APPENDIX NO.7

PENAL CODE OF HERAMBA MONARCHS

1. If an illiterate brahman tramples under foot an educated brahman the former shall pay the fine of twenty Kahans to the king.

2. If an illiterate brahman uses a piece of wood to beat an educated brahman the former shall pay the fine of fifteen kahans and ten pans to the king.

3. If two brahmans apply hands or feet to beat or to kick each other, and if such an action causes bloodshed, both of them shall pay the fine of twelve kahans and a half, each to the king.

4. If two brahmans use weapons to wound each other, each of them shall pay a fine of thirty one Kahans and four pans to the king.

5. If there is no provision in the penal code framed by sages for punishment for a particular crime, the punishment of the criminal shall be determined on the discretion of the authority according to the gravity of the crime.

6. If a brahman beats another brahman with his hands, the former shall pay the fine of twelve pans to the king.

7. If a man beats another man of his own caste with his hand, he shall pay the fine of one Kahan and a half to the king.

8. If a bad man attacks a good man with a weapon, the former shall pay the fine of sixty two Kahans and a half to the king.
9. If a mean brahman beats an accomplished brahman with his hands, the former shall pay the fine of ten Kahans to the king.

10. If two brahmans of equal status use weapons to wound each other, both of them shall pay the fine of thirty one Kahans and four pans each to the king.

11. If a sudra angrily deals a blow on a brahman with his hand, that hand of the sudra shall be cut off.

12. If a sudra angrily kicks a brahman with his foot, that foot of the sudra shall be cut off.

13. If a sudra shares the seat of a brahman, his waist shall be marked and he shall be banished from the kingdom, or a peace of flesh from his lip shall be cut off.

14. With a view to beating a brahman, if a sudra makes a frowning face at him, with his mouth wide open, the two lips of that sudra shall be cut off.

15. If a sudra out of anger, passes urine on a brahman, his male organ shall be cut off.

16. If a sudra, out of anger, throws stool upon a brahman his rectum shall be cut off.

17. If a sudra, out of anger, takes hold of a brahman by his hair or feet or throat or testicle both of his hands shall be cut off.

18. If a sudra thinks himself equal to a brahman which quarrelling with him or keeps pace with him, while walking along the road, or shares the same seat and same bed with a brahman, he shall be caned.
19. Two men of equal status while fighting, if one pierces the skin of the other, the former shall pay the fine of fifteen Kahans and ten pans to the king.

20. Two men of equal status while fighting, if one causes injury to the flesh of the other, the former shall pay the fine of thirty one Kahans and four pans to the king.

21. Two men of equal status while fighting if one causes injury to the bone of the other, the former shall pay the fine of sixty two Kahans and a half to the king.

22. While fighting, if one causes injury to the ear, or nose or hand or tooth of the other, he shall pay the fine of thirty one Kahans and four pans to the king.

23. If the latter loses his ear or nose or hand or tooth in consequence of fighting, the former shall pay the fine of sixty two Kahans and a half to the king.

24. If the latter dies from the injury caused to him, the former shall be sentenced to death.

25. If a man beats a guilty king, he shall first be pierced through with a sharp pointed weapon and then shall be burnt to death.

26. A brahman is not guilty of beating a man of any caste other than his own.

27. If a brahman is even addicted to all sorts of sinful acts, nobody is allowed to murder him.
28. If the wife, or the son or the slave or the disciple or the younger brother commits a crime, she or he shall first be bound with a rope and then shall be punished with cut-marks on the back with a slender bamboo cane.

29. Do not beat any body on the head. If any man beats another man on the head, he shall be treated as a thief and punished accordingly.

30. If the owner physically fit does not recall his buffalo or dog or any other animal of such kind, running at a man, he shall be punished with a fine of fifteen Kahans and ten pans.

31. If the angry dog or the buffalo or any other animal of this kind rushes at a man in the presence of the owner and if the owner does not comply with the request of the aggressed person for taking back his animal, the owner shall be punished with a fine of thirty one Kahans and four pans.

32. If a man of lower caste uses abusive language to a man of higher caste and if the latter beats him with his hands in return, king's punishment in that case is not binding.

Having consulted "Bibad Darpan" the penal code of Kushala Kingdom, His Highness the king of Heramba kingdom enacted his own penal code accordingly to determine a thief and the punishment to the inflicted on him. He proclaimed that the laws would come into force on and from 1st Baisaka 1739 Saka Era.
33. The man who keeps company with a thief and in whose custody implements for stealing and stolen articles are found, will be treated as a thief. The king shall detect the thief on the basis of the factors noted above. He will return the stolen articles to the genuine owner with proper proof and punish the thief according to the gravity of crime.

