Contribution of Geo-historical Factors in the Evolution of Tribal Customs

Scheduled tribes of Himachal Pradesh represent a marked difference in their way of life as distinguished from other communities inhabiting this region. Not only this even the life style of one scheduled tribe is different from the way of life of the other scheduled tribe. The reason is not far to seek. The scheduled tribes of Himachal Pradesh inhabit the inaccessible part of the region. Because of the geophysical isolation of these tribal communities in sequestered mountain valleys of the Western Himalayas they have been isolated altogether from the main stream of socio-cultural development of the mainland since centuries. The geographical factor has, thus, been one of the main reason for the evolution of localised socio-cultural customs and traditions. Accordingly, they have been developed some customs and traditions of their own. Moreover, each scheduled tribe of this region can be identified with a specific geographical region and as such the area of their activities is normally restricted to that
particular limit. Nonetheless, there are some scheduled tribe communities like Gaddis and Gujjar who, although possess nomadic character, are associated with Bharmaur and Kiwar areas of Chamba district and are always seen roaming with their quadruped wealth in the pasture lands around Siwalik and elsewhere. Some of the Kinnauras and Lahulas have also established their secondary habitates in Shimla hills and Kullu respectively in order to further their merchantile pursuits. Thus the localized and endo-gamous characters of the Scheduled Tribes of Himachal cannot be over emphasised. This implies that the customs and traditions of a particular scheduled tribe is confined, normally, to that area where that particular community has remained concentrated through ages. Geographical conditions of the region, in other words, act as cultural barriers.

Historically also each scheduled tribe in this region is a separate entity in itself. Each tribal community settled in the particular geographical limit in the area at different times. Inhabitants of Kinnaur and Lahul-Spiti districts are the earliest settlers whereas Gaddi and Gujjar made their inroad to their present habitat recently during medieval period from the main land. Gaddis and Gujjars had been influenced by the predominating religious beliefs of that time and as such the religious sacraments
are reflected in their marriage and other ceremonies. Since the native people of Kinnaur and Lahul–Spiti remained away from the Brahmanic influence of the plains and as such we find secular character in their marriage and other social ceremonies. Thus the time gap in the settlement of different tribe communities in the region had influenced the socio-cultural life of these people to a greater extent.

Ethnically also the scheduled tribes of Himachal Pradesh are different from one and other. For example, the Kinnauras and Spitians are more akin to the Mangoloid group of human race whereas the Gaddis and Gujjars found their resemblance with the people of main-land. Mangolian races are known to practice polyandry1 as may be, likewise found among the Spitians and Kinnauras but this practice is unheard among the Gaddis and Gujjars who belong to a different stock. Likewise, Kinnauras and Lahulas are considered to profess the trademanship qualities of the Mangolian races and as such lead a settled life. Whereas, Gaddis and Gujjars are basically shephard and as such are migratory communities. Thus, the ethnic characters of the scheduled tribes of Himachal are clearly visible in their way of life.

The above discussion leads us to the conclusion that each scheduled tribe of Himachal Pradesh represents a distinct and definite way of life, having its own traditions and customs which govern the personal conduct of the members of that community inter-se.

**Geophysical Setting of Himachal Pradesh and the Pahari Society; Historical Perspective**

Geographically the State of Himachal Pradesh can be divided into three different zones—namely, lower foot hills ranging between 2000 ft to 4000 ft. above sea level, mid Himalayan zone ranging between 4000 ft to 12000 ft above sea level and Cis-Himalayan zone above 12000 ft above sea level. This geographical variation explains the different traits of life at different places inside the state itself. Himachal Pradesh has been considered the arena of development of human race since pre-historic times. Many famous scholars including the German scholar Warrel, have considered the Himalaya as the original home of aboriginals and Himachal Pradesh has always been a part and parcel of the Himalaya. Some scholars are of the opinion that the human history originated in the Himalayan mountains and intervening valleys, a part of which falls within the present Himachal Pradesh.  

