

THE MAKING OF  
AGRARIAN POLICY IN  
BRITISH INDIA 1770–1900

*Edited by*  
BURTON STEIN

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## General Editors' Preface

This series focuses on important themes in Indian history, on those which have long been the subject of interest and debate, or which have acquired importance more recently.

Each volume in the series consists of, first, a detailed Introduction; second, a careful choice of the essays and book-extracts vital to a proper understanding of the theme; and, finally, an Annotated Bibliography.

Using this consistent format, each volume seeks as a whole to critically assess the state of the art on its theme, chart the historiographical shifts that have occurred since the theme emerged, rethink old problems, open up questions which were considered closed, locate the theme within wider historiographical debates, and pose new issues of inquiry by which further work may be made possible.

Burton Stein's volume addresses one of the fundamental questions of modern Indian historiography. From the time of debates between imperial rulers and administrators towards the end of the eighteenth century, discussions of the impact of British agrarian policy on Indian rural society have been heated and intense.

The selections within this volume include a classic and generally inaccessible critique of zamindari settlement by a colonial writer, as well as more recent essays by historians who have written on this theme. These essays discuss the ways in which contemporary ideas on political economy influenced the official mind, as well as the extent to which local conditions shaped official thinking.

Going beyond these discussions, this book attempts to understand policy as part of a wider process. It reveals a complex of issues which defines the interrelationship between policy and society—how local elites and conquering Europeans carried on negotiations, how pre-colonial elites were incorporated into the workings of the new system, how colonial policies restructured agrarian power relations.

Stein points, in his Introduction, to the wide variation in the impact of policies. Ecological conditions within a region, as much as pre-existing structures of property relations, defined the nature of the impact. Throughout, Stein emphasizes the fact that all these changes must be seen against the backdrop of the development of capitalist relations in Indian agriculture.

Other volumes in this series will complement this theme by looking at agricultural output, the world of peasants and rural labourers, and the status of landed elites.

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## Introduction

At the very beginning of the modern study of India's past by James Mill, in 1817, agrarian policy was given major prominence as a theme in Indian history.<sup>1</sup> This is hardly surprising, for in the mind of Mill and many of his successors what distinguished and justified British rule over earlier forms of rule in India was the principled and systematic character of the British as opposed to the tyranny and chaos of the other forms. In nothing did principle and system seem so perfectly to combine as in 'the great land settlement' of Bengal by Lord Cornwallis. Yet, even though his *History* won him a coveted place as examiner of revenue and judicial records at East India House, Mill was savage about the Cornwallis reforms in Bengal, its judicial no less than its revenue provisions: he devoted 200 pages to a condemnation of the permanent settlement with zamindars. To make his indictment ever more harsh, Mill said that the directors of the Company who approved Cornwallis' plans had proven themselves as ignorant of conditions and history in Bengal as the good Lord himself. Much of his attack was based upon comments of advocates of the ryotwar system from Madras, as these had been recently marshalled in that great policy compendium of the day, *The Fifth Report on East India Company Affairs, 1812*.<sup>2</sup>

As Mill's successors elaborated an imperial historiography of India, such criticisms faltered, perhaps because many of the writers were serving or former members of the Indian Civil Service and were implicated in the implementation of policies. Thus, John Malcolm, in his 1826 *Political History of India from 1784 to 1823*, devoted a mere twenty pages of his two volumes to a discussion of the land-

<sup>1</sup> Mill's *The History of British India*, in six volumes, was published in London and reprinted in 1820, 1826, 1840; and, in 1848, in a nine-volume edited version by H. H. Wilson.

<sup>2</sup> The full title: *The Fifth Report from the Select Committee of the House of Commons on the Affairs of East India Company, dated 28th July 1812*. Originally published in London, it was reprinted in Calcutta with notes and introduction by Walter Kelly Firminger, Archdeacon of Calcutta, in 1917, in three volumes, and that edition was subsequently reprinted by Augustus M. Kelly, New York, 1969. References here are to that last work.

## 2 / *The Making of Agrarian Policy in India*

revenue policies of the East India Company.<sup>3</sup> Later in the century, W. W. Hunter's historical volume of *The Imperial Gazetteer of India*, entitled *The Indian Empire*, offered little more about policies and administrative institutions of the Raj.<sup>4</sup> Some of Hunter's other work was critical of agrarian and revenue policies, and had begun to make an impact. His small volume, *England's Work in India*, contained the surprisingly public and discomfiting accusation that forty million people, about a fifth of British India, 'go through life on insufficient food'. When that was true, Hunter asked, and when in addition the Raj could not pay its way, how could British agrarian policies and administration be considered a success?<sup>5</sup> Other officials were beginning to reflect on conditions of the late nineteenth century that seemed involved in the series of terrible famines that the imperial Raj found itself having to explain. Hunter was one of those who wrote on these tragic events and the agrarian policies that were promulgated to deal with them.<sup>6</sup> As a result of his criticisms of agrarian policies and conditions, his superiors in India sought to neutralize criticism.

In 1888 Sir Edward C. Buck, the influential Secretary to Government for Revenue and Agriculture on the viceregal council, decided that Hunter's charges had to be answered. Accordingly each of the presidencies of British India was instructed to inquire into rural poverty 'to ascertain whether the assertion was wholly untrue or partially true. . . .'<sup>7</sup> One result of this attempt to purge the poverty issue from Victorian India was a massive apology by the Indian official Seshiyar Srinivasa Raghavaiyangar, titled *Memorandum on the Progress of the Madras Presidency during the Last Forty Years of British Administration*<sup>8</sup>, on which more will be said below.

<sup>3</sup> The two volumes were published in London; vol. 2, pp. 165–85, contains his discussion of land-revenue policies and his approval of Munro's ryotwar. Malcolm was most concerned to emphasize the need to have men—like himself and his friend Thomas Munro—who knew India well, ruling and developing the agrarian policies of the Company in India.

<sup>4</sup> This was written in 1882 and published in 1909, Oxford.

<sup>5</sup> Published London, 1881; see pp. 54 and 79–80.

<sup>6</sup> *Famine Aspects of Bengal Districts* (London, 1874).

<sup>7</sup> India Office Library and Records, *Revenue of Settlement Proceedings*, No. 1624 of 1888, L/E/7/185. Buck was the first director of this new department that was meant to establish an all-India framework for land revenue to replace the various provincial ones that had emerged from the late eighteenth century, in some cases. Buck's recommendations were influenced by his long service in the North West Provinces, where the basis of the revenue settlement was village tenure, mahalwari.

<sup>8</sup> Published by the Madras Government, 1893.

By then, in the late nineteenth century, other Indian voices were being heard on the subject of agrarian policies and distress. The most famous of these was R. C. Dutt, a retired Indian official of Bengal, the first of its economic historians, and a critic of its agrarian policies.<sup>9</sup> Others who wrote critically from this perspective were William Digby, *'Prosperous' British India, a Revelation from Records*,<sup>10</sup> and Dadabhai Naoroji, *Poverty and Un-British Rule in India*.<sup>11</sup> These works confronted the notions of earlier British writers about a chaotic pre-colonial era that was made orderly and just by British rule, thus constituting an apologia for their imperialism. They became classic texts for Indian nationalists, and remain so for scholars who consider the determination and implementation of all policies of the Raj in the light of Indian nationalism. However, there are other scholars today who never regarded these texts as canonical and are not guided by an informing nationalist sensibility. Such scholars are over-represented in the second volume of the *Cambridge Economic History of India* (hereafter *CEHI*) covering the late eighteenth and nineteenth centuries.<sup>12</sup>

In one sense, the comprehensiveness and wide availability of that volume of *CEHI* simplifies the tasks of the present book by providing valuable information on the economic and agrarian backgrounds to many policy questions, and by treating several relevant aspects of agrarian policy. In another sense, though, the second volume of *CEHI* raises a problem, for it shifts the debate on agrarian and other policies, in fundamental ways, away from the manner in which imperialist historians and nationalist historians treated them.

Little attention is given in *CEHI* to political and imperial imperatives. With a few notable exceptions, its several authors reflect the prevailing underlying 'modernization theory' of most western social science, i.e. the commitment and presumed competence of social scientists to contribute to the economic, political and cultural changes necessary to attain the 'modernity' of 'advanced, democratic' nations. Earlier writers had justified or condemned the effects of agrarian policies on the welfare and conditions of the rural population under colonial rule—of tenants under zamindari regulations, of rural artisans

<sup>9</sup> See R. C. Dutt, *The Economic History of India in the Victorian Age* (London, 1908); *The Economic History of India under Early British Rule* (London, 1916).

<sup>10</sup> London, 1901, and see his earlier *India for the Indians—and for England* (London, 1885).

<sup>11</sup> London, 1901.

<sup>12</sup> The volume covers the period from about 1757 to 1970; it is edited by Dharma Kumar and Meghnad Desai (Cambridge, 1983).

under conditions of import competition, of what early nationalists called 'the drain', and what imperial officials admitted was a 'tribute' flowing from India to Britain. In place of all this, large parts of *CEHI* are devoted to statistical analyses of income and agricultural prices, based upon assumptions no more convincing than those of nationalist or imperialist writers, and therefore no better able to illuminate agrarian policies, their determination and their effects.<sup>13</sup> In fact, recent debates on agrarian policies and their consequences have never been as searching as debates about industrial policies, and not nearly as penetrating as those found in *The Fifth Report* of the early nineteenth century.

The *Fifth Report* formed the basis for understandings of agrarian policy during the first half of the nineteenth century, exactly as it was intended to do by its two authors, Samuel Davis and James Cumming. Davis, a director of the East India Company, had served as a soldier and later as a judicial official in Bengal. Cumming, on the other hand, was a clerk in the office of the Parliamentary Commissioners for the Affairs of India, or 'Board of Control' as it was popularly known. What he knew of India he had read in reports that came to the Board's Whitehall office from 1784 on, and Cumming reported that until 1811 he was the only man in London who ever read these records.<sup>14</sup>

Encouraged by the chairman of the Select Committee on Indian Affairs of the House of Commons, the two agreed to divide the work of assembling relevant policy papers and writing the reports for the areas within the control of Bengal and Madras. Bombay areas were deemed too recent an acquisition to have developed their own agrarian policies. The respective reports and papers these two authors chose for the large appendices of *The Fifth Report* confirm Davis' determination 'to unmask the effects of Lord Cornwallis' Code of 1793'. Meanwhile, Cumming had developed an enthusiasm for Thomas Munro's ryotwar, which even became an obsession when he and Munro became personal friends.

Compared to *The Fifth Report*, the level of debate on agrarian policy in the later volume of *CEHI* is disappointing. Many subjects central to the analyses of nationalist historians, such as the degradation of subordinate land tenancies and the 'drain', receive scant attention.

<sup>13</sup> For more complete critiques of *CEHI*, see *Modern Asian Studies*, 19, part 3 (1985), especially Irfan Habib's, 'Studying a Colonial Economy—Without Perceiving Colonialism', pp. 355–81.

<sup>14</sup> For discussions of these issues, see B. Stein, *Thomas Munro: The Origins of the Colonial State and His Vision of Empire* (New Delhi, 1989).

An exception is the contribution of B. B. Chaudhuri, writing on agrarian relations in eastern India. Chaudhuri dismisses as unfounded the nationalist interpretations of the permanent settlement of 1793 by the section of the Bengali intelligentsia' which argued that the purpose of the settlement in Bengal and Bihar by Cornwallis and his colleagues was to forestall mass protests. Chaudhuri argues that older interpretations of Cornwallis' purposes are more valid:

The celebrated 'Permanent Settlement' of... [1793], besides declaring the zamindars 'proprietors of the soil', fixed... their dues to the state. This may seem a curious decision for the Company to take, and its wisdom was later questioned. Cornwallis... seems to have been arguing from the implicit assumption of a declining trend in the agriculture of Bengal... and judged the permanent fixation of land revenue to be the best device towards its revitalization. This would ensure not only the security of revenue, but also the prosperity of the company's commerce. A thriving commerce was the vital need of the hour, since the 'value' of Bengal 'depends upon the continuance of its ability to furnish a large annual investment to Europe'. A 'Permanent Settlement' by stimulating agriculture would create the right conditions for all this, since the restoration of confidence in property which this would bring about would induce a large investment of capital in agriculture.<sup>15</sup>

### *Evaluating Agrarian Policy*

To understand agrarian policy-formation it is necessary to consider several major questions other than how historians of British rule have seen the matter. An obvious first question pertains to the impact of British initiatives on pre-colonial agrarian production and the welfare of rural peoples. This has always been difficult to answer because comparisons with the pre-colonial past can be nothing except impressionistic, and because the evidence for making estimates of cultivation, yields and—most especially—per capita output did not become available before the middle of the nineteenth century. Until recently, imperialist and nationalist readings of the pre-colonial period have presumed a decline in agricultural production caused by the dissolution of the Mughal order and by the wars which helped establish the new British order. However, an historiographical view of a different sort has recently emerged, arguing that the pre-colonial eighteenth-century rural economy was generally a robust one, partly so because the state regimes of this period were directly and *constructively* involved in the

<sup>15</sup> CEHI, II, p. 88.

promotion of agrarian production, and that this robustness continued well into the colonial age.

Several scholars have contributed to this revision of early modern Indian history.<sup>16</sup> According to these scholars, the rural economy of eighteenth-century India enjoyed substantial if uneven growth, notwithstanding the destructiveness of wars which culminated in British rule, and notwithstanding the breach of large zones of supposed political order. The Mughal order—whose collapse an older generation of historians argued must have plunged the north Indian rural economy into decline and chaos by the middle of the eighteenth century—is now seen to have been replaced by another order. Now, smaller states and their consuming and tax-gathering regimes replaced the Mughal imperial order. Market networks proliferated and became to a degree interlinked in what the historian Tapan Raychauduri calls a layer effect.<sup>17</sup> Revenue farming, though regarded by some like Raychauduri as an 'evil', is seen by others as one of the driving forces of agricultural commodity production which was led by the rural investments of the *ijaradar* (revenue farmers) of the age. All of this was buoyed by an ever-increasing level of international trade in which Indian artisans, merchants and bankers played key as well as lucrative roles.

<sup>16</sup> See C. A. Bayly, *Rulers, Townsmen and Bazaars* (Cambridge, 1983); M. Alam, *The Crisis of Empire in Mughal North India* (New Delhi, 1986) and his 'Zamindar Revolts in North India, 1700–40, in R. Thapar and S. Bhattacharya (eds.), *Situating Indian History* (New Delhi, 1986). For a detailed discussion of Bayly's views and other scholarly challenges to the Mughal-centred conception, see B. Stein, 'Eighteenth Century India: Another View', *Studies in History*, 5, 1 n.s. (1989), pp. 1–26. Also Frank Perlin, in particular his 'Growth of Money Economy and Some Questions of Transition in late Pre-colonial India', *The Journal of Peasant Studies*, 11 (1984) and 'State Formation Reconsidered', *Modern Asian Studies*, 19, 3 (1985); David Ludden, beginning with his book, *Peasant History in South India* (Princeton, 1985)—one of the chapters of which is included in this volume—and then, more pointedly, in his 'Agrarian Commercialism in Eighteenth Century South India: Evidence from the 1823 Tirunelveli Census', *The Indian Economic and Social History Review*, 25, 4 (1988); the essays of Sanjay Subrahmanyam and C. A. Bayly in a special issue of *The Indian Economic and Social History Review*, entitled, 'The State, Markets and Merchants in Early Modern India', vol. 25, 4 (1988), and their joint essay, 'Portfolio Capitalists and the Political Economy of Early Modern India'; D. A. Washbrook, 'Progress and Problems: South Asian Economic and Social History, c. 1720–1860', *Modern Asian Studies*, 22, 1 (1988), pp. 57–97; Sabyasachi Bhattacharya, 'Inequality and Free Trade', in B. De, ed., *Essays in Honour of S. C. Sarkar* (New Delhi, 1978), pp. 689–99; and his later, more general discussion in *CEHI*, 11, pp. 287–95, on commerce and banking, and on agriculture specifically, pp. 297–327.

<sup>17</sup> *CEHI*, 11, pp. 7–8, 12–13, 28.

To some of these same revisionist scholars, the economic dynamism continued well into the colonial period. This view conflicts with that of most 'nationalist' historians, who have assumed that the imposition of British rule in the middle of the eighteenth century was a determining economic as well as political disjuncture. According to the latter conception, the uneven agrarian as well as commercial growth of the eighteenth century came to a close in about the first quarter of the nineteenth century, when the consequences of the earliest colonial policies began to produce the distortions with which colonial domination in India has generally come to be identified.

This formulation has been criticized by some historians,<sup>18</sup> among them Neeladri Bhattacharya in the reading included in the present volume. His objection to an argument about the fundamental continuity of agrarian policies and conditions over the colonial divide is that elements which appear to be continuous are actually restructured, and should therefore be understood differently. The *specification* of such a new structure has not occurred, but it is beginning to be formulated along lines that are suggested below.

In 1800, Indian capital and skills were invested in commodities such as indigo, silk, sugar, and cotton, and Indian merchants seemed set to continue their central, though dependent, role in the mercantilist economy of the Company. Within a generation all that changed. The high ground of those trades was engrossed by the Company and its satellite managing agencies, and Indian merchants and bankers were pressed back upon real-estate investment and the hazards of petty usury and localized exchange. No fundamental changes in policies can account for this—neither the presumed imposition of utilitarian doctrines postulated by the historian Eric Stokes,<sup>19</sup> nor the extension of 'free trade' doctrines. Pressures of another, but related, source became stronger. One of these was a change in the structure and interests of the London directors of the Company, which was in turn influenced by the new 'private trade' enthusiasm among directors of the Company,<sup>20</sup> and implemented in its clearest form by Bentinck's 'modernizations' of transport and banking during his governor-

<sup>18</sup> See the recently published essays in *The Indian Historical Review* by Irfan Habib, 'Processes of Accumulation in Pre-Colonial and Colonial India', 11, 1–2 (1984–85), pp. 73–4 and 389–90; and by M. Athar Ali, 'Recent Theories of Eighteenth Century India', x, xx (1989), pp. 102–10.

<sup>19</sup> *The English Utilitarians and India* (Oxford, 1959), reprinted Delhi, 1988.

<sup>20</sup> C. H. Philips, *The East India Company, 1784–1834* (Oxford, 1961), especially chapter 9, pp. 237–76.

generaiship (1828–34).<sup>21</sup> However, one looks in vain for policy pronouncements on these matters. We shall, therefore, look at the processes involved in agrarian change during British rule.

If our knowledge about the impact of colonial policies on production are imprecise, the same thing can hardly be said about the impact upon the welfare of a major part of the Indian rural population. The impeachment of Warren Hastings before Parliament in the 1780s saw Edmund Burke rebuke the Company for the terrible Bengal famine of 1769–70. A century later, writers like W. W. Hunter (mentioned above) continued to speak to the welfare side of the question in equally bleak terms: ‘the struggle for life [of rural Indians] is harder than it was when the country passed into our hands’. Hunter’s reasoning about why rural distress deepened was not the same as Burke’s, who had condemned the rapacity of Company servants. Hunter held the cause of later distress to be increased population, which could be considered as a back-handed Malthusian compliment to the success of British policies. Nevertheless, when thirteen million, or one-fifth, of Bengal’s people were ‘always badly off’, and an additional ten million suffered badly from frequent bad harvests, his assessment intends to condemn British policy, as do many others of the time.<sup>22</sup> But not all.

The Madras official S. Srinivasa Raghavaiyengar was ordered to respond to Hunter’s charge about the Indian empire, and to argue against the view that ‘the greater proportion of the population was without daily sufficiency in food’. After quibbling about the meaning of ‘sufficiency’, Raghavaiyengar finally admitted that ‘the great majority [of the agricultural classes] was very poor . . . [though] there certainly has been an improvement in the material condition . . . of the upper strata of society and a reduction in the percentage which the lowest grades bear to the total population’.<sup>23</sup> In the end of this book of 650 pages, Raghavaiyengar fails to rebut Hunter’s charge about the declining welfare of Indian rural people; but, for his efforts, he was awarded a C.I.E. in 1893.

What this rural ‘upper strata’ of beneficiaries of British rule might have consisted in during pre-colonial times is another question of importance when evaluating agrarian policies. Something of this is glimpsed in Thomas Munro’s report on social stratification in the Ceded Districts of Madras.

<sup>21</sup> Stein, ‘Eighteenth Century India’, pp. 23–6.

<sup>22</sup> Hunter, *England’s Work in India*, p. 61.

<sup>23</sup> *Memorandum on the Progress of the Madras Presidency*, p. 176.

The agricultural population there in 1805 comprised a little over half the total population, and consisted of three classes: (1) the 'better sort' of ryots comprised about 20 per cent of landholding and revenue-paying cultivators ('pattadars', a ryotwar tenant) who paid about 35 per cent of the land revenue; (2) a 'middling sort' of about 45 per cent of pattadars who paid an equal proportion of the land revenue; (3) a 'poorer sort', i.e. the remaining 35 per cent, who paid about 20 per cent of the total land revenue. Munro also provided a measure of the exploitation among these 'classes' by estimating the share of net production (i.e. deducting the cost of production as well as accounting for various, local customary payments, or 'merah') for each group; for the richest farmers it was 52 per cent, for the middle group, 47 per cent, and for the lowest a mere 8 per cent—while contributing one-fifth of the land revenue. In 1813 he provided information about income and consumption for the entire population. Rich and higher castes, he said, consisted of about 400,000 people, 20 per cent of the Ceded Districts population. Their per capita consumption was about two-thirds greater than a middle group made up of cultivators and artisans of the Ceded Districts, and over twice as great as the lowest of the three groups, the labourers, whom he estimated to be about 20 per cent of the Ceded Districts population. Expenditures on food and non-food articles purchased in the market varied among these groups in an interesting way. The agricultural castes went to the market for one-fourth as much as the highest social group, and for one-half as much as labourers; almost all the food and about one-half of the cloth requirements of agricultural castes were met through self-production or through barter.<sup>24</sup>

This report appeared during the first years of British rule, so there is no disputing the fact that this sort of stratification developed during the pre-colonial era. The same may be said of the distinction between 'rich' and 'poor' peasants reported elsewhere in early British India. The historian Neil Charlesworth's analysis of Maharashtra sets out criteria similar to those made by Munro to define a class of rich peasants whose roots were pre-colonial: the possession of substantial land holdings and animals for tillage as well as for consumption; access to labour, water, and markets; and being the major sources of credit for rural production and social reproduction.<sup>25</sup> Part of this dominance,

<sup>24</sup> See Stein, *Thomas Munro*, p. 82.

<sup>25</sup> See Neil Charlesworth, 'Rich Peasants and Poor Peasants in Late Nineteenth Century Maharashtra', in *The Imperial Impact: Studies in the Economic History of Africa and India*, eds. C. Dewey and A. G. Hopkins (London, 1978), pp. 97–113.

and the protection of their superior entitlements, derived from the communitarian bases in which rich peasants remained rooted. Additional social power came to Maharashtrian magnates from the state-derived rights garnered from the Peshwa-controlled Maratha kingdom of the eighteenth century.

No regime in south India ever equalled the centralized authority of the Marathas or the nawabate regime in pre-colonial Bengal. But developments there, later in the nineteenth century, were similar to those in western India, as we know from David Washbrook's work on Madras.<sup>26</sup> Madras was similar to Maharashtra as well as to the other places in peninsular India where dry-cropping and mixed rural economies of cultivation and animal husbandry constituted the base of rural economy. Washbrook shows that, in addition to economic power, rich peasants in Madras monopolized local administrative posts under the Company and Crown regimes in India. Village headmen, drawn from the rich peasantry, gained police, magisterial and revenue powers from the time that Thomas Munro, judicial commissioner in Madras, instituted these reforms in 1816. Though such massing of local authority and dominance in the hands of local magnates was condemned by a commission investigating the use of torture in the collection of revenue in 1855,<sup>27</sup> this sort of concentrated economic and administrative power persisted to the end of century and beyond.

Still, rural community structures remained entrenched in many parts of British India, constituting another significant factor relating to British agrarian policy, for colonial policy was to weaken or destroy these structures for both economic and political reasons. Communal entitlements were seen by the British as a drain upon 'their' revenue as a result of the elaborate, historic privileges of rent-free lands and villages, and as a potential—at times actual—rallying point for opposition to British rule. Until the middle of the nineteenth century attacks upon communities were constant, even when so-called 'proprietary communities' were recognized as the basic units of landholding and revenue collection in the Gangetic and Punjab territories of the

<sup>26</sup> David Washbrook, 'Economic Development and Social Stratification in Rural Madras: the "Dry Region", 1878–1929', in Dewey and Hopkins, *The Imperial Impact*, pp. 68–82; and his 'Country Politics: Madras 1880 to 1930', in *Modern Asian Studies*, 7, 3 (1973), pp. 475–531.

<sup>27</sup> India Office Library, *Report of the Commission for the Investigation of Alleged Cases of Torture in the Madras Presidency; Submitted to the Right Honourable the Governor in Council of Fort St. George on the 16th April 1855* (Madras, 1855).

Company. Though landed 'brotherhoods', as the British called them, were divested of their historic political powers, a major vestige of pre-colonial community purpose and strength remained: i.e. privileged landed entitlements, collectively called *inam* or *lakhiraj*.

In recent research, these entitlements have been viewed in various pragmatic ways to reflect the accommodation of colonial power with the most powerful rural groups as a means of winning their neutrality (if not their loyalty) towards the colonial regime of the early nineteenth century. Revenue-free landholding was also seen as a cheap way to meet the costs of local administration.<sup>28</sup> However, the sheer massiveness of landed privilege and the consequences of this for the rural economy require a better understanding of this fundamental aspect of agrarian structure in the nineteenth century.

As late as 1886, half of all the cultivated ryotwar acreage of Madras and Bombay was taxed at 'privileged rates', and in Bengal revenue-free holdings were reckoned to equal about one-quarter of sown acres early in the nineteenth century by B. B Chaudhuri, the only contributor to the later volume of *CEHI* to take serious notice of the issue.<sup>29</sup> The indifference to so massive an alienation of revenue by the British regime, which was notorious for its insatiable appetite for money income, is surprising. Such alienations were never, of course, a matter of explicit policy, either under the Raj of the Company or of the Crown.

To explain the importance of this non-policy-as-policy, it is useful to examine how inams operated in one place in Madras. By the middle of the nineteenth century, the Ceded Districts of Madras contained about 35 per cent of all of the inam lands in the Presidency, and 38 per cent of holders of inam lands (inamdars). Moreover, inam lands comprised 44 per cent of net sown acres, and varied considerably from one taluk to another, partly in response to the relative power of local landed groups when the inam settlement was concluded between 1802 and 1806.

Inam holdings of richer peasants and inam holdings of others to which wealthy farmers had access were of fundamental importance in

<sup>28</sup> See the following three essays in the volume edited by Robert E. Frykenberg entitled *Land Tenure and Peasant in South Asia* (New Delhi, 1977): Frykenberg's 'The Silent Settlement in South India, 1793-1853: An Analysis of the Role of Inams in the Rise of the Indian Imperial System'; Eric Stokes, 'Privileged Land Tenure in Village India in the Early Nineteenth Century'; and B. Stein, 'Privileged Landholding': The Concept Stretched to Cover the Case'.

<sup>29</sup> Stein, 'Privileged Landholding', p. 68; Chaudhuri's estimate in *CEHI*, II, p. 101.

the agrarian order of much of British India during the early nineteenth century. To look again at the Ceded Districts, the average revenue liability (in the form of *jodi*, or quit rent) on inam lands was 7 per cent of the regular assessment on these lands, hence virtually revenue-free. Holders of these lands could and did lease them to rich cultivators at rates far below the regular revenue assessment for similar lands, and, since most inamdars were not cultivators, they comprised a class of petty rentiers. Directors of the Company in London at first wondered, then bristled, that such an enormous part of the potential land revenue of places like the Ceded Districts was virtually exempt from taxation. But they came to accept the argument of Munro and other dry-area collectors that without the vast reserve of cultivable land available at low rents to prosperous cultivators, the ordinary revenue could not be realized; also that if inam lands were taken over by the Company, rich cultivators—a highly mobile productive force—would simply move to neighbouring Mysore or Hyderabad with their production, their dispersed commercial operations, and their revenue. London authorities were also mollified by the notion, presented by Munro and others, that inam holdings represented the beginning of private property in land, the base from which the landed proprietorship of rich peasants would spread.

Family subsistence, of food and textiles, of rich farmers, here as elsewhere in India, came from their household production. This was based primarily on lands for which they paid full ryotwar rates, and upon which they lavished their most careful tillage and fertilizers. However, they also participated in the extended economy of the southern peninsula. They were major producers of cotton and sugar, often grown on lands leased from inamdars. The apparent 'landlord-tenant' relationship that obtained between inamdars and rich peasants was deceptive since the nominal 'tenant' was often more wealthy and better resourced than the inamdar 'landlord', and enjoyed the major profits to be made from production for local and even quite distant markets.

### *Determination of Agrarian Policy*

Policies pertaining to agrarian matters were determined in India, unlike those pertaining to the large trades of the territories taken under the East India Company. Anything touching the export of commodities was reserved for London, and for the various committees of the Company that operated under the leadership of the Court of Directors.

Elections to the Court were expensive and keenly contested by would-be directors of the Company who were eager to enhance their individual commercial returns from shipping, banking and related enterprises. Agrarian matters held no such fascination. Like policies relating to territorial administration, agrarian policy was broadly left to the governors and councils and boards of the provinces of British India. A persistent principle in policy determination and implementation was that, apart from major commerce (and, to an extent, warfare), the local governments of the Company in India, in consultation with the Governor-General, should enjoy wide discretionary powers.

Land policy exemplifies this. It was treated as an 'Indian subject' during the late-eighteenth and early-nineteenth centuries. Still, it was subject to premises and prejudices then current in London and shared by British officials in India. These were outlined in Eric Stokes' study of the doctrine of utilitarianism. 'Utilitarianism' was the name given to a set of social and ethical principles formulated by Jeremy Bentham (d. 1832) and James Mill (d. 1836) and developed subsequently by the latter's son, John Stuart Mill (d. 1873). Both Mills held important paid offices in the East India Company and were well placed to insinuate utilitarian notions into reasoning about agrarian as well as other policies for India. But, in the end, the utilitarian agenda had little to do with India, utilitarian doctrines being essentially a critique of older British morality and institutions of the aristocracy and church, as also of caste and Hinduism in India: James Mill excoriated these in his *History of British India*. There was, thus, a mismatch between philosophical doctrine and the practical problems of setting agrarian policies for India, one of the reasons for scholarly scepticism about Stokes' 1959 book on utilitarianism and India. Other reasons have arisen from the findings of detailed studies of nineteenth-century India that contradict Stokes' early surmises.

But even before these modern monographs on administrative history, there were a series of frustrating investigations undertaken in India during the early twentieth century to retrieve the legislative basis for land-revenue policy. Contrary to the expectations of bureaucrats of the time, and the presumptions that we might indulge about the utilitarian programme, few proper legislative enactments, or 'laws' were discovered. There were only 'regulations' framed at different times and in different parts of British India.<sup>30</sup> Such 'codes' as

<sup>30</sup> A concise discussion of these questions can be found in D. Rothermund, *The Indian Economy Under British Rule* (New Delhi, 1983), chapter 6, pp. 92-113.

were found to exist dealt with the administration of the land revenue, not its principles or policies. These codes everywhere, in different ways, had created elaborate structures of authority that rested upon the lowest level of revenue assessors and collectors: village accountants (patwaris, kulkarnis, karnams) and divisional revenue officials (deshmukhs, kanungos, mamlatdars, tehsildars). Such minor officials were answerable to officials (collectors, deputy commissioners) who were British in the early colonial state, but at later times, increasingly, were Indian officers. Above this mass of local officials, and supportive of their decisions by a logic of bureaucratic obligation, were provincial revenue authorities, sometimes organized as a Board of Revenue (as in Madras), or the Financial Commissioner (as in the Punjab). Elsewhere, an agency convened at special times, such as the Commission of Survey and Settlement in Bombay, was created. In each of the growing number of British Indian provinces, complex structures of revenue administration evolved in separate and distinctive ways, such that the task of devising a single revenue system for the whole of the colonial territory was impossible.

By the middle decades of the nineteenth century, somewhat over half the revenue of British India was raised from the land, of which the greatest part was periodically reassessed, i.e. 'temporarily settled'. Most cultivated land in British India was under ryotwari revenue and consisted of payments by hundreds of thousands of individual, mostly petty, landholders. Ryotwar was one of three types of revenue systems, which were based on different systems of landholding. In Madras and Bombay, where ryotwar was the dominant form of revenue administration, revenue was considered as 'temporary' and 'resettled' at thirty-year intervals. This system was also adopted in Sind, Assam and Burma. A second type of revenue administration was denominated as permanent, in being based upon a fixed, or 'permanent', money payment levied upon 'zamindari' holdings. This form of landlord tenure existed in most of Bengal and Bihar, and in a few parts of Madras—notably in the districts along the Andhra coast. Elsewhere, zamindari settlements were deemed temporary, with the revenue demand revised at intervals—in parts of the Gangetic valley (e.g. 'talugdars' in the central Gangetic plain of Oudh, or Avadh)—or, in the Central Provinces, where the 'mulguzari' settlement was instituted with small landlords. The Punjab and parts of the North-Western Provinces saw the third sort of settlement, a 'temporary' settlement; this differed from other places in that tenures and revenue responsibilities were vested in

'proprietary joint communities' such as under village tenures called mahalwari.

As we can see from the above there was bewilderingly wide variability on who were deemed the proper payers of land revenue, on what was the proper unit of assessment, and on whether revenue liabilities were to remain 'temporary' (as in most of British India) or were to become 'permanent' (as in Bengal). Accounting for this degree of variability is not easy. A major factor was political, in the sense that these were systems of revenue collection seen as a desirable or a necessary means of establishing British dominance in different places and times. Another factor was historical, i.e. an adaptation of procedures encountered by the founders of British systems in various parts of the subcontinent and modified to their purposes of subjugation. Thus, the zamindari revenue administration of Bengal and Bihar promulgated in 1793 is usually seen as an extension of the principles of British agrarian control through a landed aristocracy and gentry, in which the historic zamindars of Bengal were treated by the system's promulgator, Lord Cornwallis, as candidate British lords and squires. For others, however, the agrarian policy manifested as the Bengal settlement was seen as a means of crushing the historic landed class of warriors and revenue intermediaries, and installing in their place a commercial middle class.<sup>31</sup> Or, finally, the Bengal system was brilliantly argued by Ranajit Guha to be the result of the doctrinaire introduction of the physiocratic doctrine of eighteenth-century France.<sup>32</sup>

But, whatever the reasons for the various agrarian policies and land-revenue schemes established in the late-eighteenth and early-nineteenth centuries, the level of extraction (whether of taxes or rent) diminished as the nineteenth century drew to a close, and was therefore less consequential in fiscal terms. In real terms, land revenue began to retreat from the punishing high pitch set in the early part of the century, before the middle of the nineteenth century; this was partly the result of rising agricultural prices. And, even though land revenue in 1900 still accounted for about half of total tax collections (and was to diminish to a tenth as the imperial era drew to a close), this did little to relieve the plight of middle and small cultivators. For, in place of their

<sup>31</sup> See S. Ambirajan, *Classical Political Economy and British Policy in India* (Cambridge, 1978), pp. 238-9.

<sup>32</sup> See R. Guha, *A Rule of Property for Bengal: An Essay on the Idea of Permanent Settlement* (Paris, 1963).

revenue-produced penury, there was now their debt to rich, moneyed cultivators, and to professional money-lenders. Agricultural credit and debt had become major causes of rural poverty and exploitation for the poor, as usury was increasingly the bulwark of the rural rich upon whom British rule relied.<sup>33</sup>

A prolonged and confusing debate on land revenue extended throughout the nineteenth century without being resolved. Indeed, the magisterial three-volume compendium on the land-revenue systems of British India by B.H. Baden-Powell in 1892 provided nothing but a detailed manual of established practices which was meant to inform land-revenue officials. This work was as bereft of policy considerations and implications as it was preoccupied with its author's Orientalist passion about 'village communities', which he presumed were the foundation of most agrarian relations in India.<sup>34</sup> The fizzled conclusion of the so-called 'land-revenue debate' came in 1902, in a lengthy resolution put by the viceroy and governor-general of India, Lord Curzon, before his council, answering the criticisms lodged by R. C. Dutt.

Dutt, in a series of letters to the viceroy in 1900, had blamed the famines of the late nineteenth century on high and variable revenue demand and had urged permanent, statutory limits. In this he was echoing complaints from senior Indian Civil Service officers in many parts of India. Fixing the demand for land revenue foundered over the impossibility of discovering a single, empire-wide method for setting such a limit, and, in despair of this, Curzon abandoned any changes in land-revenue policy, merely defending the various systems that had evolved over the century of British rule. Thus ended what has been called 'the great land-revenue debate' of the nineteenth century. Henceforward agrarian land-revenue policies that had historically evolved according to political exigency, not rational policy, ceased to be of interest or significance.<sup>35</sup>

Efforts to define a defensible land-revenue policy failed for another

<sup>33</sup> CEHI, II, 928 and Sugata Bose, *Agrarian Bengal: Economy, Social Structure and Politics, 1919-1947* (Cambridge, 1986), p. 5.

<sup>34</sup> *The Land-Systems of British India*, 3 vols Oxford: Clarendon Press, originally published in 1882 in Calcutta and expanded to include the tenancy enactments of 1885-87 for Bengal, Oudh, and the Punjab. A one-volume version of this of 1894 (and revised in 1913), *A Short Account of the Land Revenue and Its Administration in British India; with a Sketch of Land Tenures*, fails to remedy the deficiencies of the larger work.

<sup>35</sup> Curzon's long response to Dutt's charges comprises a book entitled *Land Revenue Policy of the Indian Government* (Calcutta, 1902).

reason: because at all points from the beginning to the end of the nineteenth century, commercial, military and political problems dictated that a large 'surplus' be appropriated for imperial needs in India, in Britain, and in extending the British empire in Asia and Africa. In none of this was the welfare of the rural population of India as important as the interests of colonialism.

A general objective of colonial policy was to enhance agrarian commercialization and its link to world trade. The following changes are widely agreed among scholars to have been directed toward this objective: (1) the establishment in law of private, alienable property, not only in Bengal, with the zamindari settlement, but everywhere in British India and its client 'princely' regimes; (2) the reinforcement of class differentiations among rural people through legal and administrative protection to the richer section by privileged ownership-rights and local administrative offices; (3) the monetization of the heavy revenue demand and the timing of its collection in such a way as to require a massive expansion in rural credit and money-lending by professional lenders and rich peasants, which resulted in crisis borrowing, debt-traps, and disadvantageous cash-cropping arrangements for small producers; (4) direct compulsion in the cultivation of indigo and opium, but even more widespread indirect pressure for the cultivation of jute, sugarcane, oil seeds, and, very important, irrigation schemes intended to increase the acreage under cash crops, the cash returns to the state and some private investors, such as those to the Madras Irrigation Company.<sup>36</sup>

This deepening capitalist penetration generated agrarian crises and challenges to the stability and legitimacy of the colonial state later in the nineteenth century, and with that came the search for appropriate agrarian policies. Securing the survival of the agrarian workforce and its reproduction—from which state revenue derived—now concentrated official minds. In the course of the nineteenth century, increased demographic knowledge drew critical official as well as public attention to mounting agrarian problems.<sup>37</sup> High rates of morbidity and mortality in the territories of the East India Company finally nudged Company officials to alter their early policy of non-interference in the private trade of foodgrains. When this failed to reduce food prices

<sup>36</sup> Krishna Bharadwaj, 'A View on Commercialisation in Indian Agriculture and the Development of Capitalism', *The Journal of Peasant Studies*, 12, 4 (1985), pp. 7–25.

<sup>37</sup> An admirable recapitulation of this knowledge is obtained from the essay on population in *CEHI*, 11, pp. 463–533, by Leela and Pravin Visaria.

during periods of scarcity, modest relief measures were undertaken, including subsidized grain distribution and public works, and, especially, the restoration of small-scale irrigation. These measures were found inadequate for coping with the first of the general famines that struck most of British India in 1866–70, causing an estimated 1.4 million deaths. Mortality of this magnitude provided an additional stimulus for the Company to extend large-scale irrigation works, ‘noble’ enterprises that had already proven to yield a guaranteed and competitive return on private capital. These large-scale public works were followed by a similarly commercial interest in the development of railways. Railways in British India alleviated some of the scarcity deaths caused by the uneven distribution of foodgrains, but both irrigation and railways were found to contribute to morbidity and death through the spread of diseases, notably epidemic malaria.

Between 1750 and 1900 it is estimated that the population of the subcontinent rose from 190 to 285 million, at an estimated average annual rate of about .3 per cent. This was a rate somewhat beneath that estimated for the world population during that century and a half, well below that of Asia as a whole (excluding Russia), and also considerably below that of North America, where the annual increase in population in that period was nearly 1.5 per cent per annum.<sup>38</sup> Famine must be considered a crucial determinant of that Indian demographic history.

The Bengal famine of 1769–70 is believed to have caused the death of one-third of the rural population, and about the same loss in cultivation. That loss of life and of revenue in this first territory under Company rule, combined with the lash of Edmund Burke’s criticisms, stimulated the first critical examination of Indian agrarian policies. It was soon recognized that if the well-watered agriculture of Bengal stood in jeopardy before the hazards of Indian climate and the high and unrelenting revenue demands of the Company, how much more vulnerable would be the less-favoured dry-cropping regions of the Company’s India, where a terrible havoc was wreaked throughout the nineteenth century.

There, the hazards of inadequate rainfall for agriculture, together with punishingly high revenue demands, contributed to extended periods of dearth and death to rural people and to their major capital, farm animals. Events called ‘famines’ occurred with dismal regularity

<sup>38</sup> Visaria and Visaria, ‘Population (1757–1947)’, *CEHI*, II, p. 522, Table 5.20, and the concise summary appendix on famines in the subcontinent, 1750–1947, pp. 528–31.

in the Ceded Districts of Madras: in Bellary, 1792–3, 1803, 1833, 1851–4, 1866, 1876–7; in Cuddapah, 1800–3, 1818, 1820, 1851, 1866, and 1876–7; and in Kurnool, 1804, 1810, 1824, 1833, 1854, 1866, and 1876. By the late nineteenth century, when population statistics became somewhat reliable, it was understood that the risk of human survival in this region of about 26,000 square miles exceeded that of any other part of Madras. Population losses between 1871 and 1891 there stood at 21 per cent, while the overall decline of the Madras population in those decades of intense famine was 1.5 per cent.

Famines of the late nineteenth century expanded the conception of 'crisis' and forced imperial officials to seek ways of reducing the mortality of these events, or at least to reduce the public criticisms that famines evoked in India as well as in Britain. From 1860–1—when 27,000 square miles in the central and western Gangetic area saw over 13 million people seriously affected by famine and 2 million deaths—to 1899–90, when famine engulfed an area of a million square miles of India (affecting over 156 million and causing the death of 6.5 million from starvation and epidemics of smallpox, malaria and cholera), the world learned, or was reminded of, India's agrarian problems. The relief extended to more than a fifth of the Madras and Bombay populations in the last famine of the century, and other measures adopted to reduce famine morbidity and mortality, finally began to be reflected in population statistics during the twentieth century. This was only after the construction of large-scale irrigation works had created some immediate employment relief and some future protection against later droughts; after the construction of railways; and after considerable internal and external migration began to reduce human suffering and stilled some of the more harsh indictments of British agrarian policies.<sup>39</sup>

Famines, even of such frequency as occurred in the vast, dry peninsula, were events of uncertainty caused by the failure of rains from the retreating monsoon of November and December. Disasters ensuing from these could not be anticipated or averted. This level of uncertainty was something with which cultivators in India had historically come to terms; they usually undertook defensive agricultural operations of various kinds that were calculated to change uncertainty into the more manageable condition of risk, as discussed above for the Ceded Districts of Madras. 'Defensive agriculture' means that pro-

<sup>39</sup> David Arnold, *Famine: Social Crisis and Historical Change* (Oxford, 1988), pp. 82–6.

ducers of grain and other subsistence staples deployed their resources of family- or hired-labour and their capital stocks to assure the provision of these staples before deploying resources on cash crops and commodities. Especially where the environment was unsuitable for riverine or major tank irrigation, another form of agrarian defensiveness was achieved by the high mobility of all factors of production. In places like the Madras Ceded Districts during the early nineteenth century, it was common for poor peasants frequently to leave their villages and even their taluks to seek better conditions of employment. This occurred in what was called the 'kalawedi' time (from the Tamil, *kalavadi*, meaning sweepings from the threshing floor)—from early April to the middle of July (the lunar months Cheitram to Jyestam). Another kind of mobility, there and elsewhere in the dry upland of the peninsula, pertained to the major producers of cash crops, that fifth of the farming families whom Thomas Munro had called the 'better sort' of ryots. They deployed their resources in a highly mobile manner: hiring labour, renting land from privileged landholders like controllers of temples at rates well below ordinary revenue demands, and hedging their investments to the production of cotton and sugar by share-cropping arrangements with merchants. The reproduction of family and community was the key agrarian strategy of rich farmers during the early nineteenth century. Markets were adjuncts to their reproductive strategies.

For British officials of the Raj, 'crisis' meant deficient revenue collections; these endangered individual careers and the collective maintenance of military dominance. To forestall this, the material dominance and coercive capabilities of rich cultivators over their labour forces were supported by various means. The several land-revenue schema elaborated for British India had the general effect of creating a new stratum of large and small landed proprietors whose property rights were an amalgam of formerly dispersed community entitlements and new, western concepts of law. Another, more direct means of buttressing the agrarian dominance of wealthy landholders from whom revenue could be collected, was by conferring upon them local judicial and police powers.

Such official concerns were not the only cause of the efflorescence of capitalist landlordism and the markedly intensified transition to capitalist agrarian relations during the final half of the nineteenth century. That transformation had commenced and slowly evolved over the course of the previous hundred or more years, though some

historians and some participants in the mode-of-production debate on Indian agriculture continue even now to characterize India's agriculture as 'semi-feudal'.<sup>40</sup>

The claim here is that the legacy of colonial subjugation for the Indian agrarian order was that it hastened a process which pre-dated foreign rule. A claim such as this depends for its acceptability upon three historiographical concessions, the implications of which are to deny a fundamental conception in conventional historical understandings. This is the conception that the historic careers of colonial rule and capitalism in India began together, and that the latter was caused by the former. Joined to this is the consequent conception of a sundered eighteenth century, divided as much by Plassey in 1757 (when the East India Company's victory heralded the onset of British rule) as by Panipat in 1761 (when the 'irrelevance of the Mughal regime' was confirmed and the ambitions of the Marathas to succeed that imperial regime were shattered). Moreover, the conventional argument goes, British rule was no 'mere successor to the ['centralized' and 'rent extracting'] Mughals and Marathas', but was different in 'nature and objectives', among which must be understood their capitalism.<sup>41</sup>

The first of the counter-assumptions that must be accepted is that the political economy of much of India during the seventeenth and eighteenth centuries was based on an advanced level of mercantile capitalism. This was most clearly manifested in the major commercial zones of the subcontinent: the eastern Gangetic plain and its Bengal ports; the western littoral with its entrepôts extending from Surat in Gujarat to Malabar; and the Coromandel coast and its ports. No one would dispute that during the sixteenth to eighteenth centuries these were regions of high international commerce, with associated structures of generalized commodity procurement and distribution, banking and insurance. All would also agree that these commercial zones were

<sup>40</sup> See the percipient and succinct summary of that debate, which took place mainly in *The Economic and Political Weekly*, in the 1970s, in John Harriss, *Capitalism and Peasant Farming; Agrarian Structure and Ideology in Northern Tamil Nadu* (Bombay: Oxford University Press, 1982), pp. 10–16. Additionally, valuable interventions of a general sort in *The Economic and Political Weekly* were: Alice Thorner, 'Semi-Feudalism or Capitalism', 17 (December, 1982), pp. 1961–8, 1993–9, 2061–6, which summarizes the debate and attempts to relate it to potential policy positions; and Hamza Alavi, 'India and the Colonial Mode of Production', 10 (August, 1975), pp. 1235–62, which attempts to locate the debate in historical terms.

<sup>41</sup> Athar Ali, 'Recent Theories', pp. 102 and 107.

managed and maintained by Indian merchant and banking groups. But beyond these widely-recognized zones of high commerce, merchant capital was essential to the operation of state revenue extraction in most places. Irfan Habib identifies the dominant mode of pre-colonial accumulation as surplus extraction through state rent demands from agricultural lands, and a subordinate mode of accumulation which occurred at the point of agrarian production by dominant landed groups and 'zamindars'. Both of these modes of pre-colonial accumulation revolved on the conversion of claims to direct production into money, and for this merchants and bankers were essential.<sup>42</sup> Whether or not this process of accumulation was a massive, one-sided tribute paid by the countryside to urban political centres—and was thus 'primitive accumulation', as Habib still contends—the strategic functions of merchants and their capital is undeniable.

A second historiographical assumption implied by the generalization asserted above is that capitalist class relations had made their appearance in pre-colonial times.

By the seventeenth century, in many parts of the subcontinent a partial dissolution of community-centred relations can be traced. This was the result of several things—new demands by interventionist state regimes upon the agrarian order during those times; of more extensive commodity production and commercialization; and of ever stronger links between the countryside and urban places that were the hubs of both new economic and political forces. All this has been noted simultaneously in Ottoman Turkey and Safavid Persia as well as in India by C. A. Bayly, who labelled the general tendency as 'Asian "Mercantilism"', thus linking the tendency to contemporary European developments as well.<sup>43</sup>

The doctrine of 'mercantilism' pertains to a general strategy of state building, which, throughout the Eurasian world, meant the political and economic encompassment by state regimes of local ruling groups. It also implied the increasing independence of such groups from communitarian networks. In India, this independence became more manifest in a variety of ways. Beginning as early as the sixteenth century, the Vijayanagara nayaka, and, later, the seventeenth-century Maratha and Mughal jagirdar successfully converted entitlements to privilege and income derived from their offices as state agents into

<sup>42</sup> 'Processes of Accumulation'.

<sup>43</sup> *Imperial Meridian: The British Empire and the World, 1780–1830* (London: Longman, 1989), pp. 52–4.

hereditary entitlements. Ludden's description of the nineteenth-century passage of land rights as shares in community production and subsistence—*pangu*—to individual ryotwar proprietary holdings—*pattam*—had antecedents in an earlier time.<sup>44</sup> In these earlier times it can be said that the modern landlord class began to be manifest, though the enormously enhanced power of landlords in the South, and elsewhere in India, had to await the full-blown agrarian capitalism of the later nineteenth century. Earlier conversions of state-derived, prebendal, rights tended to weaken older community structures by extending the notion of private, heritable wealth, and by the privatization of state-derived resources during the seventeenth and eighteenth centuries. This diminished the thrusts of centralization of authority and extraction by state regimes. It thus limited the efficacy of the state regimes which these local magnates ostensibly served, and from whom new powers were derived. These twin consequences provided the material basis of a 'gentry' class, of whom Bayly and Wink speak in their work.<sup>45</sup>

Another degradation of communitarian institutions was caused by the mercantilist practices of Indian state-builders. This was the increasing differentiation of those merchant and banking groups that were involved in the enlarged exchange relations. Fiscal operations of state-regimes with humble traders were replaced by relations with a more powerful class of urban-based merchant-capitalists. The wealth of the latter came from a mixed portfolio:<sup>46</sup> monopoly privileges, including revenue farming, granted by state regimes; proceeds from loans to these regimes and to others who enjoyed landed dominance, and who were now required to pay taxes or tribute in cash; and returns as employers of wage labour on lands to which they had preferential monopolistic or bureaucratic access, as well as from transporters of commodities, labourers engaged in land improvements through irrigation investment, and through share-cropping arrangements.

To these historical assumptions about the development of capitalist forces in pre-colonial times must be added the less contested idea that

<sup>44</sup> *Peasant History in South India*, pp. 165ff.

<sup>45</sup> Bayly, in *Rulers, Townsmen and Bazaars*, and André Wink, *Land and Sovereignty in India: Agrarian Society and Politics under the Eighteenth-Century Maratha Svarajya* (Cambridge, 1986).

<sup>46</sup> The concept is defined and explored by Sanjay Subrahmanyam and C. A. Bayly, 'Portfolio capitalists and the political economy of early modern India', *The Indian Economic and Social History Review*, 25, 4 (1988), pp. 401–25. Reprinted in S. Subrahmanyam, ed., *Merchants, Markets and the State in Early Modern India* (Delhi, 1990).

the colonial regime of the East India Company nurtured the emerging forces of capitalism in the Indian economy. The interaction between evolving indigenous capitalist relations and the more powerful forces of colonial capitalism set the fundamental conditions under which Indian agrarian capitalism developed during and after the later nineteenth century. The series of famines that engulfed almost all of the subcontinent then—not just portions of it as in the past—may be seen as one result of that portentous change, the terrible birth-pains of capitalist dominance in India.

That the development of capitalism should have been uneven in British India is hardly surprising. The historical and ecological variations over India, as over China or Europe, ensured this. A very long bibliographic exercise would be required to indicate the range of evidence that we have on the ascendance of capitalist agrarian relations during the later nineteenth century. Several longer monographs would be required to examine the matter in its full complexity.<sup>47</sup> The last is the major task for future scholarship on the agrarian economy.

Recent writings on the economic history of the later nineteenth century point to new and different ways of thinking about this period, and indeed these studies question whether that era is a defensible period for agrarian history at all. Older ways of characterizing agrarian problems of the later nineteenth century have been superseded. In place of fixations on the 'magic' of property and 'gambles' with monsoons, there is a growing concern with capitalist class relations that are seen to have emerged, partly as a result of agrarian policies. In place of periodization based upon political developments—the onset of

<sup>47</sup> A sampler of the relevant bibliography for this new orientation is: T. C. A. Raghavan, 'Malguzars and Peasants: The Narmada Valley, 1860–1920', in *Studies in History*, N.S., 1, 2 (1985), special issue: 'Essays in Agrarian History: India 1850 to 1940', edited by S. Bhattacharya', pp. 169–200; P. J. Musgrave, 'Social Power and Social Change in the United Provinces 1860–1920', pp. 3–25; Dirk H. A. Kolff, 'A Study of Land Transfers in Mau Tahsil, District Jhansi', pp. 53–85; Ian Stone, 'Canal Irrigation and Agrarian Change: The Experience of the Ganges Canal Tract, Muzaffarnagar District, (U.P.), 1840–1900', pp. 86–112, in K. N. Chaudhuri and C. J. Dewey (ed.), *Economy and Society: Essays in Indian Economy and Social History* (Delhi, 1979); D. A. Washbrook, 'Economic Development and Social Stratification in Rural Madras: The "Dry Region", 1878–1929', pp. 68–82; Conrad Wood, 'Peasant Revolt: An Interpretation of Moplah Violence in the Nineteenth and Twentieth Centuries', pp. 132–151, in C. Dewey and A. G. Hopkins (eds), *The Imperial Impact: Studies in the Economic History of Africa and India* (London, 1978); Sugata Bose, *Agrarian Bengal: Economy, Social Structure and Politics, 1919–1947*, 'Introduction: A typology of agrarian social structure in early twentieth-century Bengal', pp. 3–33.

colonialism around 1750, of more militant nationalism around 1900—there are economically relevant arguments for disjunctures in 1820–30, 1860, and the depression period of the 1930s. Finally, in place of designating the later nineteenth century as the ‘halcyon days’ of the bureaucratic Raj or the clientized landlord, there are analyses of class relations and struggles.

### *The Papers in this Volume*

The first essay in this present volume consists of extracts (with almost none of the copious notes) of a review of land-revenue policies in British India by an experienced civil official of the East India Company at the request of the Select Committee of the House of Commons sitting to consider the renewal of the Company’s charter in 1833.<sup>48</sup> Alexander Duncan Campbell had then served for twenty-two years in Madras.<sup>49</sup> He was a dedicated ‘Munro and ryotwar man’. His general analysis of land policy to the Parliamentary Select Committee reflected the strong commitment of the Board of Control to ryotwar and other forms of non-permanent revenue administration. The Board served ruling ministries of the House of Commons during the period of East India Company rule, just as the India Office served governments during the subsequent Crown rule. Campbell’s critical views of the Bengal zamindari settlement, while reflecting the Board of Control’s own position, were only somewhat less trenchant on the ryotwar of Sir Thomas Munro’s creation earlier: Campbell distances himself from the exploitation and injustices of this system.

Campbell’s able report of 1832 was used by the historian Sulekh

<sup>48</sup> Great Britain, *Parliamentary Papers, Minutes of Evidence taken before the Select Committee on the Affairs of the East India Company*, III, *Revenue*, Appendix, No. 6, ‘A Paper on the Land Revenue of India, prepared at the request of the Committee, by A. D. Campbell, Esq. of the Madras Civil Service’, pp. 9–48.

<sup>49</sup> Charles C. Prinsep, *Record of Services of the Honourable East India Company’s Civil Servants in the Madras Presidency from 1741 to 1858* (London, 1885), pp. 21–2. Campbell began his career as a subordinate revenue official in the Madras Board of Revenue as a protegee of John Hodgson, the most persistent and effective opponent of Thomas Munro and his ryotwar administration. After being appointed by Hodgson to the collectorship of Bellary which Munro had administered between 1800 and 1808, he was ignominiously and unfairly suspended from that post by Munro, now governor of Madras, on the grounds of his agnostic views about ryotwar. Campbell eventually won Munro’s support and admiration and became a trusted advisor on revenue policy. Following his presentations for and before the Select Committee, Campbell served another eight years of judicial service in Madras before retiring in 1842. He died in 1857 in England.

Chandra Gupta, in his study entitled, *Agrarian Relations and Early British Rule in India*.<sup>50</sup> Included in that monograph is the chapter reproduced below, dealing with the attack by London authorities upon, and modifications of, the Bengal permanent settlement scheme. Why this attack upon the system instituted by Lord Cornwallis occurred, and why alternative land-revenue administrations came to be considered for application in the Gangetic territories won from the Marathas, are both explained by Gupta largely in terms of the reactions of various London authorities. According to Gupta, the Cornwallis scheme was found wanting for Bengal and the new Gangetic territories on the basis of British concerns. Some of these concerns were principled, having to do with political economy doctrines. Others were practical. For this apparent fixation upon a largely British perspective and sources, Gupta has been criticized.<sup>51</sup>

Gupta is correct in regarding the emergence of the competitive ryotwar school as *simultaneous* with the zamindari scheme in Bengal, not as a reaction to the Bengal system, as is usually held. He is also correct in supposing that it developed from *Indian* conditions—political and economic encountered by its founders in Madras, Alexander Rea and Thomas Munro—and, he might have added, with the implicit support of Cornwallis. Nevertheless, Gupta often attributes an independent and perhaps excessively doctrinaire detachment to authorities in London. Along with some others, he underestimates the extent to which the two spheres—India and London—were in constant communication. Some people, like James Cumming in London, were in regular contact with Munro and others in India about appropriate policies for India. It is of course granted that this dialogue involved Britons only, men who shared many fundamental assumptions of their time.

Eric Stokes's essay continues the focus on the Gangetic tract called 'the North-Western Provinces'. But his piece is enriched by the comparison made with the Deccan tracts of the Bombay Presidency. This essay was part of a 1976 volume devoted to Indian 'modernization'. Stokes took the period from 1830 to 1880 to be 'the first age of modernization' in India. He also argued that the 'rent theory' of classical political economy formed the basis of the land policy followed in

<sup>50</sup> This volume was subtitled, 'A Case Study of Ceded and Conquered Provinces (Uttar Pradesh) 1801–33', and was published in London in 1963.

<sup>51</sup> By Imtiaz Husain, in *Land Revenue Policy in North India, 1801–33* (Calcutta, 1967).

these two provinces and elsewhere in British India. In this 1976 essay on the North-Western Provinces and Bombay, Stokes modified his earlier position regarding the foundation of British policies upon agrarian as well as other tasks facing the 'founders' of the colonial regime there. This reflected some of the criticism that his original, somewhat simplistic, formulation on utilitarianism had attracted.

Stokes now sees in this piece, that the theory applied to land policy was but one within a mix of policy-shaping considerations. He now shows that the 'rent' theory of David Ricardo and James Mill had to share privilege with a counter-theory of 'peasant rent', with the potential for 'peasant capitalism' formulated by Richard Jones in his *Essay on the Distribution of Wealth* of 1831. Both notions, it seems, were invoked by policy-makers during the nineteenth-century debate on land policy. However, neither could explain the manifest failure of Indian agriculture to modernize. Englishmen at the time—especially Indian officials who constituted the major participants and audience of the debate about modernization—were no better able to understand this than Stokes himself. Strangely, Stokes suggested that very high revenue demands upon Indian agriculture during the nineteenth century—which were justified by the theory of rent—could not be dismissed as a rationalization since capital formation during Japan's modernization in the Meiji era was a revenue-led development. However, Stokes did not, and could not, show that massive revenue transfers from Indian agriculture during that century contributed to anything other than to capital formation in Britain, precisely as advocates of the 'drain' theory have argued for a century. As to the counter-efficacy of Jones's ideas of 'peasant rent' and 'peasant capitalism', what is most often demonstrated in Stokes's account is precisely those 'mere rationalisations . . . or otiose justifications' that he denied.<sup>52</sup> Stokes's castigations of 'official hypocrisy—the impression of double-think and double-speak', and the numerous instances he provides of both, tend to cast doubt on his argument of how theory might have impinged upon policy-formation about land revenue. We are left by Stokes with a more clear idea about the limited scope that political-economy theory exercised upon policy. But, in the process, we are also left to wonder for precisely whom the whole debate about 'rent theory'

<sup>52</sup> In the introduction of his *The Peasant and the Raj: Studies in Agrarian Society and Peasant Rebellion in Colonial India*, Cambridge, 1978, p. 9, regarding: 'The Land Revenue of the North-Western Provinces and Bombay Deccan 1830–80: Ideology and the Official Mind', pp. 90–119.

really was conducted. Certainly, before the very end of the nineteenth century, that debate was neither for, nor did it involve, Indians. Who it did involve remains somewhat puzzling to us now, as it seems to have appeared at times to others a century ago. A hint about the possible bemusement in London is gained from an India Office document of 1875. In this Lord Salisbury is quoted by Stokes to suppose that the whole of the rent debate was conducted within the arcane hermeneutical world of “modern Indian officials [and] statesmen” seeking to justify their wrongly chosen target of expropriation, the poor Indian cultivator. “As India must be bled”, Salisbury said, ‘the lancet should be directed to... where the blood is congested... the towns’.<sup>53</sup> This bloody metaphor was to haunt ‘Indian statesmen’ not very long after, by which time also the whole of the rent debate was permitted to expire.

Neeladri Bhattacharya’s ‘Colonial State and Agrarian Society’,<sup>54</sup> presents a different discussion of agrarian-policy formation by shifting the focus to ideas and experiences developed in India, rather than Europe. Bhattacharya makes good use of Stokes’s work. The difference in this piece from Stokes also arises by a shifting of the discursive ground—from the views of nineteenth-century policy-makers to the views of twentieth-century historians and historiography. And, finally, Bhattacharya adds to the usual agrarian analysis based on agriculture by his concern with forests.

Bhattacharya’s historiographical discussion consists of dialogues with, on the one hand, Stokes and Ranajit Guha, both of whose understanding of agrarian policy turned on European ideas; and, on the other hand, Bhattacharya engages with a set of historians who saw Indian conditions as setting all or most of the conditions for policy about agrarian matters. Three contradictory determinants of policy are seen by him to have been most significant: (1) the need for large revenues to support the apparatuses of the colonial state; (2) the need to expand the purchasing power of Indian consumers of British manufactures; (3) the need for the colonial state to attain stability and legitimacy. Bhattacharya rejects as too facile a thesis of ‘continuity’ of pre-colonial forms, arguing that while formal similarities may exist, they are differentially enstructured under imperialism.

Forest policy is meant to exemplify certain of these historiographical perspectives, as well as explicate something about the imperial

<sup>53</sup> ‘Ideology and the Official Mind’, pp. 118–19.

<sup>54</sup> In *Situating Indian History*, pp. 106–45.

enstructuration Bhattacharya claims. Taking the Punjab for examination, imperial interests, it appears, could be realized, but only through a process of systematically conciliating the most powerful rural groups. Proprietary communities favoured by the British in the Punjab thus won out over artisans, labourers, petty tradesmen, and nomadic graziers. But, is this really new privilege within a new and different structure? It may be, but for that argument to be compelling would it not have to be shown that previous 'imperial' or 'state' regimes—Mughal or the Sikh kingdom—followed different policies and sought different ways of achieving their 'legitimacy'? Bhattacharya also attributes critical instrumentality to European 'law'. 'Law', however, is ambiguous in his analysis. It is not clear whether he is speaking about the whole of the adjudicatory apparatus of civil and criminal codes—which most historians see as an important, but perhaps not decisive, structural change—or whether by 'law' he means legislation, about the importance of which there is no clear agreement among scholars of the British colonial state. Besides 'the law', Bhattacharya draws attention to a form of cultural resistance in songs and verses on British policies that were preserved by the losing social groups. Again, however, there is a question of whether such cultural forms are part of a new structure; or whether, like the Bhakti movements of pre-colonial times, they might have represented something of a continuous form which fashionable Gramscian analyses take up (as he notes).

David Ludden's contribution consists of a chapter from his monograph, *Peasant History in South India*,<sup>55</sup> where it follows a discussion of the pre-colonial history of Tirunelveli ('Tinnevely' in British usage) to the time of the collapse of the Nayaka kingdom there, after a rule of 250 years. That realm having been destroyed by the onslaught of superior forces directly or indirectly under European dominance, and all efforts to re-establish a viable kingdom having failed as a result of the same external pressure, British control began in the first year of the nineteenth century.

In this chapter, Ludden presents a view of the countryside in the new era. Colonial domination is viewed from the perspective of peasants and their localized socio-cultural world, where negotiations involving agrarian conditions were conducted by officials of the new Company Raj as well as by others who lorded over this southern countryside. Such negotiations between state-level order and local magnates were not new, as previous chapters of his work show. However, they were different from previous ones in being heavily

<sup>55</sup> The chapter is entitled, 'Anglo-Indian Empire', pp. 101–29.

influenced by the more penetrative world of commerce with which the East India Company was itself involved as a major force. As a scholar acutely tuned to the variable ecological contexts and to how agrarian policies and their implementation were enacted in colonial times, Ludden offers us an understanding of a microcosm of much of the Indian peninsula. In this microcosm we see a whole world which became subject to British agrarian policies in the nineteenth century. In Tinnevely, a single ryotwar policy was imposed upon two essentially different production systems: the irrigated parts of the district from which the largest and most reliable revenues were obtained, and the large zone of dry-cropping there. Throughout the first half of the nineteenth century there was an unresolved tension between commercial opportunities and the imperatives of subsistence and community-maintaining strategies. In this particular chapter, the overt conflict over these differences, and the resistance of rural people to the colonial regime in this part of the subcontinent, is more muted than elsewhere in the book. Numerous small adjustments between the conquering Europeans and the indigenous people are depicted as having been smoothly conducted between the most powerful Indian groups (*mirasidar* landholders of the river valleys and dominant landed groups in the dry tracts) and a series of British revenue officials. In Ludden's account of these myriad negotiations, the conflicting alignments of contending forces are blunted. Much of the world of lower rural and urban groups escapes his notice and our attention.

