3. Cleaning the mazar sharif.

Persons other than khadims have no say

COPY
SECRETARY AJMER
सत्य की अधिकृत प्रमाणित प्रति
प्रभारी अधिकारी
न्याय शाखा
कृते जिला मजिस्ट्रेट
अजमेर

in these rites, and ceremonies. The Durgah Committee can have no interference in the Ghusal ceremonies performed by the khadims.

XX

It is not a fact that the Mutawalli presents him in the Ghusal as a representative of the Durgah Committee. The Mutawalli is not a servant of the Durgah Committee. The Durgah Committee cannot appoint or dismiss the Mutawalli. The Committee has dismissed Syed Asrar Ahmed from Mutawalliship and has appointed Chaudhry Fateh Mohammed as a Mutawalli. Chaudhry Fateh Mohammed is not a khadim and he joins the Ghusual ceremony. Aley Rasul Sahib is not Diwan of the Durgah in the real sense. When Diwan Sahib does not come in the Ghusul he sends his brother or his son. The Diwan sometimes comes with his brother and sometimes with his servant. Diwan can bring only one man with him. The Mutawalli can bring only a bonafide servant or a man approved by the khadims.

I cannot point out any firmans which may show that only the persons mentioned by me can join in the Ghusal. This is according to the Sulahnama only. Besides this there is no other document.

The Baridar's work is to look after the Gumbad. The Baridar is not responsible for the Jhars etc there.

I have been seeing the same family doing the work of a waterman at the Ghusal.

I am one of the seven Sarghanas. I am sarghana of all the Baridars and Key bearers of Sundays. My day is also Sunday.

The Policemen are there to see that there is no

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no dispute at the time of Ghusal. I cannot say if more than two policemen can go inside, if there is possibility of dispute (objected to).

There is no firman or document showing that a Ghusal should be performed on the 9th Rajab. Nor is there any Firman or document to show that thely the seven Khadims and other persons should join the Ghusals.

Any person who is not a Khadim cannot offer flowers and Sandal to the Durgah. Every person can offer flowers and sandal on a Mazar when there are no Khadims. But when there are khadims only they can do so (objected to).

There is a Robkar also about Ghusal and the rites and ceremonies are performed according to the Sulahnama.

Re-examination nil

I and A.C.

Sd B...D.Baugel

2nd Additional Sub Judge,

First Class, Ajmer.

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In the Court of the Additional Sub Judge, First Class, Ajmer.

Civil Suit No. 245 of 1945.

K.B.Abdul Wahid ... Plaintiffs

Versus

Durgah Committee ... Defendant

Witness No.1 for plaintiffs

Name - Syed Mohammed Hanif Ex 4

Son of Syed Qutab Ali Sd B.K.D.Badgel

Age 76 Caste Muslim Additional Sub Judge First Class, Ajmer

Resident of Ajmer

Occupation Khadim Khwaja Sahib

2-4-46

States on solemn affirmation :-

I do a Khadim's work in the Durgah. I am doing this for the last 40 or 45 years. During the Urs Ghoosal

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takes place twice every day. The first between 8 or 9 p.m. with slight variations according to season. The second between 1 and 3 A.M. In the first Ghoosal no body except the Khadims are present. It is performed by the Khadims only and no body else participates. In the second Ghoosal the following ~~xxxxxx~~ persons participate. -

1. 8 Khadims (7 Sarghanas of the Haft Chauki and 1 Baridar of that particular date)
2. Mutawalli and one other person with him who is either a brother or a servant.
3. Dewan Sahib and one more who is either his brother or his servant.
4. One head constable with one constable.
5. One waterman.

The servant of the Mutawalli and the Diwan should be a bonafide domestic servant.

Besides the persons mentioned above the members or any representative of the Durgah Committee never participated in the second Ghoosal.

Beside the two Goosals mentioned above ~~xxx~~ one more Ghoosal takes place on the 9th Rajab between 8 & 9 A.M. This is performed by Khadims only and no body else participates. On this day the whole Mazar of Khwaja Sahib is washed while on the other six days only portions of the Mazar are washed.

