

CHAPTER XIII.

LAND REVENUE ADMINISTRATION.

REVENUE
HISTORY.

THERE is no detailed record of the Hindu system of land revenue administration in Bengal, and a sketch of it can only be given by piecing together the fragmentary information which may be gathered from inscriptions and written works such as the *Dharma-sūtras*. It would appear that the *grām* or village was the unit of administration, and that excluding waste or uncultivable lands and lands occupied by houses or set apart for village commons, the village lands fell into two groups, *viz.*, those which paid rent, and those which did not. The latter included *brahmottar* or land granted to Brāhmins, *debottar* or land dedicated to the gods and their worship, and *chakras* or service lands. Among service lands may be enumerated those held by village servants, such as barbers, washermen, carpenters, smiths, etc., besides watchmen and accountants, whose duties to the community were directly connected with the land and its crops.

The headman of the village, who was called *wandal*, had also a share in the village land by virtue of his office. He collected the rents due from the villagers, the amount of which varied according to the caste or position of the tenants, being less, for instance, in the case of Brāhmins and other high castes than in the case of the low castes; it also varied according to the nature of the produce of the fields, those growing special crops being assessed to a higher rental. The usual share reserved for the king was one-sixth, rising to one-fourth or even one-third in special instances; the village servants also received small shares of the produce at the time of reaping or threshing.

The villages were grouped into *vishayas*; *vishayas* into *mandalas* or circles; and *mandalas* into *bhāttis* or provinces, which had occasionally smaller divisions known as *śāstas* or sub-provinces. Each of these groups was placed under a head called, respectively, *vishayī*, *mandalika* or *matā-mandalika*, and Rājā or governor. These officers collected the revenue from their subordinates and sent it on to the king's treasury, probably

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after deducting a commission. They were evidently removable at the king's pleasure, but the post in course of time became hereditary in many families.

The early Muhammedan rulers were Khalj, *i. e.*, Turks, whose object it was to get as much out of the country as they could. They cared little for any organized system of collecting its revenues, and the accounts of their rule point to irregular exactions and enforced tribute rather than to any regular assessment. By the time Tribeni with the north of Hooghly was conquered, Bengal had come under the sway of the Balbani Sultāns, a somewhat more civilized set of rulers, from whose time onwards we meet with attempts at some organized system of collection. Judging from inscriptions, the country appears to have been divided into revenue divisions called *maddā*, which were placed under officers known as *shikdars*. The *maddā* were grouped into tracts known as *arāz* under *sarkashdars*, or military commanders, who had often the title of Vazir. The word *jangdar* was sometimes employed to denote a military commander in contradistinction to a *shikdar* or revenue officer, and the word *shānah* was also used, meaning a standing camp established in a newly conquered area. The details of assessment are not known; but probably the old system of collecting through village headmen was left undisturbed as far as possible.

Far-reaching changes were introduced by Sher Shāh; and the revenue rent-roll, of Todar Mal, for Bengal at least, merely recorded the new or altered system adopted during the Afghan rule. The revenue division began to be called *pargana* and *sarkar* in preference to *maddā* and *arāz*, though in the *Alia-i-Akbari* the word *maddā* was still used. Sher Shāh appointed in every *pargana* an *amil*, a "god-fearing" *shikdar*, a treasurer, and two *karkuns*, of whom one was to write in Persian and the other in the local vernacular. He ordered his governors to measure the lands every harvest, to fix the assessment with regard to the kind of grain they produced, to give one share to the cultivator and half a share to the *mukaddam* or headman. In every *pargana* there was also a *kānungo*, from whom was ascertained the present, past and probable future state of the crops and revenue. In every *sarkar* he appointed a chief *shikdar* and a chief *munsif* to watch the conduct of the *amils* and of the people, to see that the *amils* did not oppress or injure the people, to embezzle the king's revenue, and also to settle disputes between *amils* regarding the boundaries of *parganas*. It is said that the king changed the *amils* every year or second year to prevent their oppressing the people or embezzling the revenue.

According to the *Ain-i-Akbari*, the people in Bengal were submissive and paid their rents duly. The demands of each year were paid by instalments in eight months, the ryots themselves bringing mohurs and rupees to the place appointed for the receipt of revenue. The harvests were abundant; measurement was not insisted upon; and the revenue demands were determined by an estimate of the crops—a custom confirmed by the Emperor Akbar—so that an actual division of grain between the Government and the ryots was not usual.

The details of *mahals* given in the *Ain* show that the districts of Hooghly and Howrah were comprised in three *sarkars*, viz., Sulaimānābād, Sātgaon and Madāran. The original *sarkars* were evidently Sātgaon on the east and Madāran on the west; but during the Afghan rule a number of *mahals* were taken from both and grouped into a new *sarkar*, named after the Sultan Sulaimān Kararāni, which cut through the middle of Sātgaon. Roughly, the two districts as now constituted appear to account for a third of the three *sarkars*, whose total revenue, including customs, amounted to 43,758,068 *dams* or Rs. 10,93,952. The landlords belonged to various castes, and besides paying revenue had to furnish a force of 300 cavalry and 18,000 infantry. In addition to the zamindars, there were holders of *akia* or *jāgir* lands, of which small allotments were scattered throughout the *sarkars*.