34. The king will deal with the thief with iron hand and for this his fame will spread far and wide.

35. Thieves are of two types. One steals openly and the other steals secretly. The dealer who weighs commodity with weight below standard and sells it to his customer is an open thief. The man who breaks into a house with digging implements at night is a secret thief.

It is necessary for information of all that His Highness, the king of Heramba kingdom consulted "Bibad Darpan" the Penal Code of Kushala Kingdom and enacted his own penal code accordingly for punishment of those dealers who used weight below standard to weigh their commodity and sold it to their customers and who took recourse to mis-calculation of sale-proceeds and maintained false record to cheat their customers and maintained their family.

He proclaimed that the laws would come into force with effect from 1st Baisaka 1739 Era.

36. The dealer who uses false weight to deceive his customer of one eighth of the commodity, is liable to pay the fine of twelve Kahans and a half to the king.
If the dealer cheats his customer of one ninth of the commodity, he shall pay the fine of ten Kahan and fifteen pans to the king.

When the dealer steals one tenth of the commodity, he shall pay the fine of nine Kahan and six pans to the king.

The dealer shall pay the fine of seven Kahan and thirteen pans, if he steals one eleventh of the commodity.

The dealer shall pay the fine of six Kahan and four pans to the king, if he steals one twelfth of the commodity.

The dealer shall pay the fine of four Kahan and eleven pans, if he steals one thirteenth of the commodity.

The dealer shall pay the fine of three Kahan and two pans, if he steals one fourteenth of the commodity.

If the dealer steals one fifteenth of the commodity, he shall pay the fine of one Kahan and nine pans.

The dealer shall pay the fine of fourteen Kahan and one pan to the king if he steals one seventh of the commodity.

The dealer shall pay the fine of fifteen Kahan and ten pans, if he steals one sixth of the commodity.

The dealer shall pay the fine of seventeen Kahan and three pans, if he steals one fifth of the commodity.

The dealer shall pay the fine of eighteen Kahan and twelve pans, if he steals one fourth of the commodity.
48. If the dealer robs his customer of half of the commodity, he shall pay the fine of twenty-one kahans and five pans to the king.

49. If the dealer robs his customer of half of the commodity, he shall pay the fine of twenty one Kahans and fourteen pans to the king.

50. The stolen article is to be divided into eight equal parts and one part is again sub-divided into eight equal parts and then one part is added to or substracted from the eighth part and seventh part etc. and nin-th part of the stolen property to ascertain the amount of fine to be imposed on the offender for the increased or decreased portion of the commodity stolen.

His Highness, the king of Heramba kingdom consulted "Bibad Darpan" the penal code of the Kushala kingdom and enacted his own penal code accordingly for punishment of those dealers who mixed medicine with copper and sold it as gold and passed the flesh of dogs for venison and an article of inferior quality for a high-priced article and sold them to his customers.

He proclaimed that the laws would come into force on and from 1st Baisaka 1739 Saka Era.

51. The king shall amputate the nose, and hands and pull out the teeth and impose a fine of sixty two Kahans and a half on a dealer who mixes medicine with a metal other than gold and passes it for gold and passes the flesh of the horse for venison and sells them to his customers.
52. A dealer who purchases commodity at a cheaper rate and sells it as a high-priced commodity to women or boys and thus cheats them, shall pay the fine equal to the actual price of the commodity.

53. Dealers who adulterate gold with the help of medicine and sell it to customers as pure gold, shall pay back the price of the commodity to the customers and also pay twice the price of the commodity to the king as fine.

54. Pure gold is that which does not suffer any decay even if it is burnt in blazing fire for a day and a night together.

55. That silver is pure which suffers only two percent decay, even if it is burnt in blazing fire for a day and a night together.

56. Brass and lead are pure, if these metals suffer eight percent decay, if these are burnt in blazing fire for a day and a night together.

57. Copper is pure, if it suffers five percent decay when burnt in blazing fire for a day and a night together.

58. In this process, the purity of iron is determined if it suffers ten percent.

In order to detect a secret thief who breaks into a house and the punishment to be imposed upon him, His Highness, the monarch of Heramba kingdom consulted "Bibad Darpan" the Penal Code of Kushala kingdom and framed his own code accordingly and proclaimed that the laws would come into force on and from 1st Baisaka 1739 Saka Era.
59. The king shall amputate the hands and with a sharp pointed weapon put to death that thief who breaks into a house and steals.

60. If a thief breaks into the house of the high class men or women and steals their precious stone, he shall be punished with death-sentence.