Sumit Guha's, 'Society and Economy in the Deccan, 1318–50',<sup>56</sup> covering the same general period as Ludden, provides somewhat more understanding about how colonial agrarian and revenue policies penetrated and altered the social relations of early-nineteenth-century Maharashtra. The particular question addressed here is whether the pre-colonial landed elite of Maharashtra lost its position in the new regime. This has been claimed by many historians. Guha asks instead whether, as Frykenberg argued for colonial Andhra—a tract very like the one that Guha is dealing with—the ancient landed elite not only survived the transition to colonialism but thrived by diverting revenue receipts from government treasuries to their private households.<sup>57</sup> Guha re-examines the evidence of the latter position and offers a contrary reading for Andhra. Then he turns to an investigation of the situation of such elites in Maharashtra. Having assessed the pre-colonial past of hereditary revenue officials (*patil* and *deshmukh*) under the

<sup>56</sup> *IESHR*, 20, 4 (1983), pp. 389–413.

<sup>57</sup> Robert E. Frykenberg, *Guntur District, 1788–1848* (Oxford, 1965).

Peshwas' state, the ryotwar policies introduced by British officials are seen to have had two principal objectives. First, there is the reduction of political influence of ancient district and village officials, and the enhancement of land revenue in order to meet the quota of revenue that the Bombay Presidency was expected to contribute to increasing and defending the Company's growing territories in the subcontinent. To achieve these aims, a subordinate and salaried revenue bureaucracy, without local roots in their administrative jurisdictions (and hence more compliant servants of British authorities) was recruited to manage district and village levels of revenue collection. A secondary and perhaps unintended change that resulted was the degradation of those customary land rights that hereditary officials—as major beneficiaries—protected, and the freeing of land to become a more fully marketable factor of production with the expansion of cotton production during the later nineteenth century.

The conditions under which the ryotwar policies of the British operated were highly variable. There was not a single system in any part of British India. All varied, depending upon ecological diversity, upon when they were incorporated into the evolving Company regime in India, and finally upon the historical agrarian relations and the differential character of pre-colonial state regimes in the peninsula. Thus, the entrenched local power of hereditary district and village officials of Maharashtra reflected their watan rights, gained under the powerful Peshwa state. In neither the Tamil country nor in Andhra were there pre-colonial state regimes capable of vesting local bureaucratic entitlements.

In this, the situation in Bengal was different, as revealed in the essay by Rajat and Ratna Ray, 'Zamindars and Jotedars: A Study of Rural Politics in Bengal'.<sup>58</sup> For there, in addition to other factors, agrarian policies were explicitly framed in the Cornwallis zamindari settlement of 1793 in order to confer ownership rights in land upon non-peasant peoples, rather than individual cultivators, as under ryotwar, or collectivities of peasant peoples under the mahalwari settlements of the Gangetic plains. Or so it would seem.

However, according to the Rays, the non-peasant zamindars of Bengal were compelled to accommodate the interests and economic power of rich peasants called jotedars. These not only held very substantial lands as nominal tenants of zamindars, but also traded in grain and other commodities to a degree that weakened the hold of another important rural class, the merchants.

<sup>58</sup> *Modern Asian Studies*, 9, 1 (1975), pp. 81–102.

Bengal's legacy, as Maharashtra's, included a powerful pre-colonial state regime of the nawabs of Murshidabad, from whom the British inherited a complex set of land relations and a very high degree of land concentration. Here, fifteen zamindaris held over half of the arable area of Bengal, and produced over half of its land revenues. Elaborate tenancies ('sub-infeudation') of rich peasants created the conditions from which the jotedar class emerged, as the Rays would have it, in the late days of the old nawabate regime. As the actual controllers of land, jotedars came to dominate a stratified rural population, of which half in some places held no land, and who worked as share-croppers or agricultural labourers. The class dominance of these jotedars, based upon substantial landholdings, grain-trading and money-lending, might have qualified them as viable candidate 'landlords' under the Cornwallis scheme, except for the superior political power of zamindars under the old regime. As it was, jotedars of the nawabate period were able to find niches in the colonial rural economy, owing to their locus in productive relations. Later, other, so-called 'foreign' Bengalis (educated men who served British administration or business), joined the ranks of jotedars to fortify that stratum in its struggles against zamindars.

Rajat and Ratna Ray set out an important revisionist account of rural Bengal and the impact of agrarian policies upon it. They challenge an established interpretation that the jotedar stratum of cultivators, moneylenders and grain merchants emerged from the opportunities offered by the tenancy legislation of 1859,<sup>59</sup> rather than during the eighteenth century break-up of the last pre-colonial regime. Moreover, in the concluding section of the essay, an insight into the politics of nationalism in Bengal is offered. Their argument that pressures from the entrenched jotedar stratum upon the upper-caste gentry (which held small zamindari rights) explains why the latter allied with the educated middle-class men of the Indian National Congress in support of the swadeshi programme of the early twentieth century. By the same argument, light is shed on the failure of the swadeshi movement in East Bengal. There, jotedars were drawn from the dominantly Muslim peasantry who competed against Hindu zamindars and middle class professionals for control of local boards in the early years of the twentieth century, thereby laying the foundation of Muslim separatist politics later in the century.

<sup>59</sup> For example, B. B. Chaudhuri, 'Rural Power Structure and Agricultural Productivity in Eastern India, 1757-1947', in M. Desai, *et al.* (eds), *Agrarian Power and Agricultural Productivity in South Asia* (Berkeley, California, 1984).

## Chapter One

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# Extracts from A Paper on the Land Revenue of India

A. D. CAMPBELL

In India the Land Revenue forms the principal income of the State. It is entitled to consideration no less on account of its financial importance, than of its influence over the rights and interests of the native inhabitants of the country, and over the general prosperity of our Eastern Empire.

The Select Committee of the House of Commons on the Affairs of the East India Company, in their fifth Report of 1812, have given a full view of the various systems pursued in India for the management of the Land Revenue, from the earliest period of the acquisition of any part of our territory there, until the introduction, by Marquis Cornwallis, of the permanent settlement on the zemindary system. In 1793, the periodical settlement of the Lower Provinces under the Bengal Presidency, which had been originally formed in 1789 and 1790, was declared to be permanently established, from the expiration of the leases in 1799 and 1800. The observations of the Committee are more full and satisfactory with respect to the effects of the arrangement under the Bengal Presidency, than in the Madras territory, where it was not introduced until 1802 to 1805.

During the twenty years which have elapsed since that Report was submitted to the House of Commons, a vast mass of information on all subjects connected with India has been obtained, not only from the evidence taken by the Committees of the Houses of Lords and Commons, but from many valuable documents on India, printed from the records of the East India Company.

Taking up the history of the Land Revenue of India from the period of the permanent zemindary settlement, to which it was brought by the Committee of the House of Commons in 1812, I shall endeavour, from these sources, first, to trace the effects of that settlement in the districts in which it has been established, as they have been further

developed during the last twenty years; and shall then proceed to the consideration of the periodical settlements subsequently introduced into the other parts of India.

*Permanent Zemindary Settlement under the Bengal and Madras Presidencies*

In the British territorial possessions on the continent of India, including an extent of 512,873 square miles, the permanent zemindary settlement has never extended to any portion of the provinces under the Bombay Presidency, which contain 59,438 square miles, with an estimated population of 6,251,546, and 5,500 square miles in the Northern Concan, the population of which is unknown. By far the greater part of the Madras territory, to the extent of 92,316 square miles, with a population of 9,567,514, has also been exempted from it; and, in the territories under the Supreme Government, periodical settlements continue to prevail in the province of Cuttack, containing 9,040 square miles, with a population of 1,984,620; in the Upper or Western Provinces, including 66,510 square miles, with a population of 32,206,806; and in the districts ceded on the Nerbudda, and by the rajah of Berar in 1826, containing 85,700 square miles, the population of which is unknown. Reserving the management of these countries for subsequent consideration, I confine my present observations to the lands of which the revenue has been settled in perpetuity on the zemindary system.

It appears [by the above settlement] that the countries of which the Land Revenue has been settled on the permanent zemindary tenure include, under the Bengal Presidency, an extent of 149,782 square miles, embracing the whole of the lower provinces of Bengal, Behar, Orissa, and Benares (Cuttack alone excepted), with a population, exclusive of the Benares provinces, of 35,518,645, assessed in 1829–30 at a permanent jumma of sicca rupees 3,24,70,853. Under the Madras Presidency, the zemindary settlement includes nearly the whole of the five Northern Circars, lying immediately adjacent to the Bengal frontier; rather more than one third of the Salem, and about one third of the Chingleput district; the Pollams, scattered through several provinces to the northward, westward and southward of Madras; a few insulated portions of the Dindigul district, included under the head of Madura; and a small part of the southern division of Arcot, consisting of some of the Company's ancient lands near Cuddalore. The fixed tribute receivable from the Nabob of Kurnool, a petty prince, possessing power of life and death in his own country, under the Bellari

collectorate, is not settled on the zemindary tenure; and the whole of the countries belonging to the Madras Presidency still under this system, may therefore be considered as including 49,607 square miles, with a population of 3,941,021, assessed in 1829–30 at Madras rupees 85,11,009.

Of nearly forty millions of persons inhabiting the extensive dominions of which the Land Revenue has been thus settled in perpetuity on the zemindary system, the ryots or cultivators, with their families, constitute a great, if not the greater proportion. It is important, therefore, to examine how far that system has affected their rights, as well as to ascertain its effects on the interests of the zemindars themselves, and of the Government. With this view it is necessary briefly to advert to the tenures of land in India.

It has already been explained by the Committee of the House of Commons in 1812, that long anterior to the Mahomedan conquest, 'through every part of the empire which has come under the British dominion, the produce of the land, whether taken in money or kind, was understood to be shared, in *distinct proportions*, between the cultivator and the government'. This principle is clearly recognized in some of the first enactments of the Bengal government, confirmed by more recent discussions at that Presidency, and there may thus be distinctly traced only two parties originally connected with the land in India—the cultivators who paid, and the Government, or its representatives, who received, the public dues. These were universally limited by immemorial local usage, but, from the want of correct records of the established rates payable by the cultivators, such usage formed too often an ill-defined, though always an acknowledged standard.

In a country like India, composed of various kingdoms, inhabited by nations speaking different languages, each distinguished by customs peculiar to itself, minor diversities are found to exist in the tenure of land, which cannot be included in a general description of the whole. But, subject to such local exceptions,\* the cultivators of India, in general, may be considered as divided into two great classes, viz. those who are vested with hereditary rights of occupancy, and those who are not.

The last-mentioned or lowest class consists of what, in Bengal, are termed the *Paee Khasht*, and at Madras, the *Paracoody Pyacarry*, or

\* The exceptions in question refer chiefly to the western coasts of the Peninsula of India, Canara and Malabar, where the non-existence of village communities and other peculiarities distinguish the people entirely from all other Hindoos.

stranger cultivators. These persons have their original domicile in some village at a distance from that in which they cultivate or temporarily dwell, and thence are occasionally called *migratory ryots*. Their right is never hereditary, nor transferable by sale or otherwise; and unless special agreements are entered into, it expires with the cultivation of each year. But, unless otherwise expressly stipulated, the annual revenue demand, even upon them, is limited by local usage. When employed by the higher classes of hereditary cultivators upon the fields which those higher classes occupy, they are to be viewed either as annual tenants or as holding under special agreements. But as the public revenue is never due, unless the land is occupied, it has been usual for the Government, or its representative, to call in the aid of this lower class of people to occupy the inferior fields, which the hereditary classes, subsequently described, have left unoccupied. In this case, they stand in direct relation to the Government, or its representative, as the temporary substitutes for the higher classes of hereditary cultivators; and the rates leviable from them, by the Government, are occasionally lower than those leviable from the higher classes, on account, evidently, of the inferiority of the fields occupied by this lower class. It will be obvious, however, from the description here given, that the occupation of a field, by any of the higher hereditary classes, totally excludes its occupation by this class, except as the tenants of the superior occupant. But as this class of people usually obtain a bare subsistence from the land, they find it preferable to relinquish the inferior fields they hold directly from Government, even at rates unusually low, for those of a superior and more fertile nature cultivated by the higher classes, or by themselves as the tenants of these higher classes; and whenever such become vacant, they will gladly offer to hold them directly from Government, or its representative, at rates much higher than they pay for their own inferior fields, or than can be paid, for even the finer soils, by the hereditary cultivators, entitled by their tenure to derive more than a bare subsistence from the land. This body are therefore ever on the watch, by the offer of higher terms, to tempt the Government, or its representative, to oust the hereditary cultivator from his fields; but so long as the latter is willing to pay his established rates, this is universally considered an act of the greatest injustice.

There exists, under the Madras Presidency, and perhaps elsewhere, a peculiar class of cultivators termed *Oolcoody Pyacarry*, holding an intermediate place between the foregoing and those who are subsequently described. Their tenure, originally, was precisely of the

temporary kind above mentioned, and they continue frequently to hold of the higher class of cultivators; but, in general, they hold directly from Government. Having been allowed to occupy, from father to son, for several generations, chiefly the unirrigated fields in the Southern Peninsula neglected by the highest class, whose stock is concentrated on the more fertile artificially irrigated lands, they have gradually, but successfully, converted this temporary, into an hereditary tenure; and ceasing to hold annually, or by special contract, their occupation of particular fields now excludes both their brethren possessing that more temporary right, and their superiors, holding one which, like their own, is based in prescription. Their right, however, continues untransferable by sale or otherwise, and in other respects corresponds with that before described, liable only to the payment of the public dues, as limited by local usage.

The third, most numerous, and most important class of all, termed under the supreme government, the *Khoo* *Khasht* ryots (cultivating their own), to the northward of Madras as well as in some of the western provinces of Bengal denominated *Kudeems* (or ancients) and to the southward of the Madras Presidency, as well as in the Deccan, and in some parts of Bengal, called holders of *Meerassy*, are distinguished from both the foregoing, by being universally considered the descendants of the aboriginal settlers of the village, or of those who restored it, if it ever fell into decay. They, therefore, invariably hold directly either of the Government or of its representative, never, like those above described, of any other individual; and their tenure, being quite independent of any contract whatever, originates in the mere act of settlement, confirmed by hereditary succession. On condition of paying the public revenue defined by local usage, the holders by this tenure are vested with a perpetual hereditary right to the fields occupied by them, or at their risk and charges; and so long as that is paid, neither they, nor their descendants can be justly ousted from their lands. It appears that the present village zemindars of Behar and Benares originally belonged to this important class of cultivators. In some villages, the whole of this tenure centres in a single individual, but in general it is vested in many. It is then held in one of two modes, either on what is called the 'joint or common tenure', or on what has obtained the name of 'tenure in severalty'. Under the former, the village is divided into a certain number of fixed shares, supposed to have been determined when it was originally settled; and every holder possesses one or more of these shares, or fractional parts of a share, casting lots periodically for the actual occupation of fields, in proportion to the share held by

each; in this case no particular field belongs to any individual, but a certain share only in the whole village, which is itself kept entire. Under the latter system, on the other hand, each holder has fixed possession of his own particular fields, which descend to his heirs.

This hereditary tenure is distinguished, in the provinces to the southward of the Madras Presidency, by a remarkable peculiarity, connected, however, rather with its value than with its intrinsic quality or character. In the provinces under the Bengal or Bombay Government, it appears not to have been generally saleable, though the Regulations of the former Presidency occasionally allude to it as transferable. In the northern provinces under the Madras Government the sale or transfer of land held on this tenure to which the Mahomedans give the name of *meerassy* (an Arabic derivative denoting landed property in general, better known to its usual holders, the Hindoo Soodras, as *cauniatchi*, *dominiare ex jure hereditalis*, and to the Bramins, as *swastium*, one's own) has, from time immemorial, been transferable by sale, gift or otherwise. Many pious Hindoos have transferred this valuable landed property to the Hindoo temples, which, in the south of India, are richly endowed with lands held by this tenure. Indeed such property continues to be saleable very generally over the southern peninsula, where it is held by a very numerous class of possessors, and universally in Tanjore, being there saleable at many years' purchase of the holder's surplus receipts. In 1799, the Meerassy, in Chingleput, consisted of 17,821 shares, of which 15,994 were held by 8,387 meerassidars; and the remaining 1,827 by those described in the second or intermediate tenure. In Tanjore, the holders of meerassy have been estimated at 60,000, and their surplus receipts at one fourth, and in Tinnevelly, at 13 ½ per cent of the gross produce. Of 1,100 villages in Tinnevelly paying revenue to Government during the year 1826, in 284 that right was vested in a single individual of each village: in 348 in the village communities in common, and in 468 in the members of these communities individually.

In addition to the rights above described, the Native Governments granted to the holders of meerassy, in the provinces of Arcot and Chingleput, and indeed very generally, throughout India, to the principal or leading men, amongst this important class of hereditary cultivators, a remission of the public revenue on certain of their own, or other, lands in the village. But this was, in lieu of money payment, for services to be performed by them, as village collectors, and as officers of police, and has no connection, though it has occasionally been confounded, with their tenure as cultivators.

The limited payments to the State, made by the several classes of cultivators above described, are 'in all cases distinctly regarded as the Government revenue (or rent), whether assigned to an individual, or not. In none depending on the mere will and pleasure of another.' But on our acquisition of the territory, the land revenue of which has been now settled in perpetuity on the zemindary tenure, the cultivators, there, rarely made these payments directly into the public treasury. Instances no doubt did there occur, where, as in the territory now settled periodically, they were made directly to the servants or renters authorized by Government to receive them: but, in general, when those countries fell under British dominion, the power to collect the land revenue, which the Native Governments had deputed to the heads of villages, the superintendents of districts, the rulers of provinces, and other great officers of State, or occasionally to the nobles possessing strong holds, or to the petty sovereigns whom they had only nominally subdued, had, from the tendency of all Indian institutions to become hereditary, gradually become vested, for many generations, in the heads of particular families, with whom the State entered into periodical contracts, compounding for its dues. To this class, including persons of every gradation in rank, from the petty sovereign of the hills, or powerful rajah of the plain, to the chief cultivator of some obscure village, was given the indiscriminate appellation of zemindar, a term which, in the native language, means a *landman* or *landholder*, one connected with the land, but which was at first understood to be equivalent to the English term *landlord*.

The zemindar, as such, was originally the mere steward, representative or officer of the Government, or rather the contractor for their land revenue, often hereditarily; and the difference between the Land Revenue of the State which he received from the cultivators, and the lower jumma or contract price, compounding for it, which he paid, in lieu of it, into the government treasury, constituted, after deducting his own actual charges in its collection, the value of his zemindary contract, or tenure; generally estimated by Government at from ten to fifteen per cent, above his jumma payable to them, and called *malikana*, or the peculiar property of which alone he is the owner (*malik*). Accordingly, when the Government occasionally discontinued his contract, and temporarily collected their full land revenue directly from the cultivators, this *malikana* alone was paid by the Government itself to the hereditary contractor, or zemindar, who, in such a case, was ousted from all concern whatever either with the land or its cultivators. He therefore possessed a valuable and often hereditary contract

interest in the *Land Revenue* of the State, the collection of which alone was thus transferred to him; but, as zemindar, he possessed no right whatever in *the soil itself*, which, subject to the payment of that revenue, was held in fields exclusively by the cultivators, on the subject tenures described above.

This view of the subject is by no means opposed by the fact, that nearly all the zemindars, from the highest to the lowest, were also themselves cultivators to a greater or less extent. The petty head of the village, besides being zemindar, was also perhaps the greatest cultivator in his own neighbourhood; and each of the higher grades of zemindars, even to the tributary sovereign of the hills, had his private lands (*neez, kulanattam*), whence he drew grain and other supplies for the domestic purposes of his, perhaps, numerous household. But unless the public revenue on these lands had been remitted to him by Government, as *mankar* (food, subsistence), and thus constituted an addition to the *malikana*, granted by the State on account of his hereditary contract duties, he would have been required to account for the Land Revenue of his own fields, in common with that which he collected from those occupied by other cultivators, and his *malikana*, in that case, would have been confined, to the mere established deduction from their joint aggregate. The fields which he held in his distinct capacity, as a cultivator, were never, in the slightest degree, confounded by the Native Governments with his official contract, or zemindary tenure.

This distinction, between the right of the cultivator to the soil itself, subject to the payment of the public revenue, immemorially limited by local, though ill-defined, usage; and the right of the zemindar to the receipt of that Land Revenue from the cultivator, subject to his own payment to Government of a separate lower or reduced composition in lieu of it, called *jumma*, periodically adjusted between the zemindar and the State, which was never subjected to limitation by those who preceded us in the sovereignty of India, is of the greatest importance. For, simple as this distinction now appears to be, to all who have waded through the vast mass of information now procurable, it is the want of a clear perception of these two very distinct rights, which has given rise to the chief errors, committed at the period of the permanent zemindary settlement.

At that period this distinction was unknown. In the discussions preceding the permanent zemindary settlement, however, it had been fully admitted that the cultivator possessed a right to the soil, so long as he paid the public revenue demandable on his fields, which was held

to have been limited by an act of the sovereign power, beyond the arbitrary determination of the zemindar. Indeed this cannot be more broadly stated, nor in more forcible language. It was also maintained that the zemindar had no claim to an absolute property in the land itself; neither was there any proof 'of the existence of such right discernible in his relative situation under the Mogul government, in its best form'. Yet the zemindar's undeniable, and often hereditary, property in the *Land Revenue* of his *entire zemindary* was confounded with the separate property in the *land itself*, which, as a cultivator, he possessed in some of its *fields* alone; and, as he in general happened to occupy, in the ranks of society in India, the place held by the gentry or aristocracy in Europe, this fortuitous circumstance tended to confirm the error, and seems to have rendered it a matter even of policy to acknowledge him in the new light of the landed proprietor not only of his own few fields, but of every field, even belonging to other cultivators, situated within his entire zemindary or hereditary revenue jurisdiction.

As further deeply affecting the rights of the cultivators in Bengal, I would here notice another arrangement, connected with the permanent zemindary settlement, peculiar to that part of India. Regulation XLIV. of 1793 had, as above observed, injudiciously prohibited the zemindars from fixing the Land Revenue payable to them by the ryots for any period exceeding ten years. The sole object of this restriction, as explained in the preamble to that law, was to guard against any unfair permanent diminution of the public revenue, payable by the cultivator, such as ultimately might render insecure the fixed jumma, which the zemindar himself had agreed to pay to the Government; and the removal of this restriction, *so far as the cultivator himself is concerned*, by Regulation V. 1812, is not only in itself unobjectionable, but highly desirable, as tending to promote the great object of fixing the public revenue payable by the cultivator, if not ultimately on each field he occupies. But, whilst the restriction in question existed by law, a new system for the management of the Land Revenue directly in contravention of it, and apparently at variance with the first principles of the permanent zemindary settlement, was introduced into the country of the Rajah of Burdwan, the greatest zemindar under the Bengal government, whose annual jumma exceeds several hundred thousand pounds sterling, and whose zemindary is therefore proportionably extensive.

The rajah divided nearly the whole of his numerous zemindaries into many divisions, which he termed *putnee* or primary; and, assessing

each with a fixed sum in perpetuity, always exceeding the jumma which he himself pays to Government, on condition of the perpetual payment of this increased reserved sum, he granted the hereditary collection of the Land Revenue, from the cultivators within its boundary, to a new class of hereditary sub-zemindars of his own creation, annexing to this grant conditions, similar to those on which he himself holds from Government. Many of these sub-zemindars, again, following their master's example, proceeded to divide their *putnees* into new secondary divisions, termed *dur putnee*; and, assessing each with a fixed sum in perpetuity, always exceeding what they themselves pay to the zemindar, granted the hereditary collection of the Land Revenue, from the cultivators within its more limited boundary, to a further class of secondary sub-zemindars, whom the primary sub-zemindars created. Several of these secondary sub-zemindars, again, following the example of their two superiors, further divided their *dur putnees* into *se putnees*, or minor tertiary divisions; and, assessing each with a fixed sum in perpetuity, always exceeding what they themselves pay, granted the hereditary collection of the Land Revenue, from the cultivators within its still more confined boundary, to a third class of tertiary sub-zemindars, whom they newly called into existence. The tenures of each of the three new orders of sub-zemindars are perpetually entailed on their heirs and assigns, so long as these fixed augmented sums are paid to their respective superiors.

The complicated plan for the management of the Land Revenue, thus introduced by the zemindar of Burdwan, is little more than an imitation of that, by which he holds himself, under the permanent zemindary system, which evidently suggested its adoption. But it is not a mere imitation only. It is a threefold repetition of that system; and if, as above stated, the zemindary system itself had failed to define the public revenue payable by the cultivator, or to fix it on the fields he occupies, still less can this most desirable end be accomplished, when the cultivator is driven to a fifth remove from the Government, his original and natural protector; the intermediate ranks being filled by the zemindar, and his three successive hereditary sub-contractors, each constrained to realize more than he pays, and each paying an augmented sum fixed in perpetuity. The cultivator, indeed, from whom the whole is to be wrung, whose payment was the only one limited by the despotic sovereigns who preceded us in the government of India, is also now the only individual whose payment, in these permanently-settled districts, the British Government have left undefined.

This arrangement, introduced in direct contravention of the law at the time in force, and which has extended from Burdwan 'through several zillahs in Bengal', has been declared valid, even retrospectively, by the Bengal Government. But, in rendering these new complicated tenures of the Land Revenue transferable, heritable, and not liable to be cancelled, but sold, for any arrear of the augmented fixed sum assessed by the superior, more attention appears to have been paid to the temporary difficulties in which the zemindars may have involved themselves, by creating tenures of the Land Revenue unknown to the law, than to the original object of the permanent zemindary settlement, and the opposite principles these new minor tenures necessarily involve. For, independently of their bad effect on the interests of the cultivators, their immediate tendency is, not to transfer, as the zemindar was previously competent to do, to another, any portion of his zemindary, along with the duties annexed to it; but to separate the property from the duties of the zemindary tenure, and thus to crumble down, by successive alienations, the property in the Land Revenue which the Government granted to the original zemindar; and to enable him to divest himself entirely of the hereditary duties, which the inheritance of that property, and the perpetual confirmation of it, at the permanent settlement, evidently impose on the holder of each zemindary.

The extensive sales, by public auction, of the zemindary tenure, in satisfaction of arrears of jumma due by the zemindars to Government, which took place soon after the permanent settlement was introduced into Bengal, have, as bearing on the interests of the zemindars themselves, been prominently noticed in the 5th Report of the Committee of the House of Commons, which sat in 1812. But it seems now established that these sales affected the interests of the cultivators also, in a very material degree. In 1793 it had been declared that, on the public sale of a zemindary for arrears, all existing engagements between the zemindar and the cultivators should stand cancelled, from the day of sale, the purchaser being at liberty to enter into new engagements, according to the local rates, left undefined, and thus virtually abandoned, as already noticed.

The object of cancelling the engagements between the cultivators and the zemindar, when the tenure of the latter alone is sold for arrears of revenue, was the same which had injudiciously restricted these engagements, originally, within the period of ten years; namely, to guard against any fraudulent diminution of the Land Revenue payable by the cultivator, such as might prove unfairly prejudicial to the zemindar's successor, and thus ultimately render insecure the jumma

payable by him to the Government. But when, besides annulling such engagements, the Government in 1799 conferred on the new purchasers of zemindaries, generally known in Bengal by the name of 'Auction Purchasers', the power to eject all the cultivators whose engagements were thus annulled, it is not matter of surprise that purchasers of that tenure preferred buying, rather at a public auction, than at a private sale, which conferred no such advantages; or that they generally availed themselves of this law, to oust from their fields the hereditary cultivators possessing a right to terms independent of them, and to replace them by others dependent on their own will, who consented to higher terms. The extent to which the engagements of the hereditary cultivators in Bengal have been annulled, and themselves ejected from their ancestral fields under this law, may be estimated with reference to the extent of the zemindary sales, hereafter to be noticed.

This continued to be the law in Bengal for 22 years . . . [until] in 1822 [it] was at last rescinded, and the power of summary ejection by the new purchaser then ceased. In this new Regulation, however, it is still maintained to be 'a general and fundamental principle of the revenue system' in Bengal, that the public sale of the zemindar's tenure for arrears, annuls all engagements derivative from him or his predecessors. It is admitted that this opens a door to abuse, by enabling zemindars, who, for a present money consideration, may have granted temporary or permanent assignments of the Land Revenue, fraudulently to annul such grants: and the Government, to prevent such frauds, in the event of a public sale for arrears, retain the power of reserving such grants at their option. It is declared, at the same time, that the cancelling of engagements between the cultivators and the zemindars shall not, for the future, be construed to disturb the possession of 'any village zemindars putteedar, mofussil talookdar, or other person having an hereditary transferable property in the land', if he is not also the government zemindar; nor of 'the khoodkhasht kudeemee ryot, or resident and hereditary cultivator, having a prescriptive right of occupancy'. So far as it goes, this alteration in the law has prospectively operated in a beneficial manner; but it had no retrospective effect to the previous 22 years; and did not, in fact, meet the real evil, which appears to lie deeply embedded in the original arrangements adopted in Bengal, when the permanent settlement was first introduced.

The evidence given before the Committee of the House of Commons in 1831 and 1832 establishes the fact, that under the Bengal Presidency, the public sale of the zemindary tenure, for arrears of revenue due to the zemindar alone, absolutely conveyed to its pur-

chaser, not only the zemindar's unquestionable hereditary right to the Land Revenue, but also all the other distinct right of property in the land itself, not only in the few fields belonging to the defaulter, but in all the fields, within the boundary of his entire zemindary, or Land Revenue contract, belonging even to other cultivators or third parties, whose dues may have been paid in full to the defaulting zemindar. The defective state of the law in Bengal, for 22 years, as above explained, respecting the summary ejection of those third parties, whose engagements were cancelled by the sale of the zemindary, no doubt greatly facilitated this strange injustice; but it had its origin in the right which the zemindar, as such, possesses, to the Land Revenue, being confounded, not only by law, but in practice, in Bengal, with the very distinct right which he, as before stated, may also often possess in the land itself, in his separate capacity, as one of the great body of cultivators. The cause of this confusion may be traced to the nature of the arrangements originally adopted in Bengal.

On the introduction of the permanent zemindary settlement, wheresoever the State received its Land Revenue directly from the cultivators, as was the case in regard to the *meerassidars* at Madras, and the *khodkhasht* ryots in a great portion of the provinces of Behar and Benares, who constituted little republican corporations, cultivating, either in severalty, or on a joint common tenure, as before explained, two courses were open for adoption, as regarded the public Land Revenue payable by them to the State or its representative; for it is it alone, according to the common law of India, which is, in the first instance, perpetually hypothecated to Government, as security for the lower jumma payable by the zemindar into the public treasury. The one was, to introduce a stranger, totally unconnected with the cultivation of the village, as the purchaser by auction of the hereditary right to the collection of the Land Revenue payable by the cultivators; and this was the course pursued at Madras, where new monied speculators, in imitation of the ancient zemindars, were introduced by the Government, in order apparently to build up an aristocracy, where none previously existed. The other was to vest the same right in the cultivators themselves, or in such of them at least as, in the quality of representatives of the common body, were accustomed to act as government agents, on behalf of the whole. To prevent the introduction of a new class of men, having no common feeling with the agricultural population of the country, this course was wisely adopted in Bengal; but it involved a great danger, from which the other was entirely free. When the zemindar, recorded on the government books, as responsible

for the government jumma, irrevocably fixed, falls in arrear, the code at each of the Presidencies declares that what it erroneously calls his 'estate', shall be sold by auction, in satisfaction of it. Nay this 'estate' is often, in each code, absolutely termed the zemindar's 'lands'. But the grounds have already been stated, on which it is believed that this phrase must have been applied by the Bengal government, at the outset of their legislative career, to express nothing more than the zemindar's right to the hereditary collection of the Land Revenue payable by the cultivator; and it is his right to this alone (with the valuable *malikana* or contractor's profit involved in it, by his jumma being reduced below it), and not the land itself, as erroneously maintained in Regulation XI. 1822 of the Bengal code, that is perpetually hypothecated to Government, and saleable, in the first instance, for arrears of the zemindar's jumma. At Madras, indeed, the new possessor of the zemindary, except when he might be also the head of the village, or one of its meerassidars, had, in fact, not a single field to sell. He was no cultivator. Every field there had, where saleable at all, immemorially been sold by the meerassidars, the *payers* of the revenue from the land, who are the owners of the soil; whilst he had only purchased from Government the hereditary right to collect the public Land Revenue from them. The Government, when this new possessor became a defaulter, had therefore nothing to sell but what he had originally bought at auction of them; for (as has been, in a great degree, already explained in the Fifth Report of 1812), under the Madras Presidency, 'the proprietary right of the zemindar, as it is called, does not give him the power of selling the *land* of his zemindary, any more than the Government are empowered to sell any part of it, when he fails in the discharge of its demand upon him; he can only dispose of his interest—in the soil'. If, instead of inserting the three last words, the former Committee of the House of Commons had said, *in the hereditary collection of the Land Revenue*, they would have kept in view the important distinction, between property in the soil, and in its revenue, which here, as elsewhere, eluded perception. . . .

It is only where the cultivators are *not* the zemindars also, that the possession of their fields is to continue undisturbed. No provision has been made, in cases where these two capacities are united in the same individual, for distinguishing between the two, as is the invariable practice, though contrary to the letter of the code, at Madras. Under that Presidency the right of the zemindar, in his capacity of cultivator, to his own particular fields, where it exists, would, if saleable (as meerassy no doubt is there), be eventually held responsible, in the

same way as any other separate property of the defaulter, for such part of the arrear on his zemindary tenure as may not be covered by the sale of his distinct zemindary right. But the latter alone would be first sold; and the former would be held responsible for any deficiency, as an ancient property quite separate from his new zemindary tenure; in the same way that any other zemindary belonging to the defaulter is, now, at both Presidencies, eventually held responsible for any arrear, not covered by the sale of that particular zemindary tenure, on which it accrued.

The practical maintenance, on the Coast of Coromandel, of the distinction above explained, between the property in the land revenue of a zemindary, and in the soil of its fields, contrary to the letter and theory of the code, under each of the two Presidencies, had its origin, partly in the local introduction of zemindars created by auction purchases, often entirely unconnected with the land, which rendered it impossible there to construe the code literally; and, partly, also in the superior knowledge which appears to have been there attained respecting the real rights of cultivators.

It remains to consider the manner in which the permanent zemindary settlement has affected the interest of the zemindars themselves. They may be divided into three distinct classes; first, the village zemindars, or cultivators in the provinces of Bengal and Behar, raised to this rank on the introduction of the permanent settlement there; secondly, the purchasers of this right by public auction, introduced, in lieu of them, under the Madras Government; and, thirdly, the ancient zemindars, whom we found, as such, on our acquisition of the country.

A vast benefit has been conferred on the whole of those classes, but on them alone, by limiting in perpetuity the demand of Government upon them, which had been previously fluctuating and uncertain. What proportion their present ill-defined receipts, from the cultivators, bears to the fixed payment they make to Government, cannot now be ascertained; except in such zemindaries as, from minority, lunacy, or other causes, have accidentally fallen, temporarily, under charge of the Court of Wards at the two Presidencies. In Bengal it appears that, in a number of such zemindaries, taken indiscriminately, the zemindar's receipts were more than double the jumma payable by them to Government; and at Madras their surplus funds occasionally accumulated to the extent of four or five lacs of rupees. Thus, although the hereditary interest in the Land Revenue, confirmed to them when the permanent settlement took place, was at that time calculated not to exceed the permanent jumma reserved by Government to the extent

of more than ten or fifteen per cent.; it has risen to one hundred per cent.; so that, in the Land Revenue of Government, now actually drawn from the cultivators of the provinces settled on the permanent zemindary system, the hereditary interest of the zemindar has frequently, at the present day, become greater, even than that which the State reserved to itself. This has arisen from three distinct causes. It is owing, first, to the general ignorance of the Government respecting the real amount of the Land Revenue payable by the cultivators, when the permanent settlement was introduced; which frequently, in the Bengal provinces especially, led to their fixing the zemindar's jumma at sums quite inadequate; secondly, to the want of due limitation of the zemindar's demand upon the cultivators in Bengal, which, as before explained, has placed them entirely at the zemindar's mercy; and thirdly, to the new revenue derived from the further occupation, and of the gradual extension of agriculture to the lands then waste, which were, perhaps imprudently, relinquished to the zemindars at the period of the permanent settlement, by including them within the bounds of their respective zemindaries. But the benefits accruing to the zemindars, from these causes, have been felt only by those, whose estates remain in the possession of themselves or their descendants, or by such as have happened to purchase at auction, zemindaries favourably assessed.

The Select Committee of the House of Commons, which sat in 1812, have shown that the permanent zemindary system was attended by the introduction of a mode of realizing the Land Revenue, until then quite unknown. Under the Native Governments, a zemindar who fell in arrear was liable to personal punishment, and degradation, or to be ousted temporarily, or altogether, from office; but he was invariably replaced by some of his own family; and the local ties, subsisting between the hereditary payers and receivers of the Land Revenue, to which ages had given strength, were not only invariably maintained by the Native Governments, but were, by them, made the basis, on which they raised the whole superstructure of their civil polity. By declaring the zemindary tenure liable to sale, for arrears of its jumma, the British Government, on the introduction of the permanent settlement, materially weakened the ancient bonds that had hitherto united the two great classes of society, the hereditary payers and receivers of the land, or great Revenue of the State. . . .

The effect of the sales of the zemindary tenure, on the zemindars newly introduced into the Madras territory, has not been dissimilar. The Land Revenue payable by the cultivators direct to Government had

there been parcelled out by villages, in Dindigul, Salem and Chingleput, into divisions of from 1,000 to 5,000 pagodas; and the hereditary collection of it was to put up to sale by auction, to the highest bidder, whose jumma payable to Government was fixed at about ten per cent below the Land Revenue it was calculated he would receive from the cultivators. This calculation, in general, as greatly overestimated the new zemindar's receipts under the Madras Presidency, as it underrated them in the Bengal provinces; and, at Madras, nearly all the new zemindars in Dindigul, and about two-thirds of those in Chingleput and Salem, gradually fell in arrear; and their heritable right to the collection of the Land Revenue, in their respective zemindaries, having been again exposed to public auction, has been thus sold, to the ruin of these speculators and their unfortunate families. But under the Madras Presidency the evil stopped here. The local officers, under instructions from the authorities at home, have allowed very few of these zemindaries to be transferred to new purchases. The Government, who received the original prices paid for them by the zemindars at auction, have also since re-purchased at auction the hereditary collection of their own Land Revenue, which they had thus temporarily alienated, and have found the rights of the cultivating mecrassidars, who were not here created zemindars, as in Bengal, nearly unimpaired. The reservoirs for irrigation, which had been allowed, by the newly created zemindars, to go to decay, have been repaired by the Government, who have reverted in Salem and Dindigul to the previous ryotwar survey assessments, limiting and defining the public revenue payable by the cultivator on each field, which they have also, in each district, materially reduced. They have introduced the same system into the zillah of Chingleput; and, in all three districts, have come to an annual settlement with each individual cultivator for the fields he occupies, payable, through the head of his village, to the Collector of Government.

Hard, however, as the process of peremptory sale, of the zemindary tenure, undoubtedly has borne upon the cultivators in Bengal, as well as on the adventurers at Madras, newly raised to the situation of zemindar, under these Presidencies respectively, it fell upon none with more severity, than on the ancient zemindars of the country; as, by a single default, it deprived them of their ancient patrimony for ever, and reduced them, at once, from the highest ranks of the aristocracy to the situation of beggars in their native land.

The people of India cannot comprehend how any Government can possibly be fettered by such Regulations of their own enactment, or

constrained, by them, to the rigid enforcement of a system of sales, indirectly, but rapidly, undermining the long-established institution of the country, which the Government invariably professes to maintain; and naturally attribute to other motives, a measure, which, professing merely to enforce the more regular payment of the Land Revenue, tends to reduce to the same level the rajah and the peasant, already equal in the eye of the law.

It is difficult to trace the precise extent of these sales of the zemindary tenure. From the practice in Bengal of advertising the same zemindaries for sale each time any instalment due from it falls into arrear, the total number of zemindaries advertised for sale is falsely augmented, and occasionally exceeds the entire number in existence.

Far the greater portion, also, of the zemindaries advertised for sale, is freed from arrear before the sale actually takes place, and therefore the number advertised forms no criterion whatever of the number really sold. But the actual sale of the zemindary tenure in 1796 and 1797 and extended to zemindaries assessed at the large sum of sicca rupees 14,18,765; and in 1797 and 1798 to others assessed at no less a sum than sicca rupees 22, 74, 076; so that in the year 1815 it was estimated that 'probably one-third, or rather one half, of the landed property in the province of Bengal may have been transferred by public sale, on account of arrears of revenue'. Though sales no longer take place to the vast extent they did formerly, it will be seen, from the following statement of the jumma of the zemindaries, sold in the Lower Provinces of Bengal annually, from 1815 to 1825, that the practice has not been discontinued.

In that portion of the permanently-settled provinces under the Madras Government where adventuring speculators were introduced as zemindars, the result of similar sales has already been stated. There is also, however, under that Government, an extensive territory, stretching from the Bengal frontier of Cuttack, down along the Coast, nearly to the Presidency of Madras itself, termed the 'Northern Circars', in which, at the introduction of the permanent settlement, the collection of the Land Revenue was confirmed, hereditarily, to a numerous body of ancient zemindars, many of whom are descended from the old Hindoo Princes of that part of India, only nominally subdued by the native power who preceded us in the sovereignty. But the nature of the country here, combined with the character of the people, opposed insurmountable obstacles against a similar alienation, by public sale, of these hereditary tenures...

Reviewing the result of the permanent zemindary settlement, it

cannot but be admitted that it has failed, in the great object its benevolent founder had in view, of converting the zemindars of India into a landed aristocracy, whose paternal feeling for the peasantry should afford protection to the immense agricultural population of the country. The relative situation and interests of the two parties were entirely misunderstood. The hereditary contractor for the Land Revenue of the State was treated as the European landlord, whose interest is to promote the prosperity of his subordinate tenantry: whereas such had invariably been the interest of the State itself alone, to which that of the zemindar is directly opposed. The native Governments had, accordingly, ever limited the zemindar's demand, on their behalf, and never forgot that the great mass of the hereditary peasantry were *their own* cultivators, creators of the revenue paid to him, for them. They, therefore, rigidly guarded from infraction by him, the *Huqi Reyaea*, or rights of the hereditary ryots, stipulated for in every zemindary grant; and, on each renewal of his periodical hereditary contract, took care to restrain his cupidity from ousting, to his own advantage, the hereditary cultivators or yeomen of the land, in favour of the inferior class of peasantry, whose interest it is to combine with him, in depriving this important class of their patrimonial inheritance. Entirely overlooking this circumstance, the British Government, with every desire to support existing rights, were, from ignorance of their nature, the immediate cause of their direct infraction. Whilst they imagined that, by merely limiting in perpetuity their own receipts, they had conferred all requisite benefits upon the country, by neglecting entirely to fix the payments of the ryots, which they however expressly stipulated should be liable to future regulation by them, they handed over, in Bengal at least, the whole body of their hereditary peasantry to the zemindar, whom they newly confirmed in his tenure, unfettered by those restrictions, which the experience of ages and the universal practice of the native Government had shown to be essential to the prosperity of the country.

It is not surprising that, under such circumstances, the greater zemindars in Bengal followed the course to which their interest impelled them;... and ousted the hereditary, in favour of the inferior peasantry, a course unhappily elsewhere promoted under that Presidency, by clothing the same class of people with the novel character of minor zemindars. But when this unexpected result at last opened, in some degree, the eyes of the Government to its error, they discovered, too late, that they had no longer, on the part of the greater zemindars, or auction purchasers substituted for them, to deal with the hereditary

contractor of the native government, removable for misconduct; but had embarrassed themselves with an irremovable incumbrance, calculated successfully 'to baffle the Government, in all attempts made to discover the actual condition and rights of the great body of the people, though such attempts be professedly, and actually, directed to the better administration of justice'...

In concluding these remarks on the permanent zemindary settlement, I would observe that this system of revenue administration, in itself affords one of the strongest illustrations of the levelling nature of our institutions in India. The equal division of paternal property amongst the sons, peculiar to the Hindoo law, would no doubt have tended to break down both property in the land, and in the Land Revenue tenure; had not the policy of the native Governments, as before explained, counteracted, in practice, this prejudicial theory of their law, by acknowledging, as matter of financial convenience, the head of the family alone, as ostensible zemindar; yet, though the maintenance of the aristocracy in India was the very object of the permanent zemindary system, the sale of that tenure introduced along with it, and the rigid adherence to the written Hindoo law, strictly interpreted, imposed on our Courts as the imperative rule for decision, had the directly opposite tendency, to facilitate subdivision. Even when experience of this inconvenience induced the natives, of their own accord, to resort to the European expedient, of devise by will, which was calculated, in some degree, to check this evil, and restore the practice under the native rule, one of the British Governments in India, by a legislative enactment, interfered to render the objectionable text of the Hindoo law subversive of its preferable practice, and to annul this expedient, borrowed from the British code. An attempt was indeed made by Sir Thomas Munro, to induce the principal ancient zemindars under the Madras Government to consent to an arrangement similar to entail. But it failed, because it was less the object of that arrangement to settle the tenure upon a single heir, than to deprive the existing incumbents themselves of the power they now possess to mortgage or sell their tenure, of which they are naturally averse willingly to divest themselves.

### *Periodical Settlements*

The defects of the permanent zemindary system for the management of the Land Revenue were developed only by degrees. The eminently benevolent character of the distinguished nobleman [Lord Cornwallis] who introduced that principle of revenue administration into Bengal,

and the approbation which it received from some of the finest British statesmen of the day, clothed it, for a long period, with a venerated sanction, which almost precluded the agitation of any question respecting its success. But, about the period when it was first introduced into Bengal, a new territory fell under British dominion at the Presidency of Madras, which gradually opened access to a clear and thorough insight into the real nature of all Indian tenures, and ultimately led to an entirely new system for administering the Land Revenue of that country....

The provinces of Salem and Baramahl were, at first, placed under charge of Colonel Read, to whom Sir Thomas Munro was attached as an assistant. Soon after tranquillity had been established in these countries, Colonel Read proceeded to limit, define and record the Government demand, not only upon each individual cultivator, but upon every separate field he occupied; giving rise to the revenue system of administration which has since obtained the name of the 'Ryotwar field assessment', more fully described in the sequel. In the Ceded Districts the same system was afterwards more methodically introduced by Sir Thomas Monro himself; and it was subsequently extended, under various Revenue authorities, over the Arcot Carnatic, and the provinces of Madura, Dindigul and Coimbatore, where, during the first few years of our administration, the Land Revenue of extensive tracts had been rented out to a set of middlemen, or temporary zemindars, who sub-rented it to the heads of villages, giving rise to abuses which are fully detailed in the Fifth Report of the Select Committee of the House of Commons in 1812....

Few will now be found to question the wisdom of the policy, which past experience of the permanent zemindary settlement evidently dictated to this enlightened statesman.

It has been already shown that the attempt to create a landed aristocracy out of the hereditary contract agency, employed in managing the Land Revenue, was attended by a vast subversion of individual property, partly from the sale of the zemindary tenure itself, partly from its attributing to the government contractor rights in all land, which he possessed only in some fields, and its giving to him, exclusively, what belonged chiefly to others. It remains, however, now to notice the more material fact, that the income, which the zemindar himself receives—whether paid to him in the shape of *malikana*, direct from the Government treasury, by the State itself, when they divest him of his hereditary management of their Land Revenue; or drawn by himself, during his management, in the shape of the difference between what he receives from the cultivators, and what he pays to

the Government as his contract jumma—is a dead loss to the State, whose charges are augmented, or receipts reduced, precisely to this extent. The Government of Lord Hastings, in 1821, observed, that, 'looking to the character and conduct of many of the zemindars in Bengal it might well be questioned, whether the rent drawn by them from their zemindaries is less a tax upon the country, than if the amount were collected on account of the Government'; and it has been recently declared in evidence, before the Committee, by an equally competent authority, that, in the Lower Provinces of Bengal, the collections of the zemindars now exceed double the amount which, in 1937, was solemnly declared to be the perpetual limit of the Government demand upon the country, the zemindars, at present deriving from the Land Revenue a greater income than even that which had been reserved by the State to itself. The enormous sum thus sacrificed in favour of the agency of zemindars, constitutes perhaps the highest expenditure made by any Government in the world, in the realization of its revenue. So vast an alienation as one half of the Land Revenue collected from the country, in favour of the contract agency of hereditary zemindars, or farmers-general of the land-tax, might indeed be excusable, did it lead to any accumulation of capital, or reproductive expenditure. But, with the exception of a few capitalists, amongst the auction purchasers of the zemindary tenure, in Calcutta, who are all absentees, resident at the metropolis, the zemindars, in general, are rarely saving men; and their income is expended in dead consumption, not in reproduction. It was obviously, therefore, imperative on the British Government, whilst it supported the few ancient aristocratic zemindary families that remained, not to create new zemindars; but to realize their Land Revenue by means of an agency less expensive and less cumbrous, and at the same time more efficient, and more easily controlled by the State, in the administration of the interests confided to their charge.

There is no doubt ample proof that, under the permanent settlement in Bengal, as the population augmented, cultivation greatly increased, fully perhaps to the same extent as in the periodically settled districts; but, in both, there is express evidence that it is the cultivators alone who advanced upon the waste; and, such increase of cultivation, though concomitant with the permanent settlement, was, by no means, caused by it. In the Lower Provinces of Bengal, indeed, the permanent settlement enabled the zemindars, by ousting the hereditary cultivators, in favour of the inferior peasantry, to increase the cultivation by a levelling system, which tended to depress the hereditary

yeomanry, or middle ranks of the community, and to amalgamate them with the common labourers and slaves, from whom the highest judicial authorities in Bengal are now unable to distinguish them—a change which must have seriously depressed the middle class, the only solid basis of all further advancement, or improvement.

In India, therefore, where the only aristocracy connected with the land are the mere hereditary farmers-general or contract agents of the Government, and the soil itself is universally occupied by a numerous class of petty proprietary cultivators, it was obviously impracticable to introduce the European theory of landlord and tenant, without an infraction of individual rights. It never ought to have been, nor can it now ever justly be, made a question for consideration or decision, whether, in India, it be politic to give the preference to great, or to small, holders of land. The law and usage of the country have immemorably and irrevocably determined the right in the soil to be vested in particular classes. Whatever may be the extent or value of such right, the smallest, no less than the greatest tenure should be held inviolably sacred; and the right of millions of field proprietors to hold on defined terms directly of the State, never can be abrogated, for a mere theoretical improvement in the administration of the Land Revenue, without an Act of the most sweeping confiscation, ever hazarded by a civilized Government. It was clearly the duty of a just Government anxiously to protect all existing rights, and, by defining its demand on the possessor of each tenure holding immediately of the State, to maintain every class in its respective situation, and to ensure the benefit of any remission or reduction in its Land Revenue to those who pay it, instead of allowing it to be intercepted, by its intermediate revenue contractor, the zemindar. For, when a remission of the Land Revenue is granted to the occupant proprietor holding directly of the Government, it goes immediately to augment agricultural stock, and is applied to the improvement of the land, and the support of productive industry, returning, like money lent at interest, ample profit into the coffers of the State. It is only by such a course that the accumulation of capital, amongst the industrious middle class, who may be aptly denominated the yeomanry of India, can be so fostered, as naturally to give a forward impulse to society in that extensive region.

*Madras Presidency: Original Ryotwar Settlement*

The system for the management of the Land Revenue introduced by Colonel Read had a double object in view. It not only contemplated a settlement with each individual cultivator, to the exclusion of all

intermediate hereditary agency, and with the reservation to Government alone of every further increase of revenue from the extension of cultivation to the waste, which both the zemindary and village systems improvidently alienate to the zemindar or village manager exclusively; but it fixed and recorded a specific sum of money as the *maximum* revenue payable on each field, or tract of unoccupied land; and where the revenue was payable in kind, it commuted the grain, or other product, for a money assessment. Its first process, for this purpose, was by an actual measurement and inspection of each cultivated field, or tract of waste, to ascertain, by survey, the superficial extent of the land, the tenure of its highest occupant, and whether it were fitted to yield unirrigated, or garden crops. But there still remained the more difficult task of estimating its produce, and thence deducing a fixed *maximum* assessment in money, to be attached to the soil itself, not varying with the particular produce grown upon it. This twofold process obtained the name of the 'Ryotwar or Field Survey'.

This survey really effected the object, which the benevolent founder of the permanent zemindary system hoped to have ultimately attained, by means of the zemindars, who, under both the Bengal and the Madras Presidencies, were, in vain, urged to define the ryots' payments, and to commute those in kind into a specific sum of money, to be entered in the engagements which they are required to interchange with their ryots. But, by fixing the Government revenue upon each separate field, it also precluded fraud on the State subdivision, and greatly facilitated the transfer, occupation, and relinquishment of land, in amongst a peasantry, many of whom, from the variable and limited stock they possess, are unable to occupy, with advantage to themselves, the same extent of land, for any considerable number of successive years. But it must be admitted that, even under the direct agency of the Government itself, the objects in view were attained, only after long and careful inquiries.

In England, where high moral feeling prevails, and the people and their superiors are the same, there is nothing more fallible than agricultural experience, or more common, than for the landlord to demand, and the tenant to agree to pay, rents higher than can be realized. In India, therefore, where the Government and its subjects are so different, and where moral feeling has, comparatively, less influence over the lower classes of our native agents, necessarily employed extensively in arduous details of this description, immediate accuracy was not to be expected. Accordingly, if the several field surveys, in the different provinces under the Madras Presidency,

exhibited, when first completed, considerable defects, it is rather matter of surprise that, with such defective means, so great an approximation was, at first, made to a tolerably fair rate of assessment, than that it was only by degrees that a more just and perfect standard was subsequently attained.

The revenue surveys under the Madras Presidency were not regulated by any uniform rule; and, in some respects, were perhaps defective in principle. The most ample discretion was vested in the local officer on whom this duty was imposed in each district, and the details naturally varied with the particular views of each individual thus employed. In a few instances the survey was conducted hastily, and the grounds of the Collector's proceedings were not reported, and cannot now be traced; but, in general, the surveys were deliberately executed, carefully superintended, and explained in much detail to superior authority. They were nowhere, however, so systematically and ably conducted, as in the Ceded Districts by Sir Thomas Munro, whose survey served as a model for those subsequently introduced. . . .

In India, the productive power of the soil is wonderfully increased by irrigation; and when the source of supply is such as to carry along with it a fertilizing manure, suspended in the water, which is left as a deposit on the land, it may, in some degree, tend to equalize the productive power of soils, originally different. To the precarious nature of all irrigation may be ascribed the ancient usage of calculating the public money assessment due from irrigated land with reference to a certain share of the produce commuted at a price mutually fixed by the Government and the cultivator; and to the extraordinary fertility of irrigated land, and the tendency in irrigation, especially of great rivers, to equalize its fertility, combined with the comparatively trifling labour and expense required for its culture, may perhaps be attributed the share of only half the produce, which, under the Native Governments, was considered, throughout India, a sufficient remuneration to the cultivator, for the stock and capital employed in all land of this sort; and which, indeed, continues to be so, even to the present day, in Tanjore, where the ryot's tenure is saleable, at a very high price. But if it were intended, in every case, to leave to the cultivator full remuneration for his labour and the use of his capital, and to confine the demand of Government to a moderate rent, it has been urged that no proportion of the gross propriety have been assumed as a standard for assessment; because some lands yield no rent, and others different proportions of their produce as rent, according to their respective fertility. In some of the ryotwar surveys under the Madras Presidency, irrigated land was assessed with reference to its net produce, or rent,

and not to its gross produce; and where the gross produce was registered, it in general regulated only the relative productiveness of fields, villages or districts, not their absolute money assessment. This was in the first instance fixed by tables, which it would perhaps be difficult universally to reconcile with the just principle above mentioned; but these were liable to modification, by the self-interest of the cultivators being called into action to maintain due proportions between different fields; the holder of any particular field obtaining a reduction of its survey assessment, if he could point out another field inadequately assessed; and it was endeavoured to guard against overassessment, in the rough field estimates of the native assessors, in the best regulated districts at least, by a subsequent process of the ryotwar survey. The money assessments proposed in detail upon each separate field by the native assessors, were never, in the best regulated districts, assumed as the standard of *maximum* demand upon the ryot. Experience showed that it is in the nature of an assessment, proceeding from single fields to whole districts, and taking each field at its supposed average, to make the aggregate greater than can be realized. The whole of the rough field estimates by the native assessors, therefore, underwent a complete revision before the Collector himself, and were corrected by the very reverse process. The average collections of a considerable number of previous years, modified by the opinions of the most intelligent natives, and in some degree by the result of the detailed survey itself, were assumed as the surest basis for fixing the aggregate sum that was to be the total assessment on each entire district. This was first apportioned on the villages, and then finally upon the fields, corresponding additions, or deductions having ultimately taken place in the detailed survey, without disturbing the relative proportions which it had originally established, between the fields in the same village, the villages in the same district, or the districts in the same province, except where error or fraud rendered it necessary. The whole was then confirmed, according to the best information that each officer entrusted with the survey could obtain, of the amount which should form a just assessment on the country under his charge.

The utmost care, in so difficult a process, as the assessment of each separate field within the extensive dominions in question, could not be expected to be at once accurate. It was only by attentively watching the result of its realization for a series of years, that a proper judgment of its accuracy could be formed; and where the survey was conducted deliberately, and occupied several years in its progress, great opportunity for such observation was afforded, by acting on it at once, as it

was gradually introduced. This, accordingly, was the proceeding invariably adopted; and, as the survey rates, at first, even after final correction and reduction by the Collector, constituted not the absolute demand itself, but only the *maximum* or limit of demand upon the cultivator, experience of their tendency, under the ryotwar settlement, was acquired, without exhausting the resources of the country, by the Collector granting to all the ryots for the fields too highly assessed, and to the poorer ryots for all their fields, ample deductions or remission from the survey rates; the *maximum* survey rates were the universal limit, but the amount to be paid in each year was raised, or diminished, within that limit, according to the existing circumstances of each cultivator.

This uncertainty of the absolute demand upon the cultivator was one of the most obvious defects in the original ryotwar settlements, under the Madras Government. It originated in the state of the country, as handed over to us by the Native Government, who frequently exacted not only the whole of the surplus rent, but even more, trenching on the capital itself of the cultivators; and who, with the short-sighted view of increasing their immediate receipts, compelled the cultivators to occupy more land than could be beneficially cultivated by the agricultural stock of the country. As the *maximum* rates of the new field surveys were necessarily, in a great degree, at first, founded on the previous money-rates, or where these did not exist, at least on the previous collections of the native Governments, they would very generally have proved excessive, had they not been invariably accompanied by the annual discretionary remissions just explained. But, so soon as sufficient experience had been had of their results, to form a correct judgment of their tendency, proposals for their reduction were made by many of the local authorities; and in the southern division of Coimbatore, a material reduction was granted.

Sir Thomas Munro, in particular, after reporting, for the first time, the result of his survey of the Ceded Districts on the 26th July 1807, laid before the Government, on the 15th of the following month, a very complete plan for rendering his revised field assessments, not the permanent *maximum* merely, but the permanent *absolute* demand upon the cultivator; by reducing them 25 per cent, on all lands, and 8 per cent more or 33 per cent altogether, on lands artificially irrigated from wells; submitting, at the same time, his recommendation, that perfect freedom of cultivation should accompany this general reduction in the field survey rates.

The advantages likely to ensue, from the adoption of these sugges-

tions of Sir Thomas Munro, were fully admitted by the Madras Government. But their pecuniary exigencies, at the time, were considered to preclude their adoption; and, just as the field survey of the Ceded Districts had been brought to a conclusion, whilst those of other districts were still incomplete, or in progress; in fact, before the ryotwar system for the management of the Land Revenue, under the field survey rates, had anywhere had a fair trial, or had been released from the trammels of excessive assessment, and compulsory labour, which it inherited from the policy of the Native Governments, until then too servilely pursued, the ryotwar system itself was entirely abandoned. The evils of over-assessment and compulsory labour which the ryotwar system exposed, and for which the appropriate remedies were suggested, were believed, by those who had no practical knowledge of its operation, to be inherent in the system itself; and it was relinquished, on the erroneous ground that its principles and details were incompatible with the new system of judicature for India, which it was justly considered the paramount duty of the Government to uphold.

### *Village Settlement*

On the abandonment of the ryotwar field system, as a prohibition existed against the extension of the permanent zemindary settlement to districts where no intermediate agency of zemindars were to be found in the native institutions of the country, recourse was had to what has been termed the 'Village Settlement' of the Land Revenue, which was introduced into all the provinces under the Madras Government, not previously settled on the permanent zemindary plan; with the exception of Malabar and Canara, where local peculiarities induced the continuation of the ryotwar settlement, and Coimbatore, Madura and Dindigul, where the progress of the village settlement was subsequently stopped.

What has been termed the village settlement, under the Madras Presidency, held, in some degree, a middle place between the zemindary and ryotwar systems, respectively, which preceded it. It proceeded on the basis of making over, for a period of three, and subsequently of ten years, the right to the public revenue from the fields of each village, not to a set of strangers, middlemen, contractors only for the revenue itself, unconnected with agriculture, but to village cultivators themselves collectively, or at least to such of them as would agree to the Government terms, and on their refusal, to the head of the village

alone, on a contract for a term of years, stipulating for a fixed payment in money into the public treasury, being generally the average of the collections for previous years. During these leases, all increase of revenue from the extension of cultivation to waste land was transferred to the contractors, the payment to Government being fixed for the entire village, including both arable and waste. It was intended that the whole body of the cultivators collectively should become parties to this lease; and the theory of the system contemplated the gradual subdivision and distribution of the sum agreed to be paid for the village, as an assessment to be fixed, eventually in perpetuity, not indeed upon each field, but upon the entire lands of each cultivator, the absolute demand on each, *where all agreed to the lease*, being confined to his own share of the sum payable into the public treasury; and the collective, being convertible into an individual payment, where the interests of the community dictated a separation; or kept entire, where the integrity of the joint village tenure was maintained. But where, as was generally the case, a few only consented to the amount fixed by Government, or the head of the village alone agreed to it, the contractors became mere temporary zemindars, or intermediate agents standing between the cultivators and the Government. In this character they were entitled to demand from such cultivators as declined to be parties to the lease, the excessive maximum survey rates, for the fields each occupied, without being obliged to grant any of those ample discretionary abatements, which had been their universal concomitant under the ryotwar system: unless both parties voluntarily agreed to reduce them, or consented to a division of the produce, or to a specific payment in kind. But the contractors possessed no power to constrain the ryots to occupy more land than they were willing to cultivate. The difference, between the amount actually received by them from the cultivators, and the field contract sum annually payable to Government, constituted the profit, or loss of the village renters.

Under the pressing orders also received from England, about that period, requiring from India a surplus revenue of a million sterling, accompanied by a threat from the Honourable Court of Directors to take the revision of the establishment into their own hands, a mistaken economy of the Madras Government curtailed the establishments necessary for continuing the details of the ryotwar settlement; and it was abandoned, because the pressing exigency of financial difficulty, at the moment, dictated the short-sighted policy of withholding that reduction of the maximum field survey rates, which, under any system of revenue administration, was absolutely necessary, to prevent their

trenching upon the capital of the cultivator, and consequently on the vital resources of the State. By taking the average collections of previous years, as the standard of rent demanded by Government, in the new village contracts, without any allowance or deduction to cover the risk of good and bad seasons, undertaken by the renters, the Government raised their demand to such a rack-rent, as necessarily excluded by far the greater of the cultivators from becoming parties to this new village settlement. Accordingly, the cultivators were in general handed over, for the period of these leases, to the heads of their respective villages, or to a select few only of their brethren, who alone became the Government contractors. As such, they were entitled to levy from their brother cultivators the maximum survey rates which the Government, under the ryotwar system, declined to reduce; and which, as the contractors had agreed to the payment of an invariable rent, everywhere high, were demandable and likely to be exacted, without those ample discretionary remissions or reductions, made by the Collectors in the over-assessed fields generally, and in favour of the poorer ryots in particular, which alone rendered the exaction of such maximum rates practicable, under the previous ryotwar system, without inflicting irreparable injury upon the country.

In a few districts where the village rents were least excessive, for they were invariably high, and a considerable number of the cultivators became parties to the lease, the result of this settlement was less injurious, than in others, where only a few of the villages stood as temporary middlemen between the Government and the rest of the peasantry, anxious to realize as much from the cultivators as they could bring their temporary leases. In the villages most favourably situated the renters, at first, in many instances, rigidly exacted the maximum survey rates, and thus drove away many of the poorer, and, by degrees, of the better class of cultivators, to other villages. For, in a thinly populated country, the vast quantity of waste land thrown upon the hands of the renters, generally, enabled others amongst them, especially in the less favourably situated villages, to hold out the allurements of cheap land to the cultivators in adjacent villages; and the consequent competition for labour, amongst neighbouring and rival renters, ultimately led to a general division of the produce, or voluntary reduction of the maximum survey field assessments, which, on the whole, operated in favour of the ryots. But the renters did not possess, like the Government, capital enough to enable them to reduce these rates sufficiently; and their very competition

for labour kept up a restless spirit of migration amongst the poorer peasantry.

Improvement, in any single village, was thus made at the expense of the deterioration of several of those in its neighbourhood, the gain in the former going to the renters alone, and the loss in the latter falling ultimately on the Government. Many of the most flourishing villages accordingly fell into decay, to the amelioration of only a few of an inferior description. . .

### *Present or Modified Ryotwar Settlement*

The Select Committee of the House of Commons, in their Fifth Report of 1812, justly expressed great doubts of the propriety of abandoning the ryotwar settlement, for this system of village leases; no less on account of the high scale of the village rents themselves, than because the conversion of the heads of villages into farmers of the Land Revenue tends to revive in each village a petty tyranny, and the levy of unauthorized exactions upon the inferior peasantry, such as had been successfully suppressed only by the introduction of the ryotwar field assessment itself. This was immediately followed up by a despatch from the Home Government of the 16th December 1812, to the Presidency of Madras, in which . . . they strongly urged upon the local Government the expediency of reverting, in all practicable cases, to the system of ryotwar field settlement for the management of the Land Revenue.