In the first Ghoosal the four sides of the platform of the Mazar and the sides of the Mazar are washed. The floor near the Mazar inside the Chatehra is washed also.

In the second Ghoosal only the four sides of the Mazar only are washed. The floor is not washed.

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In the third Ghoosal everything is washed which is inside the tomb.

The work of the Police in the second Ghoosal is only to see that there is no disturbance then.

The brother and servants of the Dewan and Mutawalli stand outside the two Katehras. The Mutawalli stands between the two Katehras with his back towards the West. He does not take part in the actual Ghoosal ceremony. After the Ghoosal the Mutawalli pours down on the mazar the bottle containing rose water or kiora water.

The Dewan Sahib stands in front of the Mutawalli inside the inner Katehra near the mazar with his back towards the est. He also pours scented water after applying sandal.

Out of the 8 khadims two stand near the Mazar when Diwanji stands and takes part in the Ghoosal, three khadims stand between the two Katehras on the eastern side of the mazar. The other 3 khadims stand outside the Katehras.

The two khadims near the mazar apply Sandal after the Ghoosal and pour scented water also. Sandal is applied by the Khadims and the Dewan Sahib at the same time after which scented water is poured by the khadims, the Diwan and the Mutawalli simultaneously.

The two khadims then collect the Sandal and scented water and also give some to the Diwan if he expresses a desire to have a little. After this the Diwan stands by a side and the two khadims dry out the Mazar and floor by a cloth. After this Fateha is said and the Ghilaf is spread over the Mazar. ~~After the Fatehaxis said~~ On this Ghilaf the khadims spread the sheets of flower supplied by the Durgah and the pilgrims. The khadims can spread their own flowers sheet also. The Diwan spreads flower sheets brought by himself. After this every body

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goes out. The Fateha is recited by the two Khadims after the flower sheets are spread.

The other six Khadims help the two Khadims for bringing the water Sandal and flower sheets.

The water man stands outside both the Katchras near the Toshakhana.

The procedure for performing the Ghoosal has always been as I have stated above. This started from 1856 A.D Before this the Diwan Sahib did not take part in the actual Ghusal but only applied Sandal. The rest was done by Khadimsx only. The Mutawalli and Police also started coming in the Ghusal ceremony since 1856 A.D. Before that they never came in for the Ghusal.

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Besides the Gusal there are other religious rites which are also performed by the Khadims alone.

The procedure for the Ghusal as given by me is correct whereas that given in the written statement is not correct.

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The religious rites are -

The Khadims give an Azan and open the gate of the Mazar. When the reach the second gate they offer Salat and open the second gaxex door, The candle is lighted. After this the flower sheet are changed. Old ones are removed and new ones spread. The floor is swept and the door is opened and pilgrims are allowed to come inside.

This very procedure is repeated at 3 p.m. At this time sandal is also applied which is supplied by Durgah.

In the evening lights are burnt and one Khadim recites a Nazam which is particularly meant for this purpose and pilgrims are allowed in.

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At 10 a.m. after sweeping the floor both doors

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doors are locked.

All these religious rites are performed by the khadims alone and by nobody else.

The khadims never received any information from the Durgah Committee in connection with the Ghusal.

I produce the following documents.-

1. Certified copy of compromise deed dated 10-4-1856 marked Ex 5 (p) .
2. Certified copy of Robkar dated 29-2 -1856 marked Ex 6(p).

Cross examined.

The ceremonies of Ghusal are performed upto this day in accordance with the agreement dated 10-4-1856 Ex 5(p) and Ex 6(p) is the Robkar which was issued for maintaining peace and order at the time of the Ghusal ceremony. That Robkar is not in force in its entirety and for ~~Thxxxxx~~ a number of years only one head constable and one constable are coming at the time of Ghusal. In 1856 the management of the Durgah was in the hands of the Government and the Committee had not been formed till then.