The *Asil Tumar Jamā* of Todar Mal remained in force till the second viceroyalty of Prince Shāh Shuja (1648 A.D.). That prince revised the settlement chiefly by adding the revenue of new territory in the north-east, of the Sunderbans in the south, and of Midnapore and Belasore, which had been detached from Orissa. Some increase of revenue was also obtained by a new *hashtabud* valuation of old *sarkars*, amounting to more than a seventh of the former assessment. No change was made in the revenue divisions or in the other arrangements for collections. By 1722 a third revision was carried out by Nawāb Jafar Khān alias Murshid Kuli Khān, which was known as *Jamā Kamil Tumari*. The fiscal divisions were re-grouped into 13 *chaklas* or large circles, while the number of *parganas* was increased by subdividing them. The Hooghly and Howrah districts fell under two *chaklas*, the riparian strip under *chakla* Hooghly or Sātgaon, and the remainder under *chakla* Burdwan, these two *chaklas* being assessed to a revenue of Rs. 37,83,815. That amount was increased, however, by more than one-fourth by means of annual *hashtabud* accounts and resumptions of *jāgir* lands. During Jafar Khān's rule, the zamindars were formally recognized as regular

landholders and held personally responsible for the land revenue of their estates.

In 1728 Murshid Kuli Khān's successor, Nawāb Shuja-ud-din carried out a fresh settlement, known as the *Jamā Tumari Tasakkush*. The *Madar* lands were now divided into larger and smaller zamindaris, the present districts of Hooghly and Howrah being comprised in the larger zamindari of Burdwan (revenue Rs. 20,47,506), and in the *waziri* or smaller zamindaris of Mandalsghāt (Rs. 1,46,361), Arnā (Rs. 1,25,351) and Muhammad Aminpur (Rs. 1,40,046). These zamindaris did not include the small *jāgirs*, chiefly *madadmasi* or subsistence lands, given to religious and learned men. Besides land revenue proper, the lands were assessed to various extra cesses known as *abwab*, of which the number and rate varied in different districts. Mr. J. Grant, the Chief Sariatdar of Bengal, in his *Analysis of the Finances of Bengal*, enumerated no less than twelve, including one imposed by Murshid Kuli Khān, four imposed in the time of Shuja-ud-din, three in the time of Ali Vardi Khān, and four more by Mir Kasim Ali. These *abwab*, fluctuating in demand and gradually increasing in amount, were highly oppressive both to the ryots and the zamindars, and could only be realized with a great deal of trouble.

After the establishment of British rule a new system was gradually introduced. By the treaty of 1760 A.D. (confirmed by *sanads*) Mir Kasim Ali ceded to the British the Bengal zamindaris of Burdwan, Calcutta and Chittagong, besides Midnapore (then in Orissa). The zamindari of Burdwan included the present districts of Hooghly and Howrah, except a small strip on the west bank of the Hooghly river which formed part of the zamindari *kiswat* of Muhammad Aminpur. This strip, with the rest of Bengal, finally came under British administration with the grant of the Diwani in August 1765. At first the collections in the Burdwan zamindari lands were supervised by covenanted servants of the Company, but this system proved a failure, for after defraying the expenses of reducing the refractory Rājā, the collections amounted in the first year (1760) to only Rs. 5,23,691 or one-fifth of the demand, and they were also small in the second year. In 1762 the zamindari was let out by public auction to temporary farmers for three years. The latter failed to discharge their agreements, and, to help them, an impost of 9 annas per *bigha* was levied on all the *hara zamini* lands or revenue-free alienations. This impost could only be partially realized, and not unnaturally made Mr. Johnston, the Superintendent, thoroughly unpopular.

In 1765 Mr. Verelst was appointed Supervisor of Burdwan. He restored the old system of managing the revenue, and gradually improved the *hashtabad* collections, until in 1770 the receipts amounted to Rs. 47,18,918, and the charges to Rs. 6,81,486, leaving a net income of Rs. 40,37,432. The famine of that year caused a considerable diminution in both the demand and the collections, which continued for several years. In 1783 the gross demand was Rs. 43,58,026, the net demand being Rs. 37,35,765, but the collections were only Rs. 36,96,825, including arrears. As regards Muhammad Aminpur, the revenue (with *abwabs*) amounted to Rs. 3,38,560 in 1765, the year of the grant of the Diwani, but by 1783 had fallen to Rs. 2,53,113. How heavy the *abwabs* were may be realized from the fact that in the latter zamindari they aggregated, in 1765, Rs. 1,34,425 on a total revenue of Rs. 2,06,325, or no less than 65 per cent.; while in the Burdwan zamindari they amounted in 1760 to Rs. 8,49,099, or nearly 38 per cent. of the revenue demand (Rs. 22,51,306).