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People of Himachal Pradesh at present, do not belong to one definite stock of human race, but a mixed stock. North-West part of the Indian sub continent has been the gate-way for many invaders who invaded this country since pre-historic times. The people of Himachal Pradesh as such came in contact with people of different races and culture. There has been frequent inter-mixing of blood among these people and as such the inhabitants of this region could not keep their separate identity. A study of Vadic literature reveals that some non-Aryan tribes inhabited this region long before the Aryan invaded the Indian sub-continent about 2500 B.C. from North-West. Dasa, Kolis, Halis, Dagis, Dhangris, Khasas, Kiratas and Kinners are few important tribes who find mention in Rgveda. These tribal groups were under different chiefs. Shambar was the most powerful chief. In all probability the Aryan were opposed in this region by non-Aryan under the command of Shambar. Shambar-Devodas war, as mentioned in Rgveda testify to this statement. But these tribes could not resist the mighty and organised forces of Aryans. As a result some non-Aryans fled to still higher and inaccessible areas beyond the reach of Aryans while others accepted

the Aryans as their masters and lived with them as their servants. Those non-Aryans who did not yield to the Aryans and fled to inaccessible places preserved their original cultural traits subject to the minor variation in their way of life due to local changed conditions.

It is probable in that age of territorial expansionism and warfare that some of the earliest inhabitants of this region and the aboriginal folks might have been isolated in the remoter regions of the Western Himalays where under prolonged isolation they developed their own way of life. This process must have been a continual one through the centuries of intrinsic warfare, aggression and expansionism. Since no evidences of such phenomena are available, it may be conjectured that ever since Mahabharata to the late medieval times such instances of exodus must have been frequent. It was such migration of clans, socio-cultural groups and families which in the course of time gave rise to the tribal communities in Himachal Pradesh. Subsequent political upheavels in the main-land and their turbulent consequences in the western himalayan kingdoms gave rise to such polity-legal institutions under the feudal system where the tribal folks were left out to their own means to

meet the end of their family and community disputes. Nonetheless, in such tribal societies the local deity played important role in deciding various matrimonial and property disputes through its oracle. . . a relic of theocratic administrative system which had been a striking feature of tribal republican administration of which Malana in remote Parvati valley of Kullu still exists a living relic of tribal administrative system.

Tribal Pockets and the Tribes Identified:

The tribal areas of Himachal Pradesh form a contiguous belt in the North and North East of the Pradesh. This belt practically lies between the Dhauladhar range in mid Himalayas and Pir-Panjal range of cis-himalaya. The cis-himalayan range in Himachal Pradesh is the eastern extension of the mighty great Himalaya starting from Nāga Parbat in the West. Pir-Panjal range also joins the great Himalayan range near Deo-Tibba in Himachal Pradesh. Between these two ranges is situated the valley of Lahul inhabited by Lahulas, Swanglas and Bhot communities. To the east of greater himalaya lies the Zaskar range. It separates the basin of Tibet from Himachal Pradesh. Between Pir-Panjal and Zaskar ranges lies the district of Kinnaur, the homeland of the Kinnauras.
Thus, each tribal pocket is separated from the other by high mountainous ranges which make the movement of the people confine to a defined region and therefore the geographical barriers also act as cultural barriers.

From the map it is clear that the entire tribal area lies in three districts namely Kinnaur, Lahul-Spiti and Chamba. Snow glaciers, high altitudes and highly rugged terrain, crisscrossed by fast flowing rivers and their tributaries are the peculiar features of the tribal belt. Tribal areas are the most remote and inaccessible region of the State and remain cut-off from the rest of the world for the greater part of the year particularly during the winter-season.

The tribal area of Himachal Pradesh constitutes 43.03 per cent of the State's geographical area and is inhabited by 197263 people which constitutes 4.61 per cent of the total population of the State. The following table shows the scheduled tribe population of Himachal Pradesh as returned at the 1951, 1961, 1971 and 1981 census.

TABLE - I

Scheduled Tribe Population of H.P. 1951-81

<table>
<thead>
<tr>
<th>S. No.</th>
<th>Year</th>
<th>Total S.T. Population</th>
<th>Male</th>
<th>Female</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>1951</td>
<td>2429</td>
<td>1311</td>
<td>1118</td>
</tr>
<tr>
<td>2.</td>
<td>1961</td>
<td>122326</td>
<td>61683</td>
<td>60683</td>
</tr>
<tr>
<td>3.</td>
<td>1971</td>
<td>141610</td>
<td>70810</td>
<td>70800</td>
</tr>
<tr>
<td>4.</td>
<td>1981</td>
<td>197263</td>
<td>99727</td>
<td>97536</td>
</tr>
</tbody>
</table>