In these instructions, a broad distinction is drawn between the previous field ryotwar settlement under Colonel Read, Sir T. Munro and others, and the *modified* field ryotwar settlement, then introduced, and now prevailing under the Madras Presidency, founded indeed upon their system, but differing from it in several most important points. It was, in the first place, declared, that 'any compulsion or restraint on the free labour of the ryot, which may have been exercised under the former ryotwar system, is most expressly forbidden'. It was next stated that the new settlement also differs from that which formerly prevailed, in another essential point. Instead of denying the existence of all private property in the land, on this side of the Peninsula, it expressly acknowledges that property to exist in most of the provinces, to a greater or less extent; and, as it is no less the desire of the Honourable the Court of Directors, than that of the Government and the Board, to uphold private rights, it will be the duty of Collectors to

guard against any infraction of the landed tenures of the country.' Having previously gone into an examination of the relative rights of all parties possessing any interest in the soil, and into a detailed inquiry respecting the ryotwar field survey assessments, as conducted in each province, a revision of such of these surveys as involved any infraction of individual rights was directed, with a view to their restoration, where practicable; and the utmost caution was inculcated against further similar errors; the parties with whom the new settlement was to be made being most particularly described. . . .

To preserve from infraction the hereditary prescriptive tenure of the *meerassidars*, *oolcoodies* and *Kudeems*, by the inferior peasantry or *pyacarris*, it was even proposed by the Board of Revenue, that the Collectors should be altogether forbidden to admit the latter to any direct engagements with the Government. But, as this would have excluded the inferior peasantry, even where they might have been called in by the State, or its representatives, to occupy, as temporary substitutes for the higher classes, the fields which the latter had left unoccupied, the Government rightly determined, that, where fields might be occupied by individuals possessing hereditary rights in the soil, the settlement should be made with them only, to the exclusion of their under-tenants, labourers or slaves holding of them; but that where fields were not occupied by such classes, Collectors might enter into agreements for such fields alone, with cultivators who might not hitherto have paid revenue direct to the Government.

The excessive nature of the former ryotwar field survey rates was also most prominently noticed. It was attributed to exaggerated measurement, to vague estimates of the probable productive quality of the soil, with reference rather to its apparent nature and extent than to its actual produce, to exorbitant commutation prices of that produce, and, above all, to the surveys generally having proceeded from details to the aggregate, and not from the aggregate to details. Authority to reduce the maximum survey field assessments was, therefore, given to each of the Collectors, who were exhorted to be guided by the orders of the Government, to regulate them, so as to 'give encouragement to agricultural industry, and thereby promote the general prosperity of the country' . . .

## Chapter Two

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# Retreat from Permanent Settlement and Shift Towards a New Land Revenue Policy\*

SULEKH CHANDRA GUPTA

### (i) *Reasons for the shift towards a New Land Revenue Policy*

It would be evident from the account given in the preceding chapter that the revenue settlements in the Ceded and Conquered Provinces, during the first two decades of the British rule, were made on the same lines as in Bengal. The laws, the procedures of settlement as well as the convictions, prejudices and opinions of most British officers in the Bengal Presidency were under the very strong influence of the principles of the Bengal Permanent Settlement. In fact, the object of the Bengal Government was 'to assimilate the system in the Ceded and Conquered Provinces with that pursued in Bengal'.<sup>1</sup> They had therefore declared that a Permanent Settlement was to be concluded at the expiration of a period of ten years, during which period three short period, temporary settlements were to be made.<sup>2</sup>

Further, without even waiting for the ten-year period to expire, the Bengal Government resolved to anticipate the period originally fixed

\* Extract from: *Agrarian Relations and Early British Rule in India: A Case Study of Ceded and Conquered Provinces (Uttar Pradesh), 1801-1833*.

<sup>1</sup> Holt Mackenzie's Minute, para. 221, in *Revenue Selections (1818-1820)*, p. 60; also see Baden-Powell, *Land Systems of British India*, Vol. II, pp. 15-16; also see George Campbell, *op. cit.*, p. 155. [For such entries the reader will need to see Gupta's book.]

<sup>2</sup> The Permanent Settlement was to be made for such lands, as might be in a sufficient state of cultivation to warrant the measure, on such terms as Government deemed fair and equitable, and with the same persons, who had been engaged with in the three short-period temporary settlement, if they were willing to engage, and if no others who had a better claim came forward to undertake revenue engagements. *Ibid.*, paras. 5 to 10, *Revenue Selections (1818-1820)*, p. 10; also see Richard Clarke, *Bengal Regulations*, Vol. I, p. 635.

for the conclusion of a Permanent Settlement and declared, by Regulation X of 1807,<sup>3</sup> that the *Jumma* which might be assessed in the last year of the temporary settlements then ensuing should remain fixed for ever, provided the arrangement received the sanction of the Court of Directors.<sup>4</sup> And a special commission consisting of Messrs. R. W. Cox and Henry St. George Tucker was appointed to superintend the settlement operations.

In the meanwhile, however, the opinions of the Home authorities in England, both in the Board of Control and in the Court of Directors, had been undergoing a change.<sup>5</sup> This change was initially due to 'some practical inconveniences', 'mistakes', 'injustices', and 'evils' of the Bengal Permanent Settlement which were experienced or discovered within the few years of its conclusion. The defects of the Bengal Permanent Settlement were found to be 'grave', 'serious', and 'enormous', and extended to all branches of the British administration, viz., the revenue, the judicial, and the police. Its principles were found to have subverted the ancient native institutions and customs regarding landed property. Consequently, doubts about its soundness in theory and expediency in practice began to assail the minds of the Home authorities within a few years of its actual operation in Bengal. Its failure to achieve all the objectives envisaged by Lord Cornwallis, viz., a regular and steady flow of revenue, by security and protection of the rights of all the agricultural classes and the permanency of the demands of landed proprietors on the ryots, led the Home authorities to question its fundamental premises. They began to look for an alternative mode of revenue settlement by which the 'practical inconveniences' of the Bengal Permanent Settlement could be avoided, its 'mistakes', 'evils', and 'injustices' eliminated and its basic advantages retained.

Incidentally, during those very years, an alternative mode of revenue settlement, known as the *ryotwari* system, was developed by the officers of the Madras Presidency. In contrast to the Bengal mode of Permanent Settlement, the *ryotwari* mode appeared to be more sound in theory, expedient and beneficial in practice, and more in accordance

<sup>3</sup> Richard Clarke, *Bengal Regulations*, Vol. II, pp. 62-3.

<sup>4</sup> Accordingly the quadrennial settlement of the Ceded Provinces and the second triennial settlements in the Conquered Provinces and Bundelkhand were to be provisionally permanent, subject to the approval of the Home authorities.

<sup>5</sup> 'The Home authorities in the years 1801 to 1809, had evinced a disposition more and more adverse to an early extension of the Bengal Permanent Settlement.' John Sullivan's Observations Appendix No. 8, *Report of the Select Committee*, 1832, p. 51.

with the native institutions, customs and manners of the people. Its guiding principles as enunciated by its chief exponents, viz., Thomas Munro and W. M. Thackeray, in their 'elaborate and able reports', tended to prove that it was far superior to the Bengal system from the point of view of the fiscal interests of the British Government, the economic interest of the ryot and of the promotion and development of agriculture. Consequently, the Home authorities, already assailed by doubts about the fundamental premises of the Bengal mode of revenue settlements, were 'captivated'<sup>6</sup> by the new system, and they recommended its adoption in all their new territories, not only in Madras, but also in Bengal and Bombay. The discovery of the village communities in the Ceded and Conquered Provinces, and their close resemblance to the pattern of agrarian rights set up in Madras further strengthened their desire for applying the *ryotwari* principles of revenue settlement in those provinces.<sup>7</sup>

The Bengal Government, however, was not prepared to admit the failure, the weaknesses or the deficiencies of the policy of Permanent Settlement. According to them, *a priori* reasoning as well as practical operation had justified its 'soundness' in theory, and dictated the 'urgent necessity' of its earliest extension into the new territories. To them, its 'expediency' and 'soundness' was 'beyond question'.<sup>8</sup> And, therefore, the change in the opinion of the Home authorities was incomprehensible to them. The result was that a long debate started between the Home authorities and the Bengal Government on the merits and demerits of the Bengal Permanent Settlement.

This debate raged for well over a decade. In this period, the Home authorities 'endeavoured to enforce' upon the Bengal Government a course of policy which was diametrically opposed to their basic convictions and entire experience as well as to opinions of the English mercantile houses in Calcutta.<sup>9</sup> But while enforcing their orders firmly, they also placed before the Bengal Government the grounds on which their decisions were founded. And these they were able to find in the reports of the provincial officers charged with the local administration of the revenue and judicial departments. The Home authorities were

<sup>6</sup> *A further Inquiry into the Expediency of Applying the Principles of Colonial Policy to the Government of India and of Effecting an Essential Change in its Landed Tenures and in the Character of its inhabitants*, Anonymous (London, 1828), p. 99.

<sup>7</sup> Revenue Letter from Bengal dated 15 September 1808, para. 42 in *East India Selections*, Vol. I, p. 69.

<sup>8</sup> Revenue Letter from Bengal dated 31 August, 1810, para. 28, in *Ibid.*, pp. 71-2.

<sup>9</sup> Stokes, *op. cit.*, p. 62.

watchfully attentive to the language of all passages in current correspondence, which might, by any force of construction, be held to convey the concurrence of opinions between the governments in India and the authorities at Home on the great questions at issue.<sup>10</sup>

The most important amongst these documents was the report dated 13 April 1808, of the Board of Commissioners which had been appointed by the Bengal Government in 1807 to superintend the conclusion of a permanent settlement in the Ceded and Conquered Provinces. In this report, the Commissioners stressed upon the deficiency of capital, the vast extent of uncultivated wasteland, and the great sacrifice of revenue which was inevitable if a permanent settlement was concluded in these provinces. Equal emphasis was placed upon the uncertainty about the rights of property in land, the unequal and inequitable burden of land revenue in different regions and on different classes of people and the evil consequences of the British regulations for the land tenures of the country. Taking advantage of these findings, the Home authorities argued with the Bengal authorities on the need for evolving a mode of revenue settlement which would take account of these factors. Thus, the local circumstances and the difficulties likely to be created by the introduction of the Bengal system of regulations into the Ceded and Conquered Provinces provided a basis for the Home authorities to retreat from the principles of permanent settlement and to adopt a 'new point of view'.<sup>11</sup>

The most important reason, however, for the change in the climate of opinion was consideration of fiscal and commercial interests. The East India Company was interested in more and more revenue to finance the expenditure of its expanding empire. The trade of the Company had been dwindling since the establishment of the Permanent settlement, while its financial requirements had increased immensely.<sup>12</sup> The conclusion of the Permanent Settlement had set a perpetual limit to their revenues from the land, and the government was for ever denied the right to deriving any benefit from the expansion of cultivation on wasteland or from agricultural improvements on already cultivated land. It became therefore necessary for the Home authorities to reconsider the 'expediency' of extending the Permanent Settlement to the new territories, specially when there was considerable scope

<sup>10</sup> John Sullivan's Observations, in *Report of the Select Committee, 1832*, Vol. III, Appendix p. 51.

<sup>11</sup> *Selections from East India Papers*, Vol. I, pp. 6-44.

<sup>12</sup> Amares Tripathi, *op. cit.*, p. 49.

for expansion and improvement of cultivation there in view of the deficiency of capital and a sparse population in relation to the vast stretches of uncultivated wasteland.

The exigencies of British economic development also influenced the shifts of policy in a more indirect and complex manner. During the eighteenth century, the principal economic advantage which Britain enjoyed in relation to India was assessed in 'mercantilist' terms.<sup>13</sup> Its magnitude was judged by the favourable balance of trade and the volume of tribute that was drawn from the country, and remitted home. In those days, political sovereignty was regarded merely as an instrument for extracting a surplus, with which the Company could finance the purchase of Indian goods for shipment to England (described in those days as its annual investment) and also to transfer the Company's profits to shareholders at home. But, in the wake of the Industrial Revolution, the economic relationship between India and England was basically altered. Instead of being regarded as an active instrument providing a flow of tribute, and ensuring a favourable balance of trade, the British power in India came to be regarded after 1800 as no more than an accessory which ensured the necessary conditions of law and order by which the potentially vast Indian market could be conquered for British industry.<sup>14</sup> India was now to be developed as a market for British manufactured goods and as a source of raw materials for British industry. The merchants and manufacturers of London, Manchester, Bristol, Liverpool and Glasgow, who subscribed to Free Trade, clamoured that, if this new purpose was to be achieved, the Company's monopoly of trade with India had to go.<sup>15</sup> This fact was quickly seized upon by Free Traders who argued that the Company's rule was ruinous to India. They alleged that under the Company's administration, India's ancient institutions had been destroyed, her system of land tenures and landed property subverted, and the productive powers of the country seriously undermined. The tribute extracted by the Company had drained the country of its wealth, thus impairing its power to purchase British goods. According

<sup>13</sup> Stokes, *op. cit.*, p. 37; also see *Considerations on the Danger and Impolicy of Laying open the Trade with India and China etc.*, Anonymous (London, 1813), pp. 49-52.

<sup>14</sup> Stokes, *op. cit.*, p. xiii.

<sup>15</sup> Stokes, *op. cit.*, p. 37-8; 'By 1813, the Company had no case for maintaining its monopoly of trade between India and Europe. The sale of Indian piece goods in Europe, the principal commodity for providing Company's actual 'investment', had fallen away almost completely and the British territories no longer afforded even a surplus of revenue after the Company's administrative and debt charges had been met.'

to them, India could not develop as a market for British goods so long as the Company's monopolistic privileges were maintained and her ports were not thrown open to private British merchants.

Before 1813, the year in which the Company's Charter was to be renewed for another period of twenty years, the opposition of the free traders had gathered momentum. In response to their criticism and charges, a Select Committee of the House of Commons had been appointed in 1810, 'to enquire into the present state of affairs of the East India Company'. This Committee, exposed in its reports the failures and weaknesses of the Company's administration, particularly in respect of land tenures and land revenue. It came to the conclusion that the mode of permanent settlement had failed in numerous instances and its basic principles should be reconsidered before it was extended to the new territories. The Committee also praised the ryotwari mode of revenue settlement and characterized it as 'highly expedient'.<sup>16</sup> Publication of this report created a sensation and had considerable impact on the public mind in England.<sup>17</sup>

Consequently, in 1813, the Free Traders succeeded in the attempt to strip the Company of its commercial monopoly. Its immediate effects were the rapid expansion of British exports to India, especially of textiles, and the destruction of the Indian export trade in cotton. In fact, the expansion of British trade with India was so rapid that there was a threat of the potential market for British goods remaining limited in extent unless new products were found which could be imported in exchange.<sup>18</sup> Measures had therefore to be taken for raising the purchasing power of the Indian population. And British merchants both in England and Calcutta urged the necessity for these measures.

At this juncture in the Indo-British economic relations, the utilitarian movement began to exercise a decisive influence on Indian policies. The source of this influence may be traced to James Mill who was appointed in 1819 as assistant examiner in the Revenue Department at East India House where he worked until his death in 1836. Mill, in his *History of British India*, had already condemned the system of the

<sup>16</sup> *Fifth Report*, Vol. I, p. 320; also see Preface to the Madras Edition, Appendix, *Ibid.*, p. (b), which reads as follows: The Report 'expressed the failure of Lord Cornwallis's institutions for the first time. It took the public who reposed entire confidence in the perfection of the system completely by surprise, but it produced a salutary effect. It disposed of the dream of optimism in which the public authorities had indulged, and directed their attention to . . . reforms.'

<sup>17</sup> *Report of the Select Committee, 1832*, Vol. III—Revenue, Appendix p. 51.

<sup>18</sup> Stokes, *op. cit.*, p.41.

Company's administration, particularly the system of Bengal Permanent Settlement.<sup>19</sup> But now he was immediately responsible for drafting the Revenue despatches to India. His office, therefore, 'enabled him to a great extent to throw into his drafts of despatches... his real opinions on Indian subjects'.<sup>20</sup>

The most distinct influence which the utilitarians exercised on the Indian land and revenue policy was through the application of the new science of political economy to the practical tasks of land and revenue administration. James Mill was himself not only an expert on political economy but an economist in his own right. But his continuous association with David Ricardo and T. R. Malthus, together with many other members of the Ricardian school, only sharpened the vigour with which he sought to apply the principles of Political Economy to Indian economic policies.

The most important doctrine of classical political economy that was applicable to the agrarian problem was the theory of rent, enunciated first by Malthus in 1815, in the course of his lectures at East India Haileybury College, Eastford, and later developed by David Ricardo in his *Principles of Political Economy* published in 1819. This theory was used by James Mill most effectively for giving an entirely new direction to the whole course of land revenue policy pursued by the Home authorities in India.

Only a few writers<sup>21</sup> on the land and revenue system of the Ceded and Conquered Provinces have noticed this change in the climate of opinion due to basic economic and ideological changes in Britain. No one has however analysed the principal reasons underlying this change and even those who have attempted to do so have scarcely gone below the surface. Only Professor Stokes, in his *The English Utilitarians and India*, already cited above, has analysed one of the principal forces, viz., the tide of reform generated by English Liberalism, specially the influence of the Utilitarians. But even he has not examined fully the specific circumstances of the Ceded and Conquered Provinces and the consequences of the Bengal Settlement, which also contributed to the emergence of an entirely new system of revenue settlement. It is difficult to disentangle these diverse influences which moulded the thinking of the British authorities at Home. We have made an attempt to analyse some of them in the following pages.

<sup>19</sup> James Mill, *History of British India*, Vol. V.

<sup>20</sup> J. S. Mill cited in Stokes, op. cit., p. 49; also see William Foster, *East India House* (London), pp. 197 and 208-9.

<sup>21</sup> B. R. Misra, op. cit., p. 39, and Baden-Powell, *Land System of British India*, Vol. II, p. 17.

(ii) *Inconveniences and Mistakes of the Bengal System and Retreat from Permanent Settlement*

As already mentioned, the opinion of the Home authorities on the question of extending the system of Bengal Permanent Settlement to the newly annexed territories began to change with the discovery of the 'errors', 'mistakes' and 'injustices' of that system and the experience of its 'practical inconveniences'. The British Government, within a few years of the operation of the permanent settlement, realized that it had made a large sacrifice of State revenue by settling the revenue with the zamindars of Bengal in perpetuity.<sup>22</sup> This realization was rooted in several facts of the situation. Firstly, in cases where the estates fell in arrears of revenue, and could not be sold at public auction, and revenue collection on them had to be made *khas*, i.e., the government officers had to collect the revenue directly from the cultivators, it was discovered that the actual extent of land in those estates was much more than what had been settled for. Secondly, when certain estates, of which the proprietors were minors or otherwise disabled and prevented from taking up their management, came under the court of wards, the government officers found that the actual extent of these estates was more than what was known to the government. Thirdly, whenever estates had to be partitioned between proprietors and their boundaries had to be determined, it was discovered that there were many villages and lands which had not been included in the estates and accounted for in the determination of revenue assessment which was made permanent.<sup>23</sup> Fourthly, the lands sold at public auctions fetched high value for the government. This was paradoxical in view of the fact that the revenue demand consisted of as much as ten-elevenths of the total rental of an estate. The high values realized from these sales were interpreted by the Court as indicating that the actual extent and the revenue resources of the various estates permanently settled had been far more than were known to the British Government. Since land had not been surveyed to determine the actual area of the estates, fix their boundaries and assess their full value before the conclusion of a permanent settlement, the zamindars were left with a far larger share of the State revenue than was actually intended.<sup>24</sup>

<sup>22</sup>A. D. Campbell, "Paper on the Land Revenue of India" in the *Report of the Select Committee, 1832*, Appendix, p. 21.

<sup>23</sup> Lord-Hastings' Minute, 21 September 1815, para. 58, in *Revenue Selections (1818-1820)*, p. 324.

<sup>24</sup> See Revenue Letter to Bengal, 28 October 1814, para. 39, in *East India Selections*, Vol. I, p. 166.

Further, it was found that the extent of wasteland included in the various estates had been very imperfectly ascertained. The revenue officers found in the course of their normal administrative experience that the extent of wasteland was far greater than was imagined at the time of the permanent settlement, and that the benefits of extension of cultivation to the wasteland had been left to the zamindars in perpetuity.

When these facts came to light, it was felt that in Bengal 'we (the British authorities) supposed ourselves to be fully acquainted with their resources perhaps too hastily'.<sup>25</sup> The Home authorities, therefore, naturally became cautious about the extension of the permanent settlement system to any territory without first completing 'a minute and detailed survey of the extent of cultivation and productive powers'<sup>26</sup> of the land. They were certain that 'before fixing the maximum of its demand, the government should fully explore and ascertain the value of those resources from which its contributions are to be derived. By rating them according to an arbitrary standard or by vague conjecture as had been practically the case in Bengal, they could hardly avoid either doing injustice to individuals or making improvident sacrifices on the part of the public'.<sup>27</sup>

The practical question was not the sacrifice of State revenue in the past but the question whether it was proper for the State to deprive itself of the potential revenue on wasteland when brought under cultivation. The Home authorities, even at the time of the permanent settlement, had expressed a desire to exclude the wasteland from the ambit of the Permanent Settlement and to make some provision for the government's participation in the benefits of extension of cultivation into wasteland.<sup>28</sup> But with a view to inducing the new proprietors to improve their estates, Lord Cornwallis did not reserve the right of the government to share in such benefits in the future.

Land revenue thus became an inelastic source of revenue. Such a situation was inconvenient for several reasons. The most important reason was the financial embarrassment of the East India Company during the years immediately following the declaration of permanent settlement in Bengal. The settlement was declared permanent on the hypothesis of continuance of peace. But within a few years, the

<sup>25</sup> Revenue Letter to Bengal, 1 February 1811, para. 22, in *East India Selections*, Vol. I, p. 3.

<sup>26</sup> *Ibid.*, para 20, p. 3.

<sup>27</sup> *Ibid.*, para. 24, p. 3.

<sup>28</sup> Letter of Court of Directors, 29 August 1792, cited in *Fifth Report*, Vol. I. p. 35.

Company's government in India was involved in wars and military engagements which meant a rise in both its civil and military expenditure.<sup>29</sup> Land revenue was an inelastic source of revenue. The revenue from duties on salt and opium showed a decline. Thus, during the last few years of the eighteenth century, it became difficult for the Company even to keep up its regular 'annual investments' at the former level. The surplus revenue in Bengal in 1793-4 was C.R. (current rupees) 2, 53, 99, 682 which dwindled to C.R. 1, 75, 10, 814 by 1797-8, while the charges on these revenues rose from C.R. 3, 33, 19, 779 to C.R. 4, 03, 16, 599.<sup>30</sup> Besides paying an interest of C.R. 35 to 40 lakhs a year on the Company's debt, the Bengal Government had also to contribute to the annual investments of the Company to the extent of C.R. 1, 33, 48, 793 on an average during 1793 to 1797. In these circumstances, it appeared to be highly inexpedient for the government to have 'affixed bounds to its resources while the extent of its possible exigencies remained unaltered'.<sup>31</sup> It had set limits to the demand of the State while it was ignorant of the future exigencies.<sup>32</sup>

At the time of declaring the revenue settlements permanent in Bengal, 'it was imagined . . . that in proportion as the effects naturally to be expected from an enlarged and liberal policy (of Permanent Settlement) were developed, in proportion as the land was improved, activity given to commerce and as the people were enriched, government would be able to indemnify itself for the sacrifices it had made by means of taxation on the necessaries and luxuries of life'.<sup>33</sup> It was even believed that the increase in the yield of these taxes will normally compensate the government for any contingent loss it might sustain from the depreciation in the value of money in subsequent years and that its revenues might be made to advance in equal proportions with the prosperity of the country and that both would go on flourishing in rapid progression. But it was found that 'this calculation was rather too sanguine, and it was formed without sufficient attention to those local peculiarities by which the hopes founded upon it might be disappointed'.<sup>34</sup> In fact, the hopes that were entertained were not realized.<sup>35</sup> The Home authorities, therefore, came to the conclusion

<sup>29</sup> Amales Tripathi, *op. cit.*, p. 49.

<sup>30</sup> *Ibid.*, p. 49.

<sup>31</sup> Revenue Letter to Bengal, 15 January 1812, para. 78 in *East India Selections*, Vol. I, p. 63.

<sup>32</sup> Revenue Letter to Bengal, 1 February 1811, para. 36, in *Ibid.*, p. 4.

<sup>33</sup> *Ibid.*,

<sup>34</sup> *Ibid.*, para. 31, p. 4.

<sup>35</sup> Revenue Letter to Bengal, 15 January 1812, para. 78, in *Ibid.*, p. 63.

that, for making up the losses sustained through the depreciation in the value of money, or for increasing the means of its own support, the government must, for a considerable period of time, look to the territory of India<sup>36</sup> and depend almost exclusively on the land revenue.

The logic on which this conclusion was based may be explained. The only fair objects of taxation, apart from land, could be consumption goods, since taxes on them, although more difficult to collect than land-tax, 'do not so directly invade the sources of reproduction'.<sup>37</sup> But, it was felt that in India, in view of the peculiar habits, customs and prejudices of the people, such taxes could not be an expanding source of revenue. 'It is only amongst a luxurious people that their produce could be rendered very considerable, without becoming oppressive to the individuals and highly pernicious to the interests of the community'.<sup>38</sup> But it was now observed that the natives in India were poor and simple. Their consumption of these commodities could not increase sufficiently to draw as much additional revenue from them as to compensate for the sacrifice made by fixing the land revenue in perpetuity. Therefore, the Home authorities wished it to be recognized that 'our territorial revenues constitute the principal stay of our government' and that 'the revenue arising from land, being that mode of contribution to which the natives have been most accustomed, has fewer prejudices to encounter than any other which could be resorted'.<sup>39</sup>

In face of the Company's financial difficulties, the inelasticity of land revenue as a source of income was all the more regrettable in view of the fact that the zamindars' rentals had increased beyond all calculations. During the three decades after 1793 their rental incomes had become almost as much as the State revenue, while at the time of the Permanent Settlement, they were estimated at not more than 10 per cent of the total rental.<sup>40</sup> The British Government, therefore, realized all the more acutely the enormity of the sacrifice they had made in favour of zamindars by fixing the land revenue in perpetuity.

Apart from their immediate financial embarrassment, the Home authorities held that for the sovereign of a poor, indolent and ignorant people, it was necessary that 'his government, for the purpose of producing a happy change in the character and fortunes of the nation,

<sup>36</sup> Ibid., para. 78, p. 63.

<sup>37</sup> Revenue Letter to Bengal, 1 February 1811, para. 34, in Ibid., p. 4.

<sup>38</sup> Ibid., para. 34, p. 4.

<sup>39</sup> Ibid., para. 36, p. 4.

<sup>40</sup> A. D. Campbell, op. cit., p. 21.

shall occasionally aid individuals with advances of capital, and take upon itself the construction and maintenance of works of great public utility'.<sup>41</sup> The sovereigns in India according to them 'have long been in practice, not only of advancing money to the cultivators and weavers, with the view of promoting the agriculture and manufacture of the country, but also of fencing the country against sudden and destructive inundations, and of supplying the land in the dry season with the means of artificial irrigation. The task of banking the rivers, of constructing and upholding tanks and reservoirs, had thus, by established usage, become the duty of the Government'. They thought that if a duty of this nature was imposed upon the Government of India, by ancient usage as well as by total inability of people to perform it with their own scanty means, the sovereign had a right to recompense himself for the expense incurred in these undertakings, and that the certainty of obtaining such 'indemnity' would alone guarantee that the sovereign's duty will be performed as it ought to be. Therefore, the settlement of land revenue under which this would always be within the reach of the government was preferable to the one under which all prospects of compensation were excluded.<sup>42</sup>

Another practical inconvenience of a permanent settlement was that since some estates were capable of greater improvement than others, the incidence of assessment became unequal in course of time. Since the government reserved no right to raise the assessment, it was not within its power to lessen these inequalities. Therefore, some provision to remedy these inequalities had to be made in the new settlement.

The Home authorities, therefore, posed the question whether provision should not be made in future settlements for a certain measure of profit-sharing between the government and the landholders, in respect of profits derived from the improvement of land.<sup>43</sup> They realized that an arrangement, under which the government would reserve to itself a claim upon a share of the value of the increased produce of the land, or rather the right of raising the land tax in proportion to the increased capacity of the land to pay revenue, did imply a departure from the principle of the permanent settlement in Bengal which had secured to the proprietors of estates the *whole* advantage of a rise in their rental.

As regards the actual plan to ensure the sharing by the government

<sup>41</sup> Revenue Letter, 15 January 1812, para. 94, in *East India Selections*, Vol. I, p. 65.

<sup>42</sup> *Ibid.*, para. 98, p. 66.

<sup>43</sup> Revenue Letter, 15 January 1812, para. 73, in *Ibid.*, p. 63.

in the future increase in the produce of the land, the Home authorities held the view that 'a tax in proportion to the amount of the *annual produce* of the soil, or varying even with *every* variation of the rent, besides being difficult of collection, will prove in its operation fatal to improvement'.<sup>44</sup> Therefore, they suggested a *via media* . . . 'between a land tax varying from year to year according to the (amount of) produce or according to the rent (paid), and a permanent land tax never to be varied at all, in which openings may be left at stated periods, too distant to retard improvement, both for regulating inequalities to which every land tax, assessed according to a general survey and valuation, is liable in course of time (different parts of the country being susceptible of different degrees of improvement) and for recruiting the funds of the government when they are found inadequate to the demand of public exigencies'.<sup>45</sup>

They wanted to fix a certain interval between each term of assessment, at the expiry of which 'a general revisal of the relative proportions of the existing tax to the increased, stationary, or decreased state of the improvement should take place under the immediate auspices of the Government'. Although they realized the two-fold difficulty of settling the appropriate period for which an assessment should be valid and of ascertaining the degree of improvement during the intervening period, they believed that these difficulties would not be insurmountable.<sup>46</sup>

With a view to justifying this plan of revenue settlement and proving that it was unexceptionable in principle, the Court of Directors relied on Adam Smith's *Wealth of Nations*. In their Revenue Letter to Bengal Government dated 15th January 1812, they wrote:

"We are fully sensible of the caution with which the best digested speculations ought to be received into any scheme of practical nature, but it is no demerit that the suffrage of one of the most enlightened writers on political economy may be quoted in its favour. 'In all variations of the state of society', says Dr. Adam Smith, 'in the improvement and in the declension of agriculture, in all variations of the value of Silver, and in all those in the standard of the coin, a tax of this kind, would, of its own accord and without any attention of government readily suit itself to the actual situation of things and would be equally just and equitable in all those different changes'.<sup>47</sup>

<sup>44</sup> Revenue Letter, 15 January 1812, para. 81, in *Ibid.*, p. 64.

<sup>45</sup> *Ibid.*, para. 82, p. 64.

<sup>46</sup> *Ibid.*, para. 88, p. 64.

<sup>47</sup> *Wealth of Nations*, Book V, Chapter II, cited in *Ibid.*, p. 65.

... when the term of the settlement is once fixed (suppose for ten, fifteen, or twenty years) it should be distinctly understood, that it will be renewed at its expiration for the same period subject to an augmentation of assessment. This understanding from the beginning, between government and the proprietors, will, in the words of the author above quoted, 'give to the rule of settlement the character of a perpetual and unalterable regulation, or what may be called the fundamental law of the Commonwealth, rather than that of a tax to be levied according to a certain valuation'.

Dr. Smith further observes, 'To draw the attention of the sovereign towards the improvement of the land from the regard to the increase of his own revenue, is one of the principal advantages proposed by this species of tax'. This argument, which, when generally put, is unquestionably just, derives additional weight from a particular application of it to the state of India, and to the peculiar nature of some of those duties on the part of government which are consecrated by ancient usage, and in the performance of which established custom, as well as a sound view of its own interests, forbids it to relax."<sup>48</sup>

Apart from the inconveniences due to perpetual limitation on revenue, a more important kind of inconvenience which was discovered was that 'consequences, the most injurious to the rights and interests of individuals, have arisen from describing those with whom the permanent settlement was concluded, as the actual proprietors of the land'.<sup>49</sup> This 'mistake' (which was now admitted) 'and the habit which has grown out of it of considering the payments of the ryots as rent instead of revenue', were regarded as having 'produced all the evils', and as having 'introduced much confusion into the whole subject of landed tenures'.<sup>50</sup> It was now recognized that these 'mistakes have given a specious colour to the pretensions of the zamindars in acting towards persons of the other classes, as if they, the zamindars, really were, in the ordinary sense of the word, the proprietors of the land, and as if the ryots had no permanent right but what they derived from them'.<sup>51</sup>

This 'misconception' in regard to rights of property was now acknowledged to have vitiated all settlements, whether of lands in

<sup>48</sup> Ibid.

<sup>49</sup> Revenue letter to Bengal, 15 January 1819, para. 54 in *East India Selections*, Vol. I, p. 360; also see Lord Hastings' Minute, 21 September 1815, in *Revenue Selections (1818-1820)*, p. 342.

<sup>50</sup> *Revenue Selections (1818-1820)*, p. 361.

<sup>51</sup> Ibid., p. 361.

*jagirdari*, *muqarrari* and *istamrari* tenures, or of lands belonging to *rajas* and *taluqdars*.<sup>52</sup> It was also recognized that this 'mistake' had been committed even in those parts of the country where revenue settlements had been made in the name of one person for one village only. Although, admittedly, he was only one of the many to whom the lands of the village belonged, he was recognized as the sole proprietor of the total lands of the village according to the British settlement regulations.

All the evils necessarily flowing from these 'mistakes' and 'misconceptions' were also recognized. It was realized that 'by merging all village rights, whether of property or of occupancy, in the all-devouring recognition of the zamindar's permanent property in the soil',<sup>53</sup> the British Government had left in jeopardy the rights of all the other classes and the rights of former cultivating proprietors had been allowed under the regulations to pass away *sub-silentio*.<sup>54</sup> As a result the class of village proprietors had already been extinct in Bengal by 1815 and was in a 'train of annihilation' elsewhere.

Regarding the relations of the ryots with the zamindars the Bengal Government admitted that 'the institutions of the country are very imperfectly calculated to afford to them, in *practice*, that protection to which, on every ground, they are so fully entitled'.<sup>55</sup> The assumption at the time of the permanent settlement was that 'every beegha of land possessed by the ryots must have been cultivated under an express or implied agreement',<sup>56</sup> and the zamindars were merely directed by the *patta* (lease deed) regulation (Regulation VIII of 1793) to consolidate all their demands upon the ryots and to tender them *pattas* (lease deeds), specifically stating the amount to be paid for the land they occupied. But the government had entirely neglected to define or limit the demand of the zamindar on the ryots. On the contrary, it was imagined that the reciprocal interests of the zamindars and the cultivators would always constrain them to amicable agreements.<sup>57</sup> There was no attempt to ascertain the rights of ryots and the established rates of rent paid by them. Even the office of the *qanungo* by

<sup>52</sup> *Ibid.*, p. 361-2.

<sup>53</sup> Minute by Edward Colebrooke, 12 July 1820, in *Revenue Selections (1818-1820)*, pp. 208-9.

<sup>54</sup> Lord Hastings' Minute, *op. cit.*, p. 346.

<sup>55</sup> Revenue Letter from Bengal, 7 October 1815, para. 9, in *Report of the Select Committee, 1832*, Appendix 91; also see Letter of Court of Directors, 29 August 1792 in *Fifth Report*, Vol. I, p. 85.

<sup>56</sup> Cornwallis' Minute, 3 February 1790, *Fifth Report*, Vol. II, p. 532.

<sup>57</sup> See A. D. Campbell, *op. cit.*, p. 16.

means of which such information could be collected was abolished while the *patwaris* became virtually the servants of the zamindars. The government only ordained that the disputes between the zamindars and the ryots were to be settled in the Courts of Law without indicating how the Courts were to determine their mutual relations.

The inevitable result was that the ryots had no protection against the exactions of the zamindars, 'to whose demands there were no prescribed limits'.<sup>58</sup> The zamindar offered the *patta* on his own terms, and if the ryot refused it, he was evicted. If he sought relief by a suit in the Court of Law he lost it because he had no means of proving that the demand of the zamindar was extortionate.<sup>59</sup> Thus, the failure of the Bengal Government to ascertain and record all rights, to register all holdings and all transfers and to prepare statements of all receipts by the zamindars and payments by the cultivators led to extensive and grievous oppression of the ryots.<sup>60</sup> The rights of heritable occupancy of the resident ryots, subject only to the payment of government revenue at specified rates, and the rights of the non-resident ryots to have their revenue rates determined by government were thus sacrificed.

Although the government had reserved the power (by Sec. 8, Regulation I, of 1793) 'to enact such regulations as it may think necessary for the protection and welfare of the . . . ryots and other cultivators of the soil', in fact this power was never exercised. On the contrary, the object of government in the subsequent laws passed after 1793 upto 1822 was 'to abrogate most of the laws in favour of the ryot, and to leave him . . . under no other protection for his tenure than the specific terms of the lease which he may hold', and the proprietors were declared competent to grant leases at any rent which they may deem conducive to their interests'.<sup>61</sup> It was also found that there was no reciprocity between the zamindars and the ryots. The zamindar wanted the ryots upon his own terms, and if he could not get these terms from the resident ryots who claimed a right to terms other than what he wanted, he could always replace them by other cultivators since 'such (was) the redundancy of the cultivating class, that there never (could) be a difficulty of procuring ryots, ready to engage on terms only just sufficient to secure them bare maintenance'.<sup>62</sup>

<sup>58</sup> Lord Hastings', Minute para. 143, *Revenue Selections* ), p. 342.

<sup>59</sup> *Ibid.*, para. 143, p. 342.

<sup>60</sup> George Campbell, *op. cit.*, p. 148.

<sup>61</sup> A. D. Campbell, *op. cit.*, p. 15.

<sup>62</sup> Lord Hastings' Minute, *op. cit.*, para. 147, p. 343.

The insecurity of the rights of cultivators arose not merely from the erroneous principle of 'declaring the zamindars as sole proprietors of land and by leaving their demands upon the ryots unexplained and undefined', but also from the principle of sale of lands for arrears of public revenue. In 1793, it had been declared that on the public sale of an estate for arrears, all existing engagements between the zamindar and the cultivators should stand cancelled from the day of the sale, the purchaser being at liberty to enter into new engagements according to local rates, which were left undefined. By Regulation VII of 1793, the purchasers at public auctions were also given the right to eject any of the under-renters (cultivators) whose leases were annulled, without any application to the Court. The result was that the purchasers of landed property generally preferred buying at a public auction than at a private sale which conferred no such advantage. They generally took advantage of this law to oust from their fields the resident ryots possessing a right to terms independently of them, and to replace them by others dependent on their own will, who consented to higher terms.<sup>63</sup>

Moreover, the public sale of any village for arrears of revenue conveyed to its purchaser the right of property in the lands, not merely of the defaulting village zamindars, but also of the entire land of the village including also the land of such cultivating proprietors as might have paid their assessment in full to the defaulting village zamindars. The right to eject such cultivating proprietors which was conferred on the purchasers only hastened the destruction of their rights.<sup>64</sup>

Another injustice flowing from the indefiniteness of rights related to the great inequalities of the incidence of land revenue on different estates and individuals. Some estates with a very large extent of wasteland were in the course of time improved so much that the revenue assessment became very light, as compared with the incidence of land revenue on estates in which the extent of wasteland was much less or the alternative resources were not so developed.

In view of all these errors, and injustices of the Bengal Permanent Settlement, it was realized that the government had failed 'in the grand object of converting the zamindars of India into a landed aristocracy', and in 'rendering their demands upon the ryots permanent in spite of having fixed its own on the zamindars in perpetuity'. It had also created a difficult situation for itself because no attempt was

<sup>63</sup> A. D. Campbell, *op. cit.*, p. 18.

<sup>64</sup> *Ibid.*, p. 18.

made to ascertain, define, record and protect the rights of different classes in the agricultural community, as it found them on the eve of the British rule.

As regards economic consequences,<sup>65</sup> the permanent settlement 'deprived every other class but the large proprietors who engaged with government of any share in the profits of land'.<sup>66</sup> It also succeeded in encouraging a large number of monied men to invest their liquid capital in landholding.<sup>67</sup> It was also accompanied by the extension of cultivation on wasteland.<sup>68</sup> But extension of cultivation was by no means the effect of it.<sup>69</sup> The permanent settlement failed to demonstrate that zamindars were, by and large, interested either in promoting the prosperity of their subordinate tenantry or in improving cultivation on their estates by investing their capital. They proved to be extravagant and careless. One of the Bengal officers reported: 'I have never seen or heard of a zamindar in Bengal, who took any measures for the improvement of his estate on a large and liberal scale. Landholders do not carry their views beyond granting wastelands on the terms which are customary in the *pargana*; they hardly ever encourage cultivation by digging a tank or making advances to the ryot.'<sup>70</sup> On the contrary, it was reported by the Board of Revenue that only 'the ryots generally clear and cultivate the lands at their own expense'.<sup>71</sup> The period of exemption from rent may, in some instances, exceed that specified in the zamindar's grant, but the expense generally speaking, falls on the ryot.<sup>72</sup> And this was their record in spite of the fact that the rental of the zamindars had been almost doubled within the decade after the

<sup>65</sup> See Hastings' Minute, para. 158-68, pp. 345-7.

<sup>66</sup> Lord Hastings, para. 148, p. 343.

<sup>67</sup> N. K. Sinha, op. cit., p. 4-5; also *Fifth Report*, Vol. I, p. 101.

<sup>68</sup> A. D. Campbell, op. cit., p. 33.

<sup>69</sup> *Ibid.*, p. 33.

<sup>70</sup> Revenue Letter to Bengal dated 9 May 1821, *Report of the Select Committee, 1832*, Appendix, p. 103.

<sup>71</sup> A. D. Campbell, op. cit., p. 33.

<sup>72</sup> *Ibid.* Also see Letter of the Board of Commissioners in Bihar and Banaras, 8 March 1822, to the Bengal Government in *East India Selections*, Vol. III, p. 304. The Board wrote, 'we cannot... acquiesce in the assertion of capital, or the gains of the Sudder Malguzar being laid out in agricultural improvements. It is the labour and industry of the Ryots, frequently in opposition to the Sudder Malguzar, which has brought the country into its present state of cultivation. Wells are dug in most soils by the labour, and often times by the money of the cultivator. In tracts of the country, whose wells require cylinders of masonry or wood, the zamindars do not increase the fertility by an outlay... We doubt whether a single well entailing a considerable outlay will be found to have been dug and constructed by the zamindars under the British Government...'

declaration of the Bengal Permanent Settlement.<sup>73</sup>

The fact remained that the entire economic surplus, yielded by land, and appropriated by the zamindars, was not utilized for investment in the improvement of land. The government by having sacrificed increment of revenue in future had not succeeded in making the landowners the instrument of agricultural development. It was therefore felt that if this sacrifice were made in favour of the cultivating ryots it would probably have been far more productive. It was argued that when a remission or reduction in land revenue was granted to the occupant proprietors holding land directly from the government, it immediately augmented 'agricultural stock', and was applied to the improvement of the land, and the support of productive industry, eventually returning, like money lent at interest, ample profits to the State exchequer. The British rulers, therefore, veered round to the view that protecting the occupant proprietors from the zamindars' oppression and exactions, and maintaining them in their tenures was a paramount duty of the British Government. It was only by such a course that the accumulation of capital amongst the industrious middle class of India, viz., the yeomanry, could be fostered.<sup>74</sup>

It must be noted, however, that such a view was formulated only after the system of *ryotwar* settlement had been successfully established in Madras. In the Ceded and Conquered Provinces village communities had been found to exist as 'living' and 'acting' institutions unlike in Bengal. This fact combined with the success of the Madras experiment brought about a most pronounced change in the opinions and policies of the Home authorities on the question of settlements in the Ceded and Conquered Provinces. Later on between 1819 and 1833 the influence of Utilitarians, particularly of James Mill, and that of classical political economy, especially of the law of rent, operated in the same direction and tended to give the revenue policy an entirely new orientation. In the remaining part of this chapter we shall try to trace these influences in greater detail.

<sup>73</sup> A. D. Campbell, *op. cit.*, p. 15.

<sup>74</sup> *Ibid.*, p. 33.

## Chapter Three

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# The Land-Revenue Systems of the North-Western Provinces and Bombay Deccan 1830–80: Ideology and the Official Mind

ERIC STOKES

The gap between profession and performance, between intention and achievement, is so wide in the first phase of conscious modernisation that historians have traditionally sought to explain it away. The British were deflected from their initial purposes, they argue, because of insistent problems of external and internal security which beset them between 1836 and 1860. Outside the ring fence, the Afghan war, the annexation of Sind, the Sikh wars, the Burmese war, the Persian expedition; within, the Gwalior rebellion, the Bundela rising, the Sonthal disturbances, and finally the crisis of the Mutiny—these, we are told, absorbed the attention and financial resources that might have been devoted to economic development and administrative reform. Hence the twenty to thirty year delay between Bentinck's education resolution of 1835 and its translation into effective action, between Macaulay's published draft of 1837 and the passing of the Indian Penal Code in 1860, between Bentinck's paper plans and the actuality of rapid steam and rail communication in the 1870s. Today we look more cynically at statements of grandiose planning objectives. In the absence of capital investment from overseas what prospects of success were truly within the reach of a colonial government which, with the abolition of the East India Company's commercial functions in 1834, was finally stripped of those direct powers of intervention in the economy which it had previously wielded through bulk government purchasing of commodities?<sup>1</sup> In 1861 at the end of the first

<sup>1</sup> Cf. the regret later expressed by the board of revenue at the decline of cotton culti-

modernizing phase, J. W. B. Money in *Java or How to Manage a Colony* pointed out the much greater comparative success of the Dutch in furthering material development because of the direct exercise of such commercial functions by the State. Indeed one may share something of the suspicion harboured by the European mercantile community concerning the dominance of non-commercial objectives over British official policy. By the complete separation of government from commerce there was serious danger of reinforcing those retrogressive tendencies that Schumpeter was later to define as the true essence of imperialism. That is to say, the separation of functions confirmed the isolation of the power apparatus and encouraged it to pursue its own autonomous goals. As a military machine insatiable for revenue its constant tendency had been overextension of dominion and an obsessive concern for external security at the expense of internal development. It is not implausible to suggest that this remained a pervasive if concealed official attitude at the higher political level for much longer than is usually allowed, and that the Bentinck period constituted only a brief interruption of the prevailing mood whose representative figures remained Ellenborough and Palmerston. Indeed nothing could be more ironic than the fact that Palmerston's celebrated formulation of 'the imperialism of free trade'—'It is the business of government to open and secure the roads for the merchant'—should have been uttered in order to nerve Auckland to plunge still deeper into the Central Asian wastelands where the prospects for British commerce were negligible.<sup>2</sup>

Whether economic development or the pursuit of power formed the first priority of the 'official mind' in its upper reaches was a speculative issue contrasted with the immediate financial exigencies of the Raj over which there could be no dispute. For on any reckoning these exigencies imposed the severest constraints on what direct governmental action could effect in promoting modernisation, even in the restricted sphere in which it was now allowed to function. In Bentinck's time the North-Western Provinces were quickly marked out as possessing the most aggressive and modernising of Indian

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vation following the ending of the Company's investment and the winding up of the commercial residency in Bundelkhand; *Selections from the Records of Government N. W. Provinces*, iv, pt xxxvii (Allahabad, 1862), pp. 66 ff.

<sup>2</sup> Palmerston to Auckland, 22 Jan. 1841; cited R. Robinson and J. A. Gallagher, *Africa and the Victorians* (London, 1961), p. 5. Palmerston elaborated on the dictum and held out extravagant hopes of trade beyond the Indus, *Parliamentary Debates*, LXV (1842), cols. 1262 ff. How far this was his real motive is another matter.

provincial administrations; yet R. M. Bird, one of its formative minds, had no illusions as to where priorities lay. In his own words the British government from its nature and position had been, was, and must be an expensive government to India:

the Government must draw from the country as large an income as its resources can be safely made to bear. The necessity of keeping up a large Army for external defence and to deter the disaffected from, or repress attempts at internal treachery and tumult, it is enough to mention. I myself very conscientiously believe that the future good of India depends on the continuance of British rule. But in order to do the very good which I trust Britain is destined to effect for India she must for a long time continue to press on the resources of India.<sup>3</sup>

Given the pressure for free trade from European mercantile interests there could be no question of easing the burden of taxation on the land by a system of high revenue tariffs on internal and external commerce. Ironically the British were compelled to outdo traditional Indian governments in their reliance upon land revenue. How then could such iron financial constraints be reconciled with the extravagant hopes for modernisation and economic development that characterised the 1820s and 1830s? One answer lay in the rent doctrine which James Mill worked so hard to promulgate and enforce. It may be as well briefly to rehearse its argument. So long as the public revenue of a country could be raised from the 'unearned increment' of rent, taxation had no effect on profits, wages or prices and hence in no way interfered with economic growth. In India there was every case, therefore, for sustaining a heavy-revenue demand on the condition that it was kept within the limits prescribed by political economy. Now this might seem merely to be making virtue of necessity, but the policy of siphoning off the 'agricultural surplus' for capital formation and development purposes by a high tax on rent (or net produce) has found much to commend it in the experience of Japan and the teaching of modern development economists.<sup>4</sup> Despite the doubts and qualifications contemporaries voiced over its theoretical and practical applicability to Indian conditions, the rent doctrine was enshrined as the

<sup>3</sup> R. M. Bird, *Minute*, 31 Jan. 1840, para. 15; N. W. Provinces Board of Revenue Proceedings, Range 222/68, 31 Jan. 1840.

<sup>4</sup> Cf. H. T. Oshima, 'Meiji Fiscal Policy and Agricultural Progress', in W. W. Lockwood (ed.), *The State and Economic Enterprise in Japan* (Princeton, 1965). Ursula Hicks, *Development from Below* (Oxford, 1961), p. 330. R. M. Bird, *Taxing Agricultural Land in Developing Countries* (Cambridge, Mass., 1974).

official theory of the land revenue and was never formally discarded. While James Mill's views on the desirability of absorbing the entire natural rental of the soil in taxation were never accepted, the land revenue was authoritatively stated to be a share of the rent. The proportion was steadily lowered, from nine-tenths (or more strictly ten-elevenths) in the first two decades of the nineteenth century, to two-thirds in 1833, half in 1855, and two-fifths in 1925; so that eventually even in the ryotwar provinces of Madras and Bombay it was deemed politic to disown the eminent domain of the State over the land and acknowledge that the Indian land revenue was simply a tax and not a form of rent.

Adherence to the rent doctrine was the product of official fiat from on high. James Mill's notion of absorbing the whole rent so as to prevent private rent property from emerging received little countenance, but the doctrine that the assessment must be fixed on the soil according to its differential fertility, and not levied on the particular crop as a share of the gross produce, ranged behind it the powerful interests of Lancashire, whose spokesmen made constant complaint that cotton cultivation was being unfairly taxed. Despatch after despatch issued from London in the 1820s and 1830s enforcing the correct assessment principle, eventually becoming so peremptory that Auckland's government in 1838 promised absolute and immediate compliance. The home authorities believed that henceforth they had a cast-iron defence against any charge that the heavy pitch of the assessment or the mode of assessment was damaging India's economic growth, and in evidence before the Commons committee on the growth of cotton in 1848 the East India Company's witnesses were able to silence their critics triumphantly by brandishing the rent doctrine. The laggard Madras government was brought sharply into line when it set about revising its ryotwar system in 1855, the proposal to base the demand on a proportion of the gross produce calling forth from London another authoritative lesson in political economy.<sup>5</sup>

Yet the gap between theory and practice in the land revenue system yawns so widely that—discounting the possibility of official hypocrisy—the impression of double-think and double-speak as a defining characteristic of the official mind of the time is powerfully reinforced. Even in the scattered attempts in the 1820s to calculate rent as the net produce (by measuring out-turn and costs of production on different

<sup>5</sup> For a more extended account see Stokes, *The English Utilitarians and India* (Oxford, 1959), pp. 81–139.

soils) the theoretical criterion was employed as no more than a check on the assessment and a means of equalising its distribution. As James Mill was the first to acknowledge the overall revenue demand was fixed primarily on a settlement officer's judgement of what an area or village could reasonably pay in the light of its past revenue history. In the revised systems of the 1830s in both Bombay and the N. W. Provinces the pragmatic method in fixing the assessment was still further strengthened, the element of greater scientific precision being reserved for the survey of the holdings area and the classification of soil qualities. In Bombay all attempt at proportioning the assessment to natural rent was explicitly abandoned; in the N. W. Provinces competition tenant-at-will payments were allowed only a minor role in the calculation of the so-called rental assets. Yet paradoxically George Wingate even more emphatically than James Thomason remained convinced the correctness of the rent theory and of its applicability to the Indian land revenue.<sup>6</sup>

The discrepancy manifest on the practical side also obtruded in the realm of theory. In 1831, in the same year as James Mill, the Company's chief executive officer, was making his authoritative affirmation of the applicability of the Ricardian rent theory to India, Richard Jones published his *Essays on the Distribution of Wealth*. For his work on peasant rents Jones was appointed Malthus' successor as Professor of Political Economy at Haileybury in 1835. His ideas represented an important and disturbing challenge to the classical economic teaching. In the Ricardian formulation capital employed at the margin of cultivation merely returned the wages of labour and ordinary rate of profit; it was the differential increment earned by all other soils of superior fertility that constituted rent. Rent rose as poorer soils were brought into cultivation and was determined by the cost of production at the margin and not by competition. What regulated the position of the margin was the relative proportion between capital and population. Now Jones argued that this classical analysis had relevance only to a capitalist system of farming where labour, capital, and ownership of land had been separated out as distinct factors and possessed complete mobility. Peasant rents were differently determined since there was no capitalist farmer intervening between the labourer and the landlord. In India the peasant was a subsistence farmer in the position of a labourer forced to raise his wages from the soil or starve. Where the State, by virtue of a high land-revenue demand, was in effect a universal

<sup>6</sup> *Ibid.*, pp. 127-8.

landlord, or where population pressure created competition among ryots for land, the whole of the produce could be exacted as rent except for the ryot's bare subsistence. Under these conditions peasant agriculture was kept confined to the better soils and yielded negligible profits, the only source of capital accumulation and economic growth. As J. S. Mill later explained the contrast:

The effect, therefore of this [cottier] tenure is to bring the principle of population to act directly on the land, and not, as in England, on capital. Rent, in this state of things, depends on the proportion between population and land. As the land is a fixed quantity, while the population has an unlimited power of increase; unless something checks that increase, the competition for land soon forces up rent to the highest point, consistent with keeping the population alive. The effects, therefore, of cottier tenure depend on the extent to which the capacity of the population to increase is controlled, either by custom, by individual prudence, or by starvation and disease.<sup>7</sup>

Despite his recognition of the importance of Jones' theory of peasant rents J. S. Mill as late as 1858 (in his defence of the East India Company) could reiterate his father's argument that so long as the land revenue was kept within the limits of rent the economy was left unaffected:

Where the original right of the State to the land of the country has been reserved, and its natural, but no more than its natural, rent made available to meet the public expenditure, the people may be said to be so far untaxed: because the Government only takes from them as a tax, what they would have otherwise have paid as a rent to a private landlord. This proposition undoubtedly requires modification in the case of a ryot or peasant cultivating his own land; but even in his case, if the Government demand does not exceed the amount which the land could pay as rent if let to a solvent tenant (that is, the price of its peculiar advantages of fertility or situation), the Government only reserves to itself, instead of conceding to the cultivator, the profit of a kind of natural monopoly, leaving to him the same reward of his labour and capital which is obtained by the remainder of the industrious population. Any amount whatever of revenue, therefore, derived from the rent of land, cannot be regarded, generally speaking, as a burthen on the tax-paying community.<sup>8</sup>

Now it is true that whatever assessment was laid upon land under a system of cottier tenancy, all soils above the margin of cultivation would still theoretically yield a differential increment constituting a

<sup>7</sup> J. S. Mill, *Principles of Political Economy*, 5th edn (London, 1962), i, p. 368.

<sup>8</sup> [J. S. Mill], *Memorandum of the Improvements in the Administration of India during the Last Thirty Years* (London, 1858), cited Stokes, *English Utilitarians*, pp. 136-7.

type of rent. But this would be far from a 'natural rent' if the assessment were excessive. Even if marginal land were zero-rated and the assessment was duly graduated to allow for soil and other advantages, rent measured from the margin would exceed 'natural rent' since marginal cultivation would yield only a bare subsistence return instead of 'normal' wages plus the ordinary rate of profit on capital. Equally, if competition rents were taken as the measure of 'natural rent' the result would be erroneous and excessive, unless the 'solvent tenant' spoken of by Mill were a capitalist farmer, a possibility he had ruled out by definition.

This ambiguity surrounding the concept of rent in peasant agriculture was reflected in the writing of lesser apologists of the Indian revenue system. John Thornton's celebrated account of the *mahalwar* system of the North-Western Provinces in the *Calcutta Review* of 1849 is typical. When the East India Company furnished information on the revenue system for the defence of its charter in 1853 Thornton's article was reprinted in the massive parliamentary blue-book devoted to the subject:

Those who assert that the cotton and sugar of India are kept out of European markets by the pressure of the land-tax must be entirely ignorant of the nature of that tax. . . . It is acknowledged on all hands that rent, as generated and regulated in England produces no effect on the price of agricultural produce. That price is influenced from time to time by the demand as compared with the supply, but is determined in the long run by the expense of production on the worst soils; and it is the value of this produce thus fixed which enables the better soils to yield rent. It is the same in India; although it is true, as Professor Jones has shown, that the conditions attaching to the amount and origin of rent are not precisely the same here as in England. The only difference between the principles which regulate the price of raw produce in the two countries is this: in England, the average price must be such as to afford the usual wages to the labourer, and the usual profits of stock to the farmer, upon the least productive lands, which the wants of the nation require to be kept in cultivation. In India, the labourer and the farmer are generally the same individual; there is no fixed standard for the rate of wages or of profits; and the mass of the people, having no resource except agriculture, are more liable to undue exaction than elsewhere. Still the price of produce must at least be such as to enable the cultivator to subsist, and to replace the little capital necessary for his operations. In both countries there are lands which are barely fertile enough to fulfil these respective conditions . . . and such land can, therefore, yield little or no rent. In neither can the rent, which the superior fertility of other lands enables them to yield, in any way influence the price of produce, this having been already determined on other grounds.

Thornton omitted entirely to deal with the argument that 'undue exaction' by the State could lead to ryot rents in excess of the economic rent, thus affecting the cost of production and the selling price, and so checking output. He cheerfully concluded:

If, then, the fact of the payment of rent (it matters not whether to the Government or a private proprietor) can in no degree affect the price of raw produce, it is still more certain that the demand by the state of only a portion of the natural rent can exercise no such influence. It has been seen that the revenue is limited in the North-Western Provinces to about two-thirds of the gross rent, and that it is often much less.<sup>9</sup>

Jones' argument had been neatly shuffled off, the applicability of the classic rent theory to India tacitly assumed, and the claim boldly asserted that the land revenue demand fell under two-thirds of the economic rent.

The adoption of this posture was the more extraordinary in that—as Wingate and Goldsmith observed—the pragmatic element in fixing the revenue was dominant, and assessment practice of the North-Western Provinces differed little in this respect from the Bombay system in which all pretence at employing a theoretical criterion had been expressly abandoned. For the North-Western Province 'aggregate-to-detail' method started out by fixing a provisional revenue demand on a homogeneous tract as a whole. According to Thornton's account there were three ways of doing this. By far the most important was to review the tract's revenue history over the previous twenty years so that the settlement officer was able to judge within narrow limits what his future demand should be. The second way of arriving at an overall figure was to examine the revenue history of each constituent village, especially if the tract exhibited considerable internal variety in this respect. From what appeared to be on a comparative view a fair assessment for each village or 'estate' (*mahal*) an aggregate sum could be fixed for the tract as a whole. The third mode was 'by inquiring into the prevalent rates of rent, or into the rate at which the revenue falls on the particular villages known to be fairly assessed. These rates when applied to the *pergunnah* area will give a proximate rental or *jumma* for the whole'.<sup>10</sup> Having decided on an aggregate *jama* or revenue demand, the sum was then distributed over individual villages. The simplest method was to strike revenue rates for each main soil quality and see how these fell on each village. When, however,

<sup>9</sup> *Parliamentary Papers 1852-3*, lxxv, p. 484.

<sup>10</sup> *Ibid.*, p. 364.

average rent rates had also been calculated and a pargana rental formed from them, the revenue rates would be framed in the same proportion as the pargana jama bore to the pargana rental. The use of rent rates was not indispensable, Thornton acknowledged, and chief reliance continued to be placed on the careful distribution of an overall sum that was determined on general considerations. Even then there was an ambiguity in employing the concept of rent against which Metcalfe had long ago inveighed: 'We make a jumble between revenue and rent, when the plain intelligible thing to be ascertained is the Government share of the produce.'<sup>11</sup> For the term 'gross rental assets' had long been used to denote the aggregate revenue payments of subordinate cultivators together with a proportionate addition for owner cultivation (*sir*). Such a meaning of rental assets was very different from the full letting value of the entire holdings areas as calculated from competition rates paid in the portion held by *pahi* and *ghaior maurusi* (tenant-at-will) cultivators on annual agreements. Thornton rather hesitantly acknowledged that the most satisfactory method was to frame the assessment of an estate on 'the actual rents paid by the cultivators to the proprietors, or at least . . . the rate at which these rents are calculated'. But even then the typicality of such rates would need to be tested against the average rates in the pargana to see whether the assessment fell too lightly or too heavily.

The problems in following out the official plan of settlement were to be seen in Agra where G. C. Mansel did his best to observe the board of revenue's injunctions. In the parliamentary blue-book of 1853 his settlement report was printed along with Edward Thornton's on Muzaffarnagar presumably in order to supply illustrations of the most approved practice. Mansel's first step was to decide straight away on a total demand for the district purely on general considerations of its recent revenue history; in fact he chose a mean figure mid-way between those of the two previous settlements, thus giving an overall reduction. In the Ferozabad pargana he made very effort to work the board's system of pargana rent assets and deduced revenue rates. Having marked off the pargana into four tracts (*chaks*) of differing degrees of productiveness, he drew out specimen rent rates for six soil qualities (further subdivided into irrigated and unirrigated) from an analysis of several estates in average and superior cultivation. In three chaks the revenue was simply deduced as two-thirds of the rent rates,

<sup>11</sup> C. T. Metcalfe, Minute, 7 Nov. 1830; *Selections from the Revenue Records N. W. Provinces 1822-1823* (Allahabad, 1872), p. 214.

and in the poorest chak at one half. Mansel was lucky to find that the jama obtained by these revenue rates apparently corresponded closely to those obtained by distributing his assumed demand. Yet it was evident that in the other parganas the method failed to work. Here meaningful average rent rates proved impossible to ascertain, so that he fell back on distributing the old demand as an acre rate on the cultivation of each village and comparing it with the acre rate of a test village known to be fairly assessed.

In Saharanpur Edward Thornton calculated rent rates for different soils by an elaborate conversion of grain payments, but he fixed the demand as an overall sum and 'deduced' his revenue rates from it irrespective of the rent rates, except to use the ratio they bore to one another on different soils to establish the corresponding ratio of the revenue rates. In Muzaffarnagar he was bolder and derived his revenue directly from ascertained average rent rates, simply by making a deduction of 35%. Yet the application of these rates was far from automatic, and the final demand on an estate was adjusted according to the percentage of highly manured soil (*meesun*) and the extent of the cultivable waste.<sup>12</sup> Edmondstone followed a largely similar procedure in Mainpuri, first arriving at a pargana demand, deducting revenue rates from it, and then comparing the results of the application of these rates to those arrived at by ascertaining average rent rates and deducting 30% and 35% from them.<sup>13</sup> This was the most general and approved method. Some settlement officers, like C. Allen in the Jalesur pargana of Mathura (Muttra), were punctilious in observing the fiction of landlord and tenant, refusing to interfere in the settlement of subordinate cultivators' payments.<sup>14</sup> Yet in an over-assessed district like Kanpur (Cawnpore) the notion that the cultivators' payments represented some sort of free will bargain with the *malguzars* had 'not infrequently' to be jettisoned. H. Rose found that even the lowest rent rates were often not sufficiently moderate to allow him to deduce fair revenue rates from them. In these cases he 'discarded the rent rates entirely, and fixed my revenue rates with reference to those which had been found applicable in similar divisions of this or neighbouring districts'.<sup>15</sup> In Bareilly the young J. W. Muir found that rent rates were 'only useful as a check on the general revenue rates [deduced

<sup>12</sup> *Reports of the Revenue Settlement of the N. W. Provinces under Regulation IX, 1833* (Benares, 1862), i, pp. 67 ff. 126 ff.

<sup>13</sup> *Ibid.*, ii, pt I (Benares, 1863), pp. 110 ff.

<sup>14</sup> *Ibid.*, p. 85.

<sup>15</sup> *Ibid.*, p. 368.

from a provisional aggregate demand], which from all the experience I have had I consider a much more safe and useful standard for the purpose of assessment'.<sup>16</sup> From his study of the settlement of a portion of Gorakhpur John Rosselli has concluded: 'The impression is hard to resist that even so meticulous and hard-driving an officer as Armstrong used rent theory language as a conventional front while he used traditional rough and ready means to get the work of settlement done.'<sup>17</sup>

There was nothing new about calculating what the British called gross rent, and the board's system blended imperceptibly into older traditional practice. The tahsildar, the *kanungo* or the *peishkar* had always submitted their *douls*, *nikasis*, and *jamabandis* to estimate the gross receipts of the revenue-engagers (malguzars), and the method of using average village and pargana rent rates to frame these estimates was also well-established. What was new was the generalisation of rates over much larger groups of villages. The chief purpose of rent and revenue rates lay in achieving greater equality in the incidence of the demand for similarly-circumstanced villages rather than to found the assessment on novel theoretical principles. They also permitted a vast acceleration in settlement procedure compared with the old village-by-village settlement pursued before Regulation IX, 1833.

Yet the board of revenue were insistent that they had not reverted to haphazard conjecture for framing the assessment, and claimed instead to be more truly scientific than their predecessors who had

<sup>16</sup> *Ibid.*, i, 575.