In 1855 a dispute had arisen in the Mahfil so the Robkar Ex 6(p) was issued. The compromise referred to in Ex 6 is Ex Ex 5. After the existence of the Durgah Committee the Committee appoints persons for management outside the dome (objected to).

By mazar sharif I mean the raised platform inside the second katehra. In the dome besides the mazar the rest is floor whether inside or outside both the katehras. The construction of the mazar consists of a Takhat over which there is a Tawiz. In the Ex 5 there is a word Chabutra zerin Mazar-e-mubarik by which Chabutra I mean the raised Takhat over the surface and under the Tawiz.

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Ex 5 A is the same as the first Ghusal narrated by me.

In the second Ghusal the washing of the Mazar (ghusal) is done by the Diwan and the Khadims either pour water or clean the water which trickles down on the floor.

It is not a fact that the sandal supplied by the Durgah Committee is applied by the Diwan. It is also not a fact that the Khadims apply their sandal or that their clients after the Diwan has applied the Sandal.

The procedure shown in Ex 5(b) is followed by us except for the application of Sandal by the Diwan supplied by the Durgah as also the order of application of Sandal.

The procedure as shown in Ex 5(c) is not followed. There is a "Badarro" inside the dome near the Toshakhana.

I do not know how the changes in the procedure as shown in Ex 5 A and 5 C came into existence and how.

Q. Who manages, controls and regulates the religious rites performed at the Ghusal (objected to)

A. If anything is done against the Robkar and old customs then the olice will make a report to the Government who will settle the matter.

The Committee does not regulate the established rites and ceremonies of the Ghusal and other also. This is done by Government.

XX adjourned

Sd B.K.Badgel

Additional Sub Judge, First Class,

Ajmer.

XX resumed on S.A , 7-8-46.

The Durgah Committee pays to the Waterman for

प्रति की आदि
प्रमाणित प्रति

for bringing water for Ghusal, as also for two cups of Sandal for application to the Mazar. The Chadar of flowers is also brought from the money of the Durgah during the Urs as also on other days. The ghilafs are offered by the pilgrims.

I go with my pilgrims to the Durgah & offer the things brought by them. I pray for them and they recite Fateha. The pilgrims can pray in his thoughts but never expresses to us. There is no restriction for any pilgrim for reciting prayer in the mazar. } objected to

The mahfil of the Urs for 6 days and all Thursdays is included in the religious rites and ceremonies. They started from the time of Shajahan. The Durgah Committee arranges for them and there are firmans for them also.

There are no firmans or writing about the religious rites which I have stated to be performed by the Durgah.

The Committee does not control the rites and ceremonies performed by the Khadims.

Re-ex. The Sandal offered by Diwan Sahib is the one which he himself brings. The Khadims apply the Sandal of Durgah Committee.

Q. On what basis you say that Mahfils are included in religious rites. Objected to and disallowed as there is no authentity.

Sd B. . D. Badgel
2nd Additional Sub Judge,
First Class, Ajmer.

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In the Court of the Additional Sub Judge, First Class, Ajmer.

Civil Suit No. 215 of 1945.

K.B.Abdul Wahid ... Plaintiffs

Versus

Durgah Committee ... Defendant

Witness No.3 for plaintiffs

Name - Lone Ibrahim

Son of Syed Daulat Ali

Age 55 Caste Muslim

Resident of Ajmer

Occupation

Ex

Sd B.K.D.Badgel
Additional Sub Judge
First Class, Ajmer

States on oath or solemn affirmation :-

I am doing work of a Khadim for the last 30 years. Ghusal takes place at 9 or 9-30 a.m. during the urs days and

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अजमेर

ly Khadims take part in it. I have always taken part in this Ghusual. Only the Khadims perform the religious rites and ceremonies inside the dome. The Durgah Committee never interferes in the observation of these rites and ceremonies or in the Ghusul. One other Ghusul takes place at about 1 or 1-30 A.M. In that 8 Khadims, Diwan Sahib & his brother or his personal servant, Mutawalli and his brother or his servant, Waterman, Police Inspector and one constable take part. In this Ghusul no representaitve of the Durgah ever took part. Similar is my reply with respect to the First Ghusual. At 4 A.M we open the door of the dome , sweep it and take off the flowers and Sandal and give azan. Only khadims do this work. At 8 p.m. sheets of flower and sandal are offered to the Mazar after sweeping it. In this the khadims take part and some times take with them the pilgrims. The pilgrims only stand there and recite Fateha and we pray for them. At 10 A.M. after sweeping the floor inside the dome the gates are closed. The khadims put a light in the dome (objected to) . The Durgah Committee never interfered in these things.