Table I shows that there has been a steady rise in the scheduled tribe population of Himachal Pradesh since independence. The exceptional increase in 1961 as against 1951 is because of the revised list of tribal communities which have been scheduled under Presidential Order 1956. The increase in the scheduled tribe population in 1971 as compared to 1961 due to the addition of the tribal areas into Himachal Pradesh from Punjab after re-organisation of states in 1966. The Scheduled Tribes Order (Amendment Act) 1976 is responsible for the increase of scheduled tribe population in 1981. The above mentioned order declares the particular community as scheduled tribe throughout the territory of Himachal Pradesh except Gaddi and Gujjar tribes.
Thus, the following factors are responsible for the increase in the scheduled tribes population of Himachal Pradesh since 1951.

(i) Addition of various tribes in the list of scheduled tribes.

(ii) Addition of tribal population of the new areas integrated with Himachal Pradesh after re-organisation of states in 1966.

(iii) Extension of scheduled tribe status to a tribe throughout the territory of Himachal Pradesh under Scheduled Tribes Order (Amendment Act) 1976.

(iv) Normal increase of human population.

TABLE - II

<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>Chamba</td>
<td>67852</td>
<td>95726</td>
<td>30.77</td>
</tr>
<tr>
<td>2.</td>
<td>Kangra</td>
<td>--</td>
<td>752</td>
<td>0.08</td>
</tr>
<tr>
<td>3.</td>
<td>Hamirpur</td>
<td>--</td>
<td>57</td>
<td>0.02</td>
</tr>
<tr>
<td>4.</td>
<td>Una</td>
<td>--</td>
<td>19</td>
<td>0.01</td>
</tr>
<tr>
<td>5.</td>
<td>Bilaspur</td>
<td>5236</td>
<td>6604</td>
<td>2.67</td>
</tr>
<tr>
<td>6.</td>
<td>Mandi</td>
<td>5743</td>
<td>8022</td>
<td>1.24</td>
</tr>
<tr>
<td>7.</td>
<td>Kulu</td>
<td>--</td>
<td>7400</td>
<td>3.10</td>
</tr>
<tr>
<td>8.</td>
<td>Lahul-Spiti</td>
<td>21563</td>
<td>23766</td>
<td>74.04</td>
</tr>
<tr>
<td>9.</td>
<td>Shimla</td>
<td>2546</td>
<td>3672</td>
<td>0.72</td>
</tr>
<tr>
<td>10.</td>
<td>Solan</td>
<td>1425</td>
<td>1719</td>
<td>0.57</td>
</tr>
<tr>
<td>11.</td>
<td>Sirmour</td>
<td>3155</td>
<td>4943</td>
<td>1.61</td>
</tr>
<tr>
<td>12.</td>
<td>Kinnaur</td>
<td>34090</td>
<td>44583</td>
<td>74.87</td>
</tr>
</tbody>
</table>

Total 141610 197263 4.61
Table - II shows that three districts namely Chamba, Lahul-Spiti and Kinnaur are largely inhabited by the Scheduled Tribes. A comparative study of the districtwise distribution of the scheduled tribes population, as indicated by the table II reveals the fact that the scheduled tribe population has infiltrated into the non-tribal areas of the state. The factors which are largely responsible for such a trend are, first, the establishment of secondary homes by most of the tribal families in the lower region of the state and secondly, declaration under Scheduled Tribe Order (Amendment Act) 1976 of a particular community as scheduled tribe throughout the territory of the State irrespective of the fact whether the members of that community reside in the tribal area or not. The impact of this trend on the socio-legal setup of the tribal people cannot be over looked. As the tribal people are coming in close contacts with non-tribal population, the tribal social-setup is loosening its hold among the tribal societies. In other words the rigidity of the tribal customs in such a situation cannot be stressed upon.

It has been observed that some non-Aryan tribes inhabited this region before the arrival of Aryans. These original dwellers of the himalayan ranges came in contact
with the people of Indus Valley Civilization and were influenced by the later socially and economically. Because of this influence, the Rgvedic Aryans when entered into the Indian sub-continent from the Eastern Punjab thought them as belonging to Dravidian stock and called them Dasyus or Das. These Dasyus or Das of the vedic period are the present Kolis, Hali, Dom, Dumne, Chanal castes of Himachal Pradesh in general. It was the extension of the caste system of mainland which infiltrated into the tribal set-up in Kinnaur and created a vertical division as Negi a high caste and Chamanc and domang as low castes. In the contemporary Pahari social setup the place of these low castes has not been in any way different from the place of Dasyus or Das of the Vedic period.