61. If a thief breaks into the house of a middle class man and steals his precious stone, his hands and legs shall be amputated and he shall be placed at the junction of four roads.

62. If the thief breaks into the house of a lower class man and steals his property he shall pay the fine of sixty two Kahans and a half to the king.

63. If a thief steals a house, his hands, legs and waist shall be pierced through and thus he shall be put to death.

64. If a thief steals a cow or a camel or an elephant, one of his legs shall be amputated.

65. If a thief steals paddy less than twenty drunas (quantity) he shall give back the same quantity of paddy to the owner and also pay the fine eleven times the price of the paddy to the king.

66. If the thief steals paddy more than twenty drunas, he shall be put to death.

67. If a thief steals gold or silver, the weight of which is more than one hundred hals he is subject to death sentence.

68. If the stolen gold or silver weighs less than one hundred hals, the ears of the thief shall be amputated.
If the stolen gold or silver is very little, the thief shall be physically punished.

If the thief steals wooden pots or earthen vessels for storing goods, or baskets made of grass or bamboo or little quantity of paddy, or yarn, or leather or vegetables or any other things of little value, he shall pay the fine equal to five times the price of these articles.

The hand of the thief who steals wood, grass, flowers and fruits of a brahman who studies the Vedas, shall be amputated.

The king shall call the thief and order him to return the stolen wealth to the rich owner and then punish him according to the gravity of the crime.

If a brahman be a thief, he shall be insulted publicly. To insult a brahman is equal to death sentence to him.

If a middle class brahman be a thief, the figure of female organ shall be imprinted on his fore-head and then he shall be banished from the kingdom.

Having known that it is a stolen article, the man who buys it, or preserves it or conceals it, shall receive as much punishment as a thief of the above article deserves.

It is necessary for information of all that His Highness, the monarch of Heramba kingdom consulted "Babad Darpan" the penal code of Kushala kingdom and enacted his own penal code accordingly to determine
the amount of punishment to be imposed upon a man who does a work all on a sudden without thinking before hand a by dint of his physical strength or by sentiment of vanity.

He proclaimed that the laws would come into force with effect from 1st Baisakal739 Saka era.

To do a work all on a sudden without much thinking before hand, or by dint of physical strength or by sentiment of vanity is called risky under taking.

Risky undertakings are of three types- 1st type, 2nd type and 3rd type.

If a thief steals or damages a plough, a bridge, flowers, fruits, roots or similar things of lesser value, he shall pay to the king the fine of six Kahans and four pans.

If the thief steals or damages bridge, field or similar things of higher price, he shall pay the fine equal to the price of the thing.

If a thief injures a beast, tears a cloth, spoils rice, pollutes drinking water, damages grinding stone or tears or cloth made of fibres of jute plants or steals these things or any other thing of lesser value, he shall pay the fine of twelve Kahans and a half to the king.

If the thief steals the above noted articles of higher price, he shall pay the fine equal to the price of the article.
If a thief steals gold or precious stones of the rich man or the woman or riches of deities or brahmans or woolen clothes or clothes woven with fibres of insects or of jute plants, he shall pay the fine equal to the price of those articles.

If a man of lower caste steals the articles noted above, he shall pay to the king the fine equal to thrice the price of the articles.

In order to rectify a man who keeps company with a thief, it is necessary to inflict physical punishment on him.

The punishment of the thief increases in proportion to the price of the article stolen by him. As for example - if the thief, in his first attempt, steals an article, the price of which is less than fifteen Kahans and ten pans, he shall pay the fine of six Kahans and four pans, if the price of the articles is fifteen Kahans and ten pans, he shall pay the fine of twelve Kahans and a half, if the price of the stolen article is a little more than fifteen Kahans and ten pans, he shall pay the fine of fifteen Kahans and ten pans, if the price of the stolen article is much more, he shall pay the fine equal to the price of the article, if the stolen article is clear, the fine of the thief shall be thirty one Kahans and four pans.

This is necessary for information of all that His Highness the monarch of Heramba Kingdom
consulted "Bibad Darpan" the penal code of the Kushala Kingdom and enacted his own penal code accordingly in Sanskrit language, for punishment of those who did not maintain their parents, wives and children and of those who threw stool upon a Brahman, or a Kshatriya, or on a Vaishya, or on a Sudra and of those who forced others to take wine and garlic and who advised others to practise mesmerism, hypnotism and of those Sudras who put on the costume of brahmans.

The king proclaimed that the laws would come into force on and from 1st Baisakha 1739 Saka Era.