XX. By Astana I mean the dome and all what is ~~xxxxxxx~~ inside the dome. By mazar sharif I mean the raised platform with the Tawiz over it and not the dome. I do not know of any Firman or any other document showing that the first Ghusul takes place at 9-30 A.M. Names of persons who attended the Ghusul are no where noted down. No particular khadims are fixed for doing the work, but every Khadim can do it. In the first Ghusal only two persons remain near the mazar. Two remain between the 1st and 2nd Katehras. In the outermost Katehra any number of khadims which it can contain can come. Only one waterman remains there. In the First Ghusal the khadim who lighrs the place ~~xx~~ also remains there.

There are no other religious rites and ceremonies besides what I have already stated.

Now a days the Mutawalli is the servant of the Durgah Committee. I do not know if the present Mutawalli Fateh Mohammed went inside at the time of the Ghusal.

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प्रभारी अधिकारी न्याय शाखा कृते जिला मजिस्ट्रेट अजमेर

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I do not take part in the second Ghusal. I cannot give the name of the waterman. The same waterman attends to both the Ghusals. The same waterman is continuing for number of years. In the second Ghusal a Khadim cannot take any of his pilgrims inside the dome, nor has this been done ever. At 3 p.m. the pilgrims cannot go inside the dome without the permission of the khadims and without his vakil. At 4 A.M. no body except the khadims go inside the dome. After 3 p.m. if any body remains in we ask him to go out. All the persons go out on our request and the position has never arisen when a person has insisted on not going out. Flowers and Sandal does not come from the Durgah Committee but from the Jagirs endowed to Durgah. Mutawalli sends these flowers and Sandal. The pilgrims can pray for themselves when they are in. I do not know who prepares the candles for lighting in the dome. The cost of these candles is borne out from the income of the jagir. After the lighting the pilgrims bring ghi diyas and light them there. Nowadays there is electric light also inside the dome. This electric light comes from the power house of the Durgah. There is a switch inside the dome. This electric light was installed about 6 or 7 years ago. The present Durgah Committee was alected 5 or 6 years ago. A pilgrim cannot offer chadar on the mazar. This is done through a khadim.

Re-ex. Nil

I and A.S.

Sd/- B.R.D. Siegel

The Additional Sub Judge.

First Class, Ajmer.

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कृते जिला मजिस्ट्रेट
अजमेर

No.12.

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Deposition sheet of witness.

In the court of the 2nd Additional Sub Judge 1st class, Ajmer.

Civil suit No. 245 of 1945.

K.B.Syed Abdul Wahid. Plaintiff.

Versus.

Durgah Committee Ajmer. Defendant.

Witness No.7 for plaintiffs

Name Mushtaq Ali

son of Syed Akbar Ali

Age 52 Caste Muslim

Resident of Ajmer

Occupation Sub Inspector Police station Kutligarh Ajmer.

states on oath or solemn affirmation:- 17/12/46.

For the last 3 years I have been attending the ghusal ceremony on duty as Sub Inspector. One head - constable goes there with me. 7 Khadims, one Bhishti and one keymen, Mutwalli sahib and his chaprasi and Dewan sahib and his chaprasi join the ghusal. The key man is also a khadim. I have been receiving names from the khadims Mutwalli and Dewan sahib for those who was to join the ceremony. I allow only these very persons and not anybody else. I never saw any member of the Durgah committee joining the ghusal ceremony.

xxxd. The Mutwalli sahib himself send the name of himself or the persons who would represent him. In 1946 Chaudhri Fateh Mohamad sent such names. He is Mutwalli of Durgah committee.