Greater part of the population of Himachal Pradesh is believed to belong to Khasas race. But scholars are not unanimous as to the date of their emergence and development in this region. Different theories have come into light as to khasas expansion in this area. But scholars are almost unanimous on one point that they had

established themselves in the mid himalayan ranges from Kashmir to Nepal prior to the advent of Aryans into the Indian sub-continent. During pre-historic period their sphere of influence was, in all probability, the ridges of western Tibet. But in the later period their influence extended up to Pir-Panjal ranges of north-western himalaya and to the interior ranges up to Nepal. The traces of these people are still found in Kinnaur and Lahul-Spiti districts of Himachal Pradesh where they could protect their identity till today.

When the Aryans advanced in this region, the native non-Aryan tribes inhabiting the area opposed their advance. All the tribal chiefs fought against the Aryans under the leadership of Shambar. But they could not resist the mighty and organised forces of the invaders. As a result most of the non-Aryan tribals accepted the Aryans as their masters while others fled to still higher and inaccessible areas. Because of inaccessibility and difficult natural conditions the Aryans could not

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9. Supra f.n. 3.
pursue these non-Aryans and as such they could protect their customs and traditions till today subject to minor changes due to changed environmental conditions.

At the time when the *Rgveda* was in its formative period about 1000 B.C., a new group of people made its inroad in the land of Himachal Pradesh from north. They came from Tibet side and belonged to Mangol stock of human races. They were known as *Kirat*. In *Mahabharata* and in post-vedic literature, a good deal of mention has been made about these *Kirat* along with other races who inhabited the Himalayan region at that time. This shows that in the post-vedic period *Kirat* had become an integrated part of the population of India. Most probably the *Deerghyeni* people who find mention in *Sabha Parva* of *Mahabharata*, whom the Arjuna is said to have conquered were these *Kirat*.10 We find even at present the Bhots in Lahul-Spiti and Kinnaur district of Himachal Pradesh belonging to Mangoloid stock and wearing long hair.

During the middle ages, after 700 A.D., there appeared some changes in the political set-up of the people of the mainland of the country. This change had

also its impact on the social conditions of the people. Different feudal states started fighting with each other as a result the Mughal empire was established in the mainland. Mughals ill-treated the hindus. Accordingly, many hindus fled towards the hills to save themselves from the persecution of Mughals. Most of the Gaddi population of the present Bharmour tehsil of Chamba district consists of the descendents of those who fled to this area during the regime of Aurangzeb.11

From the above discussion it is clear that the tribals of Himachal Pradesh belong to different stocks of human races who invaded this region from time to time. However, they can conveniently, be categorised into three broader groups namely, (i) the native pre-aryan inhabitants, (ii) the aliens as invaders and (iii) the fugitives from the mainland. All the three categories have distinctive customary law and socio-economic system.

Scheduled Tribes of Himachal Pradesh

No precise definition of the word, 'Tribe' can be given. The various definitions given by social scientists, lawyers and anthropologists differ from one another for

the simple reason that the purpose with which a person approaches the subject differs from the other. The dictionary of Anthropology defines the term tribe as: "A social group, usually with a definite area, dialect, culture, homogeneity and unifying social organisation." Since anthropologists are more concerned with the land, language, way of life etc. of the particular community, they give stress on these points to see whether that particular community comes within their framework or not. On the other hand the social scientist defines the term tribe as: "A social group of simple kind, the members of which speak a common dialect, have a single government and act together for such common purposes as warfare." Prof. Rivers among other things has stressed for the common purpose. On the contrary to these definitions the dictionary meaning of the term tribe is given as: "A race of people, now applied especially to a primary aggregate of people in primitive or barbarous condition, under a head-man or chief." This explanation also does not satisfy us as primitiveness and barbarism are no more the necessary conditions to be satisfied

122 Charles Winic, Dictionary of Anthropology.
by a community in the present democratic set up. In view of such difficulties the term tribe may be used to denote any group that can be isolated as the carrier of a distinctive culture, a distinctive way of life. As such a particular tribal community may possess the following characteristics.