<sup>17</sup> John Rosselli, 'Theory and Practice in N. India', *Indian Economic and Social History Review*, 8 (1971) pp. 141-2. It should be said that not only was Gorakhpur untypical as a district, but that Armstrong's work was carried out between 1829 and 1834 when the detailed methods of Regulation VII, 1822, had become discredited and before the board's circular orders prescribing the use of average or standard rent rates had been promulgated in 1835. Other historians who have questioned the influence of the rent theory on revenue policy and practice have confined their attention to settlements carried out under Regulation VII, 1822, rather than under Regulation IX, 1833; cf. Imtiaz Husain, *Land Revenue Policy in N. India—The Ceded and Conquered Provinces, 1801-33* (Calcutta and New Delhi, 1967), pp. 151 ff., 251 ff. A. Siddiqi 'Agrarian Depression in Uttar Pradesh, 1828-33', *I.E.S.H.R.*, 6 (1969), p. 177. A. Siddiqi, *Agrarian Change in a North Indian State* (Oxford, 1973), pp. 182 ff. The depreciation of the importance of the 'net produce' criterion can be carried too far. The board of revenue described it as 'one favourite method of proceeding under the former settlement [of Reg. VII, 1822]' *Circular Order by the Sudder Board of Revenue N. W. Provinces on the Subject of Settlements* (Calcutta, 1839), p. 28, para. iii (I.O.R., List 56 (90)).

favoured ascertaining rent by calculations of output and costs of production. The assessment procedure, they argued, in 1839, proceeded systematically: firstly, an accurate survey and classification; secondly, 'there is a rate of rent as carefully deduced and applied to the area as the nature of such an operation will admit'; thirdly, a classification of different villages formed on the ascertainment of the rates of rent and productive powers of each class; fourthly, a reference to past records and general information; fifthly, a deduction of rental and jama from the comparison of all these particulars; sixthly, a comparison of this jama with that hitherto demanded; and seventhly a distribution of the newly assessed jama in detail on each *mauza*. 'What the Board wish to establish is that it is not the mere ascertainment of insulated facts [*viz.* net produce calculations], however laboriously sought after, and accurately ascertained, that will give true results; but these facts must be collated, and the conclusion tested on true statistic and economic principles before they can afford a safe guide to political arrangements.'<sup>18</sup> For all its readiness 'to force on notice the existing state of things, not to force the introduction of a new state', the official mind claimed all the lights of modern scientific method and principle for the revenue system. Simply because it was appreciated that modern economic theory could not be translated directly into practice we must not, therefore, conclude that ideology did not remain an important ingredient in official thinking.

The notion that tradition and modernity could be harmoniously blended was the leitmotif of James Thomason's political philosophy. He was the architect of the finished system of the north-west and gave it codified form in his *Directions for Revenue Officers*. Speaking at the opening of the Benares New College in 1853, Thomason pointed to the work of Principal Ballantyne in grafting English on to Hindu philosophy.

In following this course he acted in consonance with the whole character of our administration in this country. We have not swept over the country like a torrent, destroying all that it found, and leaving nothing but what itself deposited. Our course has rather been that of a gently swelling inundation, which leaves the former surface undisturbed and spreads over it a richer mould, from which the vegetation may derive a new verdure, and a landscape that was unknown before. Such has been our course in the Civil Administration. In our systems of Police, of Civil and Criminal Justice and of Revenue management, we first examined the existing systems, retained whatever of them we

<sup>18</sup> *Ibid.*, paras. 102-103.

found to be right and just, and then engrafted on this basis new maxims derived from our Institutions. And thus we have succeeded in forming a system which is generally admitted to have been easy in its operation, and happy in its effect.<sup>19</sup>

This happy eclecticism extended to the theory of the revenue and involved an unconscious sleight of hand. In his authoritative *Directions for Settlement Officers* Thomason had stated that it was desirable that government should not demand more than two-thirds of the net produce. 'By net produce is meant the surplus which the estate may yield, after deducting the expenses of cultivation, including the profits of stock and wages of labour and this, in an estate held entirely by cultivating proprietors will be the profit on their seer cultivation, but in an estate held by a non-cultivating proprietor, and leased out to cultivators of asamees, paying at a known rate, will be the gross rental' (para 52). Having thus defined the net produce or rent in terms of the classical rent theory he had without *arrière pensée* equated it with the aggregate of actual cultivators' payments. In para. 73 he further shifted or widened the definition: 'The value assumed at average rent rates is what has been called net produce in para. 52, and is the amount the estate is supposed to yield to the owner. The value assumed at deduced revenue rates... is the portion of the above net produce which the Government is entitled to claim, and should be formed by deducting one third from the total.' From actual receipts Thomason had proceeded to rental or letting value using average rates, a shift that could imply the potential value of the land according to competition tenant-at-will rates. To crown his eclecticism, in the prefatory *Directions for Revenue Officers* (August, 1849) Thomason adopted Jones' definition of rent and explicitly referred to his authority: 'By net produce or rent is meant the ryot or produce rent, paid by labourers, raising their wages from the soil.'<sup>20</sup>

Thomason's subtle and careful mind was able to commute easily between the world of Western legal categories and the complex polymorphic structures of Indian agrarian society. But the act of translation implied a surgical violence of which Thomason was unaware or accepted with a clinical fatalism. One of the chief features of the mouzawar or more strictly mahalwar system of the North-Western Provinces, he claimed, was that 'it professes to alter nothing, but only to maintain and place on record what it finds to exist'. Yet from the

<sup>19</sup> *Sels. Recs. Govt. N.W.P.*, 2nd ser. i, pt i (1868).

<sup>20</sup> *P.P. 1852-3*, lxxv, p. 5.

very act of definition sprang the feature of the system which he acknowledged that the people least understood, and yet was essential to the attainment of the objects contemplated by the system. This was the compulsory alienation of landed property in satisfaction of private debt under a civil court decree or in liquidation of the land-revenue demand. 'Abstractedly considered, this is the just and necessary result of the definite property in land which is created by the system, but it is a process unknown to the Native Governments from the very absence of the recognition of all fixed rights.'<sup>21</sup>

When talking of 'property' Thomason was employing the conventional double-speak of British legal and administrative terminology in conflating the revenue-engagement right or *malguzari* title with physical dominion over the land and its cultivators. Up until the Mutiny, however, the legal connotation of 'landlord' had effective reference only to the first of these attributes. Even so, transfers of the *malguzari* title caused mounting concern. Before Thomason became Lieutenant-Governor in 1843 the administration had shown little hesitation in bringing titles to public sale for revenue arrears despite all the official lamentations over sales ever since the early decades. The sale process was resorted to for the purpose not merely of bringing the *taluqs* of Etawah and elsewhere tumbling down but was also regarded as a healthy discipline for improving village communities. In Aligarh district between 1839 and 1848 title to some 95,000 acres was transferred by compulsory revenue process, more than a tenth of the cultivated area.<sup>22</sup> Thomason sought to moderate and assuage the harsher aspects of change, multiplying directives to minimise compulsory transfer and the legal dissolution of joint responsibility among village coparceners. But the problem was soon outstripped by the far greater volume of transfer created by mortgage foreclosure and decrees for the satisfaction of private debt. In 1854 the board of revenue commented: 'In no country in the world probably do landed tenures so certainly, constantly and extensively change hands. These mutations are effecting a rapid and complete revolution in the position of the ancient proprietors of the soil.'<sup>23</sup> Over this issue the British administration was to remain hopelessly divided and no remedial action was taken. In 1850 John Thornton, as revenue secretary, boasted

<sup>21</sup> *Ibid*, p. 9.

<sup>22</sup> E. A. Atkinson, *Gazetteer N.W.P.*, ii (Allahabad, 1875), p. 466.

<sup>23</sup> *Report by Sudder Board of Revenue on Revenue Administration of N.W.P. 1852-53* (Agra, 1854) (I.O.R. L5. V. pt 1), para. 14, p. 5.

of the advantage which the North-Western Provinces enjoyed over the Bombay ryotwar system in that it allowed 'the formation of large landed properties, the intermixture of which with smaller holdings is considered to be most desirable by the staunchest advocates of peasant proprietorship. . . . In these provinces when a man has gained a few thousand rupees by trade or otherwise, he can easily lay it out in the purchase of entire villages, or of large shares of contiguous estates, and this is the mode in which much of the accumulated capital of the country is annually invested.'<sup>24</sup> The formal inquiries made to collectors in 1854 concerning the extent of transfer to non-agricultural classes revealed apprehension about the strengthening grip of the money-lender, but faith in freedom of contract burned too strongly for any substantial body of opinion to emerge in favour of restricting the power of alienation. Renewed inquiries in 1859 after the Mutiny upheaval produced no different result.<sup>25</sup> It was recognised that to speak of land changing hands was largely a fiction and that transfer of title simply stripped the owner of his revenue-collecting rights over subordinate cultivators and left him in cultivating occupancy of his former home-farm or sir. The danger was that an increasing body of agricultural proprietors would be reduced to a condition of tenancy in subordination to men of capital. Yet this was regarded as no unmixed evil. The famine of 1860-1 demonstrated, according to Baird Smith, the importance of the insurance provided by a vast mass of valuable and freely convertible proprietary titles.<sup>26</sup> His prescription of a permanent settlement to raise property values still higher found an answering echo in a wide range of administrative opinion which felt that after so much turmoil the land needed test. A tax which fell as a minimum at half the rental assets, and pressed on a single section of the community, could not be permitted to increase, urged Baird Smith. There was every prospect that with a permanent settlement land would rise from its average level in 1861 of four to five years purchase of the government revenue to something like ten or twelve times that standard. Capital would then accumulate in the hands of the agricultural classes instead of merely in those of the moneylending and commercial classes.

<sup>24</sup> *P.P. 1852-3*, lxxxv, p. 442.

<sup>25</sup> 'Inquiry into the Frequency of Transfer of Proprietary Titles', *Sels. Recs. Govt. N.W.P.*, iv (Agra, 1854). 'Correspondence Regarding the Law of Land Sale', *Sels. Recs. Govt. India*, no. clv (Calcutta, 1879).

<sup>26</sup> R. Baird Smith, Report on Famine of 1860-1 in the N.W.P., *P.P. 1862*, xl.

The strains inherent in revenue policy were contained during the pre-Mutiny period. That was because no single one threatened to burst through the system's integument. The formal legal structure ran far ahead of reality, and fundamental change came slow and late. It was once supposed that Bentinck's administrative and revenue reforms ended the long era of fumbling experiment and ushered in a period of rapid and continuous progress. It is now clear that it was not until the end of the 1840s, when recurrent famine and severe revenue pressure were put behind, that progress became at all rapid and visible. From 1849 grain prices after oscillating since 1820 around a stationary mean at length assumed a pronounced and sustained upward trend.<sup>27</sup> Land values, or rather the values of *malguzari* titles, which were reckoned at no more than one and a third years' purchase of the revenue as late as 1837, had risen to three and a half years by 1848, and some five by 1861. Expansion of the cultivated area at last leapt ahead.<sup>28</sup> In view of the relative lateness of these developments administrative attention could remain almost exclusively centred on proprietary (or *malguzari*) rights, on the relative claims of *taluqdars* and village *pattidars*, and on the problems of undue transfer to non-agriculturalists. The underlying base made up of the mass of cultivating holders was not called into question. According to formal law the *malguzar* was a landlord drawing rents from his tenants. In practice he was more often than not a superior village agriculturalist in receipt of customary revenue payments from the other cultivators, the balance of which he used to reduce or eliminate the revenue demand on his own cultivating holding. R. M. Bird had sought in 1832 to give legal fixity to cultivator's payments for the term of settlement, but this had been rejected by Bentinck and his councillors on grounds of the impropriety of interfering between landlord and tenant. Yet the settlement record comprised in the *jamabandi* and reinforced by the weight of custom prove sufficient to secure the objects for which Bird had contended.<sup>29</sup>

It was in this way that so many of the crucial issues of principle had been kept happily suppressed. Thomason's codes sought to express

<sup>27</sup> For histogram of Farrukhabad grains' prices, and price graph of Bareilly, Agra, Ghaziabad, and Allahabad markets, *Permanent and Temporary Settlements N.W.P.* (Allahabad, 1872), pp. 64a-65a, 144a-145a.

<sup>28</sup> For Bombay see below, note 48. N.W.P. figures for the expansion of cultivation are much more approximate, cf. Auckland Colvin, *Memorandum on the Revision of Land Revenue Settlements in N.W.P.* (Calcutta, 1872), Appx iii.

<sup>29</sup> Colvin, *op. cit.*, p. 90. An account R. M. Bird's attempt in 1832 to secure fixing of cultivators' rents by law is given in Imtiaz Husain, *Land Revenue Policy*, pp. 197 ff.

the truth that assessment and tenorial practice were imperfect approximations to an ideal type which might one day be realised when custom had given way to contract as the basis of society. The first decisive shock which exposed the contradictions of the Thomsonian compromise came not so much from the Mutiny and the temporary pro-aristocratic reaction that followed as from the great price rise of the later 1860s. The latter threw official policy into sharp reverse over the idea of a permanent settlement which had only a few years previously found acceptance in the highest quarters. Robert Knight's campaign in *The Indian Economist* against the wanton sacrifice of the just rights of the State in the revised settlement of the North-Western Provinces came at a time when the post-Mutiny financial crisis was biting hardest. The upshot was a major review by Auckland Colvin, the revenue secretary of the North-Western Provinces, into the whole question of permanent and temporary settlements and into the *raison d'être* of the revised settlements. The documents which he assembled in two substantial memoranda of 1870 and 1872 constituted a rigorous post-mortem on the first age of modernisation.<sup>30</sup>

It was Colvin's object to steer a course between the still powerful advocate of a permanent settlement and the even more vociferous Knight school behind which the government of India, and notably Sir John Strachey, had largely ranged themselves. In doing so he sought to reaffirm the validity of the rent theory and yet demonstrate that it could not be allowed to operate freely in practice. The statistics which he collated from the results of the revised settlements available to him brought out three salient facts: a massive expansion of the cultivated area of some 31% during the previous thirty to thirty-five years; a rapid but recent rise in agricultural prices; and conversely a remarkable sluggishness in the movement of 'rents'. It was the last feature which attracted most attention. Le Poer Wynne, who had carried out the revised settlement of Saharanpur, struck out in the pages of the *Calcutta Review* (No. ci (1870)) in defence of the principle of a permanent settlement. To do so it seemed necessary to refute the applicability of classical rent theory, and it was to Richard Jones' authority that he naturally turned. If rents in India, argued Wynne, had followed the classical model they would have risen with the advance of the margin of cultivation. The stagnation of rents in these

<sup>30</sup> Colvin, *Memo*, and also *Perm. and Temp. Settls.* (Allahabad, 1873). For another minute by Colvin refuting Strachey's criticism, *Sels. Recs. Govt. N.W.P.*, 2nd ser., iv, no. 3 (Allahabad, 1871), pp. 294 ff.

circumstances was demonstration they they were regulated by the ratio of population to land and not by differential productivity produced by irrigation on better lands or by the extension of cultivation into poorer soils, or even by the rise of prices of agricultural produce. This conviction that classic rent theory had failed to operate found support among a large number of revenue officials. Commenting on the total failure of rent-rates to increase in the Serouli pargana despite a 44% increase in prices and a 47% increase in cultivation, the settlement officer of Bareilly wrote:

I expressly defend myself from political economists by stating that I allow that rents on the old lands ought to have risen largely; but there are no hulka-bundee schools, and the Thakoor Zemindars and Brahmin cultivators have not yet studied Ricardo and Mill. I can only take facts as they are, and leave to others the consideration of what ought to have taken place, but didn't.<sup>31</sup>

Yet most officials were much more impressed by the validity of what was in effect Jones' theory of ryot rents than his analysis of cottier tenures. So-called rents, they found, followed rather than determined the revenue demand. A. B. Patterson in Fatehpur wrote in January 1872 that 'the standard of rent in every district during the 30 years of settlement was chiefly determined by the severity or lightness of the revenue and to comparatively small extent by the productive powers of the land'. In Aligarh, W. H. Smith reported that 'up to this time revenue has had more to do with rent than anything else; in other words heavy revenue means high rents, and vice versa, light revenue is generally accompanied with low rents . . . settlement proceeding seem to me to give the impetus to the general rise'. W. S. Halsey, the Collector of Kanpur, emphasised likewise that 'the rent rates per se have no connection with, or bear any proportion to the produce of the land; that they are the result of the Government demand. . . . The whole ability and energy of the settlement staff was engrossed in ascertaining what they called rent-rates, but what I call contribution rates, and it is only now, when we find the whole district so rack-rented—the people cannot be worse off—that we discover the land revenue so far from being the rental of the Government property is a forced contribution from the occupant thereof'.<sup>32</sup> This was to concede handsomely Richard Jones' central argument: 'The existence and progress of rents under the ryot system', Jones had said, 'is in no degree

<sup>31</sup> Cited Colvin, *Memo*, p. 121.

<sup>32</sup> *Perm. and Temp. Settl.*, pp. 49a, 72a, 198a.

dependent upon the existence of different qualities of soil, or different returns to the stock and labour employed on each,' Given the monopoly over 'the machinery of the earth,' the sovereign could determine the share of the produce to be left to the ryot at his own discretion. Yet the constant tendency to take an excessive share impoverished the ryot and injured the sources of all agricultural improvement and growth.<sup>33</sup>

Here was a powerful argument that reversed the notion that the immediate cultivator's payments increasingly represented the 'natural rent' and could be used as an objective criterion from which to frame the government demand. It totally contradicted John Thornton's claim, made in 1849, when he was attempting to refute Jones, that in the non-ryotwar areas 'the amount of rent paid by the actual cultivators, when not limited by special circumstances, is regulated by natural causes, with which the revenue paid to the state has no connexion'.<sup>34</sup> If in fact revenue rates determined the rent rates levied by the 'landlord' on the cultivator, then to the school advocating a permanent settlement the one hope for agricultural improvement lay in lightening the state demand on the landlord.

These views went too far for Colvin but he was prepared to acknowledge that 'what we now know as rents . . . were as a rule the old revenue rates formerly used as the basis of the Government assessment, but made over from henceforth to the men on whom we have conferred proprietary rights. These men received them in great measure stereotyped as revenue rates, by custom, and the idea of flexible competition rents was as unfamiliar to them as to those whom we declared their tenants.'<sup>35</sup> The reason why in most cases rent rates had not kept pace with the increase in prices, cultivation, and irrigation lay in the strength of custom and in the understanding, formalised in the jamabandi statement for each village, that the cultivator's 'tenant' payments would remain undisturbed with the proprietor's revenue payments for the whole twenty- or thirty-year term of the settlement. Only for 'tenant-at-will' (pahi and ghair maurusi) cultivators had rents been readily enhanced, but their rising level was threatening to dissolve the customary nature of all other rents. Whatever the truth of Jones' theories it was wrong to suppose that according to them the

<sup>33</sup> Richard Jones, *An Essay on the Distribution of Wealth* (London, 1831), p. 140.

<sup>34</sup> J. Thornton, 'The Settlement of the N. W Provinces', *Calcutta Review* (1849), cited *P.P.* 1852-3, lxxv, p. 484.

<sup>35</sup> Colvin, *Memo*, p. 109.

progress of peasant rents was unaffected by the classical stimuli of increased prices and greater differential productivity. 'Men under peasant tenures having nothing else to live on, must live on the land, and must pay for it. But it does not follow that what they pay bears at no period any proportion to the quality of the land and is regulated solely by their numbers.'<sup>36</sup> Colvin's practical conclusion was that it was right and appropriate for the State to take a fair share of the increased rental value of the soil and not commit itself to a permanent assessment. At the same time it was evident that revenue could not be raised proportionately to the enhanced value of the produce, as Knight had maintained, lest 'in attempting to raise the land revenue, we may find ourselves raising the people'.<sup>37</sup> How was rental value to be adjudged for assessment purposes? Was it the valuation obtained by the competition rate levied on low caste tenants-at-will or *shikmi* tenants working a proprietor's home farm? This was the extreme logic of the classical rent theory which equated free contract rents with 'true' or 'natural' rents. Colvin accepted that once the cake of custom had been broken through rents could rise as a result of the two causes postulated by Jones—an increase in produce or its value, or an increase in the ratio of the produce taken by the landlord. Only the former was a legitimate source of an enhanced revenue demand, but there was no practical way of distinguishing the first cause of increase from the second.<sup>38</sup> There could be no going back to the former methods practised under Regulation VII, 1822, of 'wide and minute enquiries as to the out-turn of produce, and the cost, or profits, of production'. 'The experience gained by the assessing officer must guide him as to what are *true* rents' and the test must be empirical: 'the rents selected must be representative rents; not necessarily the average rents at present existing; but those which there are sufficient grounds for believing represent the average to which on the settlement being declared, the rents generally will be raised.'<sup>39</sup> Colvin clung to the notion that a legitimate and objective criterion could still be found in 'the existence of a great mass of recognised and unquestioned rents'.

Charles Elliott in Farrukhabad hungered equally for such an objective criterion. 'What a Settlement Officer wants is a real guide or

<sup>36</sup> Colvin, Note, *Perm. and Temp. Settls.*, p. 14b.

<sup>37</sup> Colvin, *Memo*, pp. 130-1.

<sup>38</sup> Colvin, Note, *Perm. and Temp. Settls.*, p. 15b.

<sup>39</sup> Colvin, *Memo*, p. 60.

check, independent of his preconceived ideas—a result which he cannot manipulate or tamper with, but which is worked out, as it were by machinery, and is uninfluenced by his consciousness.’ Yet he had to confess that ‘my soil-rates were not independent guides like these, but the reflex of my own preconceived views; they were an oracle given out by a priestess whose strings I pulled’.<sup>40</sup> Indeed while viewing rent-rates as objective criteria Colvin himself was the first to insist that they could not be left to find their own level. Once the hold of custom was gone the cottier principle would be brought into unimpeded play. Competition rents had already eroded the customary base and British legislation (Act X, 1859, in particular) was now introducing a modern landlord-tenant relationship into almost all cultivator payments. J. S. Mill in his *Principles of Political Economy* was quite clear on the necessary interposition of the State. ‘Rent paid by a capitalist who farms for profit, and not for bread, may safely be abandoned to competition; rent paid by labourers cannot. . . . Peasant rents ought never to be arbitrary, never at the discretion of the landlord: either by custom or law it is imperatively necessary that they should be fixed.’<sup>41</sup> There was no need to revert to Mill’s authority. R. M. Bird had stated the case in 1832 for the settlement officer to fix all rents for the term of settlement, and Colvin proposed to revive his plan. Bird had proposed to exclude tenant-at-will rents from protection but to put a ring of steel around all others. Colvin was silent on this point, but others were not, Charles Elliott in Hoshangabad in 1866 had recognised all cultivators as occupancy tenants, and in the wake of the 1877–8 famine he and Edward Buck proposed making this a general rule throughout the North-Western Provinces. By so doing, as C. P. Carmichael pointed out, the one independent criterion of assessment, the tenant-at-will competition rent, would have been abolished and a ryotwar settlement implemented. Buck openly avowed the latter as his aim.<sup>42</sup>

What this elaborate post-mortem on ‘the first age of modernisation’ reveals is that the position over the classical rent theory had been altered profoundly. In the 1830s the rent theory could be readily accepted as an explanation of the land revenue because its realisation remained a distant ideal like Macaulay’s and Trevelyan’s political liberalism. By the 1860s and 1870s the technique of soil classification

<sup>40</sup> Cited Colvin, *Memo*, p. 33.

<sup>41</sup> Mill, *Principles of Political Economy*, p. 403.

<sup>42</sup> Report of Famine Commission, Appx 1, *P.P. 1881*, lxxi, pt i, pp. 493, 503.

and survey and above all the movement of tenant-at-will rents made possible an assessment framed much more strictly on ascertained rental assets; yet the applicability of the classical rent theory was called much more gravely into question. Colvin warned that its enforcement threatened an agrarian explosion. But there were also theoretical objections. Jones' teaching as manifested in Mill's *Principles*, had made competition rents suspect as a measure of 'natural' rent. Still more did the analysis of cottier and ryot rents challenge the landlord-tenant assumptions on which the North-Western Provinces administration had elected to build a form of peasant capitalism. That did not mean that rent theory was abandoned. Its hold among a generation much more deeply versed in political economy had become more powerful than ever, but it was Jones' influence, reinforced by J. S. Mill's authority, that was now paramount.

The classical theory had been introduced into the North-Western Provinces in a confused form. The decision to collect the land revenue through an intermediary class had been taken almost at the outset of British administration, and although Hastings in 1815 had reaffirmed the superior claims of the village zamindars, the decision inevitably introduced the form if not the immediate substance of landlordism. Even rent theorists like Holt Mackenzie had approved of the measure on the grounds that the private rent property resulting from the limitation of the government demand should not be frittered away among a mass of needy cultivators.<sup>43</sup> Later administrators, as we have seen, argued the desirability of stimulating peasant capitalism by interlacing it with larger 'properties' and encouraging the injection of capital from the urban trading classes. Inevitably this school, represented by John Thornton and others, looked to consolidating proprietary rather than tenant right. All this departed from James Mill's formula of absorbing the entire natural rent as revenue and so preventing the emergence of private rent property completely. Even so, before Act X of 1859 the demand of the 'landlord' on the 'tenant' was limited by the settlement record. The one contract payment, the tenant-at-will rate, acquired, as a result, a sacrosanct status equating it with the 'true rent', 'I think no one will presume to question the maxim', C. P. Carmichael could write by 1879, 'that the rack rent of the day is the one perfect standard by which all other rents should be adjusted.'<sup>44</sup>

<sup>43</sup> Holt Mackenzie, Memo, 19 Oct. 1826, paras. 509-11; *Sels Rev. Recs. N.W.P. 1822-1833*. Also Stokes, *English Utilitarians and India*, pp. 112-13.

<sup>44</sup> *P.P. 1881*, lxxi, pt 1, p. 503.

This complication was absent in the Bombay Deccan where the State remained theoretically the universal landlord and all attempts to discover 'true rent' (other than occasional tests of out-turn and costs of production) had been abandoned. Yet when the question of a permanent redemption of the land revenue was referred to Sir George Wingate, he took the opportunity in 1868 of issuing the most fulsome *confessio fidei* in the validity of the classical rent theory and cited J. S. Mill at length on the suitability of rent as a source of taxation.<sup>45</sup> Despite the lack of any practical measuring rod Wingate claimed that his assessment remained a share of natural rent. Unlike his predecessor, Keith Pringle, he had aimed at securing an equal return to the cultivator irrespective of soil qualities rather than relinquish to him a private rent that varied according to the productivity of the soil he happened to cultivate. The need to revise the thirty-year Deccan settlement on its expiry in the mid 1860s brought up the absence of any theoretical criterion of assessment anew. To raise the revenue demand in line with the increase in prices meant enhancements of such magnitude that the Bombay government felt constrained to order reductions. Even so, Auckland Colvin was staggered at the results, which gave, for example, a 199% increase in the Bhimthari taluka over the first decade of the old settlement of 68%.<sup>46</sup> Although the Bombay government rejected his criticism Colvin found, as a member of the Deccan Riots Enquiry Commission in 1876, that such large revised settlements could not be absolved from blame in creating the predisposing conditions for agrarian unrest. Colvin's views found support from one of the ablest of the senior Bombay officials, W. G. Pedder. Like Colvin he clung to the fundamental verities of the classical rent theory and its corollary, opposition to a permanent settlement. It was 'essential for the good financial administration of India that the State revenue shall rise in proportion to the natural "unearned increment" of rent which occurs in all progressive states'. At the same time in order to defend the doctrine and moderate the demand on the peasant, Pedder shifted the definition of rent in line with the argument of Jones and Mill on cottier tenures. Pedder accepted that 'the rents paid by peasants cultivating for subsistence, as in India, are regulated quite differently from rents paid by capitalist farmers cultivating for profit as in England . . . what regulates the capitalist farmer's rent is the ordinary rate of profit; what regulates the peasant cultivator's

<sup>45</sup> Cited Stokes, *English Utilitarians*, pp. 136-7.

<sup>46</sup> Auckland Colvin, Report of Deccan Riots Commission, P.P. 1878, lviii, pp. 392-3.

rent (not being a customary but a competition rent) is the ordinary cost of his subsistence—in other words, his “ordinary standard of comfort”; and the means of at least supplying him with a subsistence of the ordinary standard of comfort is what Wingate’s principle of assessment leaves him.’ The success of Wingate’s work was to be seen, claimed Pedder, in the fact that cultivation had expanded ahead of population and revenue; ‘each cultivator must, therefore, have a larger quantity of produce’.<sup>47</sup>

Here was a novel twist. In combating the proposition that the government demand should rise in line with prices, Pedder claimed that the rise in rental assets had been correspondingly less because of the enhancement of the subsistence wage of the cultivator. His conclusion was that the assessment should be pitched so as to leave the largest share of rent with the cultivator as was consistent with the latter retaining it and not allowing it to pass into the hands of a rack-renting private landlord. This was the same argument that had been advanced by Elliott and Buck in the North-Western Provinces for giving all cultivators occupancy rights and abolishing the tenant-at-will. So far from even the peasant landlord being looked upon favourably as a petty rural capitalist, and the hope of agricultural growth, he now stood condemnand. For when the land was worked under him by men with no better status than tenants-all-will, it was subjected in practice to an exhausting agriculture by cultivators living from hand to mouth without resources to invest in improvement or to withstand famine. James Mill’s contention that as the one source of capital accumulation the immediate cultivator should be protected by having the demand fixed upon him, was now reinforced by all that Jones and sober experience had taught.

By the 1870s the British knew that they stood at a great divide in their administration of the peasant. Looking back it was evident that the revenue systems set up by Wingate and Bird had been accompanied by a remarkable expansion of the cultivated area but this had left only the smallest margin of arable waste remaining. In the Bombay Deccan in 1838 50% of arable land was reckoned to be waste; in 1871 only 1%. Population increased during the thirty-year settlement by 39½. In 1838 land was unsaleable; by the end of the settlement it was fetching from 10 to 52 times its assessment.<sup>48</sup> Yet this achievement had come

<sup>47</sup> *Ibid.*, pp. 373–5.

<sup>48</sup> Resolution of Govt. of Bombay, 30 Aug. 1875, cited ‘Correspondence re Law of Land Sale’, *Sels Recs. Govt. India*, no. clv (Calcutta, 1879), p. 429.

late, and was principally to be dated from 1850. Before then in both Bombay and the North-Western Provinces there had often been heavy balances in arrears. Colvin noted that the assessments made under Regulation IX, 1833, broke down in the whole or parts of 14 districts in the North-Western Provinces. The vast progress that Strachey and others had seen as flowing directly from the Regulation IX settlements was *post hoc, propter hoc*. 'It owed its existence to the margin of culturable land, and not to the tender mercies of a 60 per cent settlement.'<sup>49</sup> It had also been accompanied in the North by a huge volume of transfers of proprietary title and an ominous increase in rural indebtedness. The plight of the Deccan peasant in the latter respect was duly highlighted by all those who feared that this would prove the Achilles heel of the British endeavour, and doubtless they exaggerated the portents of the trifling disturbances of 1875 to try to secure direct state intervention to check the evil.<sup>50</sup> The one tangible achievement was the rise in the living standard, and this was an achievement incapable of measurement and readily disputed. Pedder was certain of the rise in the Bombay presidency. District officials in the western portion of the North-Western Provinces also commented upon it. In Etah it was a 'standing joke now among the better classes to say that the labourer has got as much jewellery as the farmer'.<sup>51</sup> In 1872 S. M. Moens was likewise impressed by the immense improvement in living standards in Bareilly over the past thirty or forty years. Then the cultivator lived in abject poverty; metal cooking utensils had been rare, clothes scanty. Now every man had a good stock, food was more abundant and of good quality, and many kept travelling carts. From Kanpur eastwards the reports were far less optimistic, and H. S. Reid, one of the closest observers of peasant life, said he could discern no improvement in a densely-settled district like Azamgarh. Yet even Moens was impressed by the precariousness of the enhanced living standards. For the mass of cultivators he believed had been reduced to the status of *métayers* or crop sharers who borrowed their seed grain; only one-third, he estimated, were independent while the rest lived from hand to mouth. 'A considerable portion of the rent fund is thus intercepted by the mahajun with his tremendous

<sup>49</sup> Colvin, *Memo on Revision of Settlement, Sels Recs. Govt. N.W.P.*, 2nd ser., iv, no. 3 (Allahabad, 1871), p. 309.

<sup>50</sup> Neil Charlesworth, 'The Myth of the Deccan Riots of 1875', *Modern Asian Studies*, 6 (1972), pp. 401-21, esp. pp. 417 ff.

<sup>51</sup> R. T. Hobart, cited *Prem. and Temp. Settls.*, p. 128a.

rates of interest. The cost of cultivation is increased, and less is available for rent.' In his Jonesian definition he anticipated Pedder in the Deccan. 'We have not yet come to pure competition rents, and the ultimate limit of rent is the surplus of the produce of land after the deduction of such wages as will maintain the labourer in the standard of comfort which has become habitual to his class.<sup>52</sup> But since the costs of cultivation had risen by the increase in the standard of comfort and by the increased amount paid in interest (owing to the price rise), cultivators' rents could not keep pace with prices, and the assessment had to be moderated accordingly.

This concern for the defence of the living standard won in the period of rapid expansion of cultivation became a dominant note. Charles Elliott believed that his investigation into twenty sample villages in Farrukhabad district showed conclusively the falsity of the claim that the cultivator would flourish equally as well without as with legal protection. Not only had the occupancy (maurusi) tenant survived on the land where his unprotected tenant-at-will (ghair maurusi) brother or heir had been swept off, but he was 50% better off in cattle, clothing, and possessions.

If these facts become generally known it will hardly be possible in future for any one to declare that the theories of political economy—so far as they bear on the advantages to the people of the *petite culture*—look very well on paper, but do not bear the test of actual experiment. Here, as with all true theories, the logic of facts agrees with the logic of the closet.<sup>53</sup>

Not everyone among the British officials by any means agreed with Elliott and Buck. Reid in Azamgarh felt the village proprietor's interests deserved attention. Their growing numbers pressed them nearer the soil but they found themselves unable to gain possession of land on which occupancy rights had become established, and had to take up land as tenants-at-will in other villages. It was not until 1926 that tenancy-at-will was finally ended, but the Famine Commission Report of 1880-1 was sufficiently influenced by the body of opinion represented by Elliott (who drafted the report) for tenant right from henceforth to be steadily buttressed and the tenant transformed into a subproprietor.

The first age of modernisation gave to northern and western India the rent theory and a settlement system purporting to give it embodi-

<sup>52</sup> S. M. Moens, in *ibid.*, p. 175a.

<sup>53</sup> C. A. Elliot in *Sels. Recs. Govt. N.W.P.*, 2nd ser., ii, no. 4 (Allahabad 1869), p. 417.

ment. These foundations stood firm during the remainder of the nineteenth century. What changed were the objects they were expected to achieve. James Mill had seen the land revenue as the grand means of exempting India from taxation and so promoting maximum economic growth; hence he had stood for a high proportion of natural rent to be taken as revenue. The cultivator was to be left with no portion of the natural rent, since the normal rate of profit on his stock would be a sufficient motive for capital accumulation. Private rent property merely led to parasitism and idle consumption rather than capital saving. Jones' theory of peasant rents did not displace the overall classical rent theory. Colvin and Pedder like Thomason and Wingate before them still adhered to the advantages of a substantial portion of the natural rent being taken as revenue. But progress was now to be measured from the peasant wage which it was only possible to raise by according him a greater portion of rent as Jones had defined it, and recommended.<sup>54</sup> Hence the proportion to be taken as revenue had to be lowered and the immediate cultivator allowed to become a sub-proprietor. Although Jones had urged that to lower the rent ratio was in the end to raise rents because of the increased production so stimulated, the new mood looked to other sources than the land for much of the state revenue. The hopes for peasant capitalism withered—except perhaps in exceptional areas like the Punjab, Gujarat and the deltaic areas of Madras—and the sheer survival of the ordinary cultivator in face of the scourge of debt, disease, and famine became the uppermost concern. The rent doctrine as James Mill had expounded it no longer held the high ground of policy. There remained a generation of administrators who were still its convinced adherents in its altered and chastened form, and they worked to perfect the work of their predecessors. But when the next round of settlement revision came in the 1890s and early 1900s their voices were to be drowned by R. C. Dutt and the Congress. Significantly it was Curzon who wrote the epitaph of the rent doctrine in what was intended as its grand defence in his polemical *Land Revenue Policy of the Indian Government* (1902). If

<sup>54</sup> Jones' view was that the only way to raise production under peasant tenures was to lower rents and he criticised the Indian authorities for not doing so: 'when once either the exactions of landlords, or of the state, or indeed any other circumstances, have reduced a peasant tenantry to penury, the same difficulty constantly opposes itself to the commencement of improvement. No one is willing to make, no one ordinarily thinks of making, a direct sacrifice of revenue, for the purpose of augmenting their actual means; and nothing short of that will enable them to start.'; Jones, *Essay on the Distribution of Wealth*, p. 174.

internal capital formation was to be accomplished by the State, politics ensured that it would not come from the land.

An older and wiser man had detected the spell of abstract economic doctrine over the administrative mind and foreseen its ultimate demise. In 1875, from the detached heights of the India Office, Salisbury penned one of his characteristic *fin de siècle* minutes in connection with the prolonged revision of the Madras ryotwar system:

the essential point is that language used should be understood by those to whom it is addressed. Now it is our function to address *Indian officials*—and speaking of the generation now coming into office—their vocabulary is derived with more or less fidelity from the writings of political economists. *To the modern Indian statesman* the refined distinctions of the economical school are a solid living reality, from which he can as little separate his thoughts as from his mother tongue. To us it may seem indifferent whether we call a payment revenue or rent, so we get the money; but it is not indifferent by what name we call it in his hearing. If we say that it is rent, he will hold the Government in strictness entitled to all that remains after wages and profits have been paid. . . . If we persuade him that it is revenue, he will note the vast disproportion of its incidence compared to that of other taxes. . . . I prefer the latter tendency to the former. So far as it is possible to change the Indian system, it is desirable that the cultivator should pay a smaller proportion of the whole national charge. It is not in itself a thrifty policy to draw the mass of revenue from the rural districts, where capital is scarce, sparing the towns, where it is often redundant and runs to waste in luxury. . . . As India must be bled the lancet should be directed to the parts where the blood is congested, or at least sufficient, and not to those which are already feeble from the want of it. . . . At the same time I think we may fairly discourage any scientific refinements in the work of assessment, which are a natural exercise of the intellect in highly cultivated officers, but which worry the ryot, distribute the burden of the State with needless inequality, and impose a costly machinery on the State.<sup>55</sup>

A century later the land-revenue systems still stand as the ruined works of time, cumbering the ground but with their strength clean departed. Doubtless Salisbury as a broad-acred man might have viewed the outcome with a wry satisfaction. But the development economists

<sup>55</sup> Lord Salisbury, Minute, 20 April 1875; *P.P. 1881*, lxxi pt i, pp. 468–9. Salisbury's metaphor on the necessity of bleeding India, was not allowed to die by nationalist writers: cf. R. C. Cutt, *Open Letter to Lord Curzon on Famines and Land Assessments* (London, 1900). Appx; W. Digby, *Prosperous British India* (London, 1901), p. 197; Dadabhai Naoroji, *Poverty and Un-British Rule in India* (London, 1901), pp. 280 ff.

are beginning to have other ideas.<sup>56</sup> Time's whirligig may yet bring back the first age of modernisation to favour and rescue for a while the obscure and rebarbative labours of early settlement officers from death's dateless night.

<sup>56</sup> Cf. a brief survey of the question of reviving land taxation and of recent writing on the subject in Deepak Lal, 'The Agrarian Question', *South Asian Review*, 8 (1975), pp. 389–400.

## Chapter Four

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# Colonial State and Agrarian Society

NEELADRI BHATTACHARYA

Agrarian studies on colonial India, till quite recently, were primarily policy studies. The official debates on revenue settlements provided the material for numerous regional monographs. Investigations of the structure of agrarian relations in their regional variations, the internal working of the economy, the processes of production, trends in productivity, rents, prices, etc. are, as yet, comparatively limited. Within policy studies, however, the focus of analysis has changed over the years. Here I shall survey a part of this growing literature on the subject, then discuss some of the issues with reference to the Forest Settlements—about which little has been written—and finally consider a few general propositions about the character of colonial state policy and its relationship to agrarian society.

### *Historiographical Perspectives*

Before the work of Eric Stokes<sup>1</sup> and Ranajit Guha,<sup>2</sup> British land-revenue settlements were often seen as the outcome of a series of experiments, of trial and error which had little relation to the ideas internalized by officials from the European heritage of the time. Reacting against this kind of historical analysis, historians in the late 1950s and early 60s emphasized the ideological roots of agrarian policy, the significance of the European intellectual milieu in the making of the official mind. 'British policies moved within the orbit of ideas primarily determined in Europe', wrote Stokes.<sup>3</sup> And he proceeded to analyse the ways in which utilitarianism, liberalism, and the doctrine of rent developed by Malthus, James Mill and Ricardo shaped British

<sup>1</sup> Eric Stokes, *The English Utilitarians and India* (Oxford: 1959).

<sup>2</sup> Ranajit Guha, *A Rule of Property for Bengal* (Paris: 1963).

<sup>3</sup> Stokes, *The English Utilitarians and India*, p. xii.

legislation in the nineteenth century. For Ricardo, rent was the surplus produced on fertile soils: the poorest land yielding the normal rate of profit but no rent. Since this rent which was appropriated by the landlords did not help the process of productive accumulation, and since the landlords were an unproductive class, it was necessary for the state to appropriate this rent and abolish the intermediaries between the state and the producers. For Mill, who argued even further, the rent in fact belonged to the state because the state was the actual owner of all land. And the collection of this rent did not constitute taxation as long as normal profit and production were not affected. This doctrine of rent, according to Stokes, provided the rationale for a high revenue demand and its periodical revisions to prevent the appearance of an unappropriated rent-fund with landlords. Hence there was a rejection of the Permanent Settlement and a shift to *ryotwari* or *mahalkwari* settlements.

The point of emphasis in Ranajit Guha's study, *A Rule of Property for Bengal*, was similar. Guha attempted to locate 'the origins of the Permanent Settlement in that confluence of ideas where the two main-streams of English and French thought merged in the second half of the eighteenth century'.<sup>4</sup> The complex interaction of mercantilist and physiocratic ideas and faith in the doctrine of private property defined the outlook of those who conceived of the Permanent Settlement. Alexander Dow, who shared a mercantilist concern with trade, saw agriculture as auxiliary to commerce. British rule in Bengal, he felt, had led to a drain of wealth, scarcity of money, decline in production, rise in prices, and the collapse of internal trade and industry. To attract money and reverse the balance of trade it was necessary to encourage agriculture through the grant of permanent rights in property and by a fixed revenue demand. Other advocates of the Permanent Settlement were more influenced by the Physiocrats, who saw agriculture as the source of all wealth; trade was important only as an outlet for agricultural goods. For the production of a surplus within agriculture they felt that a permanent settlement was essential. Guha shows how Thomas Law and Cornwallis purged the doctrine of the feudal alloy implicit in the original conceptions of Henry Pattullo and Philip Francis and interpreted it exclusively as a policy of capitalist development in agriculture. Unlike Francis they saw landowners primarily as entrepreneurs, opposed their judicial prerogatives, and considered extensive land transfers and the growth of a land market as a necessary basis for the dispossession of old zamindars and the emergence of 'improving

<sup>4</sup> Guha, *A, Rule of Property for Bengal*, p.9.

landlords'. Thus, according to Guha, 'originating as only a secondary notion, tagged on to Dow's mercantilist thesis, the idea of Permanent Settlement had... within twenty years reached the highest point of contemporary economic thought.'<sup>5</sup> But this policy of capitalist enterprise, in the absence of a sovereign home market within the colony, could only become 'an apologia of quasi-feudalism'.

It is not as if these early works reflect no awareness of the interrelationship between intellectual ideas and experience—of the influence of the latter in shaping the former. The criticism that they reveal 'a fundamental inability to see the history of British India as anything more than a simple extension of certain features of British or European history'<sup>6</sup> should not be carried too far. Their argument was not as simple. Stokes, for instance, emphasized that the utilitarian legacy in India was different from its influence in England. What triumphed in India was its underlying conservatism, latent authoritarianism and paternalism. The feudal conservatism of Thomas Munro, who shared 'an emotional kinship with the spirit of feudalism and the heritage of the past', had a much stronger hold in India than in England, where progress towards industrial society was rapidly to empty it of content.<sup>7</sup> Not only were the principles of utilitarianism and liberalism reinterpreted and their legacy defined by the colonial context, but also, Stokes argued, the Indian experience led to a crisis of English liberalism in the late nineteenth century. The authoritarian utilitarianism of Fitzjames Stephen's *Liberty, Equality and Fraternity* was a product of the Indian experience.<sup>8</sup>

Yet, as subsequent studies have shown, Stokes and Guha clearly underestimated the influence of social reality within India in the shaping of British policy.<sup>9</sup> Ravinder Kumar and Asiya Siddiqi have analysed policies in relation to the broader processes of socio-economic change,<sup>10</sup>

<sup>5</sup> *Ibid.*, p. 186.

<sup>6</sup> P.H.M. van den Dungen, *The Punjab Tradition: Influence and Authority in Nineteenth Century India* (London: 1972), p. 15.

<sup>7</sup> Stokes, *The English Utilitarians and India*, p. xvi.

<sup>8</sup> *Ibid.*, pp. 288–90.

<sup>9</sup> There have been many studies within the framework suggested by Stokes and Guha. See Sulekh Chandra Gupta, 'The Influence of Classical Political Economy on British Agrarian Policy in Bengal in the late 18th and early 19th Centuries', in B. Prasad (ed.), *Ideas in History* (Delhi: 1968); *Agrarian Relations and Early British Rule in India* (Bombay: 1963).

<sup>10</sup> Ravinder Kumar, *Western India in the Nineteenth Century: A Study in the Social History of Maharashtra* (London: 1968); Asiya Siddiqi, *Agrarian Change in a North Indian State: Uttar Pradesh 1819–1833* (Oxford: 1973).

Imtiaz Husain has criticized S.C. Gupta for ignoring the many empirical factors which affected official opinion,<sup>11</sup> T. R. Beaglehole has suggested that the Munro system in Madras was developed through a study of local institutions and the successful experiments of Alexander Read in Baramahal,<sup>12</sup> T. R. Metcalf emphasizes the significance of the 'mutiny' in determining a shift towards conservatism,<sup>13</sup> P.H.M. van den Dungen studies the controversies which preceded the passing of the Punjab Land Alienation Act (stressing the significance of 'social' influences—the role of land transfers in generating political anxieties and crystallizing a new 'Punjab Tradition'),<sup>14</sup> John Rosselli notes the importance of pragmatic considerations, and Neil Rabinoy discusses the issues of administrative expediency behind policy measures.<sup>15</sup>

Some historical studies, however, reflect a shift of emphasis to the other extreme. In the writings of Robert Frykenberg we have perhaps the most emphatic statement of this opposite view.<sup>16</sup> The relationship between state and society, in Frykenberg's analysis, is defined by the strength of 'local influences' and 'traditional political processes'. Every imperial power in South India was confronted with persistent tendencies towards political fragmentation, disaggregation and disintegration down to the village. Local power, organized around ties of family, caste, kinship and village, resisted all forces of centralization and aggregation. And its silent corrosive actions subverted and undermined the

<sup>11</sup> Imtiaz Husain, *Land Revenue Policy in North India, 1801–33* (Calcutta: 1967).

<sup>12</sup> T.H. Beaglehole, *Thomas Munro and the Development of Administrative Policy in Madras, 1792–1818* (Cambridge: 1966).

<sup>13</sup> T.R. Metcalf, *The Aftermath of Revolt: India 1857–1970* (Princeton: 1964); ———, *Land, Landlords and the British Raj: North India in the Nineteenth Century* (California: 1979); ———, 'The Influence of the Mutiny of 1857 on Land Policy in India', *The Historical Journal*, vol. IV, no.2, 1961; ———, 'The Struggle over Land Tenure in India, 1860–68', *The Journal of Asian Studies*, vol. XXI, no. 3, May 1962.

<sup>14</sup> See P.H.M. van den Dungen.

<sup>15</sup> John Rosselli, 'Theory and Practice in North India: The Background to the Land "Settlement" of 1883', *The Indian Economic and Social History Review* (hereafter *IESHR*), vol. VIII, no. 2, June 1971; Neil Rabinoy, 'System vs. Expediency: The Reality to Land Revenue Administration in the Bombay Presidency, 1812–1820', *Modern Asian Studies*, vol. IX, no. 4, 1975

<sup>16</sup> Robert Eric Frykenberg, 'Traditional Process of Power in South India: An Historical Analysis of Local Influence', and 'Village Strength in South India', in Frykenberg (ed.), *Land Control and Social Structure in Indian History* (New Delhi: 1979); ———, 'Company Circari' in the Carnatic, c. 1799–1859: The Inner Logic of Political Systems in India', in Richard G. Fox (ed.), *Realm and Region in Traditional India* (New Delhi: 1977); ———, *Guntur District 1788–1848: A History of Local Influence and Central Authority in South India* (Oxford: 1965).

strength of imperial structure, just as the white ant devours the interior of the stoutest wooden structure, leaving it a 'hollow shell without necessarily destroying its outer form'.<sup>17</sup> To survive, all imperial powers, including the British, had to 'adapt' to these traditional influences, they had to integrate and accommodate them.<sup>18</sup> Officials had to understand the traditions, values, attitudes and complex social relationships which varied from locality to locality. These specific local influences moulded British policies: 'The traditional social order was too strong to be ignored. Consciously or unconsciously, the company succumbed to its influences.'<sup>19</sup>

There is a corollary to this thesis of 'accommodation' and 'incorporation'. The effort to 'accommodate' led to a need to 'preserve' the traditional social order. Frykenberg proposes a revision of the conventional idea that the ryotwari system transformed the existing social structure—the settlement being made directly with the 'ryots' to the exclusion of intermediaries who thereby lost their influence and authority. Frykenberg concedes that the initial settlement was somewhat disruptive in its effect because the British were yet unaware of the traditions, values and social attitudes of the people. But once they realized the disturbing consequences of their actions and were better informed about the existing social order, remedial measures were introduced and 'social imbalances' were rectified: traditional privileges of *mirasidars*, *kadim* and *ulkudis* were restored, concessions were given to Brahmins, and revenue-free grants (inams) were made to village leaders of all communities. 'Altogether', conclude Frykenberg and Nilmani Mukherjee, 'the ryotwari system during its early years, from 1792 to 1827, did not greatly change the social fabric.'<sup>20</sup>

<sup>17</sup> Frykenberg, 'Village Strength in South India', in Frykenberg (ed.), *Land Control and Social Structure in Indian History*, p. 266; see also *Guntur District 1788-1848: A History of Local Influence and Central Authority in South India*, pp. 231-41.

<sup>18</sup> Frykenberg, '“Company Circari” in the Carnatic, c. 1799-1859: The Inner Logic of Political Systems in India'.

<sup>19</sup> Nilmani Mukherjee and Frykenberg, 'The Ryotwari System and Social Organization in the Madras Presidency', in Frykenberg (ed.), *Land Control and Social Structure in Indian History*, p. 238.

<sup>20</sup> *Ibid.*, p. 244. Nilmani Mukherjee, in his monograph on the subject—*The Ryotwari System in Madras* (Calcutta, 1962)—is less emphatic about this thesis of 'continuity'; see chs. 10-13. While a statement similar to the one quoted above appears on p. 347, in the same chapter (12), he also states: 'Yet even then the world was in the process of change. The old rural framework was being visibly shaken by new tremors. The people were living in a period of transition.' (p. 332). Or again, in ch. 11: 'The people experienced the strain of life in transition. The old economic and social institutions

A similar emphasis on 'local influences' and compulsions of the 'traditional' social structure as a determinant of British policy is to be found in Ratnalekha Ray's study of the Permanent Settlement.<sup>21</sup> The framers of the Permanent Settlement, writes Ray, 'did not set out to engineer social forms and categories conceived from abstract doctrines.' Their object was 'to give shape and definition to existing circumstances that would be more conducive to the interests of East India Company and the productive enterprise of its subjects.'<sup>22</sup> Physiocratic doctrines, concedes Ray, might have provided the framework of the order they wanted to impose on fact, but 'the facts in all their complexity, were explored in depth and accepted as the foundation on which to build.'<sup>23</sup> There were distinct settlements in each district arising from 'local compulsions'. And since policies were formulated and implemented on the basis of a consideration of existing circumstances, there was no question of conferring on zamindars rights which did not exist. All that was contemplated was to give more exact definition to the confused mass of existing rights—to confirm by law the undefined privileges which the zamindars enjoyed by custom.<sup>24</sup>

There is again a stress on the element of 'continuity' within the 'traditional' agrarian order, though Ray's argument is less unequivocal than that of Frykenberg. While the latter can discover little disruption in the social fabric caused by the Ryotwari Settlement, Ray notes a substantial change at the top but a marginal modification at the bottom in the areas of Permanent Settlement.<sup>25</sup> Even the change at the top was not as drastic as is conventionally presumed,<sup>26</sup> nor was it a new phenomenon. Such changes were occurring in the period prior to British

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were being uprooted, and new ones of a different pattern were taking their place.' (p. 314). On *inams* see also Frykenberg, 'The Silent Settlement in South India, 1739–1853: An Analysis of the Role of Inams in the Rise of the Indian Imperial System', in Frykenberg, *Land Tenure and Peasant in South Asia* (New Delhi: 1977).

<sup>21</sup> Ratnalekha Ray, *Change in Bengal Agrarian Society* (New Delhi: 1979). I am here referring to some of her broader generalizations and not to the core of the empirical work which, along with Sirajul Islam's *The Permanent Settlement in Bengal: A Study of its Operation, 1790–1819* (Dacca: 1979), provide us with a good discussion and interesting evidence on the early history of the Settlement.

<sup>22</sup> Ray, *Change in Bengal Agrarian Society*, p. 74.

<sup>23</sup> *Ibid.*

<sup>24</sup> *Ibid.*, p. 75.

<sup>25</sup> *Ibid.*, ch. 10.

<sup>26</sup> In the received version of history, notes Ray, the change after the Permanent Settlement appears to be 'drastic' since it is measured against a mythical picture of the old order with its self-sufficient non-stratified village society, limited cash transactions

rule, and, according to Ray, 'This premodern historical process—constant change at the upper levels and imperceptible change at the village base—continued after the Permanent Settlement.'<sup>27</sup> There was at most an acceleration of an existing process.

Thus it is possible to refer to two opposing perspectives on the nature of agrarian policies: one views them as being derived from alien concepts and doctrines, albeit with modifications, and imposed on Indian society; the other sees them as the product of a process of 'adaptation' and 'accommodation' to the traditional structure of local society (Frykenberg), or as attempts to legalize existing rights and privileges (Ray). The actual relationship between state policies and 'social reality', however, was more dialectical: the initial ideas and policies, even when based on abstract doctrines, had to be changed in the very process of their concretization and implementation. But there was never a process of mere 'adaptation', and the policies inevitably introduced changes. So the reality to which the state related was a changing one, not just 'traditional'.

It is now generally accepted that colonial policies cannot be understood merely in terms of the influences of intellectual ideas and doctrines which developed in Europe. The ideas, after all, were selectively accepted, and their meaning judiciously reinterpreted in accordance with colonial needs.<sup>28</sup> In any case the implications of the

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and commercial agriculture, and an absence of usury. Moreover, the zamindars under the Permanent Settlement acquired titles to revenue collection and not absolute property right. The actual rights of possession were not disturbed. Nor did the settlement lead to a total ruin of traditional zamindars and the emergence of a new class of urban capitalist landlords. The only important feature of change, according to Ray, was the strengthening of a high caste 'creditor employer' class (*jotedars*) at the village level. Aspects of the 'traditional' view which Ray criticizes have for long been widely revised, not only in the case of Bengal but in relation to other regions of India as well. See B. B. Chaudhuri, 'Land Market in Eastern India, 1873–1940', parts I and II, *IESHR*, 1975, vol. XII, nos. 1 and 2; Bernard S. Cohn, 'Structural Change in Indian Rural Society', in Frykenberg (ed.), *Land Control and Social Structure in Indian History*; Eric Stokes, 'Traditional Elites in the Great Rebellion of 1857: Some Aspects of Rural Revolt in the Upper and Central Doab', in E. R. Leach *et al.* (eds.), *Elites in South Asia* (Cambridge: 1970).

<sup>27</sup> Ray, *Change in Bengal Agrarian Society*, p. 71.

<sup>28</sup> One cannot, however, agree with those who have proceeded to suggest that the ideas were always used as a 'convenient gloss' or a 'philosophical appearance' to mask the real character of colonial policy. Such an instrumentalist reading of the relationship between ideas and policies is unwarranted. Abstract principles were changed or even rejected when they conflicted with colonial interests, but such an opposition between the two was not inevitable at all times. Ideas were not always consciously used as a

ideas were not always unambiguous. Different policy implications could be derived from them. Asiya Siddiqi, for instance, shows that Stokes' thesis that the Ricardian theory of rent provided the basis for a high revenue demand is misleading.<sup>29</sup> The theory as such gave no clear sanction for overassessment.<sup>30</sup> It was not so much rent doctrine as financial needs which determined the high pitch of the demand (and price fluctuations conditioned its real value).

The problem of analysis is obviously not resolved by emphasizing the need to understand colonial policy in terms of the imperatives of colonialism, for the officials were confronted with the contradictory demands of colonialism and the need to resolve them. On the one hand there was the need to enhance revenue and augment the financial resources of the state, and on the other the desire to maintain the purchasing power of the peasantry in order to expand the market for British manufactures. The short-term attempt to maximize revenue demand also militated against the object of ensuring the long-term reproduction of the conditions of appropriation. The decline in production and impoverishment which resulted from the extortionate demands of the early settlements led subsequently to an increasing concern with moderation, and attempts to encourage production in

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mask. They did provide the categorical frameworks within which colonial policies could be thought out. And often, conclusions derived from a specific local experience acquired, in the eyes of the officials, a wider significance when they appeared comprehensible and rational within the ideological context of the time. For an interesting discussion of the discriminatory use of the doctrine of *laissez faire*, see S. Bhattacharya, 'Laissez faire in India', in B. Prasad (ed.), *Ideas in History* (Delhi: 1968).

<sup>29</sup> Asiya Siddiqi, ch. 6.

<sup>30</sup> While the state was allowed to exact the full 'economic rent', theoretically it was equally important that the assessment should not exceed it. The declared object of Regulation VII of 1822 was the 'moderation' of assessment. Holt Mackenzie explained the rationale for a 'moderate' rate: '[it is] to make it clearly profitable for the cultivators to hold the lands now occupied by them and to seek an extension of their tenure. . . .' This would lead to a long-term increase of revenue resources: 'The existing revenue will be more secure, the means of obtaining hereafter a larger resource will be enlarged.' Despite such talk of avoiding overassessment, total assessment was not reduced in the first half of the nineteenth century because of financial consideration. *Ibid.*, pp. 183—4. In a later essay Stokes partially reformulated his views, recognizing more explicitly the gap between profession and performance, between intention and achievement. While conceding that economic theory could not always be translated into practice, he warned: 'We must not, therefore, conclude that ideology did not remain an important ingredient in official thinking.' Stokes, *The Land Revenue Systems of the North-Western Provinces and Bombay Deccan 1830—80: Ideology and the Official Mind*, in *Peasants and the Raj: Studies in Agrarian Society and Peasant Rebellion in Colonial India* (New Delhi: 1978), p. 102.

other ways. But this in turn led to a strain on financial resources.

Moreover, after the mercantilism of the late eighteenth century, the object of the colonial state was not merely economic exploitation but also the political stability of the regime and its legitimation. This implied that the state had to take account of the nature of social reactions in relation to its policies. In the process of implementation the policies had to be modified over the years in response to the pressure of active 'social intervention' of classes and groups. The effectiveness of such pressure was related to the official perception of the economic and political weight of the particular class or group, and its collective strength. All social groups obviously could not exert the same pressure. If in the early years the pressure of existing dominant social classes in different regions was most marked, subsequently the state had also to respond to the 'social intervention' of a wider section of the peasantry. The landless poor and the agricultural labourers, however, could never provoke similar official concern in the nineteenth century: their protests, by and large, remained fragmented and atomized. It was the nature of 'social intervention' which, in many ways, defined the limits within which the state could impose its policies and the form in which policies could become operational.

In its operational form the Permanent Settlement was not just the outcome of debates which led to the regulations of 1793. It evolved over time through a process characterized by the attempts of various classes within rural society to assert their rights and interests. While the regulations of 1793 had granted hereditary property rights to the zemindars and fixed the revenue demand in perpetuity, there were various clauses defining the limits of their rights and privileges: the land of zemindar was to be sold in case of default of revenue payment; no remissions were to be granted in case of famine, scarcity and natural calamities; coercive powers over *rai-yats* and tenure holders were denied; *abwabs* were forbidden; *pattas* (lease agreements) were to be granted by the zemindars to the ryot; judicial and administrative powers of the zemindars were withdrawn; *talukas* under zamindars were separated and all *taluqdars* were recognized as independent revenue payers. Many of these clauses had to be altered subsequently because of widespread zemindari resistance to the 1793 regulations.<sup>31</sup> In many areas zemindars were unwilling to agree to the proposed decennial assessment of 1790 which was made permanent in 1793. In Dacca, for example, one-third of a total of 14,500 zamindars refused

<sup>31</sup> The zamindari resistance is discussed in Islam, and in Ray.

to accept the assessment, affecting the payment of about one-fourth of the total revenue demand of the region. When the government tried to acquire the estates, local *lathiyals* were organized and ryots provoked to fight the government.<sup>32</sup> Sale laws were not easy to implement. Due to various forms of resistance, purchasers from outside a locality found it difficult to occupy land. Auctions were frequently rigged, purchases being made by the zemindars' men, who offered prices which were too low to allow a recovery of revenue arrears. Ryots on the other hand deliberately delayed payment of rent to harass the zemindar, since the latter had inadequate coercive power over the former. Mounting arrears of revenue and the opposition of zemindars forced the government to grant the latter increased control over village headmen and ryots (Haptam-Regulation 7 of 1799, and Panjam-Regulation 5 of 1812), and change some of the regulations of 1793. Subsequently, however, the consolidation of the *jotedar* class created pressures for protective legislation in its favour, and determined to large measure the nature of the Bengal Tenancy Act of 1885.<sup>33</sup> Similarly, in the ryotwari areas, the attempt to abolish intermediaries failed in many places on account of their successful resistance. The scathing criticism of the mirasidars and *reddis* in the early settlements of Madras gave way later to a grant of certain concessions and privileges to them.<sup>34</sup>

Despite such modifications, the settlements led to definite changes within the social fabric. If one refers to the entire structure of social relations, the conclusions about 'continuities' would be more difficult to sustain. The analysis of Frykenberg or Ray does not extend to levels below what they identify as 'village elites'.<sup>35</sup> Ray refers to an absence of change at lower levels, but the point is not elaborated and substantiated. Compared to her rich evidence on zamindars and jotedars, her

<sup>32</sup> Islam, p. 26.

<sup>33</sup> On Bengal Tenancy Acts see Asok Sen, 'Agrarian Structure and Tenancy Laws in Bengal', in Asok Sen *et al.*, *Perspectives in Social Sciences, 2: Three Studies on the Agrarian Structure in Bengal 1850-1947* (Calcutta, 1982).

<sup>34</sup> Nilmani Mukherjee, *The Ryotwari System in Madras*, ch. 12.

<sup>35</sup> While Ray's criticism of the 'old' view (above, n. 26) is acceptable, her conclusion that even the changes of the 'upper levels' were a continuation of a 'pre-modern' process is hardly convincing. All changes are not of the same order. The composition of the zamindars may not have changed after the Permanent Settlement, but their authority, power, function and the nature of their relationship to other classes within the rural order were transformed (Ray provides ample evidence on this) in a way which makes such comparisons with changes in the pre-British period superficial.

discussion of cultivating ryots and tenants remains quite superficial.<sup>36</sup> If the conventional view about the 'shattering' of the old order which Frykenberg and Ray criticize was based on many false contrasts, the thesis of 'continuity' which has become a new orthodoxy emphasizes formal similarities in the constituent aspects of different structures.

In the next section I shall elucidate my argument through a discussion of the nature of Forest Settlements (which covered 'excess waste') in Punjab. In what ways did official concerns define colonial policy towards forestry? Through what process did forest regulations acquire their operational form? To what extent were existing rights recognized or denied? To understand such questions we need to analyse, amongst other issues, official perceptions of the legitimacy of existing practices and customs, and the attitude of villagers towards new laws and the redefinition of their use-rights.

### *Forest Settlements*

The demand for timber for the Royal Navy had prompted the initial imperial concern with Indian forestry around 1806.<sup>37</sup> However, no concrete measure was taken till the mid-nineteenth century. In 1849 Dalhousie ordered 'excess waste' to be formed into government estates,<sup>38</sup> and two years later he emphasized the need to preserve a supply of timber and fuel in Punjab.<sup>39</sup> The response of the Board of Administration was enthusiastic. Its letter explicitly recognized the imperial concerns: 'The Board are fully alive to the importance... not only of increasing the growth of timber, but of economizing the existing produce for the future wants of our large cantonments, for the steamers, which may hereafter ply, and for the inhabitants of the country generally.'<sup>40</sup> It had been found that the supply of wood around the large

<sup>36</sup>There is enough evidence to show that at a 'lower level' the customary claims of poor peasants, landless petty tenants and agricultural labourers were gradually eroded, and the nature of their subordination within the agrarian structure underwent a change. On the position of share-croppers in Bengal see Asok Sen and B.B. Chaudhuri, 'Movement of Rent in Eastern India, 1793-1930', *The Indian Historical Review* (hereafter *IHR*), Jan. 1977, vol 11, no. 2.

<sup>37</sup>B. Ribbentrop, *Forestry in British India* (Calcutta: 1900).

<sup>38</sup>No. 418, dated 31 March 1849, para 60, cited in *Punjab Land Administration Manual* (1908, reprint of 2nd edition, Chandigarh: 1972) (hereafter *PLAM*), p. 421.