I do not know if he is a member of the Durgah Committee. If a head-constable is not available I take a constable with me. Dewan sahib and his brother or son have also come along with Dewan sahib. In place of Dewan sahib, his son or brother and one chaprasi have also come. I never saw anybodu else representing the

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Mutwalli there. The names of the Bhisti and ke not received. I never enquired from anybody as to wh sent the Bhishti and the keyman.

I am Sub Inspector for 7 years. I had no occasion to go at the ghusal ceremony as an ordinary man. I used to go to the ghusal under the orders of the officer-in-charge of the Durgah fair. During the last 3 years and perhaps in 1945, Zahurul Hassan had joined the ghusal ceremony as he was officer-in-charge of the fair then. If the officer-in-charge wants to join the ghusal when I am posted there, I take him and leave the constable out. Once the doors are closed the officer-in-charge can not come inside during ghusal.

Re-examination. When the Dewan and his brother or son came his chaprasi did not come.

I and A.C.

Sd.B.K.D.Badgel

2nd Additional Sub Judge 1st class

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कृते जिला मजिस्ट्रेट
अजमेर

नक्ल मिसमूला मिस्ल नम्बर 575 मन्दरजा रजिस्टर्ड दरगाह शरीफ मनफ़स्ला 10 अप्रेल सन 1856 ई. बमुकदमा बन्दोबस्त गुसल व फ़ातेहा ख़्वानी मज़ार ख्वाजा मोईनद्दीन चिश्ती दर अय्याम उर्स शरीफ़ हस्ब दरख़्वास्त सैयद सरफराज अली जागीरदार बमुजिब हक्म शाहब कलेक्टर बहादुर अजमेर मेरवाड़ा।

नक़ल मुताबिक अस्ल मुकाबला अमीर खान 15.6.44 मुहाफ़िज सदर कलेक्ट्री अजमेर

सर्टीफाईड टू बी ए टू कॉपी मिर्जा वाहिद बैग 17.6.