86. If a capable man does not maintain his parents, wives and children, he shall pay the fine of thirty seven Khans and eight pans to the king.

87. If a Sudra pollutes a Brahman with stool, he shall pay the fine of sixteen hundred gold coins to the king.

88. If a Sudra entertains a Brahman with garlic, he shall pay the fine of one hundred gold coins to the king.

89. If a Sudra entertains a Brahman with wine, he shall be sentenced to death.

90. If a Sudra pollutes a Kshatriya with stool, he shall pay the fine of eight gold coins to the king.

91. If a Sudra entertains a Kshatriya with garlic, he shall pay the fine of fifty gold coins to the king.

92. If a Sudra entertains a Kshatriya with wine, he shall be punished with the amputation of his limbs.
If a sudra pollutes a Vaishya with stool, he shall pay the fine of four gold coins.

If a Sudra entertains a Vaishya with garlic, he shall pay the fine of twenty five gold coins to the king.

If a Sudra entertains a Vaishya with wine, he shall be punished with the amputation of fingers.

The punishments noted above are applicable in the case of a pious brahman, a pious Kshatriya and a pious vaishya.

In other case the punishments for the crimes noted above shall be the fine of twelve kahans and a half.

If a man who practices the black arts of mesmerism, hypnotism, submission, torture and murder, shall pay the fine of twelve kahans and a half to the king.

If a Sudra wears holy thread and assumes other signs of a brahman and earns his livelihood as a brahman does, he shall pay the fine of fifty kahans to the king.

If a dealer passes inedibles for edibles and sells those to the customers and if a man damages the idols of god & goddess, each of them is liable to pay the fine of sixty two kahans and a half to the king.

If a woman causes the death of a man with poison or fire or damages a bridge, she shall be thrown into water with a heavy stone fastened to her body.

But if the woman is in the family way, she shall not be thrown into water.
102. If a woman murders her husband, her spiritual guide or her own son, her ears, nose, hands and lips shall first be cut off and then she shall be trampled under foot by a cow till she dies.

103. According to Suddhi Chinta Manikar, death sentence or amputation of limbs of a woman is prohibited.

Her head shall be shaved and she shall be banished from the Kingdom.

104. If a woman has illegal connection with her disciple, her preceptor or a mean fellow or if a woman murders her husband, her head shall first be shaved and then she shall be banished from the kingdom.

105. It is stated in "Bibada Nirnaya" the penal code, that a man who sets fire to the paddy field full of corn, or houses or a village or to a grazing ground or to a granary and who has illegal connection with the queen, shall be wrapped with binna grass and then shall be burnt to death.

It is necessary for information of all that His Highness, the monarch of Heramba kingdom consulted "Bibad Darpan" the penal code of Kushala kingdom and enacted his own penal code accordingly for punishment alternative to death-sentence or amputation of limbs. He proclaimed that the laws would come into force on and from 1st Baisaka 1739 Saka Era.

106. If the convicted person is capable of paying the fine of one hundred gold coins his death sentence shall be commuted.
107. If the convicted person is capable of paying the fine of fifty gold coins, amputation of his limbs shall be commuted.

108. If the convicted person is capable of paying the fine of twenty five gold coins, his punishment shall be commuted.

This is for general information that His Highness, the monarch of Heramba kingdom consulted "Bibad Darpan" the penal code of Kushala Kingdom and enacted his own penal code for punishment of those criminal who accused an innocent person and let go the real culprit and who wounded a man with weapons and who accused abortion to his wife.

He proclaimed that the laws would come into force on and from 1st Baisaka 1739 Saka Era.

109. If a man accuses an innocent person and shadows the real culprit, each of them shall pay the fine of sixty two Kahans and a half to the king.

110. If a man maintains false records or makes false coin to serve his own purpose, he shall pay the fine of sixty two Kahans and a half to the king, even if the crime is minor.

111. If a man strikes another man with a weapon, or causes abortion to a woman of any caste other than the wife of a brahman, he shall pay the fine of sixty two Kahans and a half to the king.

112. If abortion is caused to a woman by excessive physical work, the fine shall be fifteen Kahans and ten pans. If it is caused by application of
If a man circulates a false proclamation in the name of the king or disobeys his orders or uses weight below standard to cheat his customers, he shall be punished with death-sentence or amputation of limbs according to the gravity of the crime.

It is for information of all that His Highness, the monarch of Heramba kingdom consulted "Bibad Darpan" the penal code of Kushala Kingdom and enacted his own code accordingly for punishment of a man who murdered openly or secretly. He promulgated the laws, giving effect to those on and from 1st Baisaka 1739 Saka Era.