<sup>39</sup>Government of India (hereafter GOI) letter no. 645, dated 18 Feb. 1851, *ibid.*

<sup>40</sup>No. 60, dated 17 Jan. 1852, *ibid.*, p. 422.

cantonments was nearly exhausted because of the enormous quantities of fuel required for burning bricks and lime, and for the troops and camp followers. There was a general fear that future supplies could not be ensured unless immediate measures were taken. In addition the 'Public Works' projects (particularly railways), which the state proposed to extend, also required increased supplies of timber and fuel. The proposals of the Board were approved by Dalhousie, and in 1852 he issued general instructions for the creation of fodder, fuel and forest reserves.<sup>41</sup> In 1855 John Lawrence, the Chief Commissioner, drew up general rules for forest conservation in the hill districts.<sup>42</sup> A series of local regulations followed: the Rawalpindi rules of 1856, the Hazara rules of 1859, the Kangra and Hoshiarpur rules of 1859. In 1864 J. L. Stewart was appointed the first Conservator of Forests in Punjab. The subsequent year saw the passage of the first 'Government Forests Act' (VII of 1865) allowing local government to notify any land covered with trees, brushwood or jungle as a government forest.<sup>43</sup>

Through these rules and the Act, the government asserted a right of property over large areas of forests and wastes, claimed the right to demarcate an area as 'reserved' or 'protected', and restricted or prohibited the use of a forest by the villagers around it.<sup>44</sup> Breach of regulations was made a criminal offence subject to fines, confiscation of property or imprisonment. However, the regulations only stated the general principles and the broad framework within which specific forest settlements were to be made in different regions. Such settlements were to be made in different regions. Such settlements were based on inquiries into existing rights and a determination of the extent to which forests could be categorized within different classes subject to different degrees of state control. These involved issues of interpretation subject to conflicting pulls. The demands of different social classes and their attempts to protect and assert their rights, had to be reconciled with

<sup>41</sup>GOI letter no. 218, dated 13 Feb. 1852, *ibid.*, pp. 424-5.

<sup>42</sup>Chief Commissioner's letter no. 196, dated 3 March 1855, *ibid.*, p. 425. See Forest Proc., July 1883, A, no. 7.

<sup>43</sup>This Act was supplemented by section 48 of Act IV of 1872. In 1878 the Indian Forest Act was passed, which was modified from time to time till the new Forest Act XVI of 1927 was passed.

<sup>44</sup>The forests were divided into four classes: (1) forests which were to be preserved for climatic or physical reasons; (2) forests which supplied valuable timber for commercial purposes; (3) minor forests producing inferior timber where rights of local inhabitants could be conceded; (4) pasture lands. Stricter rules of 'reservation' and 'protection' were applied to the first and second class forests. *PLAM*, pp. 477-84.

what the colonial state perceived as its interest and 'the general interest of the society'. Conflicts of opinion amongst officials reflected the different ways in which such a reconciliation was sought.

British officials and villagers naturally viewed the forests from two different perspectives. To conservators the forest was a place for growing full-size timber. Forests had to be protected and their long-term reproduction ensured. Anything which prevented the full growth of timber or its 'destruction' was opposed to the principles of conservancy, and hence logically against the 'general interest of people'. Conservation, the particular object of the colonial state, was represented as the universal interest of society. The villagers had a different notion of the function of forests. Fitzpatrick, who had heard the complaints of landowners, felt that their answer to the arguments of forest officials would have been as follows:

There are forests and forests. Some forests are intended to supply full-sized timber, and others to supply smaller timber and other things. This forest has been consecrated by the usage of ages as a forest of the latter class for use, and as for its not producing much full sized timber, full sized timber is the last thing we want; small timber suits us infinitely better, as it is easier to handle.<sup>45</sup>

In many areas the forest was intimately connected with the life of the people. It supplied their daily needs and was a source of cash income. In the hills of Kulu and Kangra forests provided the necessary manure: grass, straw of buck wheat or bracken fern and loppings of trees were used, but *subr* or *jharka* (fallen pine needles or leaves) were most valued. Fodder supply came from the forests. Until autumn there were the grazing runs. For winter, grass and numerous herbs (*kadari* or *gulosini*, *churwachi*, *chalocha*, *shakair*, *satpacho*) were cut, dried and stored. Tree leaves supplemented the stock of winter manure: oaks were lopped in winter for their leaves (*jore*); leaves of horse-chestnut, mulberry, elm and *khark* were cut in October and dried for winter. Various other shrubs and trees were similarly used. Timber was necessary for houses and agricultural implements. Stumps of deodar and kail were cut for torches, and oil was made from deodar stumps. Twigs strewn on the ground and loppings of trees were used as firewood. Charcoal was usually made from oak, but for blacksmiths it had to be made from kail.<sup>46</sup>

<sup>45</sup>Note by the Lieutenant Governor, dated 9 Jan. 1894, on the Kulu Forests Settlement, para 9, *Selections from the Records of the Office of the Financial Commissioners, Punjab* (hereafter *SRFCP*) New Series (hereafter *NS*), 25.

<sup>46</sup>The above paragraph is based on 'Kulu Forest Settlement Report', in *SRFCP*, NS 25;

Forests were important in many other ways. Ropes were made from nettle, from *bagar* grass, from brushwood, and the bark of small elm branches. The revenue was often paid by the sale of fruits (walnut, apricot, peach), medicinal roots (*karu*, *patis*) and incense (*bethar*, *gugal*, *dhup*, etc.). Certain forest plants (*matosal*, *tathimang*) were used in the process of fermentation of *lugri*, the hill beer which was consumed during festivities and while working up the rice fields. The Kulu *topi* was dyed black with the root of the *jakri* plant, and the edge of Kulu blankets with *majit*. The bark of the oak, the leaves of the *tung*, and the wood of the *lodar* or *loij* were used in tanning. The back of the *bhoj-patra* was used as paper for writing, for making umbrellas, and also for covering rice about to be sown—probably to stimulate germination by heat.<sup>47</sup>

Thus, access to grazing land and adequate supply of fodder was important for all villagers. But for pastoral groups it was indispensable for their livelihood. Before the forest laws they were accustomed to a relatively uninhibited movement in their search for pasture, and unrestricted rights of grazing in grassland and forests. Seasonal cycles of migration were characteristic of shepherds in the hilly areas of Punjab. Snow and frost in the high ranges and heavy rain and heat in the low made it impossible to carry on grazing without a seasonal change of ground. These shepherds, with their flocks of sheep and goats, spent the winter in the forests of the low hills, retreated in spring to a higher altitude, and reached the high ranges in summer.<sup>48</sup> In winter, even in the low hills of Kangra, there was a little grass: the shepherds depended on leaves and on twigs of thorny bushes and shrubs. These winter pastures were divided amongst the shepherds, each division being called a *ban* in Kangra and *gahr* in Kulu. The Gaddis had no ownership over these runs but had an exclusive customary right to their regular use. Every *ban* was usually considered a *warisi* (inheritance) of some Gaddi family.<sup>49</sup> A similar *warisi* was claimed over the *dhars*—the summer pastures in the high mountains. However, the flocks in a

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'Kangra Forest Settlement Report: 1887' in *SRFCP*, NS 26, and the related correspondence and papers on the settlement which will be referred to below. See also *Settlement Report* (hereafter SR): Kangra: 1856–72.

<sup>47</sup> 'Kulu Forest SR', para 161, *SRFCP*, NS 25.

<sup>48</sup> 'Kulu Forest SR', paras 126–7, *SRFCP*, NS 25; 'Kangra Forest SR', paras 30–6, *SRFCP*, NS 26; *Kangra: 1856–72*, paras 40–6, also Report on Kulu Sub-division, para 90.

<sup>49</sup> SR: *Kangra 1856–72*, paras 40–6. Amongst the Gaddis: 'The "waris" of a "ban" generally takes the position of leader of the flock, so the title of "mahlundhi" is commonly applied to him, but a man may direct a flock and be called "mahlundhi" without

ban or a dhar commonly belonged to several families and not to the waris alone.<sup>50</sup>

The nomadism of the shepherds was not restricted within narrow territorial boundaries. The Kangra Gaddis moved into Kulu in summer before the passes into Lahul were open; the flocks from Chamba too, halted and grazed in Kulu en route from Bilaspur to Lahul, passing through different territories again on their return journey.<sup>51</sup>

The seasonal movements of the shepherds were closely related to the agricultural cycle. Transhumance and nomadism did not inevitably imply a conflict with settled agriculture. The flocks fertilized the fields, and we are told: 'in many parts of the low hills this manure is so much valued that the landholders are ready to give the shepherds food and drink for themselves and their dogs, and a rupee or more into the bargain, to induce them to pen the flock for one night on their fields.'<sup>52</sup> Before the flocks moved up for the summer pasture the rice (an autumn crop) fields in the low lands were manured, and when they returned around Assauj, spring crops (wheat, barley, etc.) needed manure.<sup>53</sup>

To the British officials such traditional practices appeared totally inconsistent with the logic of conservation and the general 'principle of property'. The conservators complained of indiscriminate felling, injurious lopping, senseless waste, promiscuous grazing, and disastrous fires which were leading to the 'utter ruin' of valuable forests, and which were depriving the state of its 'rightful dues'. For the general interest of the state and society, restrictions and regulations were considered essential. In the course of the forest settlements and preparation of records of rights, the wastes and forests were divided into 'reserved', 'protected' and 'unclassified'. The 'reserved' forests could not be 'burdened' with the rights of villagers; and this implied extensive confiscation of existing use-rights.<sup>54</sup> However, every forest could not

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having any claim to "warisi" of the "ban". Ibid., p. 49. The waris usually paid 5 per cent less than the other shepherds (who were referred to as his *asamian*) towards the common expenses of the group.

<sup>50</sup> SR: Kangra: 1856-72, para 46.

<sup>51</sup> 'Kulu Forest SR', para 171, SRFCP, NS 25. The returns from grazing tax suggest that in the early 1880s an estimated 80,000 sheep grazed every year in the Kulu valley before moving into Lahul. Ibid., para 177.

<sup>52</sup> SR: Kangra 1856-72, para 42. See also 'Kulu Forest SR', para 171, SRFCP, NS 25. Anderson, the Forest Settlement Officer, noted with apprehension: 'The people [of Kulu] are not opposed to their grazing in the forests so long as they get their fields manured, and thus the Gaddis are gradually getting a firmer footing'.

<sup>53</sup> Kulu Forest SR', paras 127 and 176, SRFCP, NS 25.

<sup>54</sup> During the debate on the Forest Bill Mr Hope emphasized: 'There can be no real

be declared a 'reserve'. Where the survival of the people was closely dependent on their rights in the forest, and where opposition to government monopoly over forests was most evident, the wastes and forests were to be classified as 'protected'.<sup>55</sup> But such protection became a means of extending government control over large areas. While the rights of villagers were not always totally confiscated, they were, in significant ways, redefined and restricted.

The felling of trees was completely prohibited in the reserves; and from the protected areas the *hakkdars* (right-holders) could take timber for their dwelling houses and agricultural implements, but not for sale.<sup>56</sup> Initially the British continued the customary practice of allowing the timber free. From 1856 a 'zamindari rate' of 4 annas was charged for valuable trees, which were declared government property. By the 1880s the rate had increased to Rs 3.<sup>57</sup> According to James Lyall, this rate had to be paid initially only for a few trees; but in 1873 there were twenty trees listed as 'valuable', and in 1892 the number had risen to sixty-two.<sup>58</sup> 'If zamindari rates may be increased indefinitely', warned Lyall, 'and the number of trees on the list be increased so as to include all but worthless woods, the right-holders' customary rights on arboreal growth will be reduced to little or no value. This would be confiscation, not regulation of right.'<sup>59</sup>

The lopping of branches—essential for villagers as manure, fuel and fodder—was opposed by the conservators. According to them many trees became knotty and 'valueless' as a result of lopping, and in general their growth was hampered. In the case of valuable trees like *deodar*, no lopping was now permitted under any circumstances; for

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forest conservancy in any country without a certain portion of closed reserves and no such reserves can be maintained if all sorts of rights are to be freely exercised inside them; expropriation is consequently indispensable, though to a greater and lesser extent according to the circumstances of each forest.' 'Kulu Forest SR', p. 24, *SRFCP*, NS 25.

<sup>55</sup> Moreover, theoretically reservation had to be preceded by a settlement. No settlement was required to notify an area as protected forest.

<sup>56</sup> I am here referring to the regulations which were initially proposed and implemented (in the 1870s and 1880s), many of which, as we shall see, were to be modified later.

<sup>57</sup> 'Kangra Forest SR', paras 40–7, *SRFCP*, NS 26; 'Kulu Forest SR', paras 137–44, *SRFCP*, NS 25.

<sup>58</sup> Note by James Lyall, dated 19 Feb. 1892, on Anderson's Report of 20 Aug. 1887 on Forest Settlement of Kangra proper, para 14, *SRFCP*, NS 26.

<sup>59</sup> *Ibid.* See also Anderson's comments on Lyall's views: No. 972, dated 8 July 1896, A. Anderson, Deputy Comn. Kangra, to the Comn. and Sup., Jullunder Division, paras 10–11, *SRFCP*, NS 26.

certain trees it was allowed under the supervision of a forest official. The height upto which branches could be lopped was also specified.<sup>60</sup>

As for suhr, Anderson was aware that it was an important manure. But its collection by the villagers was considered harmful to forest growth. While the practice could not be banned in Anderson's settlement, permission to collect suhr was restricted to a week in spring and a week in autumn.<sup>61</sup>

The question of firing within the forest was an important issue. The officials well understood the rationale behind the practice. 'I think it cannot be contested', agreed Robertson, 'that firing the grass does improve it [i.e. the grass], and that the tendency in pine forests is, for the dropping leaves, greatly to injure it. . . .'<sup>62</sup> But forest officials were always apprehensive that such firing or charcoal burning might lead to forest fires, destroying vast expanses of valuable timber.<sup>63</sup> Hence, firing was prohibited in the reserves as well as 'demarcated' areas within protected forests. In the 'undemarcated' areas charcoal burning was allowed to a limited extent on the open ground, with official permission.

Grazing rights were redefined. Large areas were closed to grazing. There were areas where hakkdars could graze their cattle, but they had no permission to lease their rights. The government claimed the right to regulate grazing by shepherds and realize dues from them. In passing to and from their runs the Gaddis had only a right-of-way and were not allowed to remain in a place for more than a day or two. In Kulu Anderson levied an extra due (Rs. 3-2-0 per hundred sheep) whenever the Gaddis prolonged their stay.<sup>64</sup>

The expropriation or redefinition of existing use-rights created a deep sense of injustice amongst villagers. Forest officials discovered that villagers, who saw the surrounding forests as their own, refused to consider the cutting of trees a crime. 'They regard punishment for illegal cutting of trees as unjust', reported Baden Powell. 'They ask us why they should be treated as criminals, and their respected tribesmen imprisoned and brought on the police lists as if they were thieves.'<sup>65</sup>

<sup>60</sup> 'Kulu Forest SR', *SRFCP*, NS 25; 'Kangra Forest SR', *SRFCP*, NS 26.

<sup>61</sup> *Ibid.*

<sup>62</sup> Note by F. A. Robertson, Forest Settlement Officer, on the Forest Settlement of Tahsil Murree and Kahuta, *SRFCP*, 16. •

<sup>63</sup> Robertson noted: 'There is no stopping such a fire when it has once begun, and the damage it does, as it rages over miles of country, is incalculable. . .'. *Ibid.*

<sup>64</sup> Kulu Forest SR', para 177, *SRFCP*, NS 25.

<sup>65</sup> No. 9F, Camp., Rawalpindi, 29 May 1876, Baden Powell, Conservator of Forests, Punjab, to the Sec. to Financial Comm., Punjab, para 8, *SRFCP*, 16. Baden Powell felt

In all regions forest-settlement operations led to 'serious and general discontent'. Villagers complained of the violation of their rights. Petitions and representations were made to higher authorities in the hope of greater justice. When the Duke of Connaught passed through Rawalpindi in 1884, ryots and zemindars petitioned against the *zulum* of the Forest Department.<sup>66</sup> When the Lieutenant-Governor, Denzil Fitzpatrick, toured Kulu in 1883, he received numerous representations, both written and oral.<sup>67</sup> At a lower level officials were confronted with the persistent resistance and 'obstructive tactics' of villagers.<sup>68</sup> Often, such opposition took only passive forms. H. E. Perkins reported from Rawalpindi that those who were expropriated as a result of the creation of reserves frequently refused all compensation in money. 'These refusals by the people have of course arisen from the helplessness of despair', he wrote.<sup>69</sup> The villagers knew that the small compensatory amount would soon be spent and 'they are then beggars for the rest of their lives'.<sup>70</sup>

Beyond such passive protest, petitions and complaints, there was an active defiance of rules and conscious acts of vengeance. The conservation of forests and wastes through new Acts was no smooth affair. Regulations, in a sense, create crime.<sup>71</sup> As villagers in the Kulu valley told the Lieutenant-Governor, 'If the forests are made reserves we shall all always be criminals.'<sup>72</sup> And officials found it impossible to

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that in all countries 'in an early state of forest management, forest *delicts* are not looked on as crimes', but gradually modern notions of property rights over forests come to be accepted. In Punjab, however, he found that 'the idea of right has clung to the people, and therefore, they will not look on cutting of trees as crime.' *Ibid.*, para 9.

<sup>66</sup> Extract from newspaper appended to No. 473, dated 7 Nov. 1884, Jr. Sec. to Govt. Punjab, to the Comm. and Sup., Rawalpindi Division, *SRFCP*, 16; no. 5372, dated Rawalpindi, 21 Nov. 1884. H. E. Perkins, Comm. and Sup., Rawalpindi Division, to the officiating Jr. Sec. to Govt. Punjab, *SRFCP*, 16.

<sup>67</sup> See Note by Lieutenant-Governor, dated 9 Jan. 1894, on Kulu Forest Settlement, *SRFCP*, NS 25. There is a detailed discussion of all the complaints.

<sup>68</sup> *Ibid.*, para 5.

<sup>69</sup> No. 5372, dated Rawalpindi, 21 Nov. 1884, H. E. Perkins, Comm. and Sup., Rawalpindi Division, to the officiating Jr. Sec. to Govt. Punjab, para 7, *SRFCP*, 16.

<sup>70</sup> *Ibid.* Perkins added, 'there is no doubt that many a home has been permanently ruined by these operations, and the compensation offered has been useless, because it was impossible for the recipient to buy land equal to what he lost. . . .'

<sup>71</sup> This is evident in recent works on the social history of crime in England. See in particular E. P. Thompson, *Whigs and Hunters* (Harmondsworth: 1977); Douglas Hay et. al., *Albion's Fatal Tree* (Harmondsworth: 1977); J. Brewer and J. Styles (eds.), *An Ungovernable People* (Hutchinson: 1980).

<sup>72</sup> Note by the Lieutenant-Governor, dated 9 Jan. 1894, on the Kulu Forest Settlement, para 17, *SRFCP*, NS 25.

control the widespread 'illicit lopping', 'illegal felling', 'unauthorized grazing', 'trespass' and 'deliberate incendiarism'.<sup>73</sup> Punitive measures provided no easy solution to the problem. Take for instance the regulations against charcoal burning and the firing of grass within forests. Prohibition did not stop these customary practices. Many officials realized the difficulty of controlling such 'illicit' firing: 'The villagers only wish to do what their forefathers have done for ages and in my opinion no penalties however severe will stop them. Their lives depend on the produce of their cattle, and in order to get grass they will continue to burn forests whether guards be quadrupled or punishments inflicted.'<sup>74</sup> But the fires which continued to burn down vast areas of valuable forests were not merely the unintended consequences of careless burning of charcoal and grass. Very often they were the result of deliberate acts of protest against forest laws.<sup>75</sup> It was in the heart of reserved forests, where all use-rights were expropriated, that fires often originated. And frequently they broke out at three or four places simultaneously at the dead of night.<sup>76</sup> A. E. Wild, an officiating Conservator of Forests (Punjab), expressed a sense of despair at the state of affairs in 1890. He found forest officials questioning the law and district officers proposing the enlargement of open grazing areas since the necessity for good grazing was the cause of illicit firing.<sup>77</sup> R. H. C. Whittall, the Conservator of Forests (Punjab), urged: 'things have now come to such a pass that either these fires must be put a stop to

<sup>73</sup> Detailed annual reports on forest crimes are available. See *Progress Report of Forest Administration in the Punjab* (hereafter *RFAP*) (from 1869-70; annual). Though the figures in the reports are not too reliable, they give us some crude measure of the magnitude of such 'crimes'. 'Illicit' grazing, for instance, was so widespread that about 40,000 cattle had to be impounded every year in the mid 1880s. (1885-6 = 42,801, 1886-7 = 39,618), *RFAP*, relevant years.

<sup>74</sup> Report of the Deputy Comm. of Rawalpindi on the disastrous fires of 1890. *RFAP*, 1890-1, p. 14.

<sup>75</sup> The area of forest destroyed by fires fluctuated with the nature of the season. Usually 10-20,000 acres of Punjab forest were burnt every year; but in the years of drought and scarcity, fires were more common and disastrous. Note for instance the figures for the following bad years: 1886-7 = 1,34,828 acres (4 per cent of the total area under the Forest Department in Punjab), 1895-6 = 1,18,097 acres (3 per cent of the total area) and 1914-15 = 41,578 acres. *RFAP*, relevant years. In such years of drought, fires were more likely to spread rapidly, but the anger of the villagers against the Forest Department was also more freely expressed—a point noted in the reports. Unauthorized felling of trees and 'illicit grazing' also increased when there was a scarcity of food and fodder. See *RFAP*, 1899-1900.

<sup>76</sup> *RFAP*, 1897-8.

<sup>77</sup> Extract of the note in *RFAP*, 1890-1, p. 14.

or fire protection abandoned as hopeless.<sup>78</sup> Without the co-operation of the people, he felt, the measures would never succeed. According to him, fire lines and fire watchmen were of little use: a vigorous enforcement of the principle of joint responsibility of villagers could provide a possible solution.<sup>79</sup>

The protests of villagers were expressed in other ways. The symbols of the new system—forest guards, boundary lines, guard huts—became targets of attack. There were frequent reports of guards being assaulted and killed. Every year new mud pillars were reportedly erected and old ones repaired, but they were destroyed by the villagers with increasing regularity.<sup>80</sup> Forest officials often found it impossible to ascertain old boundary lines.

British officials were aware of the attitude of the people, but opinions differed on the extent to which the views of the state ought to be imposed in the face of popular hostility. Such differences were based on different assessments of the implications of popular opposition on the one hand and the potential returns from forest regulations on the other. Some officials found the protests by villagers utterly unreasonable. 'Nothing will ever satisfy these people', wrote an irate Deputy Commissioner of Kangra. 'They desire to cut wood for all purposes and of all kinds at all times and whenever they please. They wish for no restriction on lopping or firing everywhere. . . . All objections of this kind are without reason.'<sup>81</sup> Baden Powell, who was for long years the Conservator of Forests (Punjab), similarly felt that it was impossible to give in to the demands and feelings of the people:

The fact is . . . that all forest conservancy must be, and always will be, unpopular. The people want nothing less than to have the rakh given over to them absolutely, to graze everywhere on the payment of a light *tirmi* fee [a grazing due] . . . and to cut what they like, and where they like, and to derive the whole profits of sales of fuel to the cantonments and public works.<sup>82</sup>

<sup>78</sup> Extract of the note in *RFAP*, 1988–9, p. 10.

<sup>79</sup> *Ibid.* The Conservator's observation on the attitude of the villagers is interesting: 'As if not satisfied with what has been given them under (forest) settlement, they seem determined to force us to abandon all forest conservancy, and to restore them their forests as a thankless and unprofitable investment on the part of government.' *Ibid.* The same attitude was faced in other regions. See, for instance, 291/1671 R. 4 Sep. 1903, comments of the Deputy Comm. Ambala on the forest fires in region, Delhi Division Records, Basta 4.

<sup>80</sup> There is extensive evidence on these aspects in the annual volumes of *RFAP*.

<sup>81</sup> No. 592, dated 5 May 1888, E. O. Brien, Deputy Comm. of Kangra, to the Comm. & Sup., Jullunder Division, *SRFCP*, NS 26.

<sup>82</sup> No. 14F, dated Camp Kaghan, 16 June 1876, Baden Powell, Conservator of Forests Punjab, to the Sec. to Financial Comm., Punjab, *SRFCP*, 16, p. 1484.

Others were more concerned about the nature of popular reaction and felt the need to modify regulations in order to conciliate the demands of various classes. James Lyall, reviewing Anderson's Kangra Forest Settlement Report of 1887, criticized the latter for ignoring many legitimate customary rights of the *khewatdars*. Lyall felt that Anderson had 'taken in some respects too limited a view of the rights of the owners of the soil and too liberal a view of the rights of government.'<sup>83</sup> If the legitimate rights and demands of villagers were adequately taken into account, argued Lyall, then the resentment against forest regulations could be contained. Fitzpatrick was similarly critical of the Kulu Forest Settlement. He was convinced of the need for conservation but apprehensive of efforts to push it too far. After going around Kulu and receiving representations and complaints from landowners he had no doubt that the people were 'genuinely harassed'. And he wrote: 'I don't think that for the sake of improving it [i.e. the forest] we should be justified in harassing the people with any very strict system of conservancy.'<sup>84</sup> Fitzpatrick emphasized the importance of taking popular reactions into account and modifying the initial proposals when they were too 'harsh and rigid'.<sup>85</sup> 'There are many small matters in which the Forest Officials can make concessions to the people and thus conciliate them and secure their support', noted the Lieutenant-Governor.<sup>86</sup> Lyall, Wace and others similarly suggested numerous modifications in view of the problem created by the constant encounters between the forest department and villagers. Harassment of the people and expropriation of their rights was to be restrained unless the 'large interests' of the colonial state made it imperative.<sup>87</sup>

<sup>83</sup> Note by James Lyall, dated 19 Feb. 1892, para 38, *SRFCP*, NS. 26.

<sup>84</sup> Note by the Lieutenant-Governor, dated 9 Jan. 1894, para 7 *SRFCP*, NS 25. However, one must also note that the rigidities of the existing protective measures appeared unnecessary to the Lieutenant-Governor because he saw no prospect of an increased demand and expanding market for timber, and hence no real gains for the state. Writing in 1894 he predicted a steady substitution of timber by metal: girders, sleepers, beams being increasingly made of iron.

<sup>85</sup> He said, 'my object is to get the system worked in such a way as to make it as little unpopular as possible. Particular care should be taken to avoid anything in the way of harshness and rigidity of system where not absolutely necessary.' *Ibid.*, para 38.

<sup>86</sup> *Ibid.*

<sup>87</sup> E. G. Wace, the Financial Comm. of Punjab, clearly stated this logic: 'My view is that in those lands in which the people are closely interested we should interfere as little as possible; but that *so far we are obliged to interfere, the necessity should justify the interference, and no argument based on rights should suffice to prevent our doing what is necessary*' (emphasis added). Note by E. G. Wace, Financial Comm. Punjab, *SRFCP*, NS 25.

The form in which the forest settlement was finalized in 1897 was thus a product of over thirty years of history in which the rules that had been formulated initially were changed under the pressure of opposition and the imperatives of the changing situation. There was a conflict between different interests, perspectives and claims, and officials debated over the possible ways in which the conflict could be formally 'resolved'. Imperial interest was to be secured, but in a way which would both make the policies politically more viable and conciliate those who were most articulate and powerful.

Many modifications of initial regulations and record-of-rights were made. Due to the general discontent, any absolute confiscation of use-rights and unlimited expansion of the reserve was not possible.<sup>88</sup> The attempts to tighten control within the protected forests also posed problems. In Kangra for instance, large reserves could not be created since the zemindars had been recorded as proprietors of the soil in the initial settlement. After 1883 many trees within the protected forests were declared reserved and a considerable area was closed against all rights for twenty years. But in practice it was difficult to carry this regulation through. Faced with the resistance of villagers, the protected forests were divided in 1917 into two classes: 'delimited' and 'undelimited'. Portions of the former could be closed but the latter was not to be closed.<sup>89</sup>

Under similar pressure, freer grazing rights were conceded.<sup>90</sup> In the Murree and Kahuta Rakhs (fuel reserves) of Rawalpindi, the regulations of the 1880s allowed 75 per cent of the reserved area to be closed to grazing at one time. The regulation had to be subsequently relaxed. It was notified in 1916 that only 25 per cent of the area could be thus closed.<sup>91</sup> In general, about 80 per cent of the total area under the Forest Department in Punjab had to be kept open to grazing.<sup>92</sup> Any scarcity and drought necessitated the opening up of a larger area.

<sup>88</sup> About 10 lakh acres of the best forest land, accounting for about 20 to 25 per cent of the total area under the Forest Department, was 'reserved'. But the extent of this area remained more or less constant over the years. For details see the annual statements of area under the Forest Department, in *RFAP*.

<sup>89</sup> *PLAM*, p. 445.

<sup>90</sup> Lyall describes the process of negotiation with zamindars over grazing rights when he first attempted to try out the 1866 scheme in Kangra. Precipit of correspondence appended to Settlement Officer's No. 4, dated 14 Jan. 1867, to Comm., Trans. Sutlej States, *SRFCP*, NS 26.

<sup>91</sup> *PLAM*, p. 450

<sup>92</sup> See the annual statements in *RFAP*.

In view of intense opposition, Anderson's attempt to restrict suhr collection to only two weeks in a year was given up; lime and charcoal burning was allowed in some parts; directions were given to relax restrictions on the removal of timber and other forest produce for direct use by the villagers; the Gaddi shepherds were allowed more days to pass through the valleys on their way up and down from the summer to the winter pasture.<sup>93</sup>

Forest officials increasingly felt that conciliation of the proprietary body in the villages near the forest was essential if the forest settlement was to be successfully implemented.<sup>94</sup> As khewatdars their claims on the forest were considered stronger than those of the non-agriculturists. Control over a certain area of the waste (theoretically about 200 per cent of the cultivated area but in practice often much less) was given over to the village proprietors. In some regions they were allowed a share of the forest income. Anderson's proposal to deny this share to the khewatdars in Kangra was firmly opposed by Lyall: 'I believe that we shall never attain to a satisfactory position in the management for these village forests till the proprietors of the soil see that if they as right holders are inconvenienced by our arrangements they gain by them as proprietors.'<sup>95</sup> In accordance with Lyall's proposal, half the income from the sale of trees to right-holders in Kangra was given to village officials and khewatdars of the *mauza* from which the trees were cut. Out of every 16 annas so assigned, the division of shares was to be as follows: khewatdars 8 annas, *lambardar* 3 annas, *rakha* 3 annas, *patwari* 2 annas.<sup>96</sup>

All this meant a strengthening of the position of the village proprietary community *vis-à-vis* agricultural labourers, poor tenants, artisans and nomadic graziers. State control over wastes and forests, contraction of available culturable area and pasture, and the increasing value

<sup>93</sup> No. 972 dated 8 July 1896, Anderson, Deputy Comm., Kangra, to the Comm. & Sup., Jullunder Division, *SRFCP*, NS 26. See the Finalized Record of Rights of Kulu, *SRFCP*, NS 25, and Kangra, *SRFCP*, NS 26.

<sup>94</sup> Commenting on the violation of forest rules, a report noted in 1917: 'There is no doubt, however, that much can be done by a policy of conciliation and by increasing facilities for the use of the forests by villagers.' *RFAP*, 1916-17, para 27.

<sup>95</sup> Note by James Lyall, dated 19 Feb, para 18, *SRFCP*, NS 26.

<sup>96</sup> No. 972, dated 8 July 1896, A. Anderson, Deputy Comm. Kangra, to the Comm. and Sup., Jullunder Division, para 12, *SRFCP*, NS 25. This regulation was applicable primarily to regions like Kangra where the proprietary rights over the trees were claimed by the government but that over the soil had been conceded to the village proprietors.

of land led to attempts by landowners to appropriate and monopolize the village wastes. 'From the date of the demarcation of our reserved rakhs', reported E. G. Wace in 1875, 'the agricultural classes, and especially the proprietors, began to look on the wood produced on their waste as intended for their own use, to the exclusion of the claims of non-agricultural residents.'<sup>97</sup> The lambardars and richer landowners were the ones to gain the most from the partitioning of village commons and the reclamation of waste: 'It is only the powerful or intriguing landowner who gets land for new cultivation in the middle of an open waste', observed a Deputy Commissioner. 'Such new cultivation may interfere with the grazing of small proprietors and tenants but they dare not object.'<sup>98</sup> Classes which had a weaker capacity to resist the process of expropriation obviously lost their customary use-rights more rapidly. They could possibly acquire their rights only through a process of struggle.

Thus the nature of resistance to state regulations and the pressure of social attitudes and actions had a significant influence in shaping the form in which colonial policies were implemented. Yet modifications in the policies did not represent a simple process of 'adaptation'; nor was there a conservation of the structure of pre-British social relations. As we have seen, the content of the existing rights was profoundly altered, even when these rights were not confiscated. The proprietary communities within the villages acquired a greater power relative to the non-proprietors—the artisans, labourers, petty traders and nomadic graziers. But above all there was the subjection of forests to control and exploitation by the colonial state. The recorded area of forests and wastes under the Forest Department in Punjab does not reflect any marked increase over time since a large area of forests was being brought under cultivation: nearly 20 lakh acres of forests in the south-

<sup>97</sup> No. 21, dated Jhelum, 29 April 1875, E. G. Wace, Settlement Officer Jhelum, to the Comm. and Sup. Rawalpindi Division. This, as Wace pointed out, was opposed to customary practice: 'By the undeniable ancient custom of the country every resident of a village (agriculturist or non-agriculturist) is entitled to use the village waste, i.e., he may graze his cattle on it and take as much wood as he needs for his household, whether for fuel or for roofing his house.'

<sup>98</sup> No. 972, dated 8 July 1896. A. Anderson, Deputy Comm., Kangra, to the Comm. and Sup., Jullunder Division. See also note by F. A. Robertson, on the Forest Settlement of Tahsils Murree and Kahuta, paras 14 to 17: 'In this way, in some villages, a gradual absorption of the forest waste by a few of the principal men has been steadily going on, and there would be no remedy for the weaker co-sharers, except a very tedious and expensive, and then very doubtful one at law.'

western plains of Punjab disappeared under the colonization scheme. But the area of the 'unclassed' forest declined sharply as the boundaries of protected forests extended.<sup>99</sup> The revenue surplus of the Forest Department increased from Rs 320,834 in 1896-7 to Rs 726,347 in 1916-17.<sup>100</sup> There was a phenomenal 300 per cent increase in the recorded amount of timber removed from the forest.<sup>101</sup> The amount of timber granted to the 'right holders' and 'free grantees' did not change, but sale to timber contractors and 'purchasers' shot up: measured in 'cubic feet solid', the amount sold to 'purchasers' increased from 6 lakhs in 1896-7 to 41 lakhs in 1913-14 to 83 lakhs in 1915-16.<sup>102</sup> The annual revenue from grass and fodder was not insignificant: it fluctuated from Rs 1.8 to 2 lakhs and accounted for about 27 per cent of the total revenue surplus of the Forest Department in 1916-17. This increasing appropriation by the state was legitimized by law. The rights of the villager, to the extent that they were conceded, were considered a 'burden' on the forest, and when denied they were defined a 'crime'.

### *The Problem of Legitimacy*

A study of agrarian policies and laws will help us understand the nature of the colonial state. Some writings on the subject have emphasized that the colonial state based itself on force and coercive domination rather than consent and hegemony.<sup>103</sup> The argument is only

<sup>99</sup> Between 1896-7 and 1916-17, the 'unclassed' area declined from 1,445,355 acres to 582,104 acres, and the 'protected' area increased from 1,925,708 acres to 2,668,264 acres. Seen as a proportion of the total forest area under the Forest Department, the shift is more obvious. In these twenty years, the 'unclassed' area declined from 32 per cent to 13 per cent, while the 'protected' area increased from 42 per cent to 58 per cent of the total area. *RFAP*, 1896-7 and 1916-17.

<sup>100</sup> *RFAP*, relevant years. In 1916-17, about 56 per cent of this revenue came from the sale of timber, 34 per cent from 'minor forest produce', and 10 per cent from other miscellaneous sources.

<sup>101</sup> *RFAP*, compare the figures of 1895-6 and 1896-7 with 1915-16 and 1916-17.

<sup>102</sup> *RFAP*, relevant years. The amount sold to the right-holders amounted to about 8 to 9 lakh 'cubic feet solid' in the late nineteenth and early twentieth century. In relation to the total timber appropriated from the forests, the amount taken by the right-holders fell from 35 per cent in 1896-7 to 7 per cent in 1915-16, while the proportion sold to 'timber purchasers' went up from 28 per cent to 88 per cent. In contrast, about 80 per cent of the dry wood for fuel was removed by the right-holders.

<sup>103</sup> This remains the basic thrust of the argument in two important contributions on the analysis of the colonial state. See Bipan Chandra, 'Colonialism, Stages of Colonialism and the Colonial State' *Journal of Contemporary Asia*, vol. 10, no. 3, 1980.

partly valid. Existing evidence suggests that the colonial state cannot be perceived merely as a coercive institution. It is true that the domination of colonial rule was ultimately based on its monopoly over force and violence. But after the conquest of the country only a calculated display of such coercive power and judicious repressive interventions were considered necessary to create an awareness of the power of the Raj. The forces of coercion were not always brought into operation in the day to day affairs of the state. In the formulation and implementation of policies and laws, the element of coercive imposition was moderated by the desire to secure consent and conciliate opposition. Legitimation of colonial rule was an abiding concern of the state—this is a point worth emphasizing. An occasional gesture of goodwill was considered necessary in securing submission, placating ruffled emotions at moments of crisis, and restoring a certain confidence in the legitimacy of the rule. A series of measures by the colonial state acquires significance only when seen in this light.

It is well known that the famine relief measures, introduced after the 1880s, were never adequate in solving the problem of starvation and death. But the object of 'relief' was also ideological: a desire by the state to project its 'concern' for the plight of the people. And the state was keen to assess the response of the peasantry and measure the success of its policy in these terms. Reviewing the results of the relief operations in Karnal during the famine of 1897, the Deputy Commissioner observed: 'The disposition of the people as regards relief measures was one of intense gratitude, and it would be hard to exaggerate the political effect these measures produced. This is the opinion of every European officer in contact with the people. "*Sarkar ne Zilah ko basaya*" (the *sarkar* has settled the region) was in [*sic*] every tongue.'<sup>104</sup> From another district of Punjab it was reported: 'the people are grateful to *sarkar* for the relief measures taken to help them. The kindness and generosity shown by the government to the people has been very beneficial. The people say that *sarkar* is their *ma bab* and is ready to help them in their trouble.'<sup>105</sup> D. Smith, the Deputy Commissioner of Hissar, felt that the relief efforts of the state had been 'amply rewarded' since they had 'served both to manifest and nourish the sense of human sympathy between the ruler and the

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Sabyasachi Bhattacharya, 'Notes on the Role of the Intelligentsia in Colonial Society: India from Mid-Nineteenth Century', *Studies in History*, vol. I, no. 1, 1979.

<sup>104</sup> Land Rev. & Agr. (Famine), April 1898, A, nos. 30-7, p. 28.

<sup>105</sup> *Ibid.*

ruled.'<sup>106</sup> These may have been characteristic official statements, attempts to reassure themselves of the success of official action. But they do reflect the ideology behind the measures.

Similar considerations also influenced the policy of remission and suspension of revenue. Towards the late nineteenth century British officials were forced to realize the problems of maintaining a rigid system of revenue collection. Haunted by the fear of riots and revolts, many felt that the revenue burden (particularly during years of scarcity) and the phenomenon of indebtedness and land transfers accentuated rural discontent. In accordance with the suggestions of the Famine Commission of 1880 remissions and suspensions were adopted as an integral part of the revenue policy of the state. But it was emphasized that this system of concession was 'to be recognized as a measure purely of *grace* and not of *right*' (emphasis added).<sup>107</sup> The government could use its discretion to grant them in exceptional cases of calamity to display the image of a 'benevolent' authority. Similar considerations lay behind other policy measures: grant of *taccavi* loans, opening up of fodder reserves at the time of scarcity, or even the selective grant of *inams* and *maffis* to the loyal and faithful.<sup>108</sup>

To the colonial officials the law constituted the most significant basis of legitimacy.<sup>109</sup> The process of definition and codification of

<sup>106</sup> Ibid., p. iii. Similar reports are to be found during other bad years. See no. 77, dated 21 March 1885, Major G. C. Napier, Deputy Comm. Gurgaon, to Comm. & Sup., Delhi Division, Rev. & Agr. (Famine), Sept. 1885, A, nos. 3-4.

<sup>107</sup> Rev. & Agr. (Rev.), May 1905, A., no. 9, para. 5.

<sup>108</sup> This distinction between 'grace' and 'right' was emphasized in most correspondence on these subjects.

<sup>109</sup> There have been a number of studies on law in colonial India. J. D. M. Derrett's substantive studies focus on the legal consequences of the interaction between indigenous system and western concepts of law. See *Essays in Classical and Modern Hindu Law* (Leiden, 1977), vol. 11b and *Religion, Law, and the State in India* (London: 1968). B. Cohn discusses the persistence of indigenous value systems and the problems created by the introduction of western notions of contract. See 'From Indian Status to British Contract', *Journal of Economic History*, vol. XXI, 1961; 'Some Notes on Law and Change in North India', *Economic Development and Cultural Change*, vol. III, 1959; 'Anthropological Notes on Disputes and Law in India', *American Anthropologist*, vol. LXVII, 1965. D. A. Washbrook's article, 'Law, State and Agrarian Society in Colonial India', *Modern Asian Studies*, 15, 3 (1981), is an interesting attempt to analyse the changing nature and function of law in the different phases of colonial rule in India. But the central argument in the essay, which is similar to that of Walter Neale, is dubious. Washbrook argues that a dynamic capitalist development could not occur because the state, for various reasons, followed the contradictory policy of unleashing forces of the market as well as severely restricting its full operation through protective

the law was the process of legitimation of colonial rule. The appropriation of revenue, forests, or natural resources was not to be seen as arbitrary unjustified exaction but as the legal right of the state.

The rhetoric of law is to be found in most official writings. For the utilitarians of course it was a fundamental doctrine of faith. Codification of the law, they believed, was the necessary basis for the modernization of a despotic oriental society like India.<sup>110</sup> The notion of oriental despotism<sup>111</sup> and a conviction in the importance of the law as a regulator of social relations were recurrent elements in the writings of most British officials.<sup>112</sup> This did not imply any desire to replace despotism with a constitutional representative state in the colonies. James Mill, a great champion of constitutional democracy in general, attributed India's past problems to the lack of law and good government, but

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legislation. So, 'the conventions of the law, . . . did not move very far or fast to accommodate the social imperatives of market capitalism' (p. 675). The tenancy laws, by regulating the landowner's power to enhance rents or evict tenants, discouraged investments in land; and the laws restricting land transfers to urban moneylenders kept mercantile capital away from the production base, pushing it into rentierism, commodity speculation and short-term usury.

This argument is questionable on historical as well as theoretical grounds. Tenancy laws regulated the landowner's control only over the occupancy tenants and not over the larger mass of tenants-at-will. Moreover, those who were protected were not always petty-producers. Specially in the Permanently Settled areas they were men with substantial capital. There was little legal restriction to their operation. In any case limitation of rent could logically imply an increasing proportion of surplus being retained by the protected tenant—a situation which should provide a greater possibility of accumulation in the hands of the peasants. As for the Land Alienation Act in Punjab, it is true that it restricted the operation of 'urban mercantile capitalists', but it strengthened the position of 'agriculturist moneylenders'.

Washbrook's reasoning is based on the theoretical premise that a spread of market forces leads to development—not merely of capitalist relations but of productive forces. The lack of development is therefore traced to the inadequate penetration of the market. Obviously the important point to be analysed is the nature of the market and not merely the extent of its penetration. Depending on its nature, and depending on the internal class structure of a region, market penetration may be accompanied by a growth or a stagnation of productive forces.

<sup>110</sup> For an elaboration of utilitarian ideas on India see Stokes.

<sup>111</sup> Bernard Cohn discusses the ideological function of the theory of oriental despotism. See 'African Models and Indian Histories', in Fox (ed.), *Realm and Region in Traditional India*.

<sup>112</sup> 'Our law is in fact the sum and substance of what we have to teach to them [i.e. the Indians]. It is, so to speak, the gospel of the English, and it is a compulsory gospel which admits of no dissent and no disobedience', asserted Fitzjames Stephen, an advocate of authoritarian paternalism in the late nineteenth century. Cited in Stokes, p. 302. Such rhetoric was common.

considered it essential for India to submit to the control of the British parliament.<sup>113</sup> Similarly, Bentham was happy with a system of enlightened despotism—a despotism regulated by law.<sup>114</sup> While representative democracy in India was not proposed even by James Mill, force was not conceived of as the sole basis of rule even by the advocates of authoritarianism in the late nineteenth century.<sup>115</sup>

Thus, social relations were to be defined by codified laws. Once finalized, laws and settlements could be modified but were not to be blatantly violated—even if they did not appear to serve the interests of the state. The Permanent Settlement, for instance, implied a long-term decline in the proportion of total produce appropriated by the state. Yet the settlement could not be thrown overboard. One can cite many such instances. In Kangra and the hill tracts of Gurdaspur, the village proprietors had been recorded as the owners of the forest land at the time of the initial settlement by George Barnes. Later, this created problems for the state and somewhat limited its 'rights' over forest resources. But the officials emphasized the sanctity of the initial settlement. Similarly, much of the waste in the plains and sub-montane Punjab districts east of the Beas and the Sutlej was admitted by the government in the early settlements as the property of village communities. Subsequently, this was considered a 'mistake', but the government could not extend a 'claim' which it had foregone in the first settlement.<sup>116</sup>

The concern of the state was not equity and social justice but legitimacy. Whenever necessary, oppressive practices were continued, but a sanction was sought either in statutory law or custom. The official debate over *begar* (forced labour) in late-nineteenth-century Punjab might illustrate the point. F. C. Channing, the Deputy Commissioner of Hissar, was one of the officials who pressed the government to legislate on the matter. He was not opposed to the system. What bothered him was the absence of a law regarding it. Unless there was the sanction of the law, argued Channing, the seizure of a cart or camel for 'public service' against the owner's will could be technically con-

<sup>113</sup> James Mill, *Utilitarianism, Liberty, and Representative Government* (London: 1947).

<sup>114</sup> See Stokes, ch. 1.

<sup>115</sup> One may quote Stephen again: 'Neither force nor justice will suffice by itself. Force without justice is the old scourge of India, wielded by a stronger hand than of old. Justice without force is a weak aspiration after an unattainable end.' Cited in *ibid.*, p. 300.

<sup>116</sup> See Douie, *PLAM*, ch. XXI.

sidered theft; and compelling a person to work against his will was also unjustified.<sup>117</sup> This appearance of arbitrariness and force could be easily removed through legislation. 'What I urge', stated Channing, 'is that whatever powers are considered necessary should be definitely legalised and carefully regulated.'<sup>118</sup> The need for legislation, he felt, was immediate: 'at present the question is one of legalising an existing system . . . if the matter is allowed to stand over, the question a few years hence may be how to rehabilitate a discredited system.'<sup>119</sup> For similar reasons Louis Dane, the Assistant Commissioner of Kulu, proposed a draft bill on begar in Kulu. His argument was simple: if the government could expect land revenue from landowners, then it could demand 'labour and carriage revenue' with equal justification.<sup>120</sup> If the former was not considered an arbitrary exaction, nor could the latter. But he felt this logic ought to be embodied in law. In the 'Object and Reasons' of the draft bill he specified the need to associate begar closely with the revenue system 'so as to give us some valid ground for what would otherwise be an arbitrary exaction.'<sup>121</sup>

Preservation of the practice was considered necessary, but its legalization was embarrassing for the government.<sup>122</sup> In such a situation the theory of *laissez faire* provided a convenient rationale for non-interference with the existing oppressive practice, even though it was 'revolting' to the ideas of equity and liberty; and sanction for the system was sought in 'ancient traditions and customs' of the country.<sup>123</sup> Continuation of a customary practice, it was argued, could not become illegal unless a new law defined it as such.

<sup>117</sup> No. 269, dated Hissar, 20 July 1896. F. C. Channing, Deputy Com. Hissar, to the Com. & Sup. Delhi Division, Delhi Division Records, Basta 11.

<sup>118</sup> *Ibid.*

<sup>119</sup> *Ibid.*

<sup>120</sup> No. 55, dated 6 Aug. 1883, L. W. Dane, Ass. Com. Kulu, to the Deputy Com. Kangra, Delhi Division Records, Basta 11.

<sup>121</sup> *Ibid.*, Appendix.

<sup>122</sup> No. 917, dated Lahore, 17 May 1886. W. M. Young, Secretary, to Govt. Punjab, to the Com. & Sup. Jullunder Division, Delhi Division Records, Basta 11. See also no. 1390, dated Lahore, 30 Aug. 1886. W. M. Young, Secretary to Govt. Punjab, to the Com. & Sup. Delhi Division, Delhi Division Records, Basta 11.

<sup>123</sup> The pronouncement of Charles Aitchison, the Lieutenant-Governor of Punjab, after an assessment of all the opinions on the subject of begar, was interesting: 'To legalize enforced labour in any form is not only to go against the whole spirit of modern legislation, but to put an engine of great oppression into irresponsible hands. On the other hand . . . an absolute prohibition of begar in every form . . . if it did not become a dead letter, would have the effect of creating serious administrative difficulties. On the

It is, however, difficult to analyse the extent to which the gestures of 'goodwill' carried conviction or the laws effectively legitimized state intervention in the eyes of the peasantry. In assessing popular reaction to state policy one cannot merely focus on peasant revolts and movements—for which we usually have more extensive records. To see the peasantry always in revolt is to miss the significance of the phases of apparent 'passivity'.<sup>124</sup> Passivity did not imply consent. To understand popular perceptions of state policies it is important to look for the more non-dramatic expressions of dissent, the latent grievances, the collective fears and prejudices.

Famine-relief work was not as universally popular as many official statements (referred to above) would have us believe. Since the wages offered were miserably low, the villagers were not keen on labouring on construction works which did not appear immediately beneficial.<sup>125</sup> In fact there was a common belief in many places that the government was taking advantage of famine conditions to utilize cheap labour.<sup>126</sup> There were frequent complaints against the *zulum* (oppression) of Public Works Department officials and strikes against low wages.<sup>127</sup> Yet there is evidence that famine-relief measures could help in containing disaffection, and the policy of suspensions and remissions was judiciously used to moderate peasant discontent and limit the use of repression in the twentieth century.<sup>128</sup>

Those who found their rights curtailed or abrogated naturally never saw the new legal system as legitimate. During the initial settlement operations there was widespread suspicion about the real motives of the government. While investigating the reactions to the forest settle-

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indefinite footing on which things at present stand, the law and practice more or less adjust themselves. Labour is given in accordance with hereditary tradition....' No. 917, dated Lahore, 17 May 1886. W. M. Young, Sec. Govt. Punjab, to the Com. & Sup. Jullunder Division, Delhi Division Records, Basta 11.

<sup>124</sup> That the peasantry in general was not 'submissive' and 'passive' is clearly demonstrated by the subject: see A. R. Desai (ed.), *Peasant Struggle in India* (New Delhi: 1979). Yet there were obviously prolonged phases when, because of various reasons, resentment or anger did not crystallize into open outbursts. It is important to analyse the logic of these phases as much as the phases of struggle. There is often a tendency to focus only on the periods of struggle.

<sup>125</sup> Construction and the repair of roads reportedly attracted fewer labourers than the construction of tanks.

<sup>126</sup> Rev. & Ag. (Famine), April 1898, 30–7, p. 28.

<sup>127</sup> *Ibid.*, pp. xv–xvi. Also, FHS Merewether, Reuter's Special Famine Commissioner, *A Tour Through the Famine Districts of India* (London: 1898).

<sup>128</sup> Bhagwan Josh, *Communist Movement in Punjab* (Delhi: 1979), pp. 105–6.

ment operations in Kulu, Fitzpatrick found that the villagers had 'got an idea into their heads that there is a settled design to reduce their rights by gradual encroachment, and so they resist any change, however small.'<sup>129</sup> As we have seen, popular notions of rights and justice were expressed through 'breaches of law' and assertions of customary use-rights.

The sense of being wronged was often expressed in popular songs and verses. In Sirsa, for instance, the tenancy laws provoked widespread resentment. Peasants who had broken up the waste lands and expected a claim to uninterrupted occupation of the soil found themselves classified as tenants-at-will and were confronted with suits of eviction.<sup>130</sup> The new legal system appeared to them a total negation of their just rights. The bitterness of such feelings is reflected in some of the verses by Lalu, a tenant of Dabwali Dhab, Sirsa. Under the new sarkar, bemoaned Lalu, conditions had changed:

Of the people who live under this Raj some weep, some laugh. . . . Emperors and Rajas never did take away one's land. It was thus the deserts were settled. . . . Things are now different though persons are the same. People are false and deceitful. . . . The tenants do the begar. The lambardar devours the profit. And is ready to eject. The *Sarkar* itself ejects. . . . We know nothing of this law, which *Sarkar* has now put in force. . . . *Sarkar* has done no justice. Ejectment is not right.<sup>131</sup>

<sup>129</sup> Note by Lieutenant-Governor, dated 9 Jan. 1894, on the Kulu Forest Settlement, *SRFCP*, New Series 25.

<sup>130</sup> In the early nineteenth century almost the whole of Sirsa was an uninhabited desert. Gradually the waste was cleared by cultivators of adjacent regions and villages settled. And it was customarily assumed that anyone who took the initial trouble of clearing waste had a right on the land. But in the regular settlement of 1857-62, British officials granted proprietary rights to the lambardars of Sirsa while the colonists were recorded as occupancy tenants. (At this time (1857-62) the lambardars actually cultivated only 26.5 per cent of the total cultivated area.) Between the first and second settlements, another 327,462 acres of waste was brought under cultivation. But since in the first settlement the waste land was given over to the lambardars, they now denied even occupancy right to those who had subsequently colonized the land. The colonists realized the implications of their legal status only when they were faced with large-scale eviction notices during the second settlement operation. In the pre-settlement period, when large areas of land were uncultivated and tenants were in demand, the eviction of tenants in general was considered unjust as long as they paid their dues; and colonizers always had greater right on land reclaimed. Peasants who shared such notions obviously experienced the introduction of the British legal system as a violation of their legitimate rights. On the tenant question in Sirsa, see no. 222, dated Kasauli, 3 Aug. 1881, E. G. Wace, Settlement Com. Punjab, to the Settlement Secretary to Financial Com. Punjab, Land Rev. & Ag. (Rev.), June 1882, A, no. 4.

<sup>131</sup> *SR: Sirsa: 1879-83*, App. II. J. Wilson, who recorded these verses in the Settlement

There is a recurrent reference in the verses to the violation of justice within the new legal system which allowed no protection to the tenants-at-will.<sup>132</sup> The evidence of Sirsa, a newly colonized region, may not be typical of Punjab.<sup>133</sup> But in other regions too, such feelings were perhaps common amongst expropriated groups.

Yet it appears that the state did acquire a certain image as a public authority which would respond to popular demand; and force appeared to an extent as 'public force' pursuing the 'impersonal' interest of order and justice. One can cite numerous instances of how the peasantry dissociated the government from their immediate oppressors. While revolting against familiar symbols of oppressions within the locality, they expected justice from the *sarkar*—the intervention of the latter on their behalf. This was evidenced not only during the Indigo Revolt or the Deccan Riots in the nineteenth century,<sup>134</sup> but as late as the 1920s. During the Non-Co-operation Movement, for instance, the *kisans* in Uttar Pradesh revolted against the zamindars and sought redress of their grievances from the authorities.<sup>135</sup> They believed that 'it is up to the government to put things right. There is no other power under Heaven that can save them.'<sup>136</sup> Such a perception of the ruler may be part of a traditional view of the political world, but it is doubtful whether it could have been sustained without 'judicious' governmental interventions.

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Report, was keen on understanding the mind of the peasants. Fragments of a similar poem by Balinda, a Muslim Lohar tenant of Inakhera in Fazika tahsil, were also recorded.

<sup>132</sup> Note the following lines: '*Niauu na kita koi Sarkar/ Bedakhli karni nahi darkar.*' (Sarkar has done no justice/Ejection is not right.) Or again: '*Hakim kya kanun tikaya/ Bedakhli ka cha hukum sunaya.*' (What law is this our rulers have imposed/In giving the order for ejection.) Ibid.

<sup>133</sup> Eviction notices were more common in some parts of Punjab compared to others. In the six years before 1886, for instance, notices of ejection were served on tenants of 64,537 acres or a sixth of the land held by tenants-at-will, in Sirsa. However in these years one-sixth of the total number of notices served in Punjab were in Sirsa.

<sup>134</sup> B. B. Kling, *The Blue Mutiny* (Philadelphia: 1966); I. J. Catanach, 'Agrarian Disturbances in Nineteenth Century India', *IESHR*, vol. 3 no. 1, 1966.

<sup>135</sup> S. Gopal, *Jawaharlal Nehru: A Biography, Vol. I, 1889-1947* (Bombay: 1976) ch. 4; G. Pandey, 'Peasant Revolt and Indian Nationalism; the Peasant Movement in Awadh, 1919-22', in Ranajit Guha (ed.), *Subaltern Studies I: Writings on South Asian History and Society* (New Delhi: 1982). For a detailed account of the peasant movement in UP at the time, see M. H. Siddiqi, *Agrarian Unrest in North India: The United Provinces: 1918-22* (New Delhi: 1978).

<sup>136</sup> CID report cited in S. Gopal, p. 49.

A faith in the colonial government was not specific to rural areas.<sup>137</sup> It is well known that reformers of the early nineteenth century saw British rule as a modernizing force.<sup>138</sup> Intellectuals of the later era, it has been recently argued, continued to reflect an 'ambivalence' towards British rule: an awareness of its baneful impact and an acute sense of subjection were often combined with a deep conviction in its 'intrinsic goodness'.<sup>139</sup> Eulogy went along with indictment. A tract intended as a critique of *Angrezi Raj*, could at the same time refer to it as *suraj* and *Ram raj*.<sup>140</sup> Criticism, it was generally felt, would help the state to understand the needs and feeling of the people and accordingly respond to the demands of justice.<sup>141</sup> This was a feeling common to most early nationalists in India. Illusions about the colonial state appear to have been widely and deeply shared till the early-twentieth century.

Over a period of time, the law came to acquire a greater social significance as a mediator of social relations—between social classes and groups, between the state and society. Extra-legal coercive power continued to be of great significance but was not the only basis of authority, and personalized relations regulated by customary norms lost the social premises of their universal existence. Laws relating to tenancy, land alienation, payment of rent and interest could now be the basis of struggle between classes. It is well known that landlords and moneylenders could resort to the manipulation of courts, harassment through decrees and the use of other coercive legal processes—land sales or attachment of property. While poor peasants and labourers

<sup>137</sup> As one study shows, the working class also expressed a contradictory attitude towards the state: 'At certain moments, they appear to be expressing an implicit faith in the 'impartiality' of the state as against the arbitrary and unjust attitude of the capitalists; while at other moments, there is a clear opposition.' Chitra Joshi, 'Kanpur Textile Labour: Some Structural Characteristics of the Labour Force, and Aspects of the Labour Movement' (unpublished Ph.D. thesis, Jawaharlal Nehru University: 1981), see pp. 402–10.

<sup>138</sup> See the collection of articles in V. C. Joshi (ed.), *Ram Mohan Roy and the Process of Modernization in India* (New Delhi: 1975).

<sup>139</sup> Sudhir Chandra, 'Literature and the Colonial Connection' (mimeo), paper presented at the seminar on Social Transformation and Creative Imagination, Nehru Memorial Museum and Library, 1983. Through an interesting discussion of evidence from literary writings as well as private diaries of four Hindi literateurs, Sudhir Chandra shows that this 'ambivalence' cannot be attributed to any pragmatic consideration but was an integral part of the colonial consciousness.

<sup>140</sup> *Ibid.*

<sup>141</sup> 'Even a mother does not offer milk to her child until it cries. If you speak out your just government would certainly listen to you', wrote Balkrishna Bhatt, a nationalist writer of the late nineteenth century. Cited in *ibid.*

could rarely use the law to their advantage, a substantial section of the peasantry could resist in legal ways. Different capacities to utilize the legal system further helped the structuring of social and economic power. Rather than a mere assertion of 'traditional' use-rights, the struggle was often for an implementation, reform and redefinition of existing laws. While the demand for remedial action and mechanisms of pressure and negotiation had therefore a significant place within the system, a defiance of law often acquired a potency and symbolic force by challenging the very legitimacy of the system.

The attempt by the state to base its rule on a framework of colonial laws had contradictory results, for while it sought to provide a certain legitimacy to domination and exploitation, it created in the very process a sphere of struggle around state laws and policies. The attempt by different social classes and groups to articulate their specific interests led to pressures for the modification of existing laws—pressures which the colonial state, given the framework of its rule, could not totally ignore. Only by conceding some of these demands could it hope to secure or retain some form of legitimacy. But within the parameters of colonialism there were limits to which such demands could possibly be conceded or reconciled. Once these limits were reached, the desire of the social classes for a further 'representation' of their interests could only imply a crisis of the colonial state. The logic of this process was ultimately to lead to the negation of colonialism.

The binary opposition between coercion (domination) and consent (hegemony) is inadequate to differentiate the character of the colonial from other state forms.<sup>142</sup> Neither of the two models in Gramsci's scheme, derived as they were from the experience of Tzarist absolutism in East Europe and constitutional democracy in the West, can be appropriately applied to the colonial context. As I have emphasized, the colonial state, established through violence, did not base itself only on coercion and repression. It sought consent in various ways, attempted to legitimize its rule, and acquired to some degree the image of a public authority responsible for maintaining social justice and order.

Yet in no way did all this reflect any form of hegemony. Hegemony

<sup>142</sup> As Perry Anderson has shown, Gramsci was well aware of the problems involved in such simple contrasts. His attempt to resolve the problems led to shifts in his notions. In his later writings, 'hegemony' no longer signified a pole of 'consent' as opposed to another of 'coercion', but a combination of consent and coercion within the parliamentary democracies. Perry Anderson, 'The Antinomies of Antonio Gramsci', *New Left Review*, No. 100, Nov. 1976–Jan. 1977.

can be constituted only on the basis of consensus—a specific form of consent. It was established in the west not through the bourgeois cultural ascendancy in the sphere of civil society alone, but through the ideology of bourgeois democracy and the structures of constitutional representation. Consensus rests on the popular conviction that all individuals exercise an ultimate self-determination within the existing social order—which is the *differentia specifica* of the bourgeois democratic system.<sup>143</sup> Unequal relations in the process of production and exchange can acquire the form of juridical equality and freedom of all individuals and classes. While this formal equality of individuals gradually evolves as law and begins to mediate all social relations established through the market, its crystallization is possible only within a representative democracy which recognizes the legal equality of all citizens.<sup>144</sup> Such a bourgeois constitutional democracy was not created by colonialism, it was the product of social struggles in India as they developed during the national movement.

One may conclude by restating some general points. It is now commonly recognized that in order to understand colonial agrarian policies we have to go beyond an analysis of their intellectual roots in Europe. The influence of European ideas was important, but the significance which certain ideas acquired and the forms in which the original ideas were accepted were defined by circumstances which were not purely ideological. While the ideas could at times provide a broad framework within which colonial policies could be formulated, particular policy measures were derived not from the logic of theoretical principles but from the imperatives of a given situation and specific colonial needs.

Many historians have noted the gap between formal theory and practical policy and emphasized the significance of objective economic factors or pragmatic administrative considerations behind policy measures. I have stressed the importance of 'social intervention' to any understanding of the form in which colonial policies could become

<sup>143</sup> Ibid.

<sup>144</sup> For an excellent theoretical discussion of the function of law and the significance of the constitutional state, see E. B. Pashukanis, *Law and Marxism: A General Theory* (London: 1978) Originally published in 1924, the work in recent years has inspired much of the German debate on state form. A selection of this German contribution is available in John Holloway and Sol Picciotto, *State and Capital* (London: 1978). These articles provide a critique of the Miliband-Poulantzas debate as well as the ideas of Jurgen Habermas. For Habermas' discussion on the problems of legitimation, see Habermas, *Legitimation Crisis* (Boston: 1975), Section III.

operational, the limits to which policies could be imposed from above, or the extent to which the financial needs of the state could be realized. The question of expediency or pragmatic consideration becomes important in this context. Society did not passively experience the implementation and imposition of colonial policies. The nature of social intervention, the reactions of different classes and groups—their acceptance of or resistance to specific policies—conditioned to a large extent the political, economic and administrative viability of a measure.

The study of policies therefore cannot be merely an administrative history, a study of the views and ideas of officials, whether at the national or district level. It is also necessary to see how social classes perceive and react to policies, the various problems which emerge in the process of implementation of specific measures, and the ways in which these are sought to be resolved by the colonial state so as to ensure its long-term interests. This response of the colonial state towards social intervention, real or potential, is understandable in view of its attempt to placate opposition, secure consent and legitimize its domination. But the modification of policies over time did not imply a mere adaptation to the traditional structure and its conservation. As we have seen, the policies inevitably implied underlying changes in the social fabric. Aspects of pre-British social relations continued, but as integral elements of a new structure under colonialism.<sup>145</sup>

<sup>145</sup> I am grateful to Professor Sabyasachi Bhattacharya, Sumit Guha, Ram Guha and Chitra Joshi for their comments.

## Chapter Five

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# Anglo-Indian Empire

DAVID LUDDEN

The Nayaka dynasty, having centralized political power more fully than any previous regime, collapsed in its maturity, unable to hold its capital against armies from the north. As before, the fall of Madurai triggered battles among contenders for regional power and among rival factions throughout the realm. The social costs of war mounted over decades. The 1790s brought a series of disasters: drought, famine, war, flood, and disease wracked the population. The last rebel succumbed in 1801. Military conditions for a new state structure had been established, once again, by bloody conquest, by shifting alliances, by accumulating peasant support, and by decisions simply to stop fighting, in that state of exhaustion which beats down resistance during prolonged periods of distress. Peace settled on the land. Villagers returned to farming. The work of building a new regional order could begin. Like the Nayakas, the new ruling elite, their troops in control of the old Pandya realm, set about consolidating their power; they did so within the largest domain of routine political relations of which Tirunelveli peasants had ever been part, the Madras Presidency.

The nineteenth century witnessed a slow but steady political centralization as urban elites expanded their power and urban centers became nodal points for professional administrative action in village affairs. That centralization progressed in three phases of imperial state building. Each phase had its particular significance for the peasantry; together they chart the creation of the modern political structure on which twentieth-century politicians built a nationalist superstructure in South India. First, the new regime settled into already functioning networks of state power and authority. Company officials, Indians and Englishmen alike, adjusted that system as much as possible to their own needs, while they adjusted their own expectations and goals in a constant process of negotiation. By doing so they created an Anglo-Indian language of official discourse, which had come into

being by the early 1820s. Second, using that language, the new ruling elite developed a working ideology that systematized the terms of transactions between powerholders at various levels of state authority. The ryotwari system as it worked under the Company expressed the many tacit agreements about the underpinnings of Anglo-Indian political order in Madras Presidency. Third, within this ideological setting established during three decades after 1820, state personnel imported industrial technologies, both material and organizational, during four decades of profound economic and imperial expansion from 1840 to 1880. The result was Queen Victoria's empire, built by self-conscious and self-interested efforts by Indian and English men, village peasants, and urban elites.