एक्सीबिट 7-5 एम.डी.सी.जी. डिक्सन

सुरत-ए-हाल वक्त बन्दोबस्त गुस्ल व सन्दल चढ़ाने अय्याम उर्स शरीफ़ हज़रत ख्वाज़ा साहब के मज़ार-ए-मुबारक पर यह है। जो के साल गुज़िश्ता में उपर चढ़ाने सन्दल व गुस्ल के बिनाए तकरार के बाहम अहालियान दरगाह के हुई और फिर माजलिस में नोबत जद-ब-ज़रब की पहुँची और दीवानजी ने वकु इस उम्र का तरफ मुत्तवल्ली दरगाह व खुदमायान से और मुत्तवल्ली में तरफ दीवानजी के लिखा और अबके हर सह थोक को वास्ते रफ़ा इस तकरार के बुलाए गए और अस्ल बिना उसके उपर कराने गुस्ल और चढ़ाने सन्दल के है। इसलिए यह बात हस्ब दस्तूर-ए-कदीम के करार पाई के बवक्त चार पाँच घड़ी रात के जो खुदमायान दरगाह फर्श गुम्बद शरीफ़ मए फर्श अन्दरूनी हर दो कटेहरा व चबूतरा जेरे मजार-ए-मुबारक के सोऐदगी किया करते है वोह खुदमायान शोऐदगी फर्श की करेंगे।'' (Ex. 5 A एस.डी. बी. के. बैजब 2.4.66) और बाद उसके जब दीवानजी और मुत्तवल्ली दरगाह मेहफिल से वास्ते गुस्ल और सन्दल चढ़ाने के आते है उस वक्त में एक दीवानजी मए एक और आदमी के ख़्वाह नौकर उनका हो या भाई उनका और एक मुत्तवल्ली दरगाह ख़्वाह उनका नौकर हो या भाई हो और सातों खुद्दाम मुनफस्ला जैल तरफ़ कुल खुद्दाम हफ़्त चौकी से मए चौकीदार मौजूदा उस वक्त के अन्दरून-ए-गुम्बद के रहेंगे और कोई वजुज़ उन खुदमान के उस वक्त मौजूद न रहेगा।'' और हाथ दीवानीजी साहब से गुस्ल और सन्दल चढ़ेगा और दीवानजी साहब अन्दरून-ए-कटेहरा दोयम पास मज़ार शरीफ़ के रहेंगे। और मुत्तवल्ली और बाकी खुद्दाम मज़कूरा अन्दरून कटेहरा हाय हस्ब मामूल मुकर्रर रहेंगे और जो मदद गुस्ल में तरफ खुदमायान से दरकार होगी वो देंगे और यह लोग अपने घर से उस वक्त और हाजतमन्दों का सन्दल चढ़ाते है बाद चढ़ाने सन्दल दरगाह मए घर साहिब-ए-सज्जादा के चढ़ाते है सन्दल चढ़ाने के मुख्तार नहीं याने खादिम'' (एक्जीबिट 5/बी 2.4.46) और जबके दीवानजी और मुत्तवल्ली बाद गुस्ल मेहफ़िल के वापस आ जावेंगे फिर खुदमायान को इख्तेयार है के जब्बारान को वास्ते ज़ियारत के गुम्बद में ले जावे अलवक्त गुस्ल और सन्दल चढ़ाने के सिवाए दीवानजी और खुदमायान मज़कूर को और मुत्तवल्ली और हर दो हमराइयान उनके और कोई मौजूद न रहेगा। और अगर कोई रईस-ए-कलाँ होगा और दूसरी जगह से मिस्ल सलातीन और उमाराव वगैरह आवेगा तो उस वक्त वास्ते जाने अन्दरून के मुजाएका नहीं अललबसलाह हर सह फ़रीक अन्दरून जावेंगे और अन्दरून करीब कोठा तोशेखाने गुम्बद शरीफ में है और दीवान जी हाथ पाओ धोते है उस मवाफ़िक धावेंगे। यह तकरार रफ़ा होकर सरिश्तेदार और शेख रहीम ने फैसला करा दिया हमको मन्जूर है और तरफैन राजी है। फ़कत फकत.

फकत मुनफ़सला जैल

TRUE - COPY

TRUE - COPY

सं. की अधि. प्रमाणित प्रति

प्रभारी अधिकारी न्याय शाखा कृते जिला मजिस्ट्रेट अजमेर

186 (186) 62

मुन्फ़सला जैल -

1. उमराव अली वल्द कासीम अली
2. उमराव अली वल्द मकसूद अली
3. पीर मौहम्मद वल्द जमाल मौहम्मद
4. दौलत वल्द गुलाम नसीर
5. गुलाम मौहम्मद वल्द दिलावर अली
6. ख्वाज़ बक्ष वल्द पीर नत्थू
7. इमदाद अली वल्द गुलाम अली (उर्फ बोलन)
8. काजी मुनीरूद्दीन बरादर साहिबे सज्जादा
9. सैयद गुलाम मौहम्मद वल्द सैयद दिलावर अली
10. सैयद इमदाद अली वल्द सैयद गुलाम अली
11. सैयद दौलत अली वल्द सैयद गुलाम नसीर
12. सैयद उमराव अली वल्द सैयद मकसूद अली
13. सैयद खैर मौहम्मद वल्द सैयद जमाल मौहम्मद
14. सैयद उमराव अली वल्द कासिम अली
15. सैयद ख़्वाजा बख्श वल्द पीर नत्थू
16. सैयद हफ़ीज अली मुत्तवल्ली दरगाह

बामौजिब हुक्म के बन्दुल करेगा ।

TRUE - COPY

Sd/-
C. G. Dixon

मुकाबला शर करार सामात अब्दुल हफीज़

TRUE - COPY

प्रति का अधि. प्रमाणित प्रति

प्रभारी अधिकारी
न्याय शाखा
कृते जिला मजिस्ट्रेट
अजमेर

187

(187)

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63

نقل رائنامہ منجملہ نقل ہائے مندرجہ رجسٹر درگاہ شریف مقدمہ ۱۰ اپریل ۱۹۵۷ء قدیم مندرجہ دفتر فاضلہ
خوانی مزار خواجہ معین الدین چشتی در ایام عرس شریف حسب درخواست سید سرفراز علی جاگیردار عرف [illegible]
بہ درایں پروانہ

Sharafat Khan
157/744
حافظ جز مرکز عالم

CERTIFIED TO BE A TRUE COPY
Dargah Committee
Keeper's Court
Ajmer-Marwar.