1. That its roots are deep buried in the soil and the people are the oldest inhabitants of the area.

2. That it remained in isolation from the main stream of civilization for the centuries together.

3. That its history is related to one or the other community mentioned in the Vedic literature and the epics.

4. That it possesses a distinctive culture, a particular way of life generally not prevalent among the other sections of the society.

5. That it belong to one of the main stocks of human races classified by the anthropologists.

6. That it possesses endogamous habits.

7. That its people follow the primitive occupations like gleaning, hunting, gathering of forest products etc.

In the Indian context also the term 'tribe' has never been defined precisely and satisfactorily. The constitution of India provides some special provisions relating to scheduled tribes and scheduled castes. But the term 'tribe' has not been defined anywhere. Under Art. 342 of the Constitution of India the President may declare by public notification that a particular tribal community be included in the list of scheduled tribes. It also empowers the Parliament to, by law, include in or exclude from the list of Scheduled tribes specified in the presidential notification. This can hardly be called a definition. However, in pursuance of this provision the President of India made the Constitution, (Scheduled Tribes) Order, 1950 and in the following years he made the Constitution (Scheduled Tribes) Part 'C' States Order 1951 in respect of the then Part 'C', States including Himachal Pradesh. These orders were later on revised from time to time. At present the following communities of Himachal Pradesh have been listed as the Scheduled Tribes.

(2) Gujjar, (3) Kinnaura, (4) Lahula, (5) Swangla, 
In fact, these are tribal communities of Himachal Pradesh 
also, as we have discussed earlier. Practically the 
entire scheduled tribe population of Himachal Pradesh 
is confined to the areas which have been officially 
declared as the tribal areas. Administratively it 
constitutes the entire Kinnaur and Lahul-Spiti districts 
and the Bharmaur and Pangi Tehsils of Chamba District. 
However, the Scheduled Tribes Order (Amendment Act), 
1976, declares that except Gaddi and Gujjar communities, 
all other tribal communities of Himachal Pradesh mentioned 
in the Schedule are to be treated as Scheduled Tribes 
throughout the territory of Himachal Pradesh irrespective 
of the fact whether the member of that particular tribe 
resides within the tribal area or not. 18

All the scheduled tribes of Himachal Pradesh are 
not the earliest inhabitants of this region as is generally 
understood. Some people consider that the tribes of 
Himachal Pradesh are ancient races who migrated to India 
from the North-Western borders of the country. 19 Such a

18. Ibid.
sweeping statement may be true in some cases but it is not the whole truth. Gaddi and Gujjar can hardly be called as ancient races. They have the recent origin and do not find mention in ancient literature or epics. Gaddis were originally the inhabitants of the plains who fled into the Himalayan ranges during the period of Mughal Emperor Aurangzeb in order to save themselves from the persecution of the Mughals. Same is the case with Gujjars. Lahaulas are also of recent origin. In reality these communities are the victims of circumstances and as such have been forced to live the tribal life. They have been declared as scheduled tribes because of the peculiar conditions under which they were living. In this connection the observation of the Advisory Committee on the revision of the lists of Scheduled tribes and scheduled castes appointed by the Government of India in 1965 is worth mentioning. In its report the committee observed:

The Scheduled tribes can also be generally ascertained by the fact that they live apart in hills, and even where they live on the plains, they lead a separate, excluded existence and are not fully assimilated in the main body of the people. Scheduled tribe may belong to any religion. They are listed as scheduled tribes because of the kind of life led by them. 20

Thus it can be said that the tribal communities of Himachal Pradesh who have been declared as Scheduled tribes are not tribal because they are only the descendents of aboriginals but because they are inhabiting such areas which are inaccessible and because of hard climatic conditions not conducive to human being in normal situations. These tribal people remained cut off from the main stream of national development for many centuries. Inhabiting such difficult areas they have developed their own way of life distinct from others. They have been declared as scheduled tribes so as to bring them socially and economically at par with the rest of the society as has been enshrined in Article 46 of the Constitution of India.