### *Communication*

The Company came to power in order to enrich its treasury and to finance its trade with tax revenue. Its English officers came to know South India slowly and pragmatically—first in port cities, most importantly Madras, then in towns that came under Company authority with military victories. The first Company officer arrived in Tirunelveli in the 1790s, and revenue was his primary concern. He was a collector under the authority of the Board of Revenue in Madras, which served in turn under the Governor in Council. Initially, the collector was the only permanent English officer in administrative divisions of Madras Presidency, called collectorates, or districts. Judges, commercial residents, medical officers, and engineers would follow. At most, four or five Englishmen supervised government business in districts with populations in the hundreds of thousands and, by 1901, millions. English officers normally stayed in the district for a few years at most, many but a few months. Two very influential collectors, we will see, shaped district administration for one full decade each. Only these two were strong, activist experts in agrarian administration; the rest seem to have followed orders, reported dutifully to the capital, and carried on by established custom.

Under the district collector, a native officer corps performed most government work. The highest native officers administered subregions of a district, called taluks, and were titled tahsildars; or they worked closely with the collector in district headquarters, where the senior-most native officer was the huzur sherishtadar. Beneath tahsildars, who held sway in taluks, village officers collected revenue and

kept revenue records. Custom bestowed on native officers during the Company period considerable influence and power within their spheres of authority, and in a few years the collector could report that stable arrangements had been made to deliver the revenue from the Tinnevely District to Madras. His success, as well as the stability of the revenue system for years to come, depended on the inclusion of existing local, subregional, and regional men of wealth and authority into the Company regime.<sup>1</sup>

To build the new state required a language of official communication, centered on revenue transactions. Few English officers would learn a South Indian language well. They instead transliterated revenue terms, official titles, and place names into English script and treated these as lexical items in their Anglo-Indian English jargon. Few villagers learned English, of course, so that the critical function of translation and interpretation, which enabled Englishmen to learn about their Tamil-speaking subjects and Tamils to learn what English officers needed to know, fell to literate native officers. These men learned, used, and shaped Anglo-Indian English to their own purposes, bringing to it words from many Indian languages, but most importantly terms from the Mughal legal and administrative lexicon. The language that evolved would have seemed utterly oriental in London. Correspondence during the Company period changed in form of expression as it passed from lower to higher levels of authority: communications to London were penned in standard English; district records that preserve and transmit local information are composed in a Tamilized Anglo-Indian English.<sup>2</sup> A handful of literate Tamils, especially those working close to collectors, learned English as fast as they could. Widening opportunities for English education, and hence for official employment, opened slowly but steadily, and more swiftly

<sup>1</sup> For official administrative history, see Pate, *Gazetteer*, pp. 270–357. Robert E. Frykenberg, *Guntur District, 1788–1848* (London, 1965), first established the role of local administration in the politics of Company Raj.

<sup>2</sup> The District Collectorate Records include correspondence from tahsildars to collector, from collector to Board, from London to the Board and from the Board to collector on district affairs, as well as numerous other reports, for example, by engineers and judges, as well as petitions from citizens and letters to the collector from English businessmen and missionaries. These records represent the most detailed documentary resource for the study of local history in South India. Annual volumes reside in the Tamil Nadu Archives for years before 1860, and in the district record room for later years. The series ends in the 1870s, for reasons discussed in this chapter.

after 1840, by which time a select native officer corps had established mastery. These men produced the mountains of documents that recorded events in districts for historians and informed English official wisdom about the necessities of South Indian statecraft. Most native officials did not learn much English under the Company, though all officers outside the village did so increasingly after 1850. Anglo-Indian jargon introduced a set of terms, some with exact Tamil equivalents, some with near equivalents, and some entirely foreign, into the peasant's Tamil language during regular discourse with district and taluk officials.

By the 1820s, the Madras Presidency had become more linguistically complicated as its villages became part of one state. Language marked social stratum. A distinctively English style of Anglo-Indian speech unified the ruling elite and set them apart. A distinctively Indian style of English speech set powerful native officials apart from both underlings and superiors. Ordinary folk spoke South Indian tongues peppered with lexical items drawn from official jargon that were surely interpreted according to local conditions. Frustrating dialogue must thus have complicated the politics of administration among aspiring English and Indian officials, with constant translation required for what could have been a simple conversation for people speaking the same language. English dependence on native knowledge of English caused constant aggravation (this rings out loud and clear in Company records), fueled English suspicions of native officers, and spurred English resolve to train suitably English-educated Indian bureaucrats.

Englishmen devised the official lexicon for colonial discourse—they defined meanings shared by Englishmen in London, Calcutta, Madras, and districts—by formulating policy; policies codified the official language of Anglo-Indian governance. Two terms, utterly foreign to Tamil peasants, designated central policy concepts: zamindar and ryot. In 1801, Company officers applied in Madras districts the permanent settlement devised by Lord Cornwallis in Bengal, and confirmed poligars in possession of their land as zamindars, or landlords.<sup>3</sup> Henceforth, zamindars owned zamindari estates by virtue of annual tribute (peshcash) payments to government, payments fixed in perpetuity. Thus, shorn of an army and bound to the terms of the permanent

<sup>3</sup> For revenue system development, see R. C. Dutt, *The Economic History of India*, 2 vols. (Calcutta, 1901; rpt. New Delhi, 1960). Ludden, 'Productive Power', gives bibliography.

settlement, men like the poligar of Ettaiyapuram became zamindars in 1801, and the political distinction between poligar and circar land, established under the Nayakas, survived in Anglo-Indian form. What policy to apply to circar land occupied Company minds in India and London until 1820, when the policy principles devised by Thomas Munro, who became governor in that year, gained official supremacy. Munro's principles—the ryotwari system—defined the state itself as supreme landlord, and individual peasants as landowners who obtained title by paying annual cash rent, or revenue assessments, to the government. The ryots, as peasants were called, received, in return for revenue payments, a pattah, an annual receipt that constituted title to land. Munro's plan called for rents to be set suitably low and fixed for a period of thirty years, to afford peasant farmers security from the arbitrary and mounting exactions from revenue intermediaries that he believed had damaged peasant property rights in the past.<sup>4</sup>

Munro's ryotwari policy set down definitions for key terms. It established an orthodoxy among personnel who construed justice and efficiency in colonial South India, and guided official thought and action forever more. But by itself it could not solve all communication problems that faced the Company regime. Transportation was slow. Overland dispatches to and from Madras and Tirunelveli town normally took more than a week to reach their destination, though the sea route was somewhat quicker. Linguistic and cultural barriers obstructed understanding. Transmitting orders from the presidency capital to villages in the districts and communicating information about revenue matters in return entailed multiple acts of translation and interpretation by actors on opposite sides of subtle cultural boundaries. The term ryot, for example, designated all peasants to Thomas Munro, but no district collector could work effectively without recognizing important distinctions among the peasantry, such as those that distinguished family farmers in the wet and dry zones of Tinnevely District, or those that separated greater and lesser families in every village community. In the village itself, to be a peasant meant much more than to pay rent to the state; it entailed caste identity and customary relations of inequality that put each farmer in his place

<sup>4</sup>See Arbuthnot, *Sir Thomas Munro*; T. H. Beaglehole, *Thomas Munro and the Development of Administrative Policy in Madras, 1792–1818* (Cambridge, 1962); and Nilmani Mukherjee, *The Ryotwari System in Madras, 1792–1827* (Calcutta, 1962). Dharma Kumar, *Land and Caste in South India* (Cambridge, 1965), traces the development of the ryotwari system during the nineteenth century.

in local society but had no place in ryotwari theory. Likewise, zamindars remained little kings for their subjects; they retained the title of raja and held customary authority in ritual and caste structures that defined their territorial domains.<sup>5</sup> Native officers, too, did not see themselves strictly in the narrow bureaucratic terms defined by the new orthodoxy; nor did others on the Tamil side of the Anglo-Indian cultural divide see them so simplistically. The families that served in the regional officer corps after 1801 had done so for years before. Their personal powers hinged on their status in society and depended on their ability to accumulate wealth, dispense patronage, and wield influence in their spheres of action. They logically viewed state authority as being vested in themselves as persons, and, by extension, in their kinship groups and social strata. The same could be said of village officers, who worked in state and in other social networks simultaneously to build and to expand their own family resource base.

Working principles for orderly state finance under the Company and for progressive centralization developed in negotiations across cultural boundaries in which native officers were decisive. The very highest positions in the regional officer corps were filled by urban descendants of the Nayaka regional elite. Many were Brahmans, whose literate skills and rapid move toward English education enabled them to dominate the highest posts held by Indians well into the twentieth century.<sup>6</sup> Looking at the whole range of native officers in the taluk and district headquarters of Tinnevely District, however, we find that Brahmans dominated only the very highest posts, and that overall official power remained concentrated in the Pandya Vellala-Brahman alliance.<sup>7</sup> In addition, a great many officers were landowners, and among these it is no surprise to find landed interests concentrated in the Tambraparni River valley. In 1851, about 60 percent of all native officers required to report their landholdings had either inherited or

<sup>5</sup> See Dirks, 'Little Kingdoms in South India', and Price, 'Resources and Rule'.

<sup>6</sup> See Frykenberg, *Guntur District*; Eugene Irschick, *Politics and Social Conflict in Tamilnad* (Berkeley and Los Angeles, 1969); and R. Suntharalingam, *Politics and Nationalist Awakening in South India* (Tuscon, 1974).

<sup>7</sup> The names of tahsildars were published in annual Jamabandy Reports, from 1825 to 1855. Deputy collector appointments were similarly recorded from 1863 to 1890. Brahman domination of educational opportunities and public office preoccupied politicians during the twentieth century. See Irschick, *Politics and Social Conflict*, pp. 27-55, 218-74ff.; David Washbrook, *The Emergence of Provincial Politics* (Cambridge, 1976), pp. 261-87; and Marguerite Ross Barnett, *The Politics of Cultural Nationalism in South India* (Princeton, 1976).

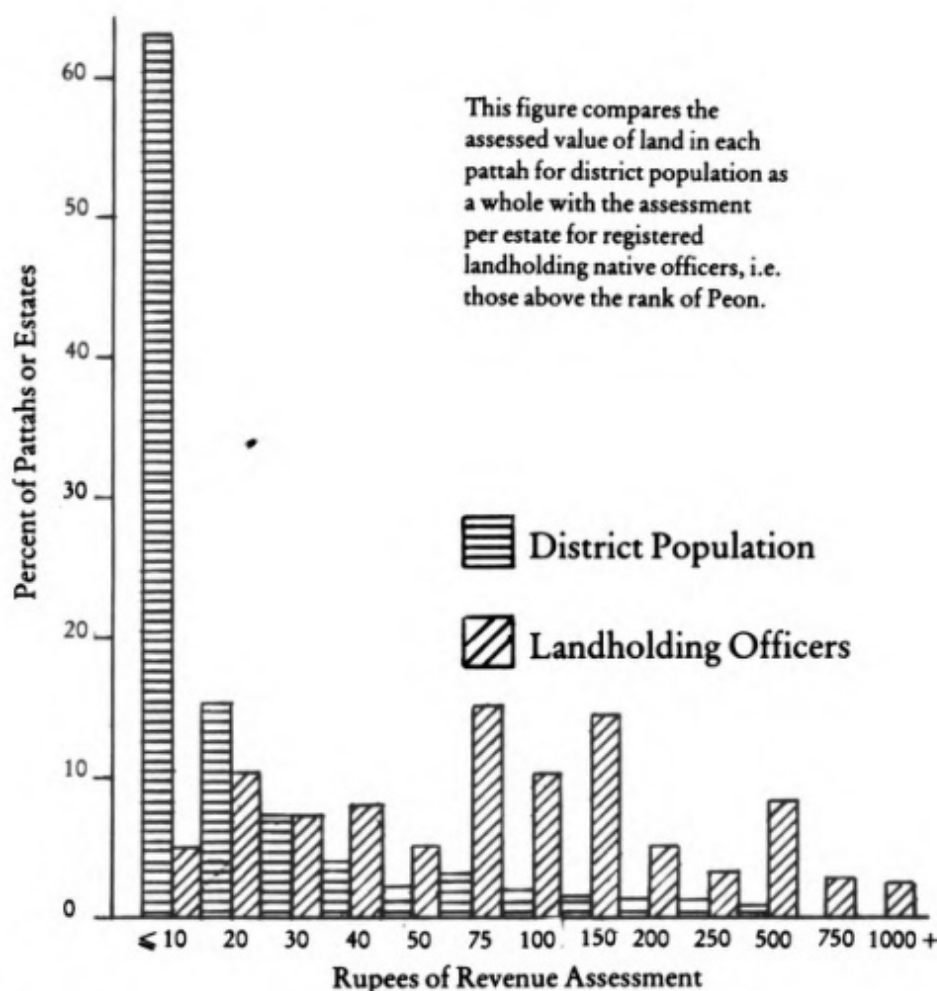


Figure 1. Tinnevely District Native Officers' Landholdings, 1850.

SOURCES: PBR, TNA 3 July 1851, vol. 2291, pp. 9079–102; PBR, TNA, 4 December 1851, vol. 2309, pp. 16051–4.

purchased land.<sup>8</sup> About one-third of this land had been acquired after obtaining office, which supports one collector's view: 'The purchase of land is the first object of every public officer. As soon as he comes to office he looks around for an eligible spot of ground and the deep schemes that are laid to obtain it are not perhaps to be credited and until it is accomplished the individual is restless and uneasy.'<sup>9</sup> Yet the majority of reported holdings, described as 'patrimonial property,'

<sup>8</sup> 'Report on the Landholdings of the Native Establishment', in PBR, TNA, vol. 2291, 3 July 1851, pp. 9079–102, and annual supplements in Jamabandy Reports after 1863 provide the data for this discussion an earlier version of which appeared in David Ludden, 'Who Really Ruled Madras Presidency?' *IESHR*, 15:4 (1978), 517–21.

<sup>9</sup> TCR, TNA, vol. 7968, 1838–1839, pp. 175–76.

constituted a patrimony for landed officers of very substantial proportions. Total officer holdings average 39 acres, assessed at an average 75 rupees land revenue, compared to averages of 10 acres and 21 rupees for the general population. Figure 1 shows that landowning officers had relatively few petty holders among them. This reflects, in part, the high value of irrigated land along the Tambraparni, for about two-thirds of their holdings lay in Tambraparni taluks, and only 15 per cent in the dry zone, compared to proportions of 30 and 48 per cent, respectively, for the general population.<sup>10</sup>

The men who translated the terms of Munro's ryotwari policy into Tamil and interpreted rustic realities for English officials were thus well equipped for the task. Their interest lay in the stability of the new regime and their concern was with their future in its expanding power. The personal powers that enabled native officers to perform their roles in the state were rooted, too, in their status as an established rural elite. From this advantaged position they could negotiate and communicate both upward in the chain of command with English officials and downward with village officers and peasants. When negotiating to put Company policy into practice in the countryside, they bridged cultural boundaries by sitting—in virtue of their interests and their culture—on both sides of the table.

### *Ideology*

The overarching imperative for Englishmen was to centralize state power by channeling resources into the grasp of English officials in urban centers. Their efforts concentrated above all on tax information and revenue. Both native officers in town and village leaders in the countryside could benefit from this endeavour, which forged a lasting bond of mutual interest that set the new regime on firm footing from the outset. But central state power also threatened the personal domains of key people in town and country whose active participation in the state was essential. Segmentary domains of political power had

<sup>10</sup> This comparison is based on holdings and assessments per patta for the general population and per estate for officeholders. For details, see Ludden, 'Agrarian Organization', p. 265. All officers were not required to report their holdings: those with monthly pay below Rs 5 were exempted. F. Lushington, *Comparative Tables of the Provincial Civil Establishment of the Madras Presidency for 1857* (Madras, 1858), gives details on offices and pay. Of officers listed for Tinnevely District in Lushington, *Comparative Tables*, 55 per cent reported owning land and appear in the 'Report on the Landholdings of the Native Establishment'.

thus to be breached and integrated to centralize control over information and taxation. For Englishmen the ideological basis of this project was captured in Utilitarian theory, which envisioned that prosperity and justice flowed naturally from government policies to secure private property rights and law and order, the goals of ryotwari.<sup>11</sup> Yet amid the cultural and political mosaic of colonial South India, the practical principles of government could not be founded on this basis alone. For from the Indian side came conceptions of justice and moral order, as well as perceptions of self-interest, that inserted themselves into the ideology of colonial statecraft from the outset. Events that produced institutional foundations for the collection of revenue in village Tirunelveli thus reveal Anglo-Indian colonial ideology in the making.

The theory of ryotwari dictated that every year each cultivator would pay directly into the treasury, through a chain of disinterested bureaucrats, cash taxes for family land. English advocates of ryotwari believed that it captured the essence of customary procedures in village South India, at the very least in villages dedicated to dry-crop farming;<sup>12</sup> they did not realize how much information, authority, and wealth involved in regional state finance before 1801 had been contained within local circuits of peasant life. A first step to centralize information was taken in 1801, when the collector ordered a survey of all cultivated land in Tinnevely District. Completed in 1804, it recorded revenue dues from each village at that time, in one currency, the rupee, and aggregate cultivated land in each village, using customary measures for wet and dry land, respectively.<sup>13</sup> The survey lumped

<sup>11</sup> Eric Stokes, *English Utilitarians and India* (London, 1959), traces connections between theory and practice in ryotwari.

<sup>12</sup> Hodgson, a member of the Tanjore Commission, wrote special reports to the Board of Revenue on Coimbatore, Tinnevely, and Dindigul prior to the triennial lease. His last major minute as a member of the Board was dated 8 December 1819, and is reprinted in the 'Fifth Report of the Select Committee of the House of Commons on the Affairs of the East India Company'. See Mukherjee, *The Ryotwari System*, pp. 33–35, 112. About Tinnevely District, Hodgson wrote that 'during the time of the Mohammodan government... a fixed sum was in general demanded for rent of the poonjah lands, which the inhabitants assessed upon the cultivated land amongst themselves according to local circumstances'. (TCR, TNA, vol. 3582, 1807, p. 244). He also wrote that 'to establish a Ryotwari rent in a district of which the land is all Punjab or nearly so is... only methodizing and ameliorating the ancient practice of fixing the rent on the land' ('Report of 1804', paragraph 18).

<sup>13</sup> TCR, TNA, vol. 3599, 1804, pp. 14–23, 44–51. PBR, TNA, 11 July 1803, vol. 351, pp. 7408–41.

several, sometimes many, settlements together in 'revenue villages,' the first preserved list being that recorded in the 1823 census.<sup>14</sup> The details of the 1804 survey seem to have been kept in taluk offices until gathered together under Munro's orders in 1821, by which time the central authority in the region commanded an unprecedentedly full account of all dues from all farmland, itself a major accomplishment for the day. The surveys provoked animosity from village officers, who feared surveys as a threat to their autonomy and authority; a delegation presented their protest to the Board of Revenue in Madras.<sup>15</sup>

But early surveys constituted no such threat. They did not demarcate fields in villages. Nor did they assess individual landholdings. The power and authority to assess and collect stayed in the hands of the village officers. Even the best of the early surveys—several were conducted after 1801, culminating in the effort that produced the 1823 census—remained useless for assessment and collection by officers outside the village. In 1837, after sixteen years of annual ryotwari settlements, which began on a regular basis with Munro's governorship, half of all the dry fields in Tirunelveli were entirely unmarked and thus unidentifiable by nonvillagers. The so-called fields that were recorded on some early surveys could comprise up to seventy-three acres, many times more than could be farmed by one family. Who cultivated what land could thus only be ascertained by village officers.<sup>16</sup> District collectors and talukdars reported in annual accounts that a ryotwari settlement had been completed each year, but they in fact had no way to tell which peasant owned what land, how much it was assessed, or even if any particular peasant had paid, except from village officers. Not only was the first classification of soils assigned by the collector to be done 'by the villagers themselves', but lands plowed up after 1804 were classified in the same way, under the eye of village officials.<sup>17</sup>

<sup>14</sup> The '1823 Census' even includes zamindari villages, with the exception of Ettaiyapuram. For more on the exceptional character of Ettaiyapuram, see below.

<sup>15</sup> TCR, TNA, vol. 3599, 1804, pp. 57–60, and vol. 3581, 1806, p. 95.

<sup>16</sup> Jamabandy Report F. 1235.

<sup>17</sup> In 1801, collector Lushington 'took the amount of the former actual collections and made the inhabitants divide their land into four different classes upon which the revenue was divided'. TCR, TNA, vol. 3852, 1807, p. 244. Jamabandy Report F. 1235 contains an extended critique of settlement procedures under ryotwari, which simply translated old revenue rates into formal ryotwari terms. For a comparable case, see Neil Rabinoy, 'System vs. Expediency: The Reality of Land Revenue Administration in the Bombay Presidency, 1812–1820', *MAS*, 9:4 (1975), 539–46.

Dry-zone villages best approximated Munro's vision of peasant South India, but periodic checks by British officers always revealed that the revenue system looked very little like that which Munro prescribed. One inquiry showed that in Tinnevely District the worst quality soils were recorded by accountants as most widely cultivated, whereas the best soils were left fallow by farmers year after year, a good ploy for reducing tax demand, but not good farming technique. Also revealed was the fact that twenty 'extra collections', on top of land revenue, remained in force in dry villages, all the legacy of pre-1800 traditions, and most were paid to village officers for their own benefit.<sup>18</sup> In the 1820s, a collector bemoaned that there was 'little left of the permanent classification and assessment' of soil types in the district.<sup>19</sup> And in 1827 Munro himself singled out Tinnevely District for the excessive powers wielded by village accountants (curnams) in dry villages: 'there are no detailed revenue accounts, or even abstracts... that can be depended upon. Too much is left to the curnams. They execute many of the duties which properly belong to the Collector and Tahsildars; they distribute the assessment; they assess the ryots as they please, entering their lands under... higher or lower rate.'<sup>20</sup>

Village officers in dry villages—headmen and accountants—were simply not accountable; and, as we shall see, neither were village watchmen. Urban officials had very little sway over revenue transactions in the countryside except to enforce collections at a level set by custom and paid through customary channels, with customary loopholes and deals under the table. In negotiations between officers of the Company regime in town and country, before and after 1820, it was agreed that the position of village leaders would remain intact in return for revenue payments. Given limited opportunities for peasants to earn cash, existing officers, with their landholdings and traditional authority, stood the best chance of delivering revenue regularly. Tax-collecting authority in turn bolstered village leadership, both politically and economically. Until peasants could put their hands on the requisite cash and urban elites could control village revenue data—conditions that emerged only after mid-century—headmen and accountants remained unassailable in their transactions with urban officers.

Wet-zone Tinnevely District did not resemble Munro's vision of village India at all. Yet here lay the state's prize tax mine. The best irri-

<sup>18</sup> Jamabandy Report F. 1245.

<sup>19</sup> Jamabandy Report F. 1235.

<sup>20</sup> Arbuthnot, *Sir Thomas Munro*, 1:281–86.

gated land in the region lay near the district's most important urban centers, including district headquarters, where high government officials engaged themselves in revenue operations and owned substantial acreage at the same time. Munro's policy, never designed to accommodate collective landholding traditions that were normal in areas that had once been medieval centers of Tamil civilization, clashed with custom and vested interests in villages at the heart of Company territory in Tinnevely District.<sup>21</sup> The Company needed a steady flow of cash into the treasury, and policy makers resolved to detach government from its customarily deep involvement in paddy markets in order to prevent what they saw as corruption among profiteers in state service, and to increase thereby revenue receipts. But the customary system of dividing the harvest and realizing state revenues in paddy sales during the course of the fiscal year held many advantages for mirasidars. Not only did it put profit into the hands of mirasidar middlemen, it adjusted state tax demand to the two seasonal sources of variation in mirasidar agricultural income: yields and prices. The English plan to collect fixed money taxes, inflexible in the face of fluctuating yields and prices, and payable by each individual landowner, met implacable hostility in irrigated villages.

Urban officials followed two directives in negotiations with village mirasidars: to secure annual cash revenue at the lowest possible administrative cost, and, with that end in view, to accommodate mirasidars on matters that did not threaten the revenue. Mirasidars approached the bargaining table with two goals foremost in mind: to secure their income, and, for this purpose, to accommodate officials as much as necessary, for from officials they needed patronage for irrigation investments, protection for property rights, and other essential services. Negotiations between urban officers and village landowners built a working system for state finance on their ideological meeting ground, which posited support for local mirasidar interests, payments in cash for that support, and the necessity of negotiation itself.

Local experience before 1820 hardened resistance to Munro's plan. During one three-year and one ten-year period of revenue collection under village contracts (or leases, as they were called), collectors converted the average government grain assessment (melvaram) for each

<sup>21</sup> Ellis, collector of Chinglepet, wrote an influential series of minutes on mirasi rights, reprinted, along with the Board's considerations, in Bayley and Hudleston, *Papers on Mirasi Right*, pp. 172-344. Both Ellis and Hodgson opposed Munro's ryotwari scheme for irrigated villages.

village into cash at a price reached by averaging official conversion (jamabandy) prices from 1801 to 1808. Starting in 1800, tahsildars demanded full payment for the cash amount thus calculated from each village contractor before giving official permission to harvest the year's crop.<sup>22</sup> Then prices fell. Soon thereafter, drought reduced yields during years of severe dearth, from 1811 to 1813. Government did not adjust conversion prices, intervene to stabilize market prices, or adjust melvaram demand to output. Revenue contractors who had signed lease agreements for whole villages defaulted on their obligations to government. Many villages reverted to the old (amani) system of dividing the grain heap, and collectors complained of corruption and embezzlement by local officers who sold consignments of government grain.<sup>23</sup> Neither collectors nor mirasidars were very happy when the new governor, Thomas Munro, commanded an even more radical movement to fixed cash revenue assessment, payable by each individual mirasidar, who would under his scheme face the same losses that had befallen lease revenue contractors.<sup>24</sup>

Mirasidars protested loudly. At Perunkulam, near Alvar Tirunagari, they refused to permit a ryotwari settlement in their village and repulsed efforts to conduct a survey. Petitions were sent from villages to Madras, explaining the grounds for such action: inflexible revenue demands in the face of fluctuating yields and prices threatened mirasidar income; revenue payments by individual mirasidars contravened collective landholding custom, therefore property rights the Company had vowed to protect. Identical complaints came from many mirasidar villages in other districts, most prominently from Tanjore.<sup>25</sup>

The Board of Revenue, under firm orders to introduce a ryotwari settlement, responded with a compromise to accommodate mirasidars to the fullest feasible extent.<sup>26</sup> The Board ordered collectors to 'preserve

<sup>22</sup> TCR, TNA, vol. 3596, 1819, pp. 107–10.

<sup>23</sup> PBR, TNA, 21 May 1812, vol. 571, pp. 5163–64. Revenue Department, *General Report of the Board of Revenue for 1815* (Madras, n.d.), p. 351. TCR, TNA, vol. 3595, 1818, pp. 323–25. Jamabandy Report F. 1228. See Figure 5 for price data; details not available for 1808–1812. Collectors put villages back under the division of grain heap (amani) system when no one could be found to pay security for the revenue in advance of the harvest. See John Cotton, *Settlement Report for Fasli 1225* (Tinnevely, n.d.), TCR, TNA. TCR, TNA, vol. 3597, 1820, pp. 41–42, and vol. 3596, 1819, pp. 512–21.

<sup>24</sup> TCR, TNA, vol. 4696, 1822, pp. 117–26, 173.

<sup>25</sup> Pate, *Gazetteer*, pp. 282–83. TCR, TNA, vol. 3594, 1817, pp. 142–44, 319–21, 378–80; vol. 3595, 1818, pp. 240–41, 329–30; and vol. 3596, 1819, pp. 540–62. PBR, TNA, 15 November 1819, vol. 839, pp. 10196–97.

<sup>26</sup> The Board made two major policy statements, on 5 January 1818 and on 15 Novem-

the rights of mirasidars',<sup>27</sup> and to introduce an assessment and collection scheme called olungu, named after a Tamil word meaning orderly but designed to be otherwise. The olungu system would allow conversion prices to fluctuate slightly each year in response to changing market prices, and would assess village farmland as a whole, not individual fields. The olungu system would nonetheless require mirasidars to pay cash every year. Their individual assessment would be set by first multiplying total reported village cultivated acreage by an estimated output per acre; second, taking this estimate of total village output to calculate government's share (melvaram); third, converting the melvaram into cash at average pre-1820 jamabandy prices; and last, dividing that village cash assessment among landowners.<sup>28</sup>

The new system thus left much of the old system intact. Customary estimates of output, old jamabandy prices, local ability to under-report cultivation, and collective village assessment remained in force. Leading mirasidars continued to be de facto village contractors: they paid cash security for the village revenue, collected melvaram grain, sold it on their own account, paid government village taxes, and gathered such profits as might accrue from this series of transactions.<sup>29</sup> Assessment rates continued to embody local tradition; this

ber 1819, in which it exempted mirasidar villages in Tanjore, Tinnevely, and parts of Trichnopoly districts from the terms of ryotwari, laying the groundwork for the development of the olungu system. The Board's conclusions contain the following statements about mirasidar villages: 'everything is variable except the number of shares into which the village was divided on its first establishment. . . . Under such a system it is obviously impossible to establish any assessment on each field or on each ryot without dissolving the unity of interest which pervades the whole and forms the basis of this tenure. . . . Under these considerations, the Board are under the opinion that the extension of field assessments to Tanjore, or to the wetlands of Tinnevely and Trichnopoly, is no less impracticable than inexpedient; and think that the parties with whom the settlement ought to be made are the collective body of the Meerasidars in each village. . . . The proportion of the total assessment to be paid . . . may be clearly defined by assessing it upon the lands held by each, or . . . by apportioning it upon the shares held by each'. PBR 5 January 1818, extracted in Bayley and Hudleston, *Papers on Mirasi Right*, pp. 392-93, and PBR, TNA, 15 November 1819, vol 839, pp. 10196-97, 10200.

<sup>27</sup> Bayley and Hudleston, *Papers on Mirasi Right*, pp. 392-93.

<sup>28</sup> Pate, *Gazetteer*, pp. 283-84. The olungu system was first proposed in a letter from the Board to the Collector, in 1821. TCR, TNA, vol. 3576, 1821, pp. 263-66, 277-79. For more details on setting olungu prices, see TCR, TNA, vol. 7983, 1856, pp. 91-94, and vol. 1784, 1857, pp. 69-72. Also TCR, TCO, To Board 1858, Letter No. 338, n.p.

<sup>29</sup> This 'underplot of the settlement', by which leading mirasidars retained their role as financial middlemen between farmers and Revenue, was discussed in Jamabandy

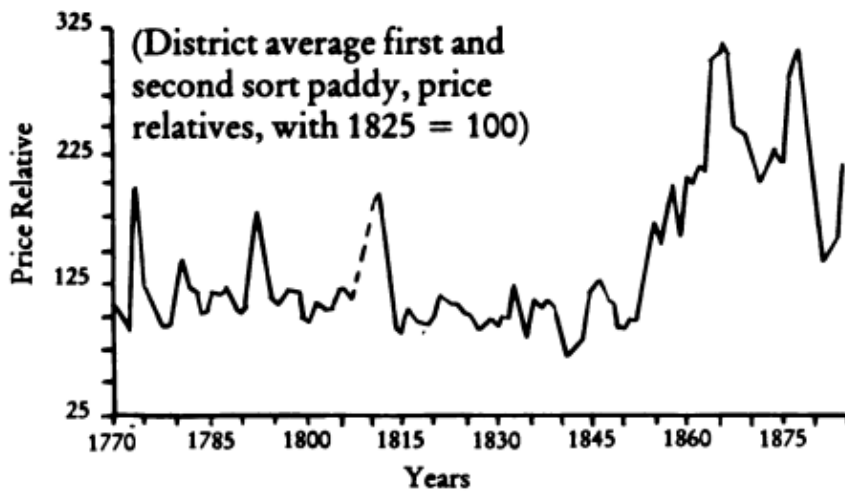


Figure 2. Tirunelveli Paddy Prices, 1771–1884.

SOURCES: W. Robinson, *Minute on the Proposed Settlement of Tinnevely, Madras*, 1868; Jamabandy Reports.

epitomized that commitment to protect mirasidar rights professed by the Board, which scolded one collector for even suggesting that the diversity of rates might be reduced to streamline revenue procedures.<sup>30</sup>

Cash assessment with little flexibility from year to year nonetheless threatened mirasidars faced with seasonal insecurities. Resistance to the new system shows mirasidars at work negotiating to bend it as much as possible to their interests and sense of fairness. Many mirasidars refused for years to sign binding agreements, called *muchilkas*, which committed villages to the terms of *olungu* revenue settlement. During the 1820s, collectors, under the Board's orders, allowed mirasidars to shift back and forth from the *olungu* system to the old (*amani*) system of dividing the grain heap, presumably in order to ease the transition and to convince mirasidars that the new system could secure their incomes as well as the old one. Under collectors' orders, *tahsildars* pushed to get *muchilkas* signed. To this end, *tahsildars* could refuse services, such as irrigation advances or arbitration, and they could deny tax remissions. Market trends did not cooperate, however. Prices fell during the 1820s (see Figure 2) and mirasidars sought security by shifting back to the grain-heap division system, which in effect returned losses from lower market prices to the treasury. In 1827, after two years of very low prices, half of all irrigated land and

Report F. 1235, which also described how the new assessments were simply adjustments of actual collections.

<sup>30</sup> TCR, TNA, vol. 4363, 1821–1835, pp. 79–83.

'by far the greatest proportion of government revenue' were back under the old (*amani*) system. Embezzlement from government grain stores and worries about revenue losses from low prices gave collectors endless headaches.<sup>31</sup>

The Board made a bold move in 1830, by forbidding *mirasidars* henceforth to shift back to the old (*amani*) system once they had signed *muchilkas*. Negotiations became more intense, and reveal that different sorts of insecurity preoccupied *mirasidars* in differently irrigated localities as they approached the bargaining table. For villages west of district headquarters, in the upper Tambraparni valley, prices were the major concern. In 1830, when a good *kar* crop was about to be cut up-river, a poor crop down-river sent paddy prices soaring for a few months. *Mirasidars* in favoured villages rushed to sign *muchilkas*, thus putting more of their crop in their own hands to sell. They were not allowed to change their minds thereafter. A few villages that still resisted were subjected to more intense official supervision of *melvaram* grain sales, which took away much of the charm in the old system; this, combined with higher prices for a few seasons, convinced even stubborn *mirasidars* in Cheranmahedevi to sign *muchilkas*. Underlying their agreements were not only favourable price trends but also a steady increase in cultivated acreage, and probably output per acre, over the levels assumed in revenue computations. We will return to these trends in the next chapter.<sup>32</sup>

We will also see in the next chapter that *mirasidars* east of district headquarters on the Tambraparni could not be as confident about either prices or productivity. Thus they resisted the new revenue scheme longer than *mirasidars* up-river, and negotiated to push *olungu* assessment rates below customary rates proposed by *tahsildars*. Floods, silting and decayed irrigation under the Marudur dam eroded their chances for good *kar* harvests, the most lucrative in the marketplace; the probability of good *kar* crops sank to about half that enjoyed by up-river farmers in some eastern Tambraparni villages.<sup>33</sup> Profits from

<sup>31</sup> Jamabandy Report F. 1236; TCR, TNA, vol. 4700, 1820, pp. 142–43.

<sup>32</sup> More detail on negotiations that put the *olungu* system in place can be found in Ludden, 'Agrarian Organization', chapter 6.

<sup>33</sup> Annual variation in *kar* cultivated acreage during the years 1843–1854, the only ones for which they are available, were twice as high for Srivaikuntam Taluk as for up-river Brahmesam and Nellaiyambalam taluks; 24 per cent, 12 per cent, and 14 per cent, respectively. These were years of relatively good monsoons and general agricultural expansion in the Tambraparni River valley (see Chapter Five). Variations are calculated by taking the standard deviation of cultivated acreage for the period as a percent of the mean (see Chapter Five, note 52). [For this, see Ludden's book.]

grain sales by individual farmers thus provided little incentive to convert to the new system. Half of all land irrigated in the two biggest taluks in the eastern half of the river valley remained under the grain-heap division system in 1835. Landowners sought official assurance that adequate provision would be made for tax remissions in the event of poor harvests. Grain assessments, they contended, were pitched too high, for their yields were declining—a claim verified much later when government financed the Srivaikuntam dam project (discussed later) in large part to forestall otherwise necessary reductions in irrigated land tax rates.<sup>34</sup> Heated conflict pitted mirasidars against one tahsildar over the signing of muchilkas. Finally the collector intervened, granting a liberal remission procedure and agreeing to use a revenue survey of 1802 rather than a more recent one, probably because the old survey lowered the assumed paddy acreage on which assessments would be based. This finally convinced mirasidars to sign muchilkas.<sup>35</sup>

By resisting the olungu scheme, mirasidars in the eastern Tambraparni River valley asserted a reasoned moral claim on the state either to lower effective revenue demand or to improve irrigation. This government, like those before it, patronized irrigation primarily by putting funds into village hands—another theme for consideration later. It was thus logical for officials to accept mirasidar demands, which in effect left more funds in mirasidar hands to invest in irrigation. The collector implicitly recognized the legitimacy of mirasidar insistence on this score; perhaps the English began to realize that irrigation finance played an all-important role in cementing bonds between state and village in irrigated South India. What better incentive for villagers to pay more tax than to receive, in advance, improved irrigation? What better means to increase state revenue than to patronize work that would expand paddy cultivation? The moral economy of irrigated communities and of the regional state had been intertwined since Pandya times. Although official enthusiasm for direct government investment in irrigation would not prevail among Englishmen until the 1840s, under the influence of Sir Arthur Cotton, its inspiration might well have been derived from mirasidar efforts to remove impediments to olungu revenue settlements.

Mirasidars outside the Tambraparni valley would not have looked

<sup>34</sup> Public Works Department, *Construction of the Srivaikuntam Anicut across the Tambraparni River*, Reprints of Old Government Records (Madras, 1920).

<sup>35</sup> Jamabandy Report F. 1243. TCR, TNA, vol. 7968, 1838–1839, pp. 77–79.

to regional state authority to improve their irrigation. Their tanks had always been built and repaired by local efforts. They could seek lenient tax procedures, however, to protect themselves from rapacious exactions during the frequent bad seasons, and they did so. They faced other insecurities, as well. We see in Chapter Six that they had trouble collecting swamibhogam rents from their dry-land tenants. Some faced threats to the very ownership of tenant land. Some faced other local legacies of eighteenth-century turmoil: Marava toughs reportedly carried away crops at will as late as the 1820s.<sup>36</sup> Bad seasons hit them much harder than they did Tambraparni mirasidars. Famine and epidemic destroyed crops and families during two wretched years, 1831–1833, especially in the southern mixed zone.

By 1831, all but a few mixed-zone mirasidars had signed muchilkas binding themselves to the olungu settlement, having reached by that time what must have seemed adequate provisions for remissions. But the assessment scheme proved still too inflexible to allow for dramatic crop shortfalls such as those during 1831–1833, which sapped not only current income but resources for investment in future productivity, and which were periodic in mixed-zone irrigated villages. Mirasidars and their tahsildars apparently created necessary flexibility in the system by negotiating under the table, out of the collector's view, a shift in land classification that lowered tax demand. Annual revenue accounts show a steady movement of land out of the irrigated, *nunjah*, category into the more mildly assessed *nunjah-mel-punjah* category—a movement never noticed by collectors in reports to the Board. Proportions of *nunjah-mel-punjah* land more than doubled during the 1830s and 1840s, primarily in the mixed zone.<sup>37</sup> This underhanded yet necessary procedure secured the revenue for tahsildars whose careers depended on reliability in revenue matters, without awkward remissions accounting that demanded minute justification; it allowed landowners to escape excessive tax rates on poorly irrigated land; and it depended on implicit acceptance by officials and villagers of the need to adjust state demand to local exigencies.

By the 1840s, the ideological underpinnings of the colonial state had been firmly established in the Tirunelveli region by more than forty years of hard bargaining that pitted state demands and English expectations against the power, interests, and convictions of village leaders. Imperial intellectuals at century's end would look back on

<sup>36</sup> PBR, TNA, 17 May 1831, vol. 1280, pp. 2914–17.

<sup>37</sup> Jamabandy Reports, F. 1235–1247. See Ludden, 'Agrarian Organization', p. 222.

the period of Company regime disparagingly. Muckraking tracts that exposed official corruption and oppression multiplied during the 1840s, as the Company's charter renewal approached, and revealed much in the workings of Company statecraft that offended forward-looking minds. But in this corner of the Company's domain we find, beneath contending claims and conflict over the terms of revenue settlement, a shared conviction by key actors in the drama that both peasant interests and state expansion had to be accommodated in the colonial political process. The moral economy of peasants expressed itself at the foundations of the colonial regime.<sup>38</sup>

### *Technology*

This ideological framework remained intact, but changing technologies after 1840 weighed the odds of success in political negotiations in favour of aspiring urban bureaucrats. New techniques had come into Tirunelveli for centuries, with serious repercussions, but the arrival of the industrial revolution after 1840 wrought unprecedented change in the context of peasant life. New World crops, most importantly chillies and tobacco, had arrived on European ships. Guns and military techniques from abroad changed the face of war during the centuries before 1801, having come by land and sea. Paper and ink provided materials for permanent records that allowed English officers to amass mountains of documents for administrative purposes. Imported English organizational skills and the English language itself helped to integrate South Indian localities under the Company. But after the Company regime had planted itself firmly at the tip of India in the 1840s, a new era of government-sponsored technological transfer from Europe began. Key imports included hardware—railways and

<sup>38</sup> Scott, *Moral Economy of the Peasant*, pp. 1–113, describes a head-on clash of peasant and state moral economies under colonialism. The same clash has been highlighted for South India by R.E. Frykenberg and D.A. Washbrook. In irrigated Tinnevely District, however, irrigation created a bridge between village and state moral economies during precolonial centuries that remained in place under the Company. In dry zone Tinnevely District, moreover, revenue demand remained within customary bounds, while village officers retained customary power. Negotiations between villagers and state officials did not comprise, therefore, a struggle between villagers and state power itself, as these and other authors have suggested, but rather a struggle over the terms of a moral and political interdependence between village elites and state authorities. For a critique of Scott, see Pierre Borcheux, 'Moral Economy or Political Economy? The Peasants Are Always Rational', *JAS*, 42:4 (1983), 791–804.

telegraph lines, and materials for modern seaports and dams, about which more will be said in the next chapter—but also ideas about efficient, bureaucratic management; scientific knowledge proved at last as effective as tools in reshaping peasant relations with the colonial state. Like chillies and tobacco, these new technological imports were quickly domesticated and rendered part of Tamil peasant culture.

The 1840s and 1850s marked a nineteenth-century watershed in South India: prices, seasons, government policy, international market conditions, and the intellectual climate registered important and interconnected shifts. This historic conjunction will emerge in increasing detail from now to the end of our story. Here the important point is that the official intellectual climate in Madras Presidency began to change dramatically in the 1840s. Cries for reform came from many directions. Unprecedentedly low prices from 1840 to 1843, the culmination of a downward trend through the 1830s, triggered complaints from landowners about oppressive taxes and revenue officers.<sup>39</sup> Faced with mounting demands from Calcutta, Madras hungered for revenue. Drastic reform seemed the only solution, and the Company's impending charter renewal in 1853 afforded the opportunity. Bold reports denouncing the Company multiplied; most proposed more central control and evenhanded, bureaucratic management, to achieve Munro's cherished ideals.<sup>40</sup> To the loyal chorus of Utilitarian and Evangelical criticism, an organization of native gentlemen in Madras even added their voice.<sup>41</sup>

The collector of Tinnevely District, E. B. Thomas, waged a campaign

<sup>39</sup> For prices, see Figures 5 and 6; Ludden, 'Agrarian Organization', pp. 387–90; Kumar, *Land and Caste*, p. 91; and A. Sarada Raju, *Economic Conditions in Madras Presidency, 1800–1850* (Madras, 1941), pp. 225–33. Note that the 1830s trend parallels prices in Britain: see B.R. Mitchell, *Abstract of British Historical Statistics* (Cambridge, 1962), pp. 471–72. See Jamabandy Reports F. 1251 and 1252; Also TCR, TNA, vol. 7971, 1843, pp. 240–5, and vol. 7970, 1842, pp. 104–109.

<sup>40</sup> See the Public Works Department, *First and Second Report of the Commissioners Appointed to Enquire into Public Works* (Madras, 1852, 1853); *Torture Commission Report* (Madras, 1855); *Selections from the Records of the Madras Government*, vol. 52 (Madras, 1858), and vol. 54 (1863); Revenue Department, *Reports and Other Papers with a View to Recasting the Revenue Laws of the Madras Presidency* (Madras, 1856); J.D. Bourdillon, *Remarks on the Ryotwari System of Land Tenure* (Madras, 1853); J.W.B. Dykes, *Salem: An Indian Collectorate* (Madras, 1853), and *A Letter to Robert Lowe* (Madras, 1854); W. Holloway, *Notes on Madras Judicial Administration* (Madras, 1853); P. Smolett, *Madras: Its Civil Administration* (London, 1958); and T.L. Strange, *A Letter . . . On Judicial Reform* (Madras, 1860).

<sup>41</sup> Suntharalingam, *Politics and Nationalist Awakening*, pp. 45–57.

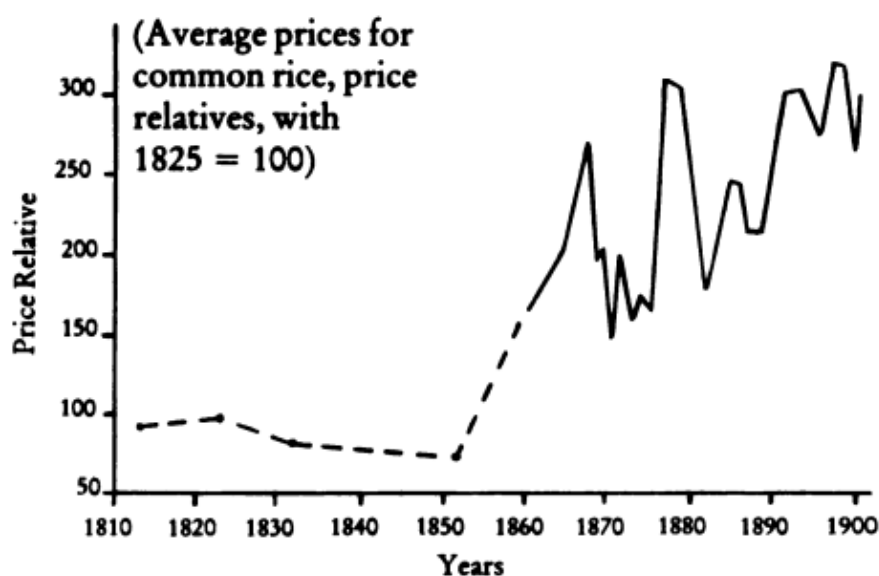


Figure 3. Madras Presidency Rice Prices, 1813–1901.

NOTE: 1813, 1823, 1832, and 1853 prices are averages of the preceding four years.

SOURCE: Dharma Kumar, *Land and Caste in South India*, p. 91.

in this context to renovate district administration. He submitted critiques of irrational and regressive tax assessments; worked out a plan for comprehensive survey and settlement, on scientific lines; proposed a new tax scheme; and implored the Board to allot more funds for works of public improvement, especially roads and irrigation.<sup>42</sup> Financially strapped, the Board had little interest in grand plans, though it authorized a pilot project to survey and reassess four villages, and through Arthur Cotton's influence in Madras did inject new interest among the Board in irrigation works.<sup>43</sup> But, more to the point, the Board ordered collectors to end all concessionary tax rates. The nunjah-mel-punjah land classification was struck off revenue accounts in 1841, though without much effect on land tax demand, for old rates seem to have stayed in effect as all nunjah-mel-punjah

<sup>42</sup> TCR, TNA, vol. 7970, 1842, pp. 2–5, 104–19; vol. 7971, 1843, pp. 229–68, 292–316; vol. 7972, 1844, pp. 40–49; and vol. 7976, 1848, pp. 43–44, 49–55, 69–72, 220–23, 230–38 ff. E. B. Thomas served as acting collector in 1842, and as collector in 1843 and 1848. Pate, *Gazetteer*, p. 319.

<sup>43</sup> TCR, TNA, vol. 7970, 1842, pp. 2–5; vol. 7971, 1843, pp. 229–68, 292–301; and vol. 7972, 1844, pp. 2–5; vol. 7971, 1843, pp. 229–68, 292–301; and vol. 7972, 1844, pp. 40–49.

land was reclassified under either nunjah or punjah headings.<sup>44</sup> On other concessionary rates, Thomas retorted that these could not be discontinued, because they represented items of longstanding agreement between government and landowners, and as such were essential to order in the whole revenue system.<sup>45</sup> The Board insisted that at the very least tax-free inam land be erased from the books. The collector immediately exempted all village-service inams—held by village officers—from the purview of this order; then he reviewed the status of a few other types of tax-free holdings each year on the death of their holders.<sup>46</sup> Dramatic change in the terms of revenue arrangements reached over years of hard bargaining would await the end of the Company regime, when economic conditions facing government and peasant alike had been altered by rapid inflation.

Prices skyrocketed after 1854, the first year on record in which prices in Tinnevely District soared even as a very good season followed a bad one. District prices parallel the presidency trend (Figs 2 and 3). They flew up from the mid-1850s through the end of the century, though with sharp downturns in the sixties and eighties.<sup>47</sup> The immediate local impact was to increase assessment rates rapidly in irrigated villages under the olungu scheme, so that mirasidars now cried out for that which they had so long resisted: fixed cash land tax assessments. In 1859, a 'lump sum' assessment on irrigated land was put into effect.<sup>48</sup> In the long term, the impact of the inflationary trend was to lower real land tax demand. In 1864, an owner of irrigated land sold one-third as much paddy as in 1825 to meet the average wet-land tax. Even during the slump of the 1870s, he would have to sell only half as much of his paddy as in 1825 to satisfy the collector. For the state, inflation depressed its local buying power. Expressed in constant rupees, state revenue fell to about half its 1850 level by 1865 (Figure 4).

<sup>44</sup> Calculated from data in Jamabandy Reports F. 1235–1260. Once again, collectors were caught between the Board's order to end favorable tax rates and their inability to raise tax rates at will. Effective rates must have gone up on some of the district's worst irrigated land as a result of the ending of nunjah-mel-punjah rates; but no aggregate increase is apparent from taluk revenue accounts.

<sup>45</sup> TCR, TNA, vol. 7972, 1842, pp. 40–49.

<sup>46</sup> Kumar, *Land and Caste*, pp. 80–81; PBR, TNA, vol. 7970, 1842, pp. 104–109.

<sup>47</sup> See, for comparison, Mitchell, *Abstracts of British Historical Statistics*, pp. 471–72; and for context, Michelle Burge McAlpin, 'Price Movements and Fluctuations in Economic Activity (1860–1947),' in Kumar, ed., *The Cambridge Economic History of India*, Vol. 2. C. 1757–1970 (Cambridge, 1983), pp. 878–904.

<sup>48</sup> Pate, *Gazetteer*, p. 292.

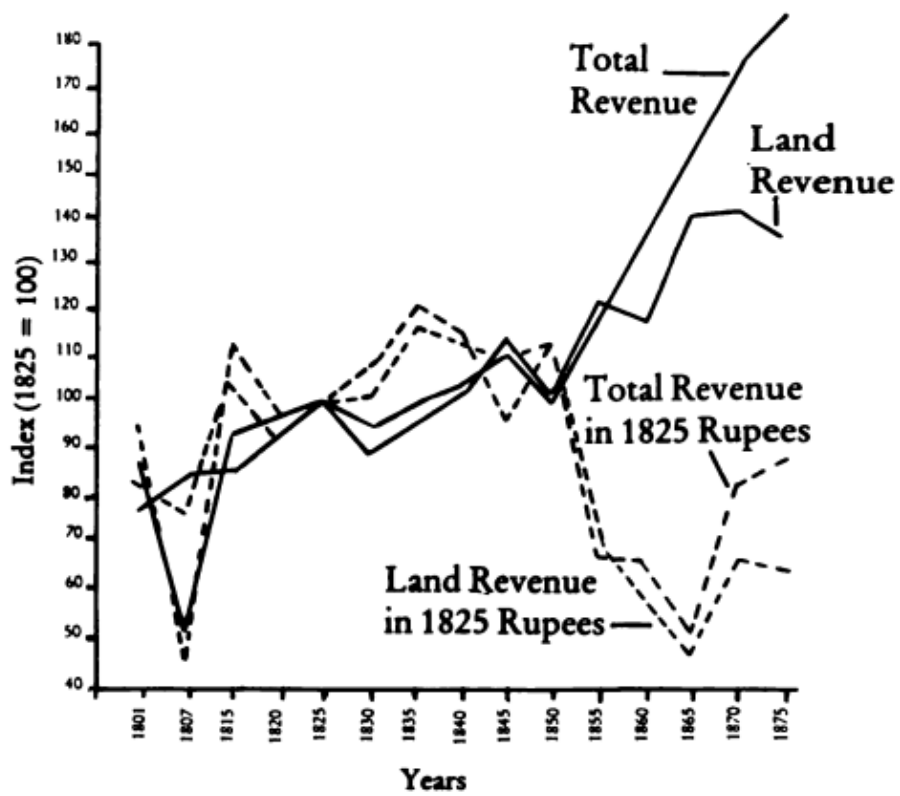


Figure 4. Tinnevely District Revenue Collections, 1801–1875 (in actual and constant rupees).

NOTE: Calculations of constant rupee revenue are based on district paddy prices, as in Figure 2. Total revenue includes local funds after 1870.

SOURCE: A. J. Stuart, *A Manual of the Tinnevely District*, Madras, 1876, pp. 182–3, 208.

Then the 1857 rebellion on North India shook the foundations of British rule, and the first priority of policy makers under the Crown became to fortify Queen Victoria's domain not only militarily but economically, as well. Projected costs outraced revenues. Pressure came to bear to increase state income in all parts of the empire.<sup>49</sup> As a first step, officers in Madras districts received orders to confiscate and

<sup>49</sup> No adequate account of the post-1850 transformation in Indian governance has yet been written. For pieces of the puzzle, see Washbrook, *Emergence of Provincial Politics*, pp. 51–63; Suntharalingam, *Politics and Nationalist Awakening*, pp. 58–192; Hugh Tinker, *The Foundations of Local Self-Government in India, Pakistan and Burma* (London, 1954); Elizabeth Whitcombe, *Agrarian Conditions in Northern India. Vol. 1. The United Provinces under British Rule, 1860–1900* (Berkeley and Los Angeles, 1972); T. R. Metcalf, *The Aftermath of Revolt* (Princeton, 1964); and Daniel Headrick, *Tools of Empire* (New York, 1981).

sell at auction the land of taxpayers who fell into arrears. Tinnevely District sales under 'coercive process', as this procedure was called, increased by a factor of ten during each decade from the 1850s to 1880, from 30 to 3,000 to 30,000 rupees annually.<sup>50</sup> Even so, despite a planned complete revision of the land tax system, projected for completion during the 1870s, land taxation remained too inflexible a financial base for the state. Rates were fixed for thirty years and then could be raised only incrementally, given the politics of land revenue. Old taxes of other kinds were increased: sea customs, salt taxes, stamp and forest taxes. New types of taxation and institutions for their administration were introduced. By 1885, local, district, and municipal funds, managed by boards of native dignitaries under the collector's control, accounted for 12 percent of all Madras Presidency revenues. By 1875, more was spent on local fund projects in Tinnevely than for all ordinary administration; annual post office receipts leaped from 13,000 to 42,000 rupees between 1860 and 1875, and forest revenues rose from 13,000 to 21,000 rupees within three years after 1873. Such new revenue sources enabled the government's real income in the district to bounce back by the 1880s; brought about a relative decline in the importance of land taxes for state finance, which continued through the end of British rule and beyond; and fed the rapidly expanding infrastructure of Queen Victoria's Indian empire.<sup>51</sup>

As government wealth and power grew, its imperial edifice centralized rules of work so as to manage more efficiently all transactions among officers and between officers and citizens. Specialized departments multiplied in Madras, each with its own officers in the district, eroding the once omniscient authority of the Revenue Department and its collectors. Departments of survey and settlement, public works, forests, police, registration, and agriculture, and special agencies cast on the model of the Inam Commission evolved after 1860 to specialize in what had been functions of the collector's office staff. They became distinct bureaucratic entities and, like municipal and local boards, they commanded resources and authority to remake district administration along lines that characterize modern times. More specialized official work became more standardized through-

<sup>50</sup> From Jamabandy Reports F. 1265-1290. Sales for arrears of land revenue averaged Rs 351 annually from 1825 to 1850: PBR, TNA, 5 January 1852, vol. 2313, pp. 370-75.

<sup>51</sup> *Manual of the Administration of the Madras Presidency* (Madras, 1885), 1:481-87; Stuart, *Manual*, pp. 199, 208-209; Washbrook, *Emergence of Provincial Politics*, p. 52; *Annual Report on the Administration of Madras Presidency for 1944/5*, (Madras, 1945).

out all Madras districts. What had been a variegated administrative landscape—composed of districts with their own peculiar traditions—disappeared forever, as departments devised set rules for official work in all districts, enshrined in the 1885 *Manual of the Administration of the Madras Presidency*.

To qualify as an officer of state would no longer demand detailed personal expertise in local administrative discourse and intricate political reality. Quite the contrary. Careers would henceforth be made by imbibing the ethos and discipline of an Anglo-Indian imperial bureaucracy, which demanded ever larger numbers of qualified native personnel. English education enabled officers to move far and wide; and professions that complemented administrative and judicial institutions—above all, the law—attracted suitably endowed native families. Improving networks of roads and railways, and growing numbers of schools in booming towns, facilitated mobility into urban professions. Though the number of natives appointed to posts above the rank of tahsildar grew after the Civil Service Act of 1861, the number of educated Indians qualified for such posts grew even faster. In Tinnevely District, the number of schools receiving some state aid jumped from 273 in 1857 to 1,052 in 1876, and their pupils from under 7,000 to over, 13,000. Tinnevely students taking civil service exams numbered 135 in 1870 and 250 in 1876. In the whole of the presidency, 70,000 students wrote university entrance or higher exams during the twenty years ending in 1885.<sup>52</sup>

To bureaucratize agrarian administration demanded more than bureaucrats, however. Officers needed detailed information and uniform records by which to manage land taxes and disputes over land rights. Steps in that direction began in earnest in Tinnevely in 1862, with the beginning of survey and settlement. Sixteen years to complete, it cost more than 75 lakhs rupees, nearly 75 percent of the district's annual revenue at its completion in 1878. Survey and settlement involved five steps, each in its own way a major feat: boundary demarcation, survey, soil classification, assessment, and the recording of rights.<sup>53</sup> Together these provided the technical basis for a new style of state action in peasant communities.

Act 28 of 1860 empowered the Madras government to define and

<sup>52</sup> Stuart, *Manual*, p. 211; Suntharalingam, *Politics and Nationalist Awakening*, pp. 95 ff. Anil Seal, *The Emergence of Indian Nationalism* (Cambridge, 1968), p. 18. Stuart, *Manual*, p. 211.

<sup>53</sup> For an overview of the process, see *Manual of Administration*, 1:99–111.

protect boundaries throughout the presidency. Teams of surveyors fanned out. They demarcated fields in each village, as indicated by cultivators and village officers. Surveyors drew boundaries on the ground, marking them with stones, and designated the limits of residential sites, forests, 'uncultivated waste' land, and all other public land, including roads, tanks, and river beds. Having registered boundaries in accounts, Survey Department officers measured and mapped everything of government interest on the land, using standard English measures: acres and square miles.<sup>54</sup> These maps provided data for a comprehensive recording of rights—whose social content we shall consider in Chapter Six—printed in bound survey and settlement records. For the first time ever, all rights and tax obligations for each field in the district became public record, visible at a glance to any officer in headquarters.

Settlement officers then calculated tax assessments on each field. They classed lands according to productivity by conducting 179 crop-cutting experiments in 1865 and 256 more in 1868, and by comparing their results with local testimony.<sup>55</sup> Soils were thereby ranked into twenty-eight types and grouped into classes according to dominant soil type in each class. Fields were then grouped into tracts containing similar types of soils and assessed accordingly. Final assessment rates resulted when officers converted the estimated average gross yield for each soil type into money, using average district prices from 1843 to 1863; deducted from gross yield an estimate of cultivation costs; and reached a money value for half the remaining 'net product,' which became the standard assessment for each soil type. For particular tracts of land this standard assessment would be adjusted upward or downward to account for conditions bearing on farm profits, such as irrigation quality, topography, and proximity to markets, railway, or seaports.

Settlement officers in practice performed a politic sleight of hand. They did take all the steps described above, but also, in a more practical vein, translated customary assessments and cesses into a new bureaucratic jargon, making local adjustments as circumstances warranted. What appeared in settlement reports as scientific calculations of yield,

<sup>54</sup> For more details on Tinnevely District's survey and settlement operations, see Stuart, *Manual*, pp. 124–31; Pate, *Gazetteer*, pp. 293–301; and *Papers Relating to the Revenue Settlement of Tinnevely District*, TCR, TNA.

<sup>55</sup> PBR, IOL, 26 October 1865, pp. 6062–71. *Papers Relating to the Revenue Settlement*, pp. 22–23. Stuart, *Manual*, p. 127.

production costs, and state rent on farmland were largely bogus—a fact revealed in an extended critical minute by a dissenting member of the Board of Revenue, W. Robinson, who concentrated specifically on the fallacious assumptions used to compute ‘net product.’<sup>56</sup> As a result of politic and practical settlement procedures, land tax rates in Tinnevely District changed very little. Rates on land in the wet zone rose only 0.4 percent after survey and settlement. The average assessment on all land declined 2 percent.<sup>57</sup> The most dramatic change in rates reflects real trends in productivity that would have been obvious to peasants and officials alike in their dialogue during settlement proceedings: relative rates on the best dry lands, which produced valuable crops, especially cotton, rose; whereas rates on poorly irrigated land, especially under rain-fed tanks, seem to have fallen. In the end, actual rates appear to have resulted more from calculations about rates justifiable to rate payers in particular local circumstances than from science, though scientific rent theory provided justification for the bureaucracy.

Survey and settlement procedures nonetheless altered forever the style of peasant interaction with the state, for they succeeded in their most important goal, to channel copious information, and thus power to define the terms of revenue transactions, into urban official hands. Officers in district headquarters would never again contemplate bizarre local weights and measures, never again travel to villages in order to find out who owed what tax and who owned what land. At their desks bureaucrats could study books of uniform records, which enabled qualified men to perform revenue and other duties of state anywhere in the presidency.

This movement of information into urban centers accompanied a movement in the same direction of people, commodities, and wealth that accelerated with cheapening transport and communication during the period of survey and settlement. After mid-century, we see an agrarian society animated by increasing mobility. In 1876, the number of people departing railway stations totaled more than one-fifth the entire Tinnevely District population, and 25,000 workers left by sea for plantations in Ceylon, while 24,000 tons of freight left district railway stations.<sup>58</sup> Wider movements meant that specialized actors in

<sup>56</sup> W. Robinson, *Minute on the Proposed Settlement*.

<sup>57</sup> Pate, *Gazetter*, p. 299. Kumar, *Land and Caste*, p. 90, provides data on the total change in revenue demand (Tinnevely demand was up 6.4 percent) drawn from the *Annual of Administration*.

<sup>58</sup> Stuart, *Manual*, pp. 213, 219, 245–47.

both state and market networks needed information pertaining to wider spatial domains, and that their interests in particular places concerned particular subjects that had to be grasped in terms applicable throughout those domains. Thus the records of Queen Victoria's imperial domain contain comprehensive and uniform data on wages, prices, yields, and the like—they are a gold mine for modern economic historians—but little local colour and almost no descriptive prose devoted to routine local affairs. Once again we find that dramatic change in the character of historians' raw material accompanied structural change in the agrarian system within which peasants work their land.

Consider simply the implications of comprehensive maps and registers of land ownership. Farmers in great numbers used offices of the Registration Department from the department's creation in the 1860s, especially to record mortgages.<sup>59</sup> Registration records, settlement records, and patta's now became absolutely authoritative symbols of ownership: they defined for all to see precisely who owned what land and who held what land on mortgage. Any dispute could be officially put to rest by bureaucrat or judge by reference to documents on his desk. No knowledge of local custom or perusal of contradictory evidence would be required, and none would confuse the issue under official consideration. As we shall see in Chapter Six, before survey and settlement, all documentary evidence concerning ownership and tenancy had been suspect, which slowed court proceedings, increased court costs, and undermined judicial decrees. A technical means to lower costs and quicken state operations, survey and settlement enabled more people to use state offices, enabled officers to make more decisive moves into local affairs, and thus altered the course of conflicts and conflict resolution in town and country by bringing more information into government offices.

Among all the interventions into village society that nurtured the Anglo-India empire, dividing public from private land stands out as the most important. Though mountains and forests were not surveyed until the twentieth century, forests assigned to the public domain were demarcated and their extent recorded on maps. The Forest Department could then use this data to establish 'reserved forests' during the 1870s, and to restrict access to forest resources under the department's control. This, of course, generated a landslide of court

<sup>59</sup> *Annual Report on the Administration of Madras Presidency for 1871/2*, p. 89.

suits, particularly from zamindars whose claims to vast wooded tracts of mountain land suffered.<sup>60</sup> Defining public land in and around every village and town invaded localities even more deeply. For decades, government had claimed to own all land classified as 'uncultivated waste', that is, land that could be cultivated but was not, or at least was not included among fields for which landowners paid land tax. But officers in cities had never held technical means to enforce government claims to 'waste'. They could not define exactly what belonged to whom, what land a particular patta included, or even what lay in a specific village. Now government could actually sell rights to 'waste' to raise cash for official projects such as the Srivaikuntam dam, which thus received 60,000 rupees.<sup>61</sup> Government control of public land provided means to protect public works once built, as well; for until the survey, landowners could lay claim to any uncultivated land by plowing it up, according to local customary and legal precedent. Farmers had thus frequently plowed their way into roads, irrigation channels, and irrigation tanks. Now city bureaucrats could nullify such a claim or make landowners pay the treasury to retain it.<sup>62</sup> 'Waste' was now public in fact and in law.

