

# Contents

Foreword by Patrick Olivelle	xi
Foreword by Saubhagya Pradhananga	xiii
Preface	xv
Abbreviations	xvii
<b>Introduction</b>	<b>1</b>
The Configuration of the <i>Ain</i>	1
State Law and State Formation	21
Caste and Family Law	29
Criminal Law	37
Compulsory Labour and Slavery	43
Land and Property Rights	47
Public, Administrative and Fiscal Law	56
Procedural Law and Punishments	67
The Application of the <i>Ain</i>	76
Conclusion	79
<b>Translation</b>	<b>83</b>
Preamble (Lālamohora of VS 1910)	85
0.1 The Throne [MA <sub>2</sub> ]	90
0.2 On Royal Affairs [MA <sub>2</sub> ]	95
0.3 On the Toṣākhānā and Mulukīkhānā [MA <sub>2</sub> ]	100
1. On Guṭhī Endowments	102
2. On Land	113
3. On Tenants and Landlords	133
4. On Tenants Defaulting on the Payment of Rent	142
5. On the Sale of Rents	146
6. On Revenue Matters	148
7. The Regulations on the Fulfilment of Revenue Contracts before the Year [VS] 1922	158
8. On Revenue Collection Arrangements	167

## Contents

9.	On Remissions	177
10.	On Default in the Payment of Arrears	180
11.	On Forced Labour	182
12.	On the Payment of Salaries	184
13.	On the Appointment and Dismissal of Jāgira Holders	187
14.	Recovering a Loan by Seizing Standing Crops	188
15.	On Creditors and Debtors	189
16.	On the Repayment of Debts	193
17.	Repayment of Debt from Dowries	195
18.	Creditors and Debtors	196
19.	Taking Collateral	201
20.	Writing Collateral into Loan Agreements	204
21.	On Proportional Division [in Cases of Insolvency]	208
22.	On a Father's Division of Property among Sons	211
23.	On Partition of Property	214
24.	On [Conflicts between] Husband and Wife	223
25.	On Widows' Property Rights	227
26.	On the Partition of [Seized Property] Returned as a Gift [by the Government]	230
27.	Women's Personal Property and Dowries	231
28.	On Property Passed on in the Absence of a Son as Heir	236
29.	On Adoption	245
30.	On Currency, Weights and Measures	249
31.	On Choosing a Profession	253
32.	The Felling of Trees	256
33.	On Examining [Official] Documents	257
34.	On Forging Documents	264
35.	On Court Procedures	269
36.	On Summoning Prisoners	280
37.	On Obtaining Written Confessions	284
38.	On Guarantees	288
39.	On Concealers	292
40.	On Aiding and Abetting the Escape of Prisoners	309
41.	Rioting against Bailiffs	313
42.	On Shaving and Dāmala	315
43.	On Confiscation	317
44.	On Collecting Fees	320
45.	On Complaints before Courts	322
46.	On Disputes between Adālata Offices and Amālīs	328
47.	On Statutory Time Limits	332
48.	Section on Complaints against a Court	337
49.	On Trial by Ordeal	338

50.	On Punishments and Fines	339
51.	On Serving a Prison Term in Place of Another Person	352
52.	On Fines and Imprisonment (Additions)	354
53.	On Employing [Prisoners] for Road Excavations with the Provision of Rations	356
54.	On Medical Treatment	359
55.	On Fights during the Siṭhi Festival	361
56.	On Assault and Bodily Injury	362
57.	On Reciprocal Verbal Abuse	366
58.	On Brawling	370
59.	On Beating between Father and Son	375
60.	On Forced Feeding of Human Excrement, Semen, Etc.	379
61.	On Farting	382
62.	On Spitting	383
63.	Drawing a Weapon with Intent to Kill	385
64.	On Homicide	387
65.	On Manslaughter	398
66.	Killing a Cow	402
67.	On Chilli	405
68.	On Theft	408
69.	Deposit and Pledge	428
70.	Finding Lost [Animals]	431
71.	On Quadrupeds	432
72.	On Cavalcade	435
73.	Arson	438
74.	On Witchcraft	440
75.	On Gambling	445
76.	On Building Houses	449
77.	On Setting a Trap	455
78.	On Treasure Troves	457
79.	Cleaning of Alleys	458
80.	Letting Slaves or Bondservants Escape	459
81.	On the Sale of Male and Female Slaves	462
82.	Enslaving or Selling a Person	465
83.	On the Sale [of Slaves] That Separates Children from Their Mother	472
84.	Selling a Wife	474
85.	On Removing Sick Slaves	477
86.	On the Amāli's Right to Take Slaves into His Possession	478
87.	Drinking Liquor and Untouchability	480
88.	Conversion to Asceticism by Fakirs	488
89.	On the Religious Judge ( <i>Dharmādhikāra</i> )	490
90.	Contamination through Cooked Rice	519