In 1784 Pitt's India Act ordered an enquiry into the complaints of dispossessed zamindars, and directed the Company to take steps forthwith "for settling and establishing, upon principles of moderation and justice, according to the laws and constitution of India, the permanent rules by which their respective tributes, rents, and services shall be in future rendered and paid." In 1786 the Court of Directors sent a despatch on the system of transacting business with the zamindars and other landholders. It assumed that sufficient information had been collected during the 21 years which had elapsed since the grant of the Diwani to enable a permanent assessment of land revenue to be made. It, therefore, ordered that an assessment should be promptly fixed for ten years and that, if it proved satisfactory, it should be declared permanent at the end of that period. In the same year Lord Cornwallis was sent out as Governor-General with instructions to carry out the Directors' orders. On his arrival, however, he found that the information available was insufficient for the purpose. He therefore continued the annual settlements then in vogue and instituted further enquiries. These enquiries disclosed three facts. "First, that the Muhammadan revenue system of a fixed rate, varied and increased by cesses, the system which the Company was appointed to administer by the Imperial grant of 1765, had broken down, and no longer afforded protection to the cultivators. Its breakdown had been due partly to the accumulated weight of its own exactions, and partly to the altered economic relations of land to labour, resulting from the

depletion of the population by the famine of 1769-70. Second, that the record of customary rates had ceased to be a protection to the resident cultivators, and that the village registers had become to them a record of crushing obligations rather than a record-of-rights. Third, that the people had themselves made a movement to readjust rents to the altered economic conditions, by developing a body of non-resident cultivators or temporary tenants, whose presence in almost every village tended to reduce customary rates to the standard of supply and demand, and whose status had by 1787 legitimized itself."

These enquiries led to the Permanent Settlement of 1793, by which the assessment of land revenue was fixed in perpetuity. As regards the distribution of the assessment, Sir John Shore estimated that the British Government received 45 per cent. of the gross produce, the zamindar and his under-tenants 15 per cent. and the cultivator 40 per cent.† As regards the persons with whom the assessment was made, the Government got rid of all complexities, whether of origin, status or title, by establishing a uniform tenure for all zamindars; and, in addition to old allowances, made over to them in perpetuity whatever increment might be obtained either from the improvement of their estates or from the reclamation of waste land. As regards the cultivators, it was intended to protect them from enhancement of rents and exaction of cesses by giving them a statutory right to *pattas* stating the quantity of land held by them and the sum liable to be paid for it.

At first, the Permanent Settlement proved disastrous to the landholders who, one after another, broke down under the strain of having to pay their revenue punctually and in full. "Among the defaulters were some of the oldest and most respectable families in the country. Such were the Rajs of Nadia, Rajshahi, Bishnupur, Kusijora and others, the dismemberment of whose estates, at the end of each succeeding year, threatened them with poverty and ruin, and in some instances presented difficulties to the revenue officers in their endeavour to preserve undiminished the amount of the public assessment."‡ In this district the Raja of Burdwan escaped the ruin which fell on other zamindars by leasing out his estates in perpetuity to middlemen. Such a divestment of responsibility was diametrically opposed to the purposes for which the Permanent Settlement had been framed, and to the declared expectation of its framers that the landholders would

* Bengal M.S. Records, Hunter, Introduction, Ch. III, p. 65

† Minute of Mr. Shore, 6th December 1793, para. Fifth Report 5, Madras Report (1883) pp. 599-600.

‡ Fifth Report of the Select Committee, Madras Report, p. 71.



devote themselves to improving the condition of the husbandmen. Nevertheless, it was generally discovered that this system formed the only means of escape from ruin for the old families of Bengal, who, encumbered with the costly paraphernalia of petty courts and military retainers, could not suddenly transform themselves into punctual rent-collectors and revenue-payers. By Regulation VIII of 1819 this *patni* system of subinfeudation was placed on a legislative basis. The Government also armed the landholders with new powers against the tenants; for example, the power to seize a tenant's person was granted them by the *Hastum* Regulation (VII of 1799), and the power to distrain a tenant's property by the *Panjum* Regulation (V of 1812). But these powers came too late to save the old zamindars, whose estates were sold up or who were reduced, like the Rājā of Burdwan, to the position of annuitants receiving every year the fixed sums due from *patnidars*.

The Permanent Settlement also failed to protect the cultivators. It endeavoured to substitute for the village record-of-rights a new system of declaratory leases (*pattas*); the system of *kasungas* was abolished, and the *patwaris* became practically the zamindars' servants. The result was that the practice of giving *pattas* could not be enforced by the Collectors, who had little time and less information; while the *patwaris'* village registers ceased to exist or were instruments in the hands of the zamindars for the coercion of their tenants. As early as 1819 the Court of Directors drew the attention of the Government "to the state of insecurity and oppression in which the great mass of cultivators are placed," but it was not till after forty years further correspondence and enquiry that the customary rights of the cultivators were legally recognized by a series of agrarian laws