### *Empire*

Events at Ettaiyapuram reflect facets of local experience during the mid-nineteenth-century transition to industrial empire in South India. Jagavira Rama Kumara Ettapa Nayaka, thirty-sixth in his line, was descended from the powerful poligar who fought beside British troops to establish Company supremacy in Tinnevely District. His ancestor had likewise fought alongside Visvanatha Nayaka to become one of the greatest of the little kings in the Nayaka realm. Jagavira inherited respect in the eyes of British authorities. His father and grandfather had been prominent among native gentlemen who patronized public works beginning in the 1840s. Jagavira himself was invited to meet the Prince of Wales at Tuticoryn, in 1877.<sup>63</sup> Although he was a minor

<sup>60</sup> *Annual Report on the Administration of Madras Presidency* for various years.

<sup>61</sup> *Papers Relating to the Sale of Waste Lands or Redemption of the Land Tax in India*, East Indies (Waste Lands), Return Ordered Printed by the House of Commons, 6 April 1864, pp. 198–200; Pate, *Gazetteer*, p. 301.

<sup>62</sup> See Revenue Department, *Salt Works in the Madras Presidency*, Revenue Sundries No. 43, TNA, pp. 401–25.

<sup>63</sup> Ganapathi Pillai, *Ettaiyapuram Past and Present*, pp. 120–27 ff., 132.

at his father's death, Jagavira did not have his ancestral estate taken under the control of the government Court of Wards, which was routinely done in British India to protect the assets of young zamindars. The Collector, R. K. Puckle, left the estate in the hands of the zamindar's manager, Ramaswamy Nayaka, 'out of respect for the wishes' of Jagavira's mother.<sup>64</sup>

It had become customary in Tinnevely District for collectors to exercise this option whenever they perceived no imminent danger of disarray in zamindari finance; and before 1860, even when estates were taken under the court's wing, they were generally left to the zamindar's own managerial staff. Two exceptions stand out—the always bankrupt Sivagiri and ever-turbulent Chokkampatti estates—which demonstrates that where breach of the peace or failure to pay peshcash occurred, Company officers felt a pressing need to intervene in zamindari affairs. Otherwise, zamindars under the Company were left to their own devices. R. K. Puckle had faith in Ettaiyapuram, it seems. After a visit to the estate, in 1871, when Puckle found the zamindar's people had made little progress on reforms he had suggested, the collector nonetheless wrote to the court that no change in its control was required at that time.<sup>65</sup>

So well entrenched had the official tradition of respecting zamindari autonomy become that the estate manager, Ramaswamy, bristled at what he perceived a threat to his authority in the collector's inspection of 1871, because Puckle had perused estate records and interviewed estate servants without the manager's permission. Angered, Ramaswamy fired those servants and stopped progress altogether on Puckle's pet reforms. This was a serious mistake. Times had changed. Puckle's indulgence had clearly been born of respect for tradition, not of conviction. He immediately took the estate under the Court of Wards, appointed one Vengata Rao as manager, and proceeded in a few short years to overhaul the entire zamindari administration along ryotwari lines. When Jagavira came of age, he ascended to the head of an entirely revamped estate bureaucracy, with a full treasury and new managerial staff.

<sup>64</sup> Revenue Department Consultations, 20 February 1869, quoted in TCR, TCO, 'Ettaiyapuram Received, 1869–1876,' n.p.

<sup>65</sup> *Selections from Old Records, Papers Relating to Zamindars, Mittahs, etc. of Tinnevely District* (Madras, 1934). Proceedings of the Court of Wards, 4 October 1871, letter from Puckle dated 29 August 1871, in TCR, TCO, 'Ettaiyapuram Received, 1869–1876,' n.p.

For Puckle, this was a typical piece of work. Having entered the Madras Civil Service in 1851, he became director of revenue settlement in 1859 and, having worked in Trichnopoly and Salem districts, headed the settlement in Tinnevely District from 1866 to 1877, during which time he also served as collector. Possessing superior skill and energy in official politics, and with powerful friends in Madras, he personally made all the arrangements for finishing the Srivaikuntam dam project, quite a feat given the press of all his other duties. He was one of those who drove forward the change in government style during the decades of his service. Inspired by the most advanced ideas of the day and certain of his goals, he saw no limit to the good that government could do, and he envisioned Ettaiyapuram as a model for future zamindari reformation. His ambition seethes in the words he used to justify Ettaiyapuram's takeover by the Court of Wards:

The prospects of the zemin are very hopeless as things stand at present, and it would be a great pity to lose an opportunity that will never return again. . . . In the next four years we may survey the zemin, register the holdings, settle all disputes, abolish anomalies, repair irrigation works, make roads and almost double the revenue, while greatly improving the condition of the ryots.<sup>66</sup>

In the decades after 1860, urban officers of state invaded many domains of authority and resource control that they had previously touched but lightly. They almost always met resistance. To save forests from plunder and to tax forest assets more effectively, officials moved in to regulate access to wood and hillside, and in doing so trespassed on the claims of many zamindars, who took up the battle in courts of law, where some cases remained for a hundred years.<sup>67</sup> More covert resistance came from locals who could feel their bargaining power slip away. The terms of the contest moved steadily in favour of the Anglo-Indian bureaucracy, which used its increasingly potent technology to create an overarching system of political authority throughout the presidency, within which to exert influence on local affairs. Locals had no choice but to utilize that system, even to keep their

<sup>66</sup> Proceedings of the Court of Wards, 18 November 1871, letter from Puckle dated 10 October 1871, in TCR, TCO, 'Ettaiyapuram Received, 1869–1876,' n.p. The Court of Wards routinely took zamindaris under its control in the late nineteenth century, put zamindars in government schools, revamped estate administration, and invested zamindar surplus revenue in government bonds. For a case study, see Anand Yang, 'An Institutional Shelter,' *MAS*, 13:2 (1979), 247–64; and for context, Ludden, 'Productive Power,' pp. 64–72.

<sup>67</sup> The Raja of Singampatti still had a forest case pending in 1975 (personal interview).

local powers. By the survey and settlement, government obtained enough data to supersede village officers as final arbiters in disputes over local land rights; like Puckle's men in Ettaiyapuram, everywhere they went settlement officers arbitrated local disputes, some of which had obstructed progress on works of local improvement like roads and bridges.<sup>68</sup> Even as better transport built wider markets for local products and labour, central authority reached out to dissolve segmented political domains woven into agricultural life.

Economic and political integration progressed in tandem, at the tip of India as around the globe. They did not destroy but transformed the powers of key people in South Indian village communities. Channels of trade and authority that tied peasants securely into Queen Victoria's imperial system lessened local autonomy, widened village horizons, and brought new interests and notions to bear on community relations. Yet new waters flowed locally in old channels. In fact, just as the olungu scheme of revenue settlement had been designed to protect the mirasidar rights and income, R. K. Puckle sincerely sought to bolster young Jagavira's wealth and stature. The idea was not to end the zamindar's power, only to put it on firmer, more modern, footing, with more prosperous, contented subjects, and with, no doubt, sufficient cash in the treasury to pay all government dues. As a little king, a raja, the zamindar was perhaps diminished. His people might no longer feel that Ettappa Nayaka commanded their fate. But his lineage remained and remains today the richest and most powerful of its kind in the region.

Likewise, survey and settlement did deprive village officers of some levers they had formerly held to manipulate village affairs. Their tax-free land, for instance, became taxable. But they remained substantial landowners. And, as the bureaucracy widened and tightened its grip on agricultural resources, village officers remained, in the words of one report, 'the keystone of the arch' of Madras administration.<sup>69</sup> Each new government initiative needed their cooperation to succeed, while still limited sanctions from the city left them plenty of room to maneuver on the fringes of authorized activity. Like zamindars, village headmen were no longer the little kings they might once have been, but they remained resourceful peasant leaders endowed with symbols of authority, superior economic assets, and powerful local allies; the

<sup>68</sup> *Papers Relating to the Revenue Settlement*, pp. 59-260.

<sup>69</sup> J. H. Garstin, *Report on the Revision of the Revenue Establishment in the Madras Presidency* (Madras, 1883), p. 2.

leaders of dry-zone villages were still more than mere rustic bureaucrats. As in settlement procedures, the modernization of rural administration changed the jargon and veneer more than the substance of local power relations.

The creation of village bureaucracy in the wet zone similarly shuffled titles and duties among existing powerholders, the wealthy mirasidars. Men called 'principal mirasidars' comprised some 10 percent of the recorded mirasidar population in the 1823 census, and as we have seen revenue transactions continued to rely upon their wealth and power through the 1850s. As more mirasidars received pattahs and collective order raveled apart in irrigated villages—a subject for the last chapter—collectors strove to establish official headmen where none existed ever before, although official wisdom in Madras held that headmen traditionally characterized all South Indian villages.<sup>70</sup> These mirasidar headmen initially received no pay, and had little new power as a result of their office, so recruitment lagged. Influential shareholders generally refused the job as demeaning, and then it would be snatched up by some lesser man, who might see 'opportunities of indirectly procuring . . . remuneration'.<sup>71</sup> In some villages this engendered factional feuds when one group refused to recognize a headman from another faction, so that more than one headman had to be appointed.<sup>72</sup> But by the end of survey and settlement, in 1878, new standard practice had evolved with respect to the function of headman in mirasidar villages. Leading landowners became headmen, sometimes for several villages; many employed educated specialists familiar with legal codes and bureaucratic procedures. Not content to leave their interests in the hands of the headman, however, mirasidars often hired their own legal counsel to represent them in official dealings. Puckle wrote that because mirasidar headmen

are generally principal landholders and often resident at a distance from the villages in which they hold office, they keep private Gomastahs, Seti Maniyams as they are called, to perform the chief part of their duties. There is moreover usually a Kudi Maniyam or representative of the people, who watches their client's interests and conducts the business of the village generally.<sup>73</sup>

Many of those mirasidars, 'resident at a distance from the villages

<sup>70</sup> PBR, TNA, 21 September 1837, vol. 1574, pp. 11451–73.

<sup>71</sup> TCR, TNA, vol. 7979, 1852, pp. 71–77, 145–49, and vol. 7982, 1885, pp. 77–88.

<sup>72</sup> R. K. Puckle, 'Settlement Report,' in *Papers Relating to the Revenue Settlement of Tinnevelly*, n.e., TCR, TNA.

<sup>73</sup> Puckle, 'Settlement Report.'

in which they hold office', might have moved into the widening world of opportunity created by the growth of government and urban employment. Like Vengata Rao, a considerable landowner himself in a village near district headquarters, who became naib sherishtadar and then the deputy collector who managed Ettaipuram zamindari for the Court of Wards, many young men from the mirasidar fold looked out into that widening world with high hopes.<sup>74</sup> They flocked to schools, wrote exams, and staffed government posts that opened up to them. They taught school, tutored hopeful youngsters, studied professions, started business, and otherwise built futures in the city based on inherited assets in wet-zone villages. Brahmans like Vengata Rao achieved success out of all proportion to their numbers and their landed wealth. Yet, to judge by mid-nineteenth century evidence on the caste composition of the officer corps, high caste non-Brahmans, especially Vellalas with roots on the banks of the Tambraparni, entered competition for elite jobs in hot pursuit. Assets in trade would have become increasingly fertile ground upon which to build a career in town, enabling families from an array of castes, even those not among the regional landed elite, to move in the same direction. The official and professional class of urban Indians expanded steadily after 1860, filled by families with agricultural and commercial moorings. The imperial bureaucracy swarmed with their sons.

Even as the empire dissolved many of the once local segments in the regional state, and drew many of the once locally bounded agrarian elite families into state service, it left many little segmentary domains intact in the countryside. Some locals could not be brought by carrot or stick into the imperial mainstream. They inhabited little worlds depicted by officials with contempt and frustration—worlds of violence, corruption, and crime, as they saw it. There remained dark shadows across the shiny edifice of Queen Victoria's empire.

Maravas, particularly, attained renown as underworld elements.<sup>75</sup> Marava zamindars, especially Sivagiri and Chokkampatti, proved

<sup>74</sup> PBR, TNA, 3 July 1851, vol. 2291, p. 9079.

<sup>75</sup> Also Kallars: see Stuart H. Blackburn, 'The Kallar; A Tamil 'Criminal Tribe' Reconsidered,' *SA, NS* 1:1 (March 1978), 38–51. On the general institutionalization of 'criminal' categories in British India, see Anand Yang, ed. *Criminality and Control in British India* (Tucson, in press). This institutionalization rested, in turn, on what Bernard Cohn has called a 'colonial sociology,' by which administrative authorities divided up the population of the empire according to characteristics salient in the imperial scheme. See Bernard Cohn, 'Representing Authority in Victorian India,' in Hobsbawm and Ranger, eds. *The Invention of Tradition* (Cambridge, 1983), pp. 165–209.

troublesome for officialdom. They broke laws of civil society, fell into arrears, resisted efforts by the Court of Wards to manage their estates, and fought the government every step of the way over control over hillside forests. But more vexatious by far were Marava kaval chiefs and village watchmen, who until the last days of the empire provided essential police services outside of central government control. Crime and criminal investigations remained very much a local affair in their hands. Even one district judge joined the general population by paying for private Marava protection services; and a series of investigations revealed that any attempt to take control of rural police work away from local Marava leaders would prove much too expensive and potentially disruptive.<sup>76</sup> Although the Madras constabulary, established in the 1860s, consisted of non-Marava constables, all posted in town, private subscriptions with Maravas would secure life and property for villagers and many townsfolk alike in Tinnevely District through the end of British rule.<sup>77</sup> Again we find the regime bending to the necessities of rural political economy, justifying itself by reference to costs and to the need for stability.

In the late-nineteenth-century imperial setting, political men initiated a discourse with government that would grow into nationalism, South Indian style.<sup>78</sup> Like this one, each of the next two chapters will at the end touch on features of early nationalism that arose from nineteenth-century trends in the Tamil countryside. Here the salient point is that the men who first articulated their demands in the provincial political arena—many of them idealists, to be sure—sought in part to secure a voice in the imperial administrative system analogous to that which their fathers and grandfathers had enjoyed in settings such as Tinnevely District from the founding of the Anglo-Indian regime. Political activity did not derive from popular protest over government attacks on living standards. Politicians came predominantly from backgrounds

<sup>76</sup> PBR, TNA, 24 September 1832, vol. 1340, pp. 9977–82; PBR, TNA, 24 October 1835, vol. 1476, pp. 13958–84; PBR, TNA, 21 September 1857, vol. 1574, pp. 11451–71; TCR, TNA, vol. 7982, 1855, pp. 360–67. Puckle, 'Settlement Report,' pp. 262–63.

<sup>77</sup> The Superintendent of Police wrote these words on the Marava problem in 1945; 'To attempt to abolish kaval without filling the economic gap which this would entail would be to repeat history and to produce results in crime which can well be imagined.' Quoted from TNA, G.O. 626, 24 April 1945, in Blackburn, 'The Kallars,' p. 47. Pate makes similar remarks on the situation as of 1917, in *Gazetter*, pp. 333–37.

<sup>78</sup> Washbrook, *Emergence of Provincial Politics*, provides the best overview of the period before 1920. For later years, see Christopher J. Baker, *The Politics of South India, 1920–1937* (Cambridge, 1976); and Barnett, *The Politics of Cultural Nationalism*.

in towns and wealthy rural settings such as the Tambraparni River valley; they represented the most successful and mobile sectors of the native population; and their grievances centered on competition for advancement and on limits to advancement built into government policy. Articulate political leaders sought to improve their own and their constituents' wellbeing by petitioning and protesting government. The bases for nationalism were laid in South India in an evolving Anglo-Indian ideological idiom that wedded British and Indian interests at the pinnacle of society, and at the same time provided for oppositions and disagreements within the political elite. The working ideology of the regime thus manifests considerable continuity from its inception through the early decades of the twentieth century.<sup>79</sup>

Out in the village, farmers had little reason to protest government policy except as individuals seeking redress for particular wrongs. The colonial regime had been built from the beginning by active decisions on the part of key rural personnel. Its ideological underpinnings had been laid in considerable part in negotiations between powerful villagers and officials in town. Government wealth and power grew over the decades, but unlike many colonial situations, this one did not find Englishmen bettering their own lot in visible opposition to Indian economic interests in the countryside. Englishmen did indeed penetrate market networks, as we shall see in the next chapter; they did indeed channel more and more power and wealth into their own hands; but they did so as the total range of economic opportunities expanded for the most important people in Tinnevely District, and they succeeded within a set of institutional arrangements that accommodated those people's interests and ideals.

In most villages, therefore, most farmers could pursue their livelihood without running up against limits imposed by government. A great deal of what government did in the village worked to the benefit of commercially active and politically well-placed villagers. Where government interests collided with village elites, officials managed some form of accommodation, either openly, as in the case of headmen, or otherwise, as in the case of Marava watchmen, citing ideologically and financially sound rationale. In the final analysis, the stability and continuous evolution of this colonial regime depended on a context

<sup>79</sup> For a related argument, see Douglas Earll Haynes, 'Conflict and Cultural Change in Urban India,' Ph.D. dissertation, Pennsylvania, 1982.

within which a greedy government and growing rural population could both seek their goals without running into one another: it required general economic expansion, which provided favorable conditions for Anglo-Indian empire in southernmost India until the late decades of the nineteenth century.

## Chapter Six

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# Society and Economy in the Deccan, 1818–1850

SUMIT GUHA

Writers on the social history of Western India, such as Ballhatchet and Ravinder Kumar, tended to believe that the early period of British rule saw substantial changes in rural society. The former noted that many of the great *jagirdars* lost both revenue and status after the British conquest, and also observed a reduction in the authority and consequence of the hereditary district and village heads (*Deshmukhs* and *Patils*), as an 'incidental result of the reforms of the new government'.<sup>1</sup> The latter argued that despite Elphinstone's attempts to maintain them, 'the disintegration of the traditional institutions of government was inevitable'.<sup>2</sup> More recently S. Varma has observed that both the *Patil* and *Deshmukh* were eclipsed under the new administration.<sup>3</sup>

N. R. F. Charlesworth, however, takes a more ambiguous view. While in a paper on the Deccan Riots he states that British rule saw a decline in the social standing and financial status of the old elite,<sup>4</sup> he has argued elsewhere that administrative confusion and fumbling during and after the British conquest 'enabled the local magnate to strengthen his grip and seize new emoluments and privileges'.<sup>5</sup> One detects a similarity to the well-known thesis developed by R. E. Fryken-

<sup>1</sup> K. A. Ballhatchet, *Social Policy and Social Change in Western India 1817–1830*, London, 1961, p. 121.

<sup>2</sup> Ravinder Kumar, *Western India in the Nineteenth Century*, London and Toronto, 1968, pp. 58–9.

<sup>3</sup> S. Varma, *Mountstuart Elphinstone in Maharashtra 1801–1827*, p. 197.

<sup>4</sup> N. R. F. Charlesworth, 'The Myth of the Deccan Riots of 1875,' *Modern Asian Studies*, 6, 4 (1972), pp. 412–13.

<sup>5</sup> N. R. F. Charlesworth, 'Rich Peasants and Poor Peasants in Nineteenth Century Maharashtra' in C. J. Dewey and A. G. Hopkins eds., *The Imperial Impact: Essays in the Economic History of Africa and India*, London, 1978, pp. 103–4.

berg, who argued that local elites were able to infiltrate the British administration in the Madras Presidency, and utilize it for their own ends while frustrating its own.<sup>6</sup>

The Bombay Presidency was economically and institutionally quite similar to Madras; and semi-arid Guntur, with the hereditary officials, and Maratha Brahmin administrators, was much like the Deccan. So one would not expect their administrative and social history to be so different. However, even a casual scrutiny of the published works suffices to weaken Frykenberg's argument.

In this view, local power contended successfully against central power in Guntur, and the measure of this seems to have been the diversion of revenue away from the Company's coffers towards the pockets of officials and 'village leaders'.<sup>7</sup> The treasury balance may then serve as a tolerable proxy for the balance of power. Now the Nizam, 'the most grinding ruler in the Peninsula'<sup>8</sup> had demanded Rs 14 lakhs from the district, but could not collect it all, and between 1788 and 1800 the Company had demanded Rs 11 lakhs and collected Rs 9 lakhs. The permanent settlement of the latter year fixed demand at Rs 12.25 lakh.<sup>9</sup>

By 1839, arrears had reached Rs 43,76,000; by 1846 they amounted to Rs 74,37,000 or about six years' revenue. Frykenberg does not tell us the period during which these sums had accumulated, but taking the case most favourable to his argument, that they date wholly from the period of local ascendancy, 1832-45, it appears that the state failed to collect three-sevenths of its revenue claims (6/14 years).<sup>10</sup>

Certain other factors need to be examined before any conclusion is reached regarding the weakness of the British administration. Prices in this period (excluding years of outright famine) were nearly 30 per cent lower than in 1816-25.<sup>11</sup> This would automatically raise the incidence of taxation by about 40 per cent. Furthermore, the famine of 1832-34 reduced the population to one-half and the cattle to one-third of their former numbers.<sup>12</sup> No recovery had occurred in 1839; the population in that year was 267,000 as against 518,000 in 1830.<sup>13</sup>

<sup>6</sup> R. E. Frykenberg, *Guntur District 1788-1848*, Oxford, 1965.

<sup>7</sup> *Ibid.*, pp. 230-2.

<sup>8</sup> W. Elliot in *ibid.*, pp. 208-33.

<sup>9</sup> *Ibid.*, p. 42 and footnote.

<sup>10</sup> *Ibid.*, p. 227 and footnote.

<sup>11</sup> Dharma Kumar, *Land and Caste in South India*, Cambridge, 1965, p. 84.

<sup>12</sup> Frykenberg, *op. cit.*, p. 2.

<sup>13</sup> Dharma Kumar, *op. cit.*, p. 120.

This would evidently double the tax per capita. The arrears thus dated from a period that saw three years of famine and pestilence (1832–35), one of severe crop failure (1839), and four in which prices ruled at almost half their former levels (1842–44).

If the state had succeeded in collecting the full amount due in these years, it would have increased the incidence of taxation by 180 per cent over the level of the pre-famine years, or almost trebled it. In fact, it collected four-sevenths of this demand, thus increasing the real tax burden by 60 per cent. If the local elite had as complete a control over land and resources as Frykenberg suggests they did,<sup>14</sup> it was they who ultimately paid. A central authority that managed to raise real tax levels by 60 per cent can hardly be said to have been bested by local interests. Of course, the whole demand was not collected—but it is doubtful whether this could have been done under any circumstances. The Guntur tax notionally took 55 per cent of the gross produce when it was fixed in 1801<sup>15</sup>—a price-fall of 40 per cent would raise this to 92 per cent.

Frykenberg agrees with Walter Elliot, from whose Report the evidence and conclusions of the book are largely derived, that misrule by the Zamindars and district officers was responsible for the ruin of the district.<sup>16</sup> Even if we grant that this was so, it is difficult to see how the wielders of the 'webs and nets of village influence' could gain by the ruin and depopulation of the district—they could scarcely remain unaffected by the death or flight of their tenants and servants. All that Frykenberg's work ultimately reveals is that the predatory policies of the Madras government gave some of its servants the opportunity to do a little plundering on their own account. I hope to show that this is what occurred in the Deccan after the British conquest, and that the older elites, far from seizing new emoluments and privileges, lost a considerable part of what they had formerly possessed.

### *Prices and Taxes*

In Bombay, as in Madras, prices fell sharply in the 1820s, and remained low for some three decades.<sup>17</sup> Like Madras, Bombay was a deficit Presidency, and the central authorities pressed local officials to remedy

<sup>14</sup> Frykenberg, *op. cit.*, pp. 5–6.

<sup>15</sup> Dharma Kumar, *op. cit.*, p. 90.

<sup>16</sup> Frykenberg, *op. cit.*, p. 214.

<sup>17</sup> S. Guha, 'The Agrarian Economy of the Bombay Deccan, 1818–1841' (Unpublished Cambridge Ph.D. thesis 1981), pp. 27–30.

this state of affairs. Thus Lord Hastings upbraided Elphinstone: 'After all our successes the Presidency of Bombay is to remain a dead loss to the Company . . . the Court will never tolerate such a prospect . . . I should incur merited reprobation were I to acquiesce in it'.<sup>18</sup>

Many aspects of the British administration only become explicable when such pressures are taken into account. It is then scarcely surprising that superior authorities 'made only one consistent demand of their subordinates—the maximization of the revenue. . . . A collector's future depended upon his ability to succeed in this direction without inviting resistance'.<sup>19</sup> Large increases of revenue marked the early years of British rule. Chaplin, the Commissioner in the Deccan, wrote to Elphinstone in 1822:

Instead of 25 lacks *surplus* which you estimated by January 1820, I shall show you a surplus of 75 lacks. I shall show you that nearly that whole amount of that improvement in the revenue, which you contemplated at the end of 10 years, has taken place in 2½ years.<sup>20</sup>

Various expedients were used to produce these results. Much of Ahmadnagar district had been depopulated in the famine of 1803–4 and the revenue rates were therefore below the *Kamal* or maximum recorded assessment, and attempts were made to raise them to that level, with village expenses, fees of hereditary officers and taxes for newly irrigated lands being added on top of that.<sup>21</sup>

Any pretext was sufficient for an addition to the assessment. In three *tarafs* of Mohol taluka the officer-in-charge advised the villagers that as in future no sums above the assessment could be levied for village expenses, they should clear off village debts etc., immediately. Large sums were raised for this purpose and the next revenue officer promptly added these amounts to the tax leviable.<sup>22</sup>

Thomas Marshall wrote of the taluks of Bagalkot and Badami in the Southern Deccan that there was a continual pressure to raise the revenue and that the *mamlatdar* did not recommend remissions as

<sup>18</sup> Cited in S. Varma, *op. cit.*, p. 183.

<sup>19</sup> N. Rabitoy, 'System vs. Expediency: The Reality of Land Revenue Administration in the Bombay Presidency, 1812–1820,' *Modern Asian Studies*, 9, 4 (1975), pp. 544–45.

<sup>20</sup> R.D. Choksey, *Mountstuart Elphinstone: The Indian Years 1796–1827*, Bombay, 1971, p. 285.

<sup>21</sup> *Gazetter of the Bombay Presidency Vol. XVII: Ahmadnagar*, Bombay, 1984, pp. 445–46; R.K. Pringle to Secretary to Government, n.d., 1829?, para 77. British Museum Library 793.m.18(9).

<sup>22</sup> R.K. Pringle, para. 76, *ibid.*

he would be suspected of having been bribed to do so. He therefore makes a point of representing every village of being capable of bearing an advance on its last year's assessments . . . and if any little unauthorised emolument of the village officers or any little patch of concealed land can be detected, then so much more is added.<sup>23</sup>

Thackeray, Collector in the Southern Maratha country, in fact issued a general order to his *mamlatdars* in 1820:

How far you have exerted yourself . . . will appear from the accounts of the ensuing year. If there be no decrease of Revenue and the assessment be duly realised, you will be rewarded accordingly. The cultivation should, if possible, exceed that of the preceding year, but at all events there should be no decrease. If there be any, you will be considered deficient in your duty and dismissed.<sup>24</sup>

Thackeray himself later wrote one of the best descriptions of over-assessment at work:

A Collector whose zeal is his chief recommendation makes a high Settlement, and his Aumils, following his example, blindly and rigidly exact payment of the full amount. A bad season causes much distress; but the Aumil, fearful of the Collector's displeasure, and doubtful of the proper objects of remission squeezes all he can collect from the Ryots before he thinks of representing their poverty. The strength of our Government enables him to enforce his demand; the Ryot's resources are drained, and the zeal of the Collector proves more injurious to the country at large than the partial exactions of a native government.<sup>25</sup>

The new Survey and Assessment of the Deccan offered a way out of these difficulties. Large areas of waste land were occupied wherever it was introduced, and thus the state gained despite the reduction in the rate of assessment.<sup>26</sup> Further, since it purported to establish the value of every acre of arable in a given area, and also provided a mass of other information, it gave the Collector and his European assistants

<sup>23</sup> T. Marshall, *Statistical Reports on the Pergunnahs of Padshapoor, Belgaum, Kalaniddee and Chandgurb, Khanapoor, Bagulkot and Badamy, and Hoongoond, in the Southern Maratha Country*, Bombay, 1822, pp. 137–8.

<sup>24</sup> Enclosure to the letter of St. John Thackeray, appendix to Marshall, *Statistical Reports*, p. 201.

<sup>25</sup> Report by St. John Thackeray, Acting Principal Collector in the Carnatic, in *Selection of Papers from the Records at the East India House relating to the Revenue, Police, Civil and Criminal Justice under the Company's Governments in India*, London, 4 vols., 1820–26, Vol. 4, pp. 392–3.

<sup>26</sup> For evidence on this point see S. Guha, 'Some Aspects of Agricultural Growth in 19th Century India,' *Studies in History*, 4, 1 (1982), pp. 57–62.

far more control over the minutiae of revenue administration than they had hitherto possessed. Such considerations, rather than utilitarian principles, ensured the conversion of the higher echelons of the Bombay administration to Wingate's system.<sup>27</sup> A consideration of its effects is beyond the scope of this article, since they fully manifested themselves only after 1850 or so.

### *Introduction: The Strata Affected*

Not surprisingly, the great *jagirdars* and financiers closely associated with the Peshwa suffered by the new regime's attempts to centralise resources. The decline of the Nimbalkar-Watarkar family probably typified that of many. They had served under several Maratha chiefs and

some of them became renters of Districts and other Bankers, by which they accumulated great wealth, much of which is probably now dissipated by their children. . . . Excepting Jagdev Row who is now a leader of Horse in Sindia's Camp, the whole are out of employ, and it is said are involved in debts, which they are unable to discharge.<sup>28</sup>

However, changes at this level may well be regarded as superficial, and so we turn to the fate of groups much more deeply entrenched in rural society: the hereditary pargana and village officials and the holders

<sup>27</sup> This becomes evident if we scrutinise the papers relating to the original Indapur survey, printed in *Selection from the Records of the Bombay Government No. 151 (New Series): Papers relating to the Revision of the Rates of Assessment on the Expiration of the First Settlement in the Old Indapur, Bhimthari, Pabal and Haveli Talukas of the Poona Collectorate*, Bombay, 1877. Wingate himself, for instance, diverges so far from Ricardian theory as to argue (in 1839), that the best way of 'giving an impulse to agricultural industry, and attracting capital to the improvement of land, would be to create a private property in the latter by declaring the present settlement to be permanent' (*ibid.*, p. 111).

Nash and Wingate also diverge from Ricardo in their discussion of rent and net produce. By net produce they mean the surplus remaining after payments to labour and capital, but the rent is held to be only a part of this, with the residue going to the cultivator (*ibid.*, pp. 114-15). Superior officialdom was not interested in theoretical controversies. The Governor in Council wrote: 'there seems little use in arguing the point, which as far as the present assessment is concerned, appears to be purely speculative' (*ibid.*, p. 126). The workability of the new settlement was the test of its soundness, and this could only be gauged over a series of years (*ibid.*, p. 130).

<sup>28</sup> Alphabetical List and Key to the biography of the principal Maratha families and chieftains of the late Poona State connected with the British Government, I.O.R., V/27/70/10, p. 69.

of privileged tenures (*inamdars*). I preface the discussion of their fortune with a brief examination of the hereditary official's position under the old regime, and a consideration of how British attitudes influenced administrative policies.

### *Hereditary Officials Under the Old Regime*

Not only did the holders of these offices receive substantial dues in cash and kind, but they were also intimately involved in the administration of the *parganas* and villages.<sup>29</sup> Further, shares in these offices were not infrequently sold and were sometimes acquired by aristocratic and powerful lineages.<sup>30</sup> They seem to have often been involved in conflict with the various suzerain powers, not always to their own advantage. In fact, a determined and active sovereign could make considerable inroads into their powers and perquisites. At the beginning of the nineteenth century a petty chieftain, the Desai of Kittur, confiscated all the lands of the district and village hereditary officers in the Sampgaum taluka of Belgaum and appointed clerks to conduct the duties of these offices.<sup>31</sup> This seems to have been a general policy of this Karnataka potentate: in the taluka of Khanapur, where Marshall found the administration controlled by the *Deshpande* and his dependents, the Kittur Raja had earlier bypassed the *Kulkarnis*, making little use of them in the administration. Despite the taluka being hilly and jungle covered, he had been able to find 'men of business who knew nearly as much of the country [as the Kulkarnis] and who realized him 6000 or 7000 Rupees more Revenue than the British derive'.<sup>32</sup>

Again, in Hungund taluka Marshall found that *Desais*, *Nadgowdas*, *Naiks* and *Deshpandes*

exist in considerable numbers in every subdivision of the Purgana... but it has plainly been the policy of the ruling powers for the last seventy years to lower their consequence and encroach on their emoluments. With this, and

<sup>29</sup> For a brief discussion of their status and perquisites see W. H. Sykes, *Special Report on the Statistics of the Four Collectorates of the Dukhun under the British Government in Report of the Seventh Meeting of the British Association for the Advancement of Science 1837*.

<sup>30</sup> See F. Perlin, 'Of White Whale and Countrymen in the Eighteenth Century Maratha Deccan,' *Journal of Peasant Studies*, 5, 2 (1978).

<sup>31</sup> S.R.B.G. 94 (N.S.), *Papers relative to the Introduction of Revised Rates of Assessment into Part of the Uthnee Talooka, the Tasgaum and Sampgaum Talookas, and Part of the Padshapoor Talooka, all of the Belgaum Collectorate 1871*, pp. 41-2.

<sup>32</sup> Marshall, *Statistical Reports*, p. 100.

the universal improvement of all ranks, all those on the Eastern side are now reduced to mere beggary, and amongst all the functionaries I saw none who were poorer, more ignorant and more sunken than the men bearing these once respectable titles.

Nor did the lower functionaries escape. The *Kulkarnis* in large parts of the taluks had been set aside by the Peshwa and their emoluments withheld. 'Poverty is nearly at its acme with a great number of them, though nominal proprietors of 80 or 100 acres of land'.<sup>33</sup>

Of course, hereditary officers were not invariably the losers in conflicts with the State. In the south-western parts of Hungund the *Desais*

had, and exerted, an influence sufficient to restrain the rates of taxation within some bounds of moderation, to re-establish villages by collecting the dispersed inhabitants and granting the usual leases... on the arrival of the Peshwa's Revenue Farmers at Bagalkot in 1810, when a similar scale of extortion was fixed on for Hoongoond, as that which we have seen completed the ruin of the former Purguna. The attempt was here fairly resisted, and I suppose under the dread of instant rebellion that they had not the power to quell, the Sur Soobas during the whole seven years of their unchecked rapacity at Bagalkot were able to obtain nothing more than ordinary rates from Hoongoond.<sup>34</sup>

Thus a variety of circumstances, political and economic, could determine the relations of the suzerain power and hereditary officialdom, nor were the results of conflicts between them in any way predetermined.

The new regimes saw, if anything, an exacerbation of the conflict. Its officials generally held the State to be the owner of all land in India, and such a position necessarily predisposed them to hostility towards all intermediaries without clearly delimited rights. If the sovereign owned all the land then all rights and dues on the land were held essentially of him, and possession without explicit proof of alienation had to be usurpation. Equally, holders of offices held them conditional to the performance of their duties. Thus for instance, Thackeray, Collector in the Southern Maratha country, authorised his *mamlatdars* to remove from office any *Patil* who failed to actively promote cultivation.<sup>35</sup>

<sup>33</sup> *Ibid.*, pp. 178–79. The famine of 1790 was probably also responsible.

<sup>34</sup> *Ibid.*, p. 174.

<sup>35</sup> General order to *mamlatdars*, 9 March 1820, in appendix to Marshall, *Statistical Reports*, p. 200.

### *Attitudes and Policies*

The mental framework with which the early British administrators approached their tasks has been examined, but the focus has generally been on their notions of property and landed tenure. Perhaps more significant for administrative policy and practice was another piece of what Embree has termed the 'mental furniture' of the Company's servants. This was a staunch belief in the omniscience and incorruptibility of European officials and its converse, a belief in the near universal venality of Indians.<sup>36</sup>

This attitude was present at the very inception of the ryotwari system. In 1802 the Madras Board of Revenue vetoed Munro's proposal to raise the salaries of Indian employees, stating that it did not believe that: 'Fidelity in the ordinary Duties of native revenue Servant may be induced by adequate pay, but can effectually be secured only by an active personal control on the part of the Collector himself. It added, moreover that:

It can never be allowed that the administration of the most material points of Revenue management shall be left to native servants, who are so far from being governed by any principle of honour, have seldom been found to discharge the trust reposed in them, but under the operation of that fear which is excited by a vigilant and rigid control.<sup>37</sup>

The pervasiveness of this belief is shown by the general instructions of John Malcolm to his subordinates in 1821. Among other things he mentioned as 'common-place opinion' that even the best of the natives of India were 'unworthy of trust and devoid of principle'. He added that the new system introduced since the reforms in the European civil service, had 'not operated more to elevate the European than to sink and depress the native character'.<sup>38</sup> The first collectors in the

<sup>36</sup> This was an aspect of what G. D. Bearce has termed the Imperial attitude which was characterised by the belief that 'the British were superior to Indians not only in arms, but also in character and institutions. . . . The Indians on the other hand . . . were at best weak in body and timid in spirit. Their civilization was full of grave defects, vice, crime, superstition, injustice, anarchy.' G. D. Bearce, *British Attitudes Towards India 1784-1858*, Oxford, 1961, pp. 40-1.

<sup>37</sup> Cited in T. H. Beaglehole, *Thomas Munro and the Development of Administrative Policy in Madras 1792-1818*, Cambridge, 1966, pp. 58-9.

<sup>38</sup> J. Malcolm, *The Political History of India from 1784 to 1823*, London, 1826, Vol. 2, pp. 268-9. John Shore also commented on this:

It is not at all uncommon in society to hear a young man, who has been only a year or two in India . . . say that he '*hates the natives*' and insist that they have not a single good

Deccan were given far-reaching powers over their Indian subordinates.

The results were hardly surprising. Towards the end of the 1820s Malcolm, then Governor of Bombay, observed that the higher classes of natives did not enter the State service and those employed lacked independence and self-confidence. This is explained, says Malcolm, by the fact that they 'can rise to no stations in which they are not much dependent on the will or caprice of their European superiors'.<sup>39</sup>

This naturally flowed from the belief in their propensity to dishonesty. When difficulties arose in revenue collection they were promptly attributed to the malversations of officials rather than the weight of the tax. Village expenses and the customary dues and perquisites were scrutinised in order to prevent leakages of revenue. From this followed the ending of the practice of assessing the village as a whole and the commencement of individual assessments. 'The introduction of a ryotwari system was the logical result of a desire to weaken the district and village officers and to enhance the land revenue'.<sup>40</sup>

The discretionary powers of subordinate officials were to be everywhere reduced. Since in practice most decisions were made by the same subordinates it tended to make the administration rigid and inflexible.

In the Bagalkot taluka of the Karnatak Marshall remarked the absence of the

little points of practical knowledge that form the very essence of the system of native collection, are entirely and avowedly wanting in ours. . . . The Mamludars are nothing more than rigid, unfeeling and often corrupt tax

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quality, but almost every bad one; that he considers them as a degraded race, and much more to the same purpose. . . . a man who speaks in this way of the natives often has the greater part of the society in his favour, and hears himself supported by sundry observations corroborating what he says. . . . While a person who does know something of them; and consequently does not see so very great a difference between them and himself (*vide* Sir John Malcolm) can only venture to say a word in their favour with the almost certainty of being ill spoken of by the majority of his countrymen. *Alexander's East India and Colonial Magazine*, Vol. 16 (July-Dec. 1838), p. 302.

Ravinder Kumar has commented upon the displacement of hereditary officials under the new regime, attributing it to the British desire for 'legality, efficiency and responsibility' (p. 71). Revenue should be added to this list, and legality perhaps removed from it. It is also necessary to explain why British officials assumed that these ends could best be attained by strictly limiting the discretionary powers of all Indian officials.

<sup>39</sup> J. Malcolm, 'Minute on Nuzzerana,' British Museum Library, 793.m.18(10).

<sup>40</sup> N. Rabitoy, 'System vs. Expediency,' *Modern Asian Studies*, 9,4, (1975), p. 532.

gatherers, without local statistical knowledge or the power of applying it if they had it; their subalterns, the Zilladars, are of course more ignorant, and would assuredly be either laughed at or turned out if they ventured to suggest a correction in the assessment.<sup>41</sup>

In retrospect George Wingate wrote: 'The gross produce in a well-managed native district is certainly greater than in our unsurveyed districts, for which the unbending rules of our system of revenue management are very ill-suited'.<sup>42</sup>

In fact, in the early years of British rule the peasants seem to have had the worst of both worlds. Elphinstone, for instance, advocated a survey so that individual rights could be ascertained and recorded—but also wanted to continue the practice of levying a collective extra tax on the cultivators of the village if any individual in it failed to pay his assessment.<sup>43</sup> And the old Maratha practice of seizing the crops of a village till the revenue was paid was also continued. As Rabitoy has pointed out, principle gave way to expediency whenever administratively convenient.

The attempted strict regulation of the doings of subordinate officials, and the assessment of each individual separately, naturally threw an enormous amount of work on the Collector which fell in reality on his *cutcherry* or office establishment.

Thus in Poona district in 1828 the annual revenue settlement began with the *mamlatdar* of each taluka going on tour and reporting on the cultivation of each village. This was checked against the reports of village officers and by personal inspections, and on this basis the assessment of each village was fixed. The Collector and his *cutcherry* then went on tour and carried out the allotment of each ryot's share of the assessment so fixed.<sup>44</sup> A similar system was followed in the Ahmadnagar district.<sup>45</sup> In the Southern Deccan, the Collector distributed the individual taxes in a few villages and left the remainder to the *mamlatdars*.<sup>46</sup>

Wingate retrospectively condemned the system: had the allotment remained with the village officers

<sup>41</sup> T. Marshall, *Statistical Reports*, p. 138.

<sup>42</sup> G. Wingate quoted in *S.R.B.G.* 94 (N.S.), pp. 23–4. He added that it would still be 'far short . . . of the gross produce of our surveyed districts'.

<sup>43</sup> M. Elphinstone, 'Minute on the Survey and Assessment of the Deccan,' *Records at the East India House*, Vol. 3, pp. 855, 863.

<sup>44</sup> *Gazetteer of the Bombay Presidency: Vol. XVIII (Poona)*, Pt. 2, p. 378.

<sup>45</sup> *Ahmadnagar Gazetteer*, pp. 446–7.

<sup>46</sup> A. Rogers, *The Land Revenue of Bombay*, London, 1892, Vol. 2, pp. 357–8.

instances of undue partiality and oppressive exactions would unquestionably have been perpetrated [but they]... would not have ventured to push their exactions so far as to outrage either public opinion or former usage. The case was wholly different with our stipendiary district officers, who were quite unconnected with, and independent of the villages whose internal administration was thus placed within their power.<sup>47</sup>

W. H. Sykes echoed this. The new *mamlatdars*, he wrote in 1830, were mostly foreigners and adventurers, or dissatisfied adherents of the late Brahmin government; independently of their natural cupidity, the necessity of providing for their families prompts them to peculate and risk a discovery, which costs them rarely more than a dismissal.<sup>48</sup>

H. D. Robertson, Collector of Poona, pointed out in 1821 that the new arrangements were bound to produce both intrigue and corruption, so that

no man who enters our service, even if he be honestly inclined will long remain so; in self-defence he commences with all dispatch to make money to enable him to bribe informers into silence, so as to preserve his place, as well as to make his fortune.

He went on to recommend the planting of 'guardians between the mass of the people and these our servants,'<sup>49</sup> and Sykes (quoted earlier) was also in favour of giving more powers to the *Deshmukh* and *Deshpandes*.

Quite a contrary course was followed in practice. More and more was put in the hands of the Collector, or rather, his office establishment, and further attacks were made on the powers of village managers. Thus, in 1824, W. Chaplin, Commissioner in the Deccan, advised the Collector of Poona that since fraudulent claims for remissions were common, the actual condition of the cultivator could be gathered from

various other channels in his village or at all events from inhabitants of the surrounding places. In most villages too it will be found that there are two or more parties of feuds among the Patells, Coolkurnies or Ryots from whom

<sup>47</sup> *Selections from the Records of the Bombay Government (Old Series) No. 12: Reports on the Revenue Survey Settlement of the Hoobullee, Nuwulgoond, Kode and Dharwar Talookas of the Dharwar Collectorate 1853. Henceforth S.R.B.G. 12 (O.S.).*

<sup>48</sup> W. H. Sykes, 'Report on the Land Tenures of the Deccan' (written 1830), in *Parliamentary Papers 1866, Vol. LII*, p. 319.

<sup>49</sup> *Records at the East India House, Vol. 4, p. 564.*

an able Cutcherry finds little difficulty in acquiring a knowledge of its real resources and the actual condition of individual Ryuts.<sup>50</sup>

The system inevitably produced speculation and corruption, as the contemporaries cited earlier show. The additional exactions, however, do not seem to have been of any great magnitude by comparison with the State tax. Nettled by Marshall's comments on the harsh taxation in Bagalkot, Thackeray, the Collector, sent a statement showing the amounts embezzled by district and village officers in ten villages of that taluka. In the two years when the State received Rs 74,011 the district and village officers between them took Rs 4,161.<sup>51</sup> And Thackeray would no doubt tend to exaggerate such collections.

In the taluka of Nasirabad in Khandesh, a painstaking scrutiny of almost every individual village resulted in uncovering malversations totalling Rs 24,774 over five years (1818-19 to 1822-3), during which the state demand was Rs 670,161.<sup>52</sup> Again, one of the most notorious scandals was the case of the *mamlatdar* of Indapur, Trimbak Gangadhar. Attempts to collect the enormous assessment of Pringle's Survey proving infructuous, there were large balances outstanding in 1834. The *mamlatdar* was told by the Collector of Poona that his appointment was only a temporary one but would be confirmed if he successfully collected the arrears. Trimbak Gangadhar wrote back the ryots had had a hard year of it before, and that the month of June was a bad time to press for payments. No reply was received to this end; the *mamlatdar* 'activated by either hope or fear' began systematically torturing defaulters. Presumably deciding that he might as well be hanged for a sheep as for a lamb (he ultimately received seven years imprisonment), he also extorted money on his own account.<sup>53</sup> The sum thus 'improperly levied' amounted to Rs 8,863. The money collected in government account during 1834-5 and 1835-6 was over Rs 120,000.<sup>54</sup>

At this point it is also necessary to consider Ravinder Kumar's explanation of the failure of Pringle's revenue settlement. He attributes it to the overassessment of the inferior land held by *upris* and the underassessment of the better land held by *mirasdars*, resulting

<sup>50</sup> W. Chaplin, Commissioner in the Deccan to Collector Poona, 5 February 1824. *B.A.R.D. Vol. 11/95* of 1824, p. 26.

<sup>51</sup> From Statement F in the Appendix to Marshall, *Statistical Reports*.

<sup>52</sup> W. J. Dent, Asst. Collector to Collector Khandesh, 3 July 1823, *B.A.R.D. Vol. 16/100* of 1824, pp. 399-400 and 395.

<sup>53</sup> *S.R.B.G. 151 (N.S.)*, pp. 16-20.

<sup>54</sup> *Ibid.*, p. 20 and the statement on p. 21.

from collusion between 'the native officers of the Survey Department and the dominant men in the villages'.<sup>55</sup> But the distinction between *upri* and *mirasdar* was not a clear-cut one: individuals could belong to both categories, and the accidents of family extinction and proliferation could cause lands to shift from *miras* to other tenures and vice versa. Sykes in the 1820s observed *mirasdars* giving up *miras* land and cultivating other fields as *upris*.<sup>56</sup>

Further, as Ravinder Kumar himself mentions, the distinction of *mirasdar* and *upri* was often one of status rather than wealth. But the survey officials had to be paid in silver rupees—not precedence in the serving of *pan*—and so the *mirasdar*'s capacity to bribe might not greatly exceed that of the *upri*. Wingate attributed the inequities in the assessment to the erroneous principle on which it was based—and this view is strengthened by his observation that the officials had systematically overassessed uncultivated and infertile land for which no bribe could have been paid. His own explanation of Pringle's failure in terms of overassessment in the aggregate, and erroneous distribution in detail is more plausible than that of Ravinder Kumar.<sup>57</sup>

The little cardhouse empires of the stipendiary officials were naturally in opposition to the more stable regimes of the hereditary officials and magnates. Although cases of collusion certainly occurred, the different time horizons of the two groups would tend to make for conflict. The holders of hereditary rights in land and dues on the cultivation would plainly have a long-run interest in maintaining the cultivation and population of the areas in their charge.<sup>58</sup> By contrast, the stipendiary officials would have had recklessly short-time horizons: the rise of a new favourite or the transfer of the Collector would end their opportunities for good. In this respect they resembled the Peshwa's revenue farmers whose rapacity seems to have ruined parts of the Deccan.

John Malcolm certainly believed that hereditary officials were superior to stipendiary. Having traversed the Patwardhan *laghir* territory in 1829 or 1830 he wrote of its fertility and the flourishing state of cultivation:

<sup>55</sup> Ravinder Kumar, *op. cit.*, pp. 194, 108.

<sup>56</sup> W. H. Sykes, 'Land Tenures of the Deccan', p. 315.

<sup>57</sup> G. Wingate in *S.R.B.G. 151 (N.S.)*, p. 108.

<sup>58</sup> R. K. Pringle found in the Poona district that the dues of the *Deshmukhs*, *Deshpandes*, *Sir Patils*, etc., fluctuated with cultivation, and that in bad years they granted remissions larger than those of the government. R. K. Pringle to Secy. to Government (n.d. 1829?) para. 101, British Museum Library 793.m.18(9).

but it is in the look and condition of the inhabitants that the effects of its good rule are most apparent. I was surprised to find from the most minute enquiry how comparatively little the character of the rule depended upon that of the Chief, but the principal reason of this I discovered to be in the village system being preserved complete, and the almost invariable usage of the local officers (even to the highest) being seldom if ever changed—many of the finest districts have Umuldars and other officers who have succeeded to those duties like an Inheritance. The consequence is that all the money made in the districts is spent in them, and the local officers are so connected with those over whom they are placed, and so associated with them in interests, that they cannot be instruments of misrule and oppression without the forfeit of that influence and reputation which afford them the means of collecting more revenue than any stranger could realise.<sup>59</sup>

Of course, such systems would be lubricated by a flow of gifts, bribes, perquisites and fees—the grain, *ghee* and *gur*, bundles of firewood and fodder, sheep's heads and shawls that were so carefully listed in the village accounts. More substantial things no doubt went unrecorded—but it is unlikely that the efforts to abolish or restrict them made by the early Collectors resulted in great gains to the revenue.

### *The Pargana Officials*

The new government sought to curtail both the administrative jurisdiction and the incomes of the *Deshmukhs*, *Deshpandes*, and analogous hereditary officials (*Desais*, *Nadgowdas*, *Nadkarnis*, etc.). These

<sup>59</sup> J. Malcolm, 'Minute', para. 63, British Museum Library 793.m.18(16). In another minute on the Southern Maratha country he wrote that the jaghirs 'maintain a superior condition . . . while the territories of the British Government, though tranquil, have not improved so much as was anticipated.' British Museum Library 793.m.18(17). Thackeray, the first Collector in this area, had noticed the same contrast: 'The Jāgheerdars however, have certain advantages that we shall never possess; they require less revenue and can afford better terms to their Ryots. Their managers are generally their friends and relations who live in the country; they manage and look as much to their own popularity with the Ryots as to the favour of the Jagheerdar.' St. John Thackeray to Commissioner in the Deccan, n.d., *Records at the East India House*, Vol. 4, p. 393.

In the Junar area, prior to the introduction of revenue farming by Baji Rao, the post of *Subbedar* was held by the same family for many years, and the *Havildars* or subordinate officials, were also quasi-hereditary. The interest of these *Havildars* was also 'identified with the prosperity of the villages, and they acted as a useful buffer between the *Subbedar* and the ryots, raising loans in bad years to meet the demands of the *Subbedars*, and recouping themselves in good years. They kept a running account open with the ryots, and were liberal in the matter of advances and loans'.

G. Keatinge, *Rural Economy in the Bombay Deccan*, New York, Bombay and Calcutta, 1912, p. 10.

officials were regarded with suspicion from the outset. A circular of 1821 urged the Collectors to let the offices of the *Desais*, *Deshmukhs* etc., fall into disuse as far as possible. Already in 1834 Williamson, the Revenue Commissioner, noted that little official responsibility attached to these officers in certain districts, and they were employed in a very partial manner, as though their agency was of secondary importance. They themselves feared the loss of their *Watans* and so tended to avoid direct responsibility.<sup>60</sup> The progress of the Revenue Survey in any case rendered their tasks obsolete.<sup>61</sup>

Further, as the economic recovery of the 1850s progressed the role of rentier must have become far more attractive to all these officials by contrast to the labour and humiliation of active service. In every collectorate by the beginning of the 1860s the *watandars* preferred to pay for substitutes to serve in their places. The 214 *watans* of Satara supplied only 12 *watandar* clerks, and paid Ra 23,809 in lieu of service. In Poona and Ahmadnagar there were 431 clerks paid out of the revenues of hereditary district *watans*: only 152 were *watandars* serving in person.<sup>62</sup> The new educational requirements were also weeding them out: of the 152 only 29 had passed the requisite examination.<sup>63</sup>

More significant, perhaps than all the small numbers of *watandars* who exercised their office was the fact that the substantial men who could have acted as a counterweight to the stipendiary establishment had largely withdrawn from the administration. An official report declared:

If the *Watandars* of substance and weight had officiated in person, their service would have been more valuable in most respects than the service of hired substitutes; but as a rule almost, if not quite, without exception, these are not the men who served in person. It was only those who were too poor to pay substitutes who officiated in person.<sup>64</sup>

The summary settlement of 1863–4 which made them into rentiers *de jure* as well as *de facto* was probably welcome to the bulk of the hereditary officials, who now joined the *inamdars* as a class of private

<sup>60</sup> T. Williamson, Rev. Commissioner to Collector Poona, n.d., *B.A.R.D. Vol 20/564* of 1834, pp. 134–5, 113–14.

<sup>61</sup> *S.R.B.G. 174 (N.S.): Papers relating to the settlement of Hereditary District Officer's Watans in the Deccan and Gujarat*, p. 2.

<sup>62</sup> Calcutta from statistical tables, *ibid.*

<sup>63</sup> *Ibid.*

<sup>64</sup> *Ibid.*, p. 104. Several of these points were made by Ravinder Kumar (*op. cit.*, pp. 130–3), and my own conclusions as to the fate of the *Watandars* closely follow those reached by him in his fourth chapter, 'The Twilight of the *Watandars*'.

landlords. Not merely the powers but also the incomes of the hereditary officials came under attack, especially if they were thought to be hampering revenue collection.

The *Desais* of Hungund lauded by Marshall had continued to protect their *pargana* even under the new regime. It was certain he wrote, that 'the searching out of every possible pretext for laying a few additional Rupees on every village' had not been carried as far in Hungund as in the adjoining taluka.<sup>65</sup> However, the threat of rebellion which could daunt the Peshwa's revenue farmers could not be employed against the British; the fate of the Poligars across the border in Madras, if nothing else, must have made that amply clear.

So Thackeray the Collector visited the taluka, caught the Amil, revenue collector, in 'peculations to a large amount' and also accused him of having suppressed documents supposedly proving that the *Desais* had hitherto paid a larger sum as quit-rent than they had been paying the British.<sup>66</sup> Many hereditary officials had to pay this quit-rent (*judi*), and its enhancement was a simple way of nullifying their fiscal privileges.

Malcolm, visiting the Southern Deccan, wrote in 1829 that the *judi*, quit-rent, was too heavy and quoted a local officer, Stevenson, on the position of the quit-rent paying *inamdars*. The latter stated: 'The class of persons as a body are in bad circumstances, and far from paying merely a quit-rent frequently pay as high, or often higher taxes than the Ryot himself'. This circumstance Stevenson attributed to the average of ten years payments being taken as the basis for calculating *judi*, to illegal exactions being added to the customary payments, to the sums paid by the *Judidar* on behalf of the ryots who could not pay the full assessment being taken into account in assessing him, and to the excessive zeal of native officials leading them to charge *judi* according to the individual's ability to pay.<sup>67</sup> Malcolm put forward an explanation:

<sup>65</sup> Marshall, *Statistical Reports*, pp. 174-5.

<sup>66</sup> Letter of St. John Thackeray in Appendix to Marshall, *ibid.*, p. 192.

<sup>67</sup> J. Malcolm, Minute of 23 April 1829, para 42, British Museum Library 793.m.18(17). This excess of zeal was not confined to native officials. When Robertson, the newly appointed Collector of Khandesh was hunting out the misdeeds of his predecessor's employees, W. J. Dent, Assistant Collector, wrote to him that the Nasirabad taluka had yielded a net revenue of Rs 185,000 to the Madras, but only paid Rs 82,635 in 1822-23. This decline he added, 'has proceeded solely from the peculations and frauds of our own servants, the Potalis and Zemindars... the country will be found able to pay at the present time a lac and a half of Rupees'. W. J. Dent to Collector, 3 July 1823, *B.A.R.D. Vol 16/100 of 1824*, pp. 395-7.

In Native Settlements the actual Revenue to Government is often fixed low, and remissions admitted to leave cultivators the means of satisfying the demands, or of complying with the occasional exaction of the ministerial or local officials. With us there is no calculation on such grounds, and those who have to pay Joodee, even when employed have no longer any latitude given them of exacting from others, to an extent that would enable them to meet the demands of the Government.<sup>68</sup>

### *The Village Officials*

Arbitrary changes in rights and dues occurred in the villages as well. In his Settlement of Poona district Pringle increased *haks* (customary dues of various functionaries) 'by over Rs 30,000... by the correction upon detailed enquiries of the arbitrary depreciation which the huks had undergone of late years in the absence of any regular system of adjustment, by which they had in most cases been considerably reduced, and some altogether annihilated'.<sup>69</sup>

The Survey supervised by Pringle seems also to have eroded or destroyed the dues of village officers in some areas. A Settlement Officer reported that in the Sholapur and Ahirwari *parganas* of Sholapur district:

the patels having been deprived of their haks with sometimes not half the value of their *gugri* (enjoyed from time Immemorial) in per cent as compensation, are everywhere apathetic and quite indifferent to the prosperity of their villages having in many no interest in their concerns. Some patels have actually no remuneration. The acting Patels have salaries fixed so low that no honest man, if found, could accept it, it being impossible for those who did to subsist on Rs 5 without having recourse to nefarious practices, and they have no permanent interest in any lasting improvement.

The *Kulkarnis* however were not as badly off as the *Patils*.<sup>70</sup>

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As it happened, accounts for the ten years preceding the British conquest were available to Robertson, and he found that the collections did not exceed Rs 105,000, and requested an explanation. (*B.A.R.D.*, *ibid.*, p. 387). Thus pressed, Dent discovered an error in his calculations: accounts stated in *Tuckas*, a coin of lesser value, had been misread by a clerk as being in Rupees, so that the amount was actually Rs 96,871, not Rs 185,000 (*D.C.R.*, Vol. 196, No. 1476). One wonders whether the clerk actually blundered, or simply told Dent what he wished to hear, and whether an attempt would have been made to collect Rs 150,000 from the unfortunate taluka. Neither is improbable.

<sup>68</sup> J. Malcolm, *ibid.*, para. 55.

<sup>69</sup> R. K. Pringle to Secretary to Government, n.d., para. 112, British Museum Library 793.m.18(9). Half the reduction was a temporary one in Indapur taluka.

<sup>70</sup> Report of J. B. Bellasis, Asst. Suptd., 26 June 1839, in *S.R.B.G. 150 (N.S.): Papers*

The arbitrary abrogation of the rights and dues of village officers stemmed, of course, from the belief that the land was the property of the sovereign and that the *Patils* and others were essentially State appointees whose payments and services could be altered as the financial and administrative needs of the government dictated. This led to the *de jure* (and in some cases *de facto*) 'abrogation of the rights of the Pateel and his degradation to the level of the other cultivators'.<sup>71</sup>

This attitude to the *Patil* was exhibited in several ways. A. Robertson, the Collector of Khandesh, was aware that *watans* had formed the only secure investment in that province and that interference with them would amount to a violation of the right to property. Yet he sanctioned the proceedings of his Assistant, Hodges, in reducing *watan inam* lands simply because the area of cultivated government land had declined. The reduction was drastic: the area of irrigated *inam* land being reduced from 288 *bighas* to 64 *bighas*, and of unirrigated from 625 *bighas* to 54.<sup>72</sup> Plainly such actions assumed that village officers were only stipendiaries of the State as supreme landlord.

The resultant change in the position, social and economic, of the village officers was described by W. C. Anderson, Survey and Settlement Commissioner:

Before the first survey settlement the condition of the village officers was very bad; they got their remuneration from *haks* or direct levies of grain from the cultivators which were very irregularly paid and from *inam* lands commonly paying *judi* which was often of an excessively heavy amount, even above what would have been considered a fair assessment... they were in a very reduced condition, a large proportion of their *wantan* lands was waste and unproductive to them, they were got to serve with difficulty.<sup>73</sup>

This may seem a little sweeping, and perhaps intended to show the

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relating to the Revision of the Rates of Assessment on the Expiration of the First Settlement in the Old Madha, Sholapur, Mohol and Barsi Talukas of the Sholapur Collectorate (1877), pp. 188-9. Henceforth S.R.B.G. 150 (N.S.). Reporting from the Mandrup pargana of the same district, G. H. Robertson, Asst. Suptd., wrote in 1840, 'the unfortunate village officers starve upon the paltry sums of 4, 5, 6 or 8 Rupees per annum.' Ibid., pp. 207-8.

<sup>71</sup> W. H. Sykes, 'Land Tenures of the Deccan,' p. 337.

<sup>72</sup> A. Robertson, Collector Khandesh to Commissioner in the Deccan, n.d., D.C.R., Vol. 196, No. 1910, and H. W. Hodges, Asst. Collector to Collector Khandesh, D.C.R., Vol. 196, No. 1494.

<sup>73</sup> W. C. Anderson, Survey and Settlement Commissioner, 23 July 1877, reprinted in R. G. Gordon, *The Bombay Survey and Settlement Manual*, Bombay, 1917, Vol. 2, Appendix IVC, p. 520.

Survey system in a favourable light by contrast to what had gone before. But evidence supporting it is forthcoming from several areas. Wingate reported from the Badami taluka of Belgaum in 1852 that 'the ryots have long ceased to pay huks to the District Officers at all, and in many cases to the village officers also'.<sup>74</sup> The records showed village officers' *haks* to be worth Rs 3,562; he awarded an interim compensation of Rs 1,218. Another Belgaum settlement report of that period (by W. C. Anderson) declared: 'The payment of huks in the unsurveyed districts has of late years to great extent become obsolete, and the compensation necessary of a very trifling amount'.<sup>75</sup>

Gooddine, after a detailed investigation of rights in parts of Ahmadnagar district, wrote in 1845:

But the present change of system had effected a corresponding change in the circumstances of the Patel: each individual ryot being alone responsible for the assessment on his holding, the principal onus is removed from the Patel, and he is deprived of uncontrolled action, and shorn of a great portion of his dignity. In most villages the Patelship has been divided among a great number of shares, and the increasing families of these sharers, have caused it to be still further sub-divided, and as each individual lays claim to his share in the produce of the Wutun, they collectively present little more than the appearance of a beggarly mob of clamorants, who, by their internal feuds greatly retard the duties of their office.<sup>76</sup>

Similar conditions seem to have prevailed further south. In Yenkunchee village of Belgaum in 1846 the *Patil's watan* land amounted to 414 acres. Of this, 193 acres were shared by no less than eighteen persons but only 164 acres were cultivated, and this area paid a tax of Rs 252. The other 221 acres, though entered in the accounts in the names of eleven sharers, were managed by the State. Similarly, in another village, Agsunkop, 150 acres of *patilki* land was in shares ranging from 1 to 33 acres in size; of these shares six were totally uncultivated, two partly cultivated, and the remainder, amounting to 15 acres, paid a tax of Rs 7-12-0. J. Hadow, First Assistant Collector of Belgaum, wrote that these were 'a fair specimen of the ruined condition of a great number of the Patelki Wuttons in Bagulkote and Badamee. I do not consider them to be in so bad a state in the Hoongoond Talook,

<sup>74</sup> S.R.B.G. 5 (O.S.): *Report explanatory of the Revised Assessment Introduced into the Talookas of Badamee and Bagalkot in the Belgaum Collectorate*, 1853, p. 26.

<sup>75</sup> S.R.B.G. 94 (N.S.), p. 17.

<sup>76</sup> S.R.B.G. (O.S.): *R. N. Gooddine Report on the Village Communities of the Deccan* (written 1845, published 1852), pp. 15-16.

though even their division and sub-division will be found in almost every Wuttun.<sup>77</sup>

Mansfield, Assistant Collector in Dharwar wrote in a similar vein in his Administration Report for 1844–5. The village officers, he stated, were generally very badly off, the system of *judi inams* had been ruinous for them and reduced them to extreme poverty. This stemmed firstly, from the quit-rent (*judi*) being too high, secondly, from the current holder having to pay *judi* on portions of land given away by his ancestors, and 'these Officers instead of receiving a remuneration of their services have the greatest difficulty to pay their Jooree'.<sup>78</sup>

Mansfield's superior, the Collector of Dharwar noted the result of these conditions. The British regime, he wrote, had in almost every instance overthrown the old institutions of the country but had not introduced any improved system: 'the old Wuttundars are resigning their Wuttuns, and their places are filled by Salaried Servants not possessing the respect of the villagers, nor the confidence of their employers'.<sup>79</sup>

In the *parganas* of Sholapur and Ahirwari mentioned earlier, the Assistant Superintendent J. B. Bellasis described the impact of the heavy assessment and reduction of their dues on the land-holding groups:

The waris of the patels and all the old landed proprietors are gone to ruin, and they may be seen taking up their quarters in a corner thatched in. Numbers who formerly had a horse, a camel or cart are now reduced to the bare necessities of life. I have seen patels working as common labourers—weeding, to such straits are they put.<sup>80</sup>

As against this evidence we have to set the account of the *Patil's* power given by Shortrede in 1833. The office of the *Patil*, he wrote:

gives him an unlimited power to a considerable extent over all those under him. If his exactions be not unusually severe almost every one under him will find it to be in his interest to submit to them rather than to incur his disfavour

<sup>77</sup> J. Hadow, First Assistant, to Collector Belgaum, 19 January 1846, *B.A.R.D. Vol. 12* of 1847, pp. 180–3.

<sup>78</sup> S. Mansfield, First Assistant, to Collector Dharwar, n.d., 1846?, *B.A.R.D. Vol. 15* of 1847, p. 180.