## Contents

91.	On Bestowing the Sacred Thread	527
92.	Juvenile Delinquency	529
93.	On Poor and Indigent Persons	532
94.	On Widow Burning ( <i>Satī</i> )	535
95.	On Carrying a Corpse	541
96.	Reporting a Death	543
97.	On Observing Impurity	544
98.	On Paying Obeisance	561
99.	On Marriage	563
100.	Marriage by Abducting a Girl	577
101.	On the Betrothal of a Girl to Two Persons	579
102.	Refusal to Give a Girl in Marriage to a Diseased Person	582
103.	Refusal to Marry a Girl Whose Hand Has Been Asked in Marriage	585
104.	Illicit Sexual Intercourse before Marriage after [an Unmarried Girl] Has Been Betrothed to Another Person by Performing the Caste's Customs	587
105.	On Sexual Intercourse before Marriage	590
106.	Intention of Committing Sexual Intercourse	597
107.	Molestation with the Intention of Committing Illicit Sexual Intercourse or Adultery	604
108.	When Someone [Falsely] Declares That Such and Such a Woman Is His Wife or That He Has Had Sexual Intercourse with Such and Such a Woman	611
109.	Lying in Wait [to Have Sexual Intercourse]	614
110.	Sleeping Together [with a Woman] by Laying One's Thigh over Hers	617
111.	Degradation through Verbal Declaration	624
112.	On the Supply of Information Regarding Physical Molestation with the Intention of Having Sexual Intercourse	630
113.	On Incest among Upādhyāya [Brahmins]	653
114.	On Incest among Rajapūtas	658
115.	On [Incest among] Jaisī Brahmins	664
116.	On [Incest among] Sacred Thread-wearing Kṣatriya Castes	665
117.	[On Incest among] Non-enslavable Alcohol-drinking Castes	671
118.	On [Incest among] Enslavable Alcohol-drinking Castes	676
119.	On [Incest among Water-unacceptable but] Touchable Castes	680
120.	On [Incest among] Untouchable Castes	683
121.	[On Incest with Non-blood Relatives]	685
122.	On Incest by a Member of a Sacred Thread-wearing Caste with a Blood Relative Who Has Become a Common Woman	688
123.	On [Incest] by a Member of a Non-enslavable [Alcohol-drinking Caste with a Relative Who Has Become a Common Woman]	693

124.	On [Incest] by a Member of an Enslavable [Alcohol-drinking Caste with a Relative Who Has Become a Common Woman]	696
125.	On [Incest] by a Member of a Water-unacceptable Caste [with a Relative Who Has Become a Common Woman]	699
126.	Miscellaneous Provisions Relating to Illicit Sexual Relations	701
127.	A Foetus of a Common Woman	706
128.	Sexual Intercourse with Female Litigants	708
129.	On Keeping Slave Women as Wives	711
130.	Sexual Intercourse with a Woman Engaged in Clandestine Prostitution	714
131.	On Complainants	718
132.	On Rape I	723
133.	On Rape II	730
134.	On Adultery	740
135.	Adultery with the Wife of Someone Who Has Gone Abroad	748
136.	When [a Married Woman is Accused of] Illicit Sexual Intercourse with Another Man	752
137.	On Sexual Intercourse with a Woman Who Previously Has Had Sexual Intercourse with Two Other Persons	756
138.	On Sexual Intercourse with a Woman Who Previously Has Had Sexual Intercourse with Four or More Than Four Persons	758
139.	Adultery Committed with a Woman from an Enslavable Caste	763
140.	Killing of the Adulterer of One's Wife Only on the Basis of Her Verbal Statement	767
141.	Miscellaneous Regulations Concerning Adultery	769
142.	On Illicit Sexual Intercourse with a Grass Widow	778
143.	On Infanticide	780
144.	On Divorce	782
145.	On Illicit Sexual Relations [among Newars]	786
146.	Law on Illicit Sexual Intercourse by Upādhyāya [Brahmins]	802
147.	Law on Illicit Sexual Intercourse by Rajapūtas	804
148.	Law on Illicit Sexual Intercourse by Jaisī [Brahmins]	806
149.	Law on Sexual Intercourse by Parvatīya Sacred Thread-wearers	808
150.	Law on Illicit Sexual Intercourse by Devabhājus, Etc.	810
151.	Illicit Sexual Intercourse with [Members of an Ascetic Group such as the] Daśanāmīs Etc.	812
152.	Sexual Intercourse with Members of Non-enslavable Alcohol-drinking Castes	814
153.	Sexual Intercourse with Members of Enslavable Alcohol-drinking Castes	816
154.	Sexual Intercourse with Members of Water-unacceptable but Touchable Castes	818
155.	Sexual Intercourse with Members of Untouchable Castes	819

## Contents

156.	On Illicit Sexual Intercourse with Members of Water-unacceptable Castes	821
157.	On Self-degradation to a Lower Caste with Declaration	827
158.	[Law on Illicit Sexual Intercourse with] Kulus	828
159.	Illicit Sexual Intercourse with Water-unacceptable but Touchable Caste Members	829
160.	On Untouchable Castes	832
161.	On Illicit Sexual Intercourse with a Slave	836
162.	On Illicit Sexual Intercourse with Bondservants	844
163.	Sexual Intercourse with Animals	846
164.	On Anal Sexual Intercourse [MA <sub>2</sub> ]	849
165.	On Madhesa [MA <sub>2</sub> ]	854
	Glossary	855
	References	873