The limbs of the criminals who murder openly or secretly shall first be amputated and then he shall be put to death.

If a brahman murders openly or secretly he shall not be put to death. His head shall first be shaved and then he shall be placed on the back of a donkey, with the picture of female organ imprinted on his forehead and banished from the kingdom.

This is for information of all that His Highness the monarch of Heramba kingdom, consulted "Bibad Darpan", the penal code of Kushala kingdom and enacted his own penal code accordingly for the punishment of a person who had illegal connection with the wife of another man and who approached the wife of another man and caused her.
He proclaimed that the law would come into force on and from 1st Baisaka 1739 Saka Era.

116. If a man meets a woman in a lonely place either at night or in the day time and speaks to her in such a way to attract her mind or if a man sleeps on the same bed with a woman embraces her and kisses her, he shall pay the fine of fifteen Kahans and ten pans to the king.

117. If a man of any caste other than a brahman has illegal connection with a woman, his nose and ears shall be cut off and then he shall be turned out of the kingdom.

118. If a brahman is guilty of sexual intercourse with a woman of Kshatriya or Vaishya or a Sudra caste, he shall pay the fine of thirty one Kahans and four pans to the king.

119. If a brahman is guilty of sexual intercourse with a woman of washerman or cobbler community, he shall pay the fine of sixty two Kahans and a half to the king.

120. A woman who is proud of her beauty, her brothers and her riches and who does not respect her husband and keeps unlawful company with another man, shall be brought in a public place to be eaten up by dogs.

121. If a man is guilty of rape, he shall be placed on a cauldron over blazing fire and shall be burnt to death.

122. The man employed to burn him, shall throw fire wood upon him to in flame fire.
123. If a Kshatriya or a Vaishya has illegal connection with a woman of Chandal community, the figure of a man without head, shall be depicted on his body and then he shall be turned out of the kingdom.
APPENDIX
PENAL CODE OF HERAMBA MONARCH

If crop is grown near the village without raising fence all around the field, and if cows or any other domestic animals damage the crop, and if that is not desired by the owner of the animals, he is not guilty of the loss.

But if the loss caused to the crop is due to the negligence of the owner of the animals, he shall be treated as a thief and shall be punished accordingly.

If crop is grown in the field distant from the village and if cows or any other domestic animals happen to go there and damage the crop without the knowledge of the owner of the animals, he shall pay the fine of one pan and five gandas to the king and also pay compensation to the owner of the crop, if he so desires.

If the former claims full compensation for the crop damaged and receives the same from the owner of the animals or the cow-herd, and if he offers oblation to propitiate gods and dead fore-fathers with the corn thus received deities or dead fore-fathers are not pleased with the offerings.

If the cows or any other animals eat corn to their heart's content at night, the owner of the animals shall pay the fine of ten ratis of gold to the king.

If the cows or any other animals eat so much corn in the day time, the owner shall pay the fine of six ratis of gold to the king.
If the animals eat crop for a short time in the daytime, the owner shall pay the fine of two ratis of gold.

If the animals eat crop for a short time at night, the owner of the animals shall pay the fine of three ratis and a quarter of gold to the king.

If the animals eat crop grown in the field near the village for a short time, the owner of the animals is not subject to punishment but he shall pay the compensation for the loss of the corn to the owner of the crop.

If the cow-herd beats the animals with a cane, he shall be punished properly.

To fine an animal or to beat it with a cane for damaging crop is not approved.

If crop is eaten by an animal for a very short time, the owner shall pay the fine of four pans for a cow, eight pans for a buffalo and one pan for a goat.

If the cow-herd is ill or falls ill suddenly, and if cows or any other domestic animals damage crop of others, the owner of the animals or the cow-herd is not subject to punishment.

The cow-herd shall not be punished, if an elephant, or a horse or a blind animal or a hump-backed animal or a bull or an ox damages crop. But if those animals, being driven by the cow-herd, damage more crop, the cow-herd shall be punished.

Taking vengeance is of two types one is verbal and the other is physical.
Verbal vengeance is the use of filthy language showered on a man.

Physical vengeance is to beat a man.

Verbal vengeance is of three types:

To speak ill of a man in respect of his home-land, his heredity, his caste, his good name and to circulate false allegation against a man to stain his character is the third kind of verbal vengeance.

To speak ill of one's mother and sister and stain their character is the 2nd kind of verbal vengeance.

To spread scandal about a man in respect of his religious belief is the 1st kind of verbal vengeance.

Source: Collected in MSS, in the possession of Nalinindra Barman, Bijoypur, Cachar.

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