Tribals and Pre-Britishers Judicial Administration

The political conditions of the region and social organisations among the tribals along with the topographical features of the land are responsible to maintain for centuries the archaic rules of the tribal family law. The snow covered mountains and fast flowing rivers and their tributaries made any intercourse with the plains very difficult. These tribal people being thus shutup remained free from the advancement in the cultural and religious developments in other part of the country.
"Settlements in a mountainous country naturally get fixed, and a small, secluded, easily defended valley may retain stiff tribal customs for thousands of years." 21

Among other things the system of judicial administration in the past appears to have contributed a good deal to the preservation of the primitive conditions. The disputes were mostly decided by the tribal panchayats. Local men dealt with the local matters. The tribal panchayats have survived in these hills right up to the present day. The panchayats deal not only the social matters but also the matters which would have normally come before a law court, whether civil or criminal. However, with the expansion of the judicial and administrative machinery in the tribal areas, these panchayats are losing their hold in the matter of civil and criminal nature. As we have already noted that a large part of the tribal area remained under Gurkha rule for quite some time in the past, the observation of Mr. Hamilton is important in this connection. He has noted that in Nepal the disputes were settled by the panchayat, and he

has also given an account of the law and government in the country to the west of Kumaion which at that time was under Gurkha rule.  

The forms of investigation and decision under the Raja and the local chief were very simple. A simple oral examination of the parties and their witnesses sufficed, or a special oath in the name of the village deity was administered to the deponent. Private arbitration was frequently resorted to, particularly for the adjustment of matrimonial disputes and the division of family property among heirs.

Generally, the Panchayats have lost their strength with the growth of a central government which is strong enough to impose its will and enforce its decisions. It was the absence of any such central authority which kept the panchayat system alive in the hills. It will not be wrong to say that the panchayats which are now usually assembled in cases of abduction or seduction of women or offences against caste had much greater judicial authority in the past when the country was divided into petty chieftaincies.


Tribals and British Judicial Administration

The political situations in India by the end of 16th century opened the door for the Europeans into this country. As a result the Britishers ruled India for nearly two centuries. On the eve of political independence, two Indian's were mentioned: the one a territory under the administration of Princely States known as "Indian India. There was a third India present in the midst, but perhaps not recognised, which we may designate as "Tribal India" living in forests, hills and even on the plains but isolated from the mainstream of life.  

The British policy towards these tribal communities who were living in isolation was a policy of total neglect and a saga of exploitation. They assumed that these tribals were primitive and backward in all respects and should be preserved as pieces in the Anthropological Museum of the world. This policy of total neglect and isolating the tribals led to their exploitation by the non-tribal population. The tribesmen had to remain at the mercy of petty officials. The encroachment on the tribals rights

in land and forest led to the expression of anger in the form of risings. The uprisings forced the British administration to undertake some measures for the protection of tribal interests. Thus in 1874 Scheduled Districts Act was passed which tended to keep the tribal areas administratively separate. The same policy continued in the Government of India Act, 1919 and also the Government of India Act 1935. The Government of India Act 1935 provided for the protection of tribal tracts and classifying them into totally and partially excluded areas to be specified by His Majesty in Council.

Though the policy of the British Government towards the tribals was of total neglect and isolation generally yet the position of tribal areas of Himachal Pradesh was different. Tribal areas of the region during the British regime remained under the direct control of the Rajas of Chamba, Bushahr and Kulu States. However in 1846, the territory of Lahul Spiti passed into hands of Britishers. The Rajas though independent in their respective

27. Sections 7, 52A (2).
territories, however were under the supervision of some British agent. In the administration of justice Raja enjoyed the final authority. The civil and criminal courts of justice were located at the capital where the higher officers of the particular state reside and were presided over by judges with 1st class magisterial powers. The final court of appeal was that presided over by the Raja himself. Next after the chief in authority was the Wazir, who exercised authority in respective wazarats. The office of Wazir was used to be hereditary. The Wazirs were assisted by other petty officers who were designated by different names in different areas. These small officers were used to be the noble and elderly persons of the village. The criminal cases rarely resulted in sentences to accused and the civil cases were usually compromised with the help of village panchayats. Rarely when the disputes relating to personal matter of the tribals could not be satisfied mutually in the village panchayat, recourse had been made to the courts. Final

30. Superintendent, Simla Hill States for Bushahr; Asstt. Commissioner for Kulu including Lahul-Spiti and A British advisor for Chamba.
court of appeal presided over by the Raja himself. In such cases the appellant court always applied the customary law of the parties concerned. Whenever the law of the main land was applied in personal matters of the tribal by the court, as happened in one case during post-independence period, justice could not be done in that case to the tribal woman.31