157/6 Sd/- C. G. Dixon

Ex 5 A.
Ajmer
2.4.46

Ex 5 B.
Ajmer
2.4.46

Ex 5 C.
Ajmer
2.4.46

सं. का अधि-
प्रमाणित प्रति

प्रभारी अधिकारी
न्याय शाखा
कृते जिला मजिस्ट्रेट
अजमेर

TRUE COPY

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مقدمہ دیل

1) امراؤ علی ولد قاسم علی — امراؤ علی ولد مقصود علی — پیر محمد ولد جمال محمد — دولت علی ولد غلام محمد

2) غلام محمد ولد دلاور علی — فراج بخش ولد پیر شہ — امداد علی ولد غلام علی عرف بولی

السید قاضی میر الدین برادر — السید سید غلام محمد ولد سید دلاور علی — السید سید امداد علی ولد سید غلام — السید سید دولت علی ولد سید غلام الدین

صاحب سجادہ

السید سید امراؤ علی ولد سید مقصود علی — السید سید پیر محمد ولد سید جمال محمد — السید سید امراؤ علی ولد قاسم علی — السید سید فراج بخش ولد سید پیر شہ

السید سید حفیظ علی متولی درگاہ — بموجب حکم کے بند و بست کیا گیا

Sd/ C.G. Dixon

متابق نقل

[illegible]

عبد الحفیظ [illegible]

प्रति हस्ताक्षर

प्रभारी अधिकारी

न्याय शाखा

प्रमाणित प्रति

प्रभारी अधिकारी

न्याय शाखा

कृते जिला मजिस्ट्रेट

अजमेर

DOCUMENT No. 15.

Copy of memorandum No. F. 59/43 dated the 19th June 1943, from R. G. D. Grabham, Esquire, I P., Superintendent of District Police, Ajmer-Merwara to the Deputy Commissioner, Ajmer-Merwara, Ajmer.

Subject:—**URS FAIR 1943.**

According to the arrangements arrived at in the past only 7 Khadims and one Chaukidar are allowed to enter the tomb of the Khawaja Sahib on the occasion of washing.

2. I would, therefore, request that the President, Durgah Committee, may be asked to furnish the names of 7 Khadims and one Chaukidar direct to the Officer-in-charge Police Station Buland Darwaza every evening to avoid trouble.

3. Last year the President of the Durgah Committee was also granted permission to go inside the tomb at the time of the performance of the Ghusal ceremony but as his name was not notified before hand this was resented by the party of the Muttawalli and the Khadims and the trouble was averted because the President decided not to go in. If there be any move on the part of the Durgah Committee to send their President or any other representative inside the shrine at the time of the Ghusal ceremony they will be well advised to have this fact notified by you before hand, as otherwise there will always remain the possibility of a serious breach of the peace and it would be difficult for the small force inside the Durgah to control the situation.

No. B7643/XXVIII—(i)—6.

Dated Ajmer, the 24th June 1943.

Copy forwarded to the President, Durgah Committee, Ajmer for favour of necessary action.

2. He will please state urgently whether the Durgah Committee intend to send their President or any other representative inside the shrine at the time of the Ghusal ceremony, this year. If so, the names of these gentlemen should be communicated to me in good time to notify the names before hand.

(Sd.) ONKAR SINGH,
for Deputy Commissioner, Ajmer-Merwara.

प्रभारी अधिकारी
न्याय शाखा
कृते जिला मजिस्ट्रेट
अजमेर