<sup>79</sup> Ag. Collector Dharwar (name illegible: Frere?), Annual Admin. Rept. 1844–45, 12 March 1846, *B.A.R.D. Vol. 15* of 1847, pp. 101–2.

<sup>80</sup> *S.R.B.D. 150 (N.S.)*: J. B. Bellasis, 26 June 1839, p. 188, footnote.

and ill will by opposition, which in all probability would be fruitless of anything but of evil to himself.<sup>81</sup>

The instances actually given of his exactions are that in the distribution of the *baluta* payment in kind, the *Patil* appropriated the best sheaves while the lower castes had to be content with the remainder, and secondly that when payments were made for supplies procured in villages, the *Patil* cheated the other villagers, especially the *Mahars*, of their proper share. Scarcely the rights for which thousands of rupees were paid in the eighteenth century. Shortrede also alludes to high prices being paid for *patilki* rights when they sold, but quotas not prices.<sup>82</sup> On the whole it seems unlikely that the *Patils* generally were as powerful as he contends. Thus, W. A. Goldfinch wrote from Dharwar in 1845 that the levy of dues in kind by the *Patils* and *Kulkarnis* was the source of squabbles and complaints, leading the officials to petition their superiors to enforce the payment of even their customary dues.<sup>83</sup> It thus seems incontrovertible that administrative changes under the new regime, in conjunction with the severe economic depression that accompanied it, greatly reduced the importance of hereditary officers of all types. The decline in the importance of the *Patil* was a reflection of the disintegration of the village as a corporate body. The *patilki watan* was really the right to manage the affairs of this corporation. The ability of the village under the Marathas to borrow money and to tax itself must have been of considerable importance in sustaining agriculture during periods of adversity. When village debts were enquired into in Khandesh in 1826 it was found that most villages owned large sums to *sowkars*.<sup>84</sup> The Collector of Ahmadnagar believed that the total amount of village debts in that district could be as high as Rs 15 to 20 lakhs.<sup>85</sup> In the village of Lony, Poona district, the village debt in 1820 amounted to Rs 3,075.<sup>86</sup> The stoppage of this source of credit under the new administration must have aggravated the effects of low prices and heavy taxation.<sup>87</sup> Capital

<sup>81</sup> Shortrede to Collector, Poona, n.d. 1833?, *B.A.R.D. Vol. 36/580* of 1834, pp. 276-7.

<sup>82</sup> *Ibid.*, pp. 277-8.

<sup>83</sup> W. A. Goldfinch, Annual Admin. Report, 1844-45, *B.A.R.D. Vol. 15* of 1847, p. 195.

<sup>84</sup> Report of J. Bax, Collector Khandesh, 28 Sep. 1826, para. 2 B.R.P. 369/38, No. 18.

<sup>85</sup> Report of J. A. Dunlop, Collector Ahmadnagar, in B.R.P., *ibid.*

<sup>86</sup> T. Coats, 'Account of the Present State of the Township of Lony', in *Transactions of the Literary Society of Bombay*, Vol. 3, 1823, pp. 212-14.

<sup>87</sup> In an illuminating article entitled 'Institutional Factors in Providing Capital Inputs for Cultivation in Medieval India,' Satish Chandra writes:

would have been forthcoming despite the general economic depression, for in January 1832 Elliot, Sub-Collector of Dharwar, suggested that villages with large tracts of waste-land should be leased out for long periods to men of capital 'who should be allowed to exercise the Kamaveesee or management of the small portion paying the assessment, such assessment being settled as at present'. *Sowkars* and servants of the old government, he wrote, were strongly desirous of investing their money in this way.<sup>88</sup>

Similar offers to farm the Poona sub-divisions of Khed, Junnar and Maval were made in 1830 by prominent former officials of the Peshwa, including his treasure Anna Waugh. The proposal was seriously considered, but it was finally decided that the Survey then being conducted by R. K. Pringle would give more favourable results.<sup>89</sup> Farming out more of the revenue would still have required the total amount to be reduced: in the 1820s villages were leased out in large numbers in Ahmadnagar and Khandesh but as the rents were too high the leases all failed.<sup>90</sup>

### *The Struggle Over Inams*

We have far less information as to the fate of the *inamdars* who were not hereditary officials, even though they probably held a larger part of the tax-exempt lands than the various officials did. The low prices and thin population at the beginning of our period would have certainly affected their incomes, especially as they were in a worse position than the State to enforce their demands. Steele wrote in 1826 that

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... there were two separate but not disconnected circles: the individual peasants and the village community on the one hand, and the state on the other, which provided support and capital for the improvement and expansion of cultivation... it would appear that in normal circumstances capital needed for the processes of cultivation and also for some expansion was provided by the village itself, without any significant inputs by the state. But the support and protection of the traditional village institutions by the state was implied, in the absence of which processes were likely to be seriously impaired, as happened under British rule. *Indian Historical Review*, 3, 1 (1976), p. 91.

<sup>88</sup> W. Elliot, Sub-Collector Dharwar, to Principal Collector, 29 January 1832, *B.A.R.D. Vol. 30/574* of 1834, p. 64.

<sup>89</sup> The offer was reported by W. W. Malet, First Assistant Collector Poona to Secretary to Government, 27 February 1830. Giberne, the Collector, favoured its rejection. See his letter, 19 April 1830. *B.A.R.D. Vol. 43/324* of 1830, pp. 9-36.

<sup>90</sup> G. Giberne, Collector Poona, to Secretary to Government, 4 January 1832. *B.A.R.D. Vol. 30/574* of 1834, p. 23.

when *inam* lands were leased out they fetched two-thirds of the government assessment on them.<sup>91</sup> The situation could hardly have improved after that date: W. C. Anderson was later to recall how large tracts of *inam* land lay uncultivated in the 1840s.<sup>92</sup> The Revenue Commissioner, E. H. Townsend, estimated the true value of alienated lands in 1846 to be one-third of the value assigned to them in the accounts.<sup>93</sup>

By and large, however, the *inamdars* were left undisturbed in their holdings throughout the first quarter century of British rule in the Deccan, even though the titles of many were of very dubious origin. The numerous duties of the Collectors and their subordinates prevented them from embarking on a detailed inquiry into the origin and validity of the various claims. Occasionally pensions and lands were resumed as a *cutcherry* scandal broke. Thus Robertson reduced cash allowance (*Warshasun*) in Khandesh from Rs 87,178 to 23,483 in 1825.<sup>94</sup> The relatively small amount of *inam* lands in that district also allowed 'a minute investigation' of it to be complete in 1832.<sup>95</sup>

Even though possession was, in practice, unchallenged, ingenious means were devised in the Southern districts whereby *inam* land could be directly taxed. During the 1820s, every *ryot* possessing four bullocks had to cultivate some *chali* (heavily assessed land) or not be permitted to cultivate any *inam* land or, indeed, any low assessed land.<sup>96</sup> This system persisted into the 1840s in some parts of the Deccan. A report on the sub-divisions of Indi and Alumela, at that time in the Sholapur district, clearly shows how *inamdars* were assessed.

<sup>91</sup> A. Steele, *The Law and Custom of Hindoo Castes within the Dukhun Provinces Subject to the Presidency of Bombay*, 2nd ed., London, 1868, p. 261.

<sup>92</sup> S.R.B.G. 148 (N.S.): *Papers relating to the Revision of the Rates of Assessment on the Expiration of the First Settlement in the Indee and Hooblee Talookas of the Kulladoes and Dharwar Collectorate respectively*, 1875, p. 95. In Khandesh in 1830-31 the assessment of *inam* lands in cultivation was Rs 178,000, or less than 40 per cent of the gross value of alienated land. W. S. Boyd, Collector Khandesh to Secretary to Government, 4 February 1832. B.A.R.D. Vol 31/414-5 of 1832, p. 314.

<sup>93</sup> E. H. Townsend, Revenue Commissioner S.D., forwarding Belgaum Admin. Report of 1844-45, 7 July 1846 B.A.R.D. Vol. 12 of 1847, p. 9.

<sup>94</sup> A. Robertson, Collector Khandesh, to Commissioner in the Deccan, 19 January 1825. D.C.R. Vol. 201, No. 1716.

<sup>95</sup> W. S. Boyd, Collector Khandesh to Secretary to Government, 4 February 1832. B.A.R.D. Vol. 31/414-15 of 1832, p. 314.

<sup>96</sup> Memorandum by Stevenson appended to Minute of 23 April 1829 by J. Malcolm, British Museum Library 793.m.18(17).

Table 1  
*Revenue Payments by Tenure*<sup>97</sup>

	<i>Indi</i>	<i>Alumela</i>
Rupee rate per acre paid by:		
Inamdars holding <i>chali</i> land	1.21	1.12
Non-Inamdars holding <i>chali</i> land	0.94	0.67
Rate per acre <i>kutgoota</i> land (the commonest tenure)	0.32	0.35

Nash, the Survey Superintendent, explained that *chali* land was imposed on all who had any stake in the villages, and *sowkars* were sometimes compelled to hold it under the threat of enhancing their professional tax.<sup>98</sup> Since even the ordinary (*kutgoota*) rate could not always be paid, it is evident the *Chalidars* in *Indi* and *Alumela* could only have paid 200 and 300 per cent more out of the profits of other land or from other sources of income. However, it seems likely that this particular practice became progressively less frequent, and finally died out altogether, since we find Wingate writing in 1848 that the practice of compelling the cultivators of *inam* land to also till heavily assessed government land had been ended under the British administration.<sup>99</sup>

It would seem from the account so far given that the British regime successfully disjointed and penetrated a whole variety of local institutions. The *Patil's* office ceased to be that of a village manager and became merely the lowest rung of the administrative ladder; the hereditary officials ceased to be local magnates and were gradually reduced to landlords only. The defence of *inam* lands however indicates that local society also had its means of resistance. Through concealment, evasion, procrastination and litigation any general enquiry into *inams* was avoided till the Inam Commission became active in 1843. Its progress was sufficiently slow for a large part of the *inams* to remain unadjudicated in 1857. The events of that year convinced the govern-

<sup>97</sup> Table compiled from the Report of W. H. Bell, Assistant Suptd., 31 August 1843, para. 13 in a *draft* Report on the Revision Survey Settlement of 182 villages of the Kul-ladgee Collectorate, 1875. Proof copy in Secretariat Library, New Delhi.

<sup>98</sup> A. Nash, Survey Suptd., to First Assistant Collector Sholapur, 27 September 1843, para. 7 in Report, *ibid.*

<sup>99</sup> G. Wingate in *S.R.B.G. 156 (N.S.): Papers relating to the Revision of the Rates of Assessment on the Expiration of the first Settlement in the Old Hangal Taluka and the Old Tadas Mahal of the Hubli Taluka in the Dharwar Collectorate*, 1881, pp. 87-8.

ment of the inadvisability of further *inam* enquiries, and the summary settlement then formulated was carried out a few years later. Under the terms of this settlement, the *inamdars*, by surrendering a part of their claims were given an undisputed title to the remainder. The result, on the whole, was a stand-off. According to the calculations of the Inam Commissioner, alienated land worth Rs 3,215,000 was confirmed to the holders in the nine Deccan districts. The valuations were probably fairly conjectural; still, it is safe to say that after a struggle lasting four decades the *inamdars* retained half the disputed lands, a property whose value was to grow rapidly thereafter.<sup>100</sup>

The long drawn out resistance had a wider economic significance. Wherever *inam* land was extensive it offered an alternative source of income and sustenance to the cultivator during the depressed 1830s and 1840s, since *inamdars* pursued a less shortsighted policy than the state in that period. Steele's evidence on this has been cited earlier. W. H. Sykes stated in 1832 that during his travels in the Deccan he found *jaghirdars'* villages, in eight cases out of ten, to be more prosperous than government ones.<sup>101</sup> The role played by *inam* land was most clearly explained by Wingate in 1848. Throughout the Southern Maratha country, he wrote: 'the great extent of alienated land has materially assisted in preventing or retarding the decay of agricultural resources that would otherwise have resulted from the operation of an oppressive land tax'.<sup>102</sup>

Further north, in a Nasik sub-collectorate village with a large area of *inam* land, it was found that the *inamdar* leased out his lands at lower rates than the government and so 'the Ryots have always fully cultivated his lands in preference to those of Government'.<sup>103</sup> So the gains from the *inamdars'* defence of their privileges trickled down the lower strata of rural society.

### Conclusions

The first quarter-century of British rule thus saw a variety of changes—in the administration, in the economy, and more especially of the interface of the two. And their significance was more than con-

<sup>100</sup> This paragraph is based on A. T. Etheridge's *Narrative of the Bombay Inam Commission and Supplementary Settlements*, 1873. S.R.B.G. No. 132 (N.S.).

<sup>101</sup> W. H. Sykes Answer to Q. 1989, *Parliamentary Papers 1831-32* Vol. XI, Pt. III.

<sup>102</sup> G. Wingate, 26 January 1848, in S.R.B.G. 156 (N.S.), pp. 87-8.

<sup>103</sup> W. C. Andrewes, First Assistant Nasik, to Collector Ahmadnagar, 31 Oct. 1833. B.A.R.D. Vol. 36/580 of 1834, pp. 186-7.

junctural, more lasting than the fall in prices and stagnation of cultivation that marked the early period of the new regime; the period that we have surveyed saw the collapse of a certain order of property and of the polity that had supported it. Both had been in crisis from the end of the eighteenth century—but they met a definitive end in the second quarter of the nineteenth century.

This is not a revival of the old thesis that a natural economy was forcibly monetised—the Deccan possessed a commodity economy much before the eighteenth century. Rather it is a question of what constituted a commodity.

To begin with, the inability of the new administration to comprehend, as also the inconvenience to it arising from the recognition of, the existence of concurrent, ontologically identical rights in land, led to the initial transformation, *de jure*, of all landholders into tenants of the state, and the effective confusion of *upri* and *mirasdar*.<sup>104</sup> The turmoil and misrule that had characterised the reign of Baji Rao, had, however, already done this to a large extent.

So the more important change under the new regime was the disappearance of hereditary office as a relatively secure and transferable form of property. The holders of these were relegated to being rentiers and pensioners or merely stipendiary employees selected and paid in a slightly anachronistic way. There was no place in the new system for that hybrid figure, part entrepreneur, part official and part territorial magnate, that the *Patil* or *Deshmukh* could be under the Maratha system.<sup>105</sup>

Alongside this 'simplification' of roles, property itself became more simple and homogeneous. The compounds of lands, perquisites, gifts, ceremonial dignities, public offices, and tax liabilities that were earlier acquired by purchasers of *watans* were no longer for sale. Some of these items ceased to be saleable; others could be acquired, but individually and discretely.

The new administrators, as we have seen, drifted into change rather than aimed for it; even the most conscious reform, the new Survey

<sup>104</sup> See W. H. Sykes, 'Land Tenures of the Deccan'; H. Fukazawa, 'Lands and Peasants in the Eighteenth Century Maratha Kingdom,' *Hitotsubashi Journal of Economics*, 6, 1 (1965). An illuminating discussion of Indian notions of property is to be found in J. D. M. Derrett, 'The Development of the Concept of Property in India c. 800–180,' in *Essays in Classical and Modern Hindu Law*, Leiden, 1977, Vol. 2.

<sup>105</sup> See the account of the *Desais* of Hungund in Marshall, *Statistical Reports*, pp. 174–5; and F. Perlin, 'Eighteenth Century Maratha Deccan,' *Journal of Peasant Studies*, 5, 2 (1977).

system, claimed to be safeguarding and recording customary rights. In fact, by demarcating and classifying the land it fulfilled a precondition necessary for it to function as a divisible, saleable and qualitatively differentiated 'factor of production'. Further, it ascertained and recorded the information necessary to enable the stipendiary officials to finally supplant the hereditary local officials. Thus land was effectively separated from office: property from privilege. The results of this manifested themselves later in the century, when a full-fledged land market emerged in the wake of the cotton boom and the railways.

## Abbreviations Used

- B.A.R.D.* : Bombay Archives, Revenue Department.  
*B.R.P.* : Bombay Revenue Proceedings, India Office, London  
*D.C.R.* : Deccan Commissioner's Records, Peshwa Daftar, Pune.  
*I.O.R.* : India Office Records, London.  
*S.R.B.G.* : Selection from the Records of the Bombay Government.

## Chapter Seven

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# Zamindars and Jotedars : A Study of Rural Politics in Bengal

RAJAT AND RATNA RAY

### 1. *Foundations of the Rural Order*

'In England every piece of land is owned by someone—an individual, a public body, a company or perhaps by the crown. In India this is not so.' Thus writes, in his unpublished reminiscences, a British ICS Officer who acquired experience of revenue work in the United Provinces and Bengal in the course of his career in India from 1915 to 1946.<sup>1</sup> Another ICS Officer, with similar experience of revenue work in Bengal, expresses the conviction that under the land tenure system in Bengal, inherited largely from the days of Mughal rule, 'there is no ownership of land, but simply a system of possessory interests. These interests are piled one top of another, and none can be got rid of unless the interest holder fails to pay his dues to his superior landlord'. This Bengal Civilian then goes on to make the following interesting observation: 'It is quite obvious that with a system like this it is impossible for any one interest holder to plan improvements; and the difficulties of getting all of the interest holders to agree on an improvement policy are very great.'<sup>2</sup> It is a comment which brings out an important strand in the thinking of British administrators in India: the compulsive idea that a class of men in effective ownership of land is necessary for carrying out agricultural improvements and that a policy of improvement on the part of the government entails either the creation of such a class of proprietors of land or the proper identi-

<sup>1</sup> Johnston Papers, *Reminiscences in India 1915-46* (typescript), p. 27. University of Cambridge, Centre of South Asian Studies.

<sup>2</sup> Bell Papers, File No. 2, 1940-46, 'Agriculture in India.' University of Cambridge, Centre of South Asian Studies.

fication of such a class with one of the numerous existing groups in rural society.

The framers of the Permanent Settlement in Bengal believed that the *zamindars* of the province were the owners of land, or, at any rate, the nearest approximation to the English concept of landlord, who would, given the right kind of incentive, carry out the desired improvements in agriculture. With this idea proprietary rights were conferred on the *zamindars* in 1793 and their tribute-collecting jurisdictions were declared to be 'estates'. When the *zamindars* failed to live up to the model of an improving landlord class, a reaction among administrators led to the spread of the belief that there were no landlords in India in a real sense and that proprietary rights, if any, were vested either in the state or in the body of *khudkast raiyats* (resident tenants). As a matter of fact, both the framers and critics of the Permanent Settlement failed to make a pertinent distinction, in speaking of landlords in the Indian context, between (a) the various grades of hereditary revenue-collectors with proprietary rights in revenue management and (b) the dominant landed village groups in effective possession of land and commanding the labour of poor villagers. Failure to make this distinction led the framers of the Permanent Settlement to confer proprietary rights in land to a class of men who as a rule did not have land in their actual possession and were entitled merely to collect tribute and pay a part thereof as revenue to the government. The critics of the Permanent Settlement were led, on the other hand, to deny the existence of proprietors of land, although there existed in Bengal, as tenants of the revenue-collecting *zamindars* and *talugdars*, a class of men known as *jotedars* who owned sizeable portions of village lands and cultivated their broad acres with the help of share-croppers, tenants-at-will and hired labourers. The rural scene in Bengal, before as well as after the Permanent Settlement, cannot be analyzed without reference to two distinct structures of land tenure: the tribute-collecting structure over the village and the land-holding structure within the village.

The intricate revenue-collecting structure in Bengal under the *nawabs* of Murshidabad, which already anticipated much of the tortuous complexity of land tenure for which Bengal became notorious under British rule, reflected the absence of close rule of the countryside by the Mughal government in the eighteenth century. In order to avoid the trouble and expense of collecting the revenue from a numerous body of petty *zamindars* and *talugdars*, the Mughal govern-

ment under Murshid Quli Khan allowed and even encouraged the agglomeration of large stretches of territory under big *zamindars* dignified with the title of *Raja*. Some of these *rajas*, such as those of Bishnupur and Chandradwip, were ancient Hindu princes who survived as autonomous chieftains under Mughal rule; others, such as those of Rajshahi, Bardwan and Nadia, were revenue farmers and officials of the Mughal government who turned their revenue collecting jurisdictions into immense hereditary *zamindaris* under the active patronage of the *nizamat*. At the time of the British take-over, there were 15 large *zamindaris* in Bengal which paid 60 per cent of the land revenue of the province and constituted nearly half of its *parganas*.<sup>3</sup> These resembled principalities within the state rather than estates owned by landlords. The role of the *zamindars*, in functional terms, was to administer territory rather than to hold land (except in the case of small private lands held by the *zamindars* within their territory). The territorial magnates maintained armies, dispensed criminal justice, enforced law and order, decided land disputes, and above all collected the revenues of the country. The all-important task of revenue management was administered through a pyramidal structure of tribute-collecting rights, at the apex of which stood the *zamindar*. Below the big *zamindars* and *rajas* existed a much more numerous class of high-caste smaller gentry, holding *taluqs*, service grants and rent-free lands, who enjoyed a proprietary right of collecting the revenues of a defined territory, a right which, like that of their overlord, was freely inherited, alienated and sold. From the *zamindari* at the top (*sadr*) a chain of revenue collecting rights went down in the interior (*mufassal*) to the village level, where the system was confronted by the village heads—a class of superior *rai-yats* who collected the revenue of the village and paid it to the lowest grade of revenue collector. Because of the existence of a numerous *grihastha* (clean caste householder of middling rank and income) gentry whose prescriptive rights in the produce of the land had to be accommodated within the revenue-collecting structure, the latter was necessarily a complex, hierarchical structure with a built-in tendency towards sub-infeudation. Sub-infeudation was facilitated by the fact that the right of the *zamindars* and *taluqdars* lay, not in the land itself, but in its revenues. In their own villages of residence, the *zamindars* and *taluqdars* might keep in private possession cultivable lands called *nij jote*, *khamar* or *nankar*,

<sup>3</sup> James Grant, *Analysis of the Finance of Bengal*, pp. 267–69, *Parliamentary Papers*, Vol. 7, Sess. 1812.

where they enjoyed the same effective ownership of land as the *jotedars*. Elsewhere they did not hold land, but ruled over territory, collecting its land revenue (*mal*) and customs duties (*sayer*). In these other villages beyond the residence of the *zamindar* or *taluqdar*, a class of rich tenants, who came to be designated in the course of the nineteenth century as *jotedars* (originally the term meant simply a *raiyat* or subject who held his *jote* or cultivable plot on a direct lease from the *zamindar*, i.e., a subject who was not an under *raiyat*), constituted the dominant class of village landholders.<sup>4</sup>

Whereas the *zamindars*, *taluqdars* and other grades of revenue-collectors in Bengal were very often drawn from the ritually high-ranking literati of Brahmans (priests), Kayasthas (scribes), Vaidyas (physicians), Saiyads (aristocratic Muslims) and Maulvis (learned Muslims), the backbone of the *jotedar* tenantry was made up of respectable agricultural castes (Sadgops, Aguris and Kaivartas in West Bengal and Sheikh Muslims in East Bengal) as well as by the higher intellectual castes, who together formed a dominant village landholding class ruling over the untouchable landless groups in the villages. The existence of this class of people, whose holdings might run from 50 to 6000 acres, implied a very considerable concentration of land-holding. During his survey of Dinajpur district in 1808, Buchanan Hamilton found that 6 per cent of the cultivating population enjoyed 36.5 per cent of the land leased by *raiyats* from the *zamindars*, whereas 52.1 per cent of the agricultural work force had no land at all and worked either as share-croppers or as agricultural labourers under the rich tenant-landlords.<sup>5</sup> With this concentration of land-holding went another remarkable feature of the village economy, namely, the combination of grain-dealing and money-lending with land-holding, which gave the *jotedar* families enormous economic and political power within the village. The greater part of rural credit was supplied, not by professional bankers and money-lenders, but by well-to-do villagers who combined agriculture with money-lending. According to Buchanan Hamilton, at least half of the whole cultivation

<sup>4</sup> The best readily available description of this pyramidal revenue-collecting structure in print is Sir John Shore's famous minute of 18 June 1789, printed in the appendix of the Fifth Report on the Affairs of the East India Company, *Parliamentary Papers*, Vol. 7, Sess. 1812.

<sup>5</sup> Francis Buchanan (Hamilton), *A Geographical, Statistical Historical Description of the District, a Zilla of Dinajpur, in the Province, or Soubah of Bengal* (Baptist Mission Press 1883), pp. 236, 244.

of the country was carried on with the money or grain advanced by the *jotedars*, to whom the share-croppers and small farmers were more indebted than the whole value of their stock.<sup>6</sup> Through the credit mechanism the *jotedars* enjoyed command of the labour force of the village. Share-croppers, possessing ploughs but lacking seed and food, cultivated for a half share with grain loans advanced by the *jotedars*. Agricultural labourers, with no means except their labour power, pledged their labour to the *jotedars* for a few rupees of loan, becoming bonded labourers in the course of their perpetual borrowings.<sup>7</sup> The operations of the rural credit mechanism, through which the *jotedars* were assured of the labour power of the village and political control of the villagers, were facilitated by the structure of the market for agricultural produce. The poor farmers and share-croppers, lacking holding power and means of transport to the market, sold their produce immediately after the harvest, when the ruling prices of grain were lowest during the year, to the local grain-dealer (*bepari*), who was often the *jotedar*. The grain-dealing *jotedars*, who were equipped with stores (*golas*) and means of transport, were under no pressure to sell their produce after the harvest and could afford to wait until the prices rose again in the middle of the cultivating season, when they could either send their produce by bullock-cart to the nearest market or lend it as seed or food to poor villagers on exorbitant terms. The latter received grain at the high rate which prevailed for six months before the harvest and were compelled to pay it back at the low rate after the harvest when the market was glutted with corn sold by necessitous cultivators. The turn of the agricultural cycle thus ended in enormous losses to the poor of the village, and corresponding profits for the rich.<sup>8</sup>

It might have been expected that the rich agriculturists, as the headmen (*mandals*) and leaders (*mathbars*) of the village, would try to resist the pressure of the revenue-collector over the villagers, but this was seldom the case. H. T. Colebrook, in a treatise on agriculture written in 1794, argued that the rich tenant class itself arose from a process of rack-renting during the decline of Mughal rule, the incidence of which was highly differential. Under the system of revenue farming introduced by Mir Qasim, the revenue farmers attached the

<sup>6</sup> *Ibid.*, p. 235.

<sup>7</sup> *Ibid.*, pp. 243–245.

<sup>8</sup> *Ibid.*, p. 236. Buchanan Hamilton Manuscript (India Office Library), Mss. Eur. D. 75, Account of Ronggopur, Vol. 11, p. 103.

aid of leading cultivators in levying fresh imposts from the villages by granting reductions of revenue to the latter. The leading cultivators became under-farmers of the revenue, in which capacity they granted reductions in the revenues of the lands occupied by themselves, throwing the deficiency on the lower *raiya*s.<sup>9</sup> It is open to doubt whether the *jotedar* class sprang up suddenly during the decline of the *nizamat* as a result of revenue-farming, but it is certainly true that the large and under-assessed holdings of the rich *raiya*s were protected by the crucial position which they occupied in the revenue-collecting structure. As Collector Henckel of Jessore wrote to the Board of Revenue on 25 June 1788, the low rate on the tenancies of the *jotedars* and *gantidars* did not reduce the revenue, since the latter were usually the revenue-farmers of their villages and having profitable tenancies were expected to remit to the *zamindar* the entire collections of their revenue farms.<sup>10</sup> The old *zamindars*, dependent in an extraordinary measure on the cooperation of the principal *raiya*s for the collection of revenue, acquiesced in the unfair distribution of revenue. The village headmen had sufficient power in the village to frustrate any attempt on the part of the *zamindars* to equalize the assessment. In 1780 the *zamindar* of Birbhum, Muhammad Wali Khan, directed an actual measurement of his *zamindari* as a means of imposing an equal assessment, but the village heads of Birbhum diverted him from this proposal by promising to raise a new cess from the village. From this new cess the *zamindar* was easily persuaded to exempt the principal *raiya*s, so that a plan for relief of the inferior *raiya*s by equalization of assessment was converted into a means of increasing their hardship.<sup>11</sup> During the decennial settlement operations in Birbhum, a fresh attempt to equalize the assessment was frustrated by riotous combinations of villages all over the district, instigated by the village heads who demanded a change in the managerial staff of the *zamindari*.<sup>12</sup> The British government was obliged to intervene with a military force in order to anticipate disturbances. The head *mandals*, reported the Collector of Rajshahi to the Board of Revenue on 23 May 1788,

<sup>9</sup> H. T. Colebrook, *Remarks on the Husbandry and Internal Commerce of Bengal* (Calcutta 1804), p. 85; Shore's minute of 18 June 1789, *op. cit.*

<sup>10</sup> Cited in J. Westland, *A Report on the District of Jessore, Its Antiquities, Its History and Its Commerce* (Calcutta 1874), pp. 76-7.

<sup>11</sup> Home Miscellaneous, Vol. 385, 'Beerbhoom (including Bissenpore).'

<sup>12</sup> Bengal Revenue Consultations, 25 February 1789, Collector Keating of Birbhum to the Board of Revenue, 13 February 1789.

'are become the real Masters of the Land, and the first object of a zemindar should be a gradual reduction of their Power'.<sup>13</sup>

How far successful were the *zamindars* in attaining this object after the Permanent Settlement, which declared them unambiguously as landlords? The policy of agricultural improvement outlined by Lord Cornwallis might have indicated a settlement with the actual controllers of land—the *jotedars*—through a modified form of *raiyatwari* management. But the British government in Bengal was too weak as yet to sweep aside the various grades of revenue-collectors, and the exigencies of revenue collection compelled it to vest the proprietary rights in those who did not actually hold land.<sup>14</sup> This did not mean, either in practice or in law, that other existing landed rights were liquidated by the regulations of 1793. The *zamindar's* rights were specifically limited in these regulations by the rights of the *raiyats*, and the government reserved the right of legislation to regulate their relations, a right which it later utilized by passing the Rent Act of 1859 and the Bengal Tenancy Act of 1885. The rights that the Governor-General-in-Council and the Court of Directors proposed for the *raiyats* under the Permanent Settlement were very different from those of tenants under English landlords and quite inconsistent with the existence of the proprietor of the land in the person of the *zamindar*. As Cumming observed in an interesting minute on the rights of the *zamindars* under the Permanent Settlement, 'The rights conferred upon the zemindars with whom the Permanent Settlement was concluded, consisted of the perpetual assignment of a portion of the Circar dues from the land, which was payable by the ryots, at the period when the arrangement took place, and what would be the Circar dues from the lands then waste, when brought into cultivation; in consideration of which, the zemindars undertook to pay a fixed annual sum to Government, subject neither to increase nor abatement. The rights granted to the zemindar on the above condition are proprietary rights in the Circar share of the produce of the land and not in the land itself; and these he can sell, mortgage, and bequeath, in any way he pleases, subject to the performance of

<sup>13</sup> Home Miscellaneous, Vol. 385, Rajshahi, letter from Mr Speke, 23 May 1788.

<sup>14</sup> It is not implied by this statement that a settlement with the *jotedars* in 1793 would have led to the desired improvements in agriculture. A massive investment in agriculture by the government certainly needed a rationalization of the revenue system by setting aside its various grades of revenue collectors, as was done by the Zamindari Abolition Acts after independence, but the subsequent dismal performance in agriculture shows that the causes of agricultural backwardness are more deep-rooted.

the tenure under which they were granted. If the zamindar be not the actual proprietor of the lands within his zemindary, they are not his landed Estate, nor is it correct to describe as 'Lands' the zeminary property derived from the Permanent Settlement. . . . The restrictions and limitations of the rights of zamindars, under the Permanent Settlement as prescribed by the Bengal Regulation VIII of 1793 . . . are irreconcilable with their being proprietors of the land within their zemindaries and of the zemindaries being distinct landed estates. . . .'<sup>15</sup> In other words, the *zamindars* were not proprietors of the land before 1793, nor did they become landlords in the strict sense of the term after 1793. In the absence of any radical change in the social basis of production after the Permanent Settlement, the *zamindars* were afforded no opportunity for converting their title to tribute into actual possession of land.

This is not to say that the *zamindars* derived no new advantage *vis à vis* the *raiyyats* from the rural order set up by the Permanent Settlement. The new structure of rule created by Cornwallis' administrative, revenue and judicial reforms for controlling the countryside afforded the *zamindars* considerably increased powers for obtaining enhanced rates from the villages. In the first place, new powers of distraint and sale of *raiyyati* property were granted by the dreaded Regulations VII and V of 1799 and 1812, passed with a view to strengthening the hands of the *zamindars* for collecting the revenue at a time when punctuality of revenue payment was an over-riding consideration of the government. The regular police establishments and law courts set up by the Company gave the *zamindars* an opportunity to exploit these legal advantages effectively. In effect, the *zamindars* obtained access to the means of coercion acquired by a modern bureaucratic state in the process of centralizing the administration. The range of opportunities for exercising compulsion over villages by revenue collectors was considerably widened, and the result was reflected in the rapid enhancement of rates of assessment after the Permanent Settlement. In the *zamindari* of Bardwan, for instance, rates of assessment had increased by the 1850s by nearly 3 times since the Permanent Settlement, and by the 1870s, by 4 or 5 times (see Table 1). Since the revenue demand was permanently limited, this great increase in assessment provided an incentive towards the solidification of the intricate tribute-

<sup>15</sup> Home Miscellaneous, Vol. 530, pp. 493-500, 'Rights Conferred on Zamindars by the Bengal Regulations (i.e., the Permanent Settlement), Cumming's Observations on a Memorandum from the India House'.

collecting structure, reflected in the increase of the number of 'estates' through sale and subdivision and the elongation of the tenurial chains under these estates. It was the smaller *grihastha* gentry—from whose ranks the urban professional and service groups were largely drawn—who benefited in the greatest number from this process in the decades after the Permanent Settlement. The break-up of the large *zamindaris* between 1793–1820 made them independent small proprietors; and as sub-infeudatory *rentiers* they intercepted much of the increasing rents of the country.

TABLE 1

Rates of Assessment in Bardwan from the Permanent Settlement to 1872

Kind of Land	Rates of Assessment at the Permanent Settlement	Rates of Assessment in 1852	Rates of Assessment in 1872
1st Class <i>Sona</i>	Rs. 1-0-0	Rs. 2-8-0	Rs. 4 to 6-0-0
2nd Class <i>Sona</i>	" 0-12-0	" 2-0-0	" 3-0-0
3rd Class <i>Sona</i>	" 0-8-0	" 1-8-0	" 2-4-0
4th Class <i>Sona</i>	" 0-6-0	" 1-0-0	" 1-12-0
1st Class <i>Sali</i>	" 1-0-0	" 2-8-0	" 4-0-0
2nd Class <i>Sali</i>	" 0-12-0	" 2-0-0	" 3-0-0
3rd Class <i>Sali</i>	" 0-8-0	" 1-8-0	" 2-0-0
4th Class <i>Sali</i>	" 0-6-0	" 1-0-0	" 1-8-0

Source and notes: 'The Territorial Aristocracy of Bengal, No. 1, the Bardwan Raj, *Calcutta Review*, 1872, Vol. LIV, p. 187. *Sona* lands grew autumn rice, potatoes, mustard, sugar-cane, etc. *Sali* lands grew winter rice, summer rice and jute.

There was undoubtedly a great increase after 1793 in the tribute drawn from the villages by the urban sector of the economy, and it was this increased agricultural surplus which supported the new social order of urban *zamindars*, merchants, lawyers, service-holders, etc. But the remarkable feature of rural society under the colonial dispensation was that, although a much greater surplus was now extracted from the villages, the dominant village groups were by no

means levelled down by the new outside pressures.<sup>16</sup> 'There are many well-to-do substantial yeomen in Dinagepur and Chittagong,' commented a Divisional Commissioner in 1875, 'who possess more influence within their own village or immediate neighbourhood, and are moreover better off than many zamindars.'<sup>17</sup> Without the cooperation of these *jotedars* an auction purchaser of an estate stood little chance of obtaining general enhancements, and such cooperation had to be purchased by the grant of favourable tenures at a low revenue. In 1828, at a time when rates were rising very fast, the European indigo planters of Jessore noted in a communication to the Board of Revenue that whenever *zamindaris* belonging to old proprietors were sold to new auction purchasers, the latter were confronted with *jotedars* possessing old leases who were in a strong position to resist any attempt to dispossess them or increase their rates. In such *zamindaris*, where the rates levied by the old proprietors were usually low according to prevailing standards, the new proprietors invariably tried to assimilate the rates to the highest standard in existence. They seldom failed to gain their purpose as they secured the cooperation of the larger *jotedars* by confirming their old pattas.<sup>18</sup> There was thus an informal alliance between the hereditary revenue-collectors and the village land-holders which facilitated the great increase of tribute after 1793 without any largescale disturbances. When there was no understanding between a *zamindar* and his large *raiyats*, the former, if he was weak and unskilful, stood no chance whatever against a few energetic village land-holders, 'backed by the spears, bamboos and clubs of the cultivating tenants'.<sup>19</sup> If, on the other hand, the *zamindar* happened to be rich and strong, the issue of the conflict remained wide open. But although in such cases the *zamindar* might succeed in obtaining substantial increases from the *jotedars*, it does not seem that he generally succeeded in levelling down the village land-holding class with the rest of the villagers. This point is illustrated by the issue of the prolonged conflict between the Kasimbazar estate and

<sup>16</sup> *Bengal Village Biographies*, Reprinted from the Calcutta Review, No. LXI (Calcutta 1858).

<sup>17</sup> Richard Temple Collection (India Office Library), Mss. Eur. F. 86. 161, 'The Condition of Peasantry in Bengal 1875,' Commissioner, Chittagong Division, to Private Secretary to the Lieutenant-Governor of Bengal, 16 September 1875.

<sup>18</sup> Bengal Revenue Proceedings, 7 March 1828, No. 27.

<sup>19</sup> *Bengal Village Biographies*, *op. cit.*, p. 21.

the Baharband-Gayabari *jotedars*, and the Tagore estate and the Patiladaha *jotedars*.

## 2. *Zamindars versus Jotedars*

The Patiladaha and Baharband estates were carved out of the traditional *zamindari* of Natore by members of the new Bengali merchant class which rose in association with, and under the service of, European officers of the East India Company. Interestingly enough, in both new estates the rates of assessment had increased much faster by 1872 than in the neighbouring estate of Kankina under its traditional *zamindar*, where the increase of the total dues seemed merely to have kept pace with the extension of cultivation.<sup>20</sup> Patiladaha was purchased in 1793 at auction sale for arrears of revenue by the founder of the Tagore family of Calcutta, Dapanarayan Tagore, who made his money in commercial enterprises. The Tagores did not resort to the well-established contemporary practice of farming out the revenue. An organized bureaucratic management with a collecting agent (*gomasta*), an accountant (*muhirir*) and a registrar of lands (*amin*) was set up in each smaller division (*taraf*) of *pargana* Patiladaha.<sup>21</sup> Much of the *pargana* lay waste at this time, and there was a big forest within the *pargana*. The remarkable social characteristic of the *pargana* was the absence of the usual sub-infeudatory class of high caste Hindu *taluqdars*. The *pargana* was dominated by large Muslim *jotedars*, some of whom held up to 700 acres of land which they had let out to under-tenants (*chukanidars*). But the majority of the bit *jotedars* held about 50 acres and cultivated their lands by employing share-croppers.<sup>22</sup> A giant *jotedar*, who held a lease for about 1100 *bighas* (550 acres), refused to submit to the demands of the new *zamindar* and applied to the Collector for a surveyor; but the measurement by the surveyor, far from strengthening the case of the *jotedar*, revealed the extent of *jote* to be 1500 *bighas* (750 acres).<sup>23</sup> From the beginning, therefore, there was simmering conflict between the Tagore estate and the big Patiladaha *jotedars* regarding assessment rates. But cultivation was expanding

<sup>20</sup> *Report on the Statistics of Rungpore for the year 1872-3* by Gopal Chunder Dass, Special Deputy Collector (Calcutta 1874), p. 44.

<sup>21</sup> Buchanan Hamilton Manuscript, Mss. Eur. D. 75, Account of Ronggopur, Vol. 11, p. 148.

<sup>22</sup> *Ibid.*, p. 149.

<sup>23</sup> *Ibid.*, p. 152.

very rapidly—in two decades after the decennial settlement the cultivation was estimated to have more than doubled—and the scope for further expansion mitigated the conflict of interests. To avoid the trouble of finding settlers and the expense of collecting dues in small sums, the *zamindar* leased out extensive *jotes* in new alluvial formations (*chars*) to his own subjects in nearby settlements who had gained his goodwill. By 1840 the area not already cultivated before 1793 by resident *jotedars* was settled in huge blocks of new *jotes* with settlers of exactly the same class, origin and functions as the older resident *jotedars*. Some of these new *jotes* ran into 800 acres.<sup>24</sup>

It was at this stage, when cultivation had reached the fullest extent in the *pargana*, that the government passed its first piece of tenancy legislation, the Bengal Rent Act of 1859, which brought out in the open the fundamental conflict between the Tagore estate and the Patiladaha *jotedars*. Immediately after the passing of the Act, the *zamindar*, Prasanna Kumar Tagore, defined the legal characteristics of the *jote* in his Rule Book of the Estate, in which, although admitting the semi-permanent character of the *jote* to a certain extent, he restricted the privileges which had accrued by custom to the old *jotedars* of the estate to those specifically conferred on occupancy tenants by the Rent Act of 1859. But the issue was not resolved and during the settlement of 1908–19 the question arose as to whether *jotedars* employing under-tenants were to be given permanent rights. After considering the problem the government recognized the permanency of the *jote*, with a view to promoting the interests of a prosperous and influential class which represented all that was stable and enlightened in the *pargana*. The Tagores were, however, determined to resist the claim of permanency, since the establishment of such a claim would result in the loss of fees (*nazars*) derived by the *zamindar* during the transfer of a *jote*. The case was therefore taken to the courts, where the *jotedars* gained a partial, but by no means complete, victory. During Lord Ronaldshay's tour of Mymensingh<sup>25</sup> in 1918, the local Muhammadan Association, which represented the interest of the *jotedars*, lobbied the Lieutenant-Governor on this issue. Ronaldshay promised that the question would be considered when the next amendment of the Tenancy Act came up. In the Bengal Tenancy Amendment Act of 1928, the *jotedars* achieved a victory when land-

<sup>24</sup> *Final Report on the Survey and Settlement Operations in the District of Mymensingh 1908–1919*, by F. A. Sachse, pp. 69–78.

<sup>25</sup> Patiladaha was transferred from Rangpur to Mymensingh in the nineteenth century.

lord's fee for transfer of occupancy rights was abolished.

Like the Patiladaha estate, *pargana* Baharband, acquired by Warren Hastings' diwan 'Canto Baboo', was settled with giant Muslim *jotedars*, some of whom held 6000 acres. More than half of the *pargana* was held by these giant *jotedars*, holding 1000 acres or more.<sup>26</sup> The new landlord, instead of farming out the revenues, introduced an organized, though top-heavy, estate management, which collected dues directly from the *jotedars*. 'Canto Baboo's son, Lokenath Nandy of Kasimbazar, carried out a survey and measurement of the whole *zamindari* in 1784, on the basis of which he fixed the dues at Rs 3 lakhs.<sup>27</sup> The *jotedars*, however, were sufficiently influential to stir up an agitation and in a petition to the government the *raiyats* denied the *zamindar's* right of measurement. But on enquiry the Collector discovered that this was by no means the complaint of all *raiyats*, but only of the principal *raiyats* who had possession of much more land than their leases specified. The poorer *raiyats*, who had so far been compelled to pay irregular taxes to make up for the deficiency caused by the fraud of the *jotedars*, were actually relieved by the new assessment, in which the *zamindar* abolished the illegal cesses on the poor *raiyats*.<sup>28</sup> Nevertheless, the Committee of Revenue, on the advice of the native officers, ruled that the *zamindar* had no right to carry out a measurement and that the new assessment was invalid. In spite of this setback, Lokenath Nandy managed to collect the enhanced sum of 3 lakhs, with trifling balances. But the proposed equalization of rates, putting the big *jotedars* on a par with the smaller *raiyats*, could not be carried into effect. By bribing the *zamindari* officials, some of the principal *jotedars* were able to hold much more land than was entered in the books, and to have the lands actually entered in the books described as third or fourth class though they were really first or second class.<sup>29</sup>

From 1818 to 1839 the Kasimbazar *Raj* had no direct relations with the Baharband-Gayabari *jotedars* since the two *parganas* was let out in temporary farms to various revenue-farmers who granted confirmatory leases to the *jotedars* for the period of their farms.<sup>30</sup> From

<sup>26</sup> Buchanan Hamilton Manuscript, Account of Ronggopur, *op. cit.*, p. 158.

<sup>27</sup> *Ibid.*, pp. 162-65.

<sup>28</sup> Bengal Revenue Proceedings, 21 August 1787, Late Collector of Ghoraghat to BR, 12 April 1787.

<sup>29</sup> Buchanan Hamilton Manuscript, Account of Ronggopur, *op. cit.*, pp. 162, 165.

<sup>30</sup> The account which follows is based on *Final Report on the Rangpur Survey and Settlement Operations 1931-38*, by Arthur Coulton Hartley, pp. 56-8.

1845 Maharani Swarnamayi of Kasimbazar assumed direct administration of the estate by granting leases to the *jotedars*, and the privileged *jotedars* were made to feel for the first time in many years the full blast of the enormous power and financial resources of the Kasimbazar *Raj*, which by successive contracts hedged in the rights of the *jotedars*. Maharani Swarnamayi in her leases to the *jotedars* made the right of transfer conditional on payment of arrears of dues and bound them to appear and take fresh settlement after the expiry of their leases. At the same time an attempt was made from 1853 to levy a progressive assessment, but it was seldom realized. At the passing of the Bengal Tenancy Act of 1885, the estate management seemed in doubt at first as to its legal implications and as an insurance policy, the Persian term *raiyyat* which had been given an exact definition in the Act with certain accompanying rights, was substituted in the leases by the Bengali term *praja*, which literally meant subject. At the same time the newly worded leases stipulated that the right of transfer could not be enjoyed without the consent of the landlord, in other words, without payment of transfer fee, which was a source of substantial profit to the landlord. From 1911 the estate adopted the policy of treating the Baharband *jotedars* as middlemen tenure-holders and not as *raiyyats*, and the term *madhya-svatta* (middling right) was used in the leases. In 1926, a new clause in the leases introduced the condition of non-inheritability. During the settlement operations in Rangpur from 1931 to 1938, the manager of the Kasimbazar estate informed the Board of Revenue that he would treat all *jotes* which were not actually cultivated by the holders as temporary tenures liable to termination at the end of the period specified in the leases. The *jotedars*, however, gained the victory when the revenue department, after several hearings, entered the majority of the *jotes*, which were not *raiyyati* holdings cultivated by the *raiyyats* themselves, as permanent.

The history of the Gayabari *jotes* was identical with that of the Baharband *jotes* until 1891 when a new survey was carried out in the *pargana*. The estate tried to fix new rates on the basis of the survey, but in spite of great pressure by the organized staff of the estate no enhancement could be obtained. The struggle continued in the form of suits for arrears of dues. One of these suits went in 1907 to the High Court, which adjudged the *jotes* to be inheritable and transferable. Alarmed by this reverse, Maharaja Manindra Chandra Nandy, the successor of Maharani Swarnamayi, paid a personal visit to the place and by granting permanent leases to some of the more influential leaders he persuaded the *jotedars* to execute fresh settlements and accept a progressive

settlement every 15 years from the prevailing rate of Rs 9 per *bish* to the *pargana* rate of Rs 21 per *bish*. The *jotes* were settled for 60 years with the option of renewal for another 60 years, and although the leases clearly defined them as *madhya-svatta asthayi* (temporary middling right), the 120-year lease was really a victory for the *jotedars*. For all its power and financial resources, the Kasimbazar *Raj* could not level down the *jotedars*, who, in spite of the loss of important privileges, continued to hold the villages in their control.

But how did the mechanics of rural power work out in areas where the *jotedars* were not over-arched by a hereditary revenue-collecting class in whom proprietary rights had been vested by the state? As we have seen, the title of 'landlord' had been conferred, by what might almost be described as a case of mistaken identity, on the local magnates whom the Mughal government had designated as *zamindars*, some of whom had been independent princes at one time. It happened that in Bengal one ruling princely house, the *rajas* of Kuch Bihar, escaped conquest by the Mughals, and were not reduced from independent rulers to the status of *zamindar*; consequently, under British rule, there was no question of conferring landlord rights on the *rajas* of Kuch Bihar, who continued as subordinate native rulers rather than permanent *zamindars*. As in the rest of Bengal, so in the native state of Kuch Bihar, the land was held by *jotedars*; but here, unlike British territory, there was no *zamindar* class over the *jotedars*, but only the state (i.e., the house of Kuch Bihar) and its temporary revenue farmers (*ijaradars*). All revenue-paying lands in the state were included in some *jote* or other, which was a hereditary, transferable tenure. In greater accordance with reality than in British Bengal, the Kuch Bihar state recognized the right of land-ownership in the *jotedar*, subject to payment of revenue according to rates.<sup>31</sup> There were three categories of *jotedars* in the state: the *huzuri jotedars* who paid directly to the treasury; the *sarasari jotedars* who paid to *ijaradars* or revenue farmers; and the *mokarari jotedars* whose revenue was fixed. Since there were no *zamindari* or *taluqi* rights which might be purchased by persons wishing to stake out a proprietary claim to revenue collection, and since revenue farms (*ijaras*) gave no such permanent title to tribute, the pressure on the *jotedar* class in the state assumed a different form. There was an invasion of rural society in Kuch Bihar by educated

<sup>31</sup> Bengal Revenue Proceedings, Land Revenue Branch, Survey and Settlement, July 1872, No. 210. The following account is based on this particular source.

Bengalis from British Bengal employed in the service of the native state, who, in the absence of *zamindari* or *taluqi* rights, began to acquire the *jotes*, turning them from land-holding titles to revenue-collecting rights.

Originally the *jotedars* were all residents of the state and personally participated in agricultural operations. But with the influx of foreigners from outside the state, usually educated Bengalis from British territory, many of the *jotes* were acquired by the non-cultivating classes in the nineteenth century. In many cases, resident *jotedars*, in order to escape the oppression of the ladies of the palace and the officers of the state who took most of the revenue farms, gave up their *jotes* to influential foreigners and became their under-tenants (*chukanidars*). In other instances influential foreigners who happened to be farmers of the state revenue utilized this position to acquire *jotes* by unfair means; the ladies of the palace and the officers of the state similarly exploited their position as revenue farmers to acquire *jotes*. A revenue farmer who had influence at the court would quietly enter all *jotes* in his *ijara* containing the best lands in his or her own name and reduce the resident *jotedars* to under-tenants (*chukanidars*) without their knowledge for many years, until a change of the revenue farmer would bring home to the latter that they were no longer the registered *jotedars* in the state revenue records. In this way 54 per cent of the registered titles to revenue-paying lands in Kuch Bihar had by 1872 passed to foreigners. Of the remaining 46 per cent, less than a third was held by cultivating *jotedars* and the rest by non-cultivating *jotedars* who collected rent from *chukanidars*.

It must not, however, be concluded from these statistics that the old resident *jotedar* class of the state was destroyed in the process. They continued, as land-holders below the new *jotedars*, to employ the large body of peasants called *adhiars* (share-croppers), who cultivated for them for a half share of the crop. In the *jotes* which passed to ladies of the palace, officers of the state or influential foreigners, the old resident *jotedars* continued in effective possession as *chukanidars* and their *chukanidars* became *dar-chukanidars*. The *chukanidars* and *dar-chukanidars* were residents of the state and their tenures were, like *jotes*, transferable and heritable, though subject to the consent of the *jotedar*. Many *chukanidars*, who had presumably been *jotedars* at one time, enjoyed large holdings. In the *jote* of Jogendranath Karzi, containing 380 *bighas*, there were only 6 *chukanidars* and *dar-chukanidars* who occupied the whole *jote*, keeping a large body of

cultivators under them. The state itself stepped in to protect the position of the old resident *jotedars* and an order of the state in 1853 prohibited deeds called *istafas* and *ikerars* by which *jotedars* used to give up their *jotes* to influential persons. By degrees a tribute-collecting superstructure was imposed over the village land-holding class in Kuch Bihar, but here, as in British territory, they continued in effective possession of land and in actual control of landless labour.

The position in the native state of Kuch Bihar stood in strong contrast with that prevailing in the estates of the Kuch Bihar *Raj* in neighbouring British territory, where the task of the *rajas* of Kuch Bihar, as 'landlords' rather than rulers, appeared to be one of reducing rather than protecting the *jotedars*. Wherever the title of landlord was conferred on a class of people superimposed over the actual holders of land, there was bound to be an element of tension in the situation. Relations were strained in the 1870s between the Kuch Bihar *Raj* estate and its *jotedars* in British territory in North Bengal. The *jotedars* had allowed their payments to fall in arrears for many years past, and the greatest difficulty was experienced in making them pay. There was no open quarrel between the *zamindar* and the tenantry, but the *jotedars* offered strong resistance when the *zamindar* tried to enhance rates, which were generally very light and had not been enhanced for years. The *jotedars* had succeeded very largely in enhancing their under-tenants' rents, and had increased their *jotes* surreptitiously by encroaching on the private lands of the *zamindar*, which were steadily diminishing. The *jotedar* class had thus succeeded in appropriating nearly the whole of the benefit arising from the great increase in rents for many years past. The independence of some *jotedars* was such that they refused to attend when summoned to the *zamindar's* office. As they rarely agreed to compromise on any point or settle any difference reasonably, the manager of the estate was compelled to institute a very large number of suits against them. Since judicial procedure involved considerable delay, no decision could be obtained in many cases for a long time to come. In other cases in which decisions were given in favour of the estate, the manager's difficulties really commenced only after he got favourable decisions, for the execution of a decree proved to be a much more difficult matter than the successful conduct of a preliminary suit. The records of the *zamindari* office contained no reliable information as to the area or situation of the *jotes*. In every case in which it was necessary to sell a *jote* under a decree for arrears of dues or to obtain possession of a *jote* under a

decree of ejectment, the agents of the *zamindar* in the interior had to institute local inquiries to discover the boundaries of the tenure. Since the *jotes* often consisted of scattered plots in different places as the owners of the tenures and their dependent neighbours combined to withhold information, the estate agents were not often successful in their quest and consequently the decree remained unexecuted. The manager reported sorrowfully to the Court of Wards: 'In more than one case I have been informed that a ryot for whose ejectment from his *jote* I had obtained a decree, has laughed at and twitted the amlah who went to discover, by local inquiry, the boundaries of his tenure, telling him that he would not succeed in finding out the boundaries and therefore that the ejectment decree could never be executed.' It was the established practice of the *jotedars* in the estate to withhold the money payable as revenue and to lend it out at high rates of interest. In this way they obtained economic influence which enabled them to control large numbers of villagers in their disputes with the *zamindar*.<sup>32</sup>

### 3. *Rural Pressures and the Growth of a Provincial Structure of Politics*

It must not be assumed, from the examples given above, that the relationship between *zamindar* and *jotedar* was one of perpetual antagonism. In the mechanics of rural control, the crucial factor from the point of view of a British Civilian concerned in maintaining agrarian peace in his district was the local relationship of *zamindars* and *jotedars*; and this relationship, in ordinary circumstances, was one of collaboration rather than opposition. The effective control of villages by big farmers (enjoying the social authority of village heads and the economic influence of creditors-cum-employers) meant that there was little likelihood of conflict between *jotedars* and *bargadars* (share-croppers). Any break-down in the system of rural control was, therefore, likely to be local and partial, and a consequence of break-down of collaboration of owners of estates and village leaders in particular estates. As a rule the tensions in rural society arising from the exploitation of small farmers, share-croppers and agricultural labourers were kept in check by local alliances between the estate and its superior tenants, which helped in maintaining a remarkable quietude in the countryside during

<sup>32</sup> Bengal Revenue Proceedings, Land Revenue Branch, Wards, etc., December 1876, Appendix A.

the first half of the nineteenth century.<sup>33</sup> Strains were likely to develop in this mutually advantageous connection only in a period of general attempt at enhancement of assessment by *zamindars* which did not spare the special privileges of the superior *jotedars*. The tensions in agrarian society would then pour through this breach in the relationship, but for the same reason the tensions would not be allowed to burst the dams of social control, sweeping away existing property relations in which the village leaders had a substantial stake.

There was considerable unrest in rural Bengal in the second half of the nineteenth century and a concentrated spell of peasant combinations and agrarian leagues in East Bengal between 1872–86.<sup>34</sup> The agrarian leagues were formed under the leadership of the village landholders to fight enhancement of rates and exaction of illegal cesses by the *zamindars*, but it was never contemplated to stop payment of dues at prevailing rates and there was very little actual violence. The leaders, who as *jotedars* had a substantial stake in the existing system, had the movement too tightly under their control to allow it to get beyond a certain point and to affect landed property. Since the whole movement turned on rates of assessment, a matter in which only occupancy tenants (*khudkast raiyats*) enjoyed customary rights, the really serious disputes occurred between *zamindars* and occupancy tenants led by their headmen. Tenants-at-will or share-croppers had no stake in the movement and did not rise against their superiors. This period of agrarian unrest saw a rather general attempt on the part of the *zamindars* to increase dues, owing to the increased cost of living, increasing number of dependents, wider use of urban consumers' goods, new cesses like the road and postal cess imposed by the government, and the enormously increased cost of collection of assessment due to the break-up of estates into small disjointed parcels and undivided aliquot shares. This new pressure on the *zamindars* was accompanied at the same time by an appreciable increase in the value of agricultural produce in East Bengal, which made the resident or absentee proprietors owning estates in East Bengal anxious to claim a

<sup>33</sup> There were few rural outbreaks of disorder between 1800–58, and such disorders, when they took place, occurred within small areas.

<sup>34</sup> For an account, see two articles by Kalyan Kumar Sengupta, 'The Agrarian League of Pabna', *Indian Economic and Social History Review*, June 1970, and 'Agrarian Disturbances in Nineteenth Century Bengal', *IESHR*, June 1971; see also, Binay Bhushan Chaudhuri, *Agrarian Economy and Agrarian Relations in Bengal 1859–1885*, Oxford Ph.D. thesis 1968.

share in this increase. In the Munshiganj subdivision of Dacca, containing the *pargana* of Bikrampur, it was calculated in 1873 that the price of staple crops had risen by more than 100 per cent in the last 20 years due to depreciation in the value of money, increased population and better transport. The marked rise in the price of agricultural produce started in the year of the Mutiny, but the chief impetus to prices was given by the famine of 1865–6, when the rice crop of East Bengal, though not much below the average, realized famine prices. At the same time jute cultivation spread in districts like Pabna and Dacca, bringing new sources of income to the agricultural economy which had not been taken account of in customary rates of assessment based on the rice crop. It was significant that the first major outbreak of peasant unrest occurred in the subdivision of East Bengal which became the earliest centre of the jute trade and jute cultivation, Sirajganj in Pabna district.<sup>35</sup> The agrarian unrest then spread from Pabna to other districts in East Bengal. During the decade 1875–85, peasant combinations occurred in Dacca, Mymensingh, Tripura, Bakarganj, Faridpur, Bogra, etc. However, nowhere did the authority of the government really face a serious challenge, for the *jotedars* had the movements well in control.

But the situation caused anxiety to the government and forced it to undertake tenancy legislation in order to gain ground for manoeuvre between *zamindars* and *raiyyats* in the role of a mediator. In 1885 the Government of Bengal passed the Bengal Tenancy Act, restricting the grounds on which *zamindars* could claim increased dues from occupancy tenants; but at the instance of the big *zamindar* lobby (i.e., the British Indian Association) the right of free sale of occupancy rights, proposed in the draft bill, was withdrawn in the final Act. In the decade which followed, the interpretation of the Bengal Tenancy Act by the courts in their judicial awards on disputes went uniformly against the *zamindars*.<sup>36</sup> Because of peasant combinations, government acts and judicial decisions, collection of dues became an increasingly difficult operation in the late nineteenth century, even for the biggest and richest *zamindars*, though powerful *zamindars* could and did obtain substantial enhancements of assessment. A measure of the difficulties faced by the tribute-receiving classes may be obtained

<sup>35</sup> BRP, Land Revenue Branch, Miscellaneous, January 1874, Collection 14, Nos. 26–27.

<sup>36</sup> BRP, Land Revenue Branch, January 1896, Nos. 9–11: Minute by the Lieutenant-Governor on the question of amending the Bengal Tenancy Act.

from the recorded rates of realization of dues in the attached and wards' estates in Bengal. Collections were generally better under the Court of Wards than under the proprietors and the debts of many estates were cleared under its more efficient administration. Between 1887 and 1922, collection of dues in wards' and attached estates never exceeded 62.34 per cent of the total assessment, which was the highest proportion collected in 1901–02. After a bad period in the eighties, collection improved in the 1890s to some extent, but from 1907 collections dropped sharply below 50 per cent. With the outbreak of war and the slump in the jute market, there was an even greater crisis of tribute collection, which became less than 40 per cent during 1914–16 and again during 1920–22.<sup>37</sup> If this was the situation in the wards' and attached estates, the situation was even less favourable for the petty estates of the smaller *grihastha* gentry.

We have seen earlier that the smaller *grihastha* gentry of good caste acquired most of the proprietary or leased-out-revenue-collecting rights which proliferated after the Permanent Settlement. They also took advantage of the new opportunities offered by British rule in the field of business service and professions and from their ranks were drawn the urban English-educated classes who provided the leadership as well as the crowd of the national movement up to the First World War. By 1875, having consolidated their position in Calcutta as lawyers, doctors, journalists, educationists, clerks and officials, these people started 'middle class' political associations which culminated in the Indian National Congress. In the early years of the Congress, however, political agitation was confined to the respectable class in Calcutta; and try as they would, the 'national' leaders could not stage any campaigns involving the interior. Although there were substantial links between the English-educated groups in Calcutta and the smaller gentry in the interior, the latter remained parochial in their outlook, deeply involved in the local politics of their villages and estates, but indifferent to the wider world of politics in Calcutta. There was, therefore, no genuinely province-wide structure of politics in Bengal until 1905, when the contours of a provincial structure of politics emerged as a result of the agitation against the partition of Bengal. The political response of the smaller rural gentry to the appeal of the Calcutta leaders which made the *Swadeshi* movement possible

<sup>37</sup> These figures have been calculated from the annual reports on wards' and attached estates by Dr. Binay Bhushan Chaudhuri, who generously supplied the information to us.

was a direct result of the growing pressures which were put upon their economic existence by the resistance of the *jotedar* class. If the response of the gentry to new opportunities in the first half of the nineteenth century led to the emergence of organized national politics in Calcutta, their response to new difficulties in the last decades of the nineteenth century led to the spread of this organized politics from the metropolis to the interior. During a period when prices of commodities were rising sharply, the smaller *zamindars* and *taluqdars*, unable to obtain increases of tribute proportionably to the price rise, suffered from a decline in their real incomes. The result, as the Settlement Officer for Dacca reported, was 'the creation of an extensive body of men, sprung from respectable families, whose energies are perverted to the abolition of law and order. To those who know the petty landlord class of Dacca, there can be no doubt that the anarchist has been bred from the accumulation of this economic impasse'.<sup>38</sup>

The fact that the petty *zamindars* class of high caste Hindus became the spear-head of the *Swadeshi* movement in East Bengal was the clue to the ultimate failure of the movement, for their interests set them apart from the mass of Muslim cultivators in general and the leading body of large Muslim *jotedars* in particular. The social peculiarity of East Bengal which fed the growing political conflict in the province was that the *zamindars* and *taluqdars* in the area were mostly high caste Hindus, while the large *jotedars* under them were almost invariably Muslims of peasant stock. From 1907 onwards, when large-scale communal rioting in Mymensingh destroyed the basis of the *Swadeshi* movement, there was a growing self-assertiveness among the prosperous Muslims *jotedar* class in East Bengal which reflected itself in their attempt to capture union boards and local boards from the high caste Hindus who monopolized these local self-governing bodies.<sup>39</sup> The ally of the Muslim rural rich in this attempt to capture local power was the urban Muslim service and professional class, which made a determined bid for capturing political power in the province as a whole through the reformed legislative council set up by the Act of 1919. This attempt to capture political power became successful under the leadership of Fazlul Haq, whose Krishak Praja Party (Cultivator Tenant Party) rode to power in the Legislative Council on the vote of the Muslim villagers secured by the *jotedars* of East

<sup>38</sup> *Final Report on the Survey and Settlement Operations in the District of Dacca 1910-1917* by F. D. Ascoli.

<sup>39</sup> Bengal Legislative Council Proceedings, 24 November 1921, speech of Ekramul Haq.

Bengal. It was the conflict between *zamindar* and *jotedar* in East Bengal which constantly fed the Muslim separatist movement in the province as a whole and led ultimately to the partition of Bengal in 1947. The national movement in rural Bengal, in the period of the mass upheavals of the non-cooperation, civil disobedience and quit-India campaigns, scored its greatest successes in those areas where the conflict between *zamindar* and *jotedar* was not sharp, as in Contai and Tamluk in Midnapur district, where both classes happened to belong to the same cultivating Mahishya caste.<sup>40</sup> In each area of Bengal the strength or weakness of the nationalist and separatist movements bore a close relationship to the local relationship of *zamindar* and *jotedar*. The Congress failed to create a broad mass base in East Bengal because here it was allied with the Hindu *zamindars* and *talukdars* against the Muslim *jotedars*, who therefore naturally backed the Krishak Praja Party and, subsequently, the Muslim League. On the other hand, the Congress became a genuine mass party in Midnapur, where it identified itself as the party of the Mahishya *jotedars*. In general terms, the Muslim League secured the support of the *jotedars* of East Bengal, while the Congress in its civil disobedience campaigns attached the aid of the *jotedars* of West Bengal. (Neither the Muslim League, nor the Indian National Congress, nor the Krishak Praja Party of Fazlul Haq, ever showed a disposition to support share-croppers and agricultural labourers against rich farmers.) After independence the *jotedars* reaped the profit of their investment in political parties in the form of *zamindari* abolition acts in East Pakistan and West Bengal. They thus became the ruling element in the countryside in both Bengals.

<sup>40</sup> R. K. Ray, *Social Conflict and Political Unrest in Bengal 1875-1925*, manuscript thesis, pp. 515-17.

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*Studies in Agrarian Society and Peasant Rebellion in Colonial India* (Cambridge, 1978), which deals with more modest aspects of theory relating to agrarian policies in northern India. Studies of an apposite sort for southern and western India, where ryotwar was the model land system, are not available, though the biographical monograph by B. Stein on Munro—*Thomas Munro; The Origins of the Colonial State and His Vision of Empire* (Delhi, 1989) explores some aspects of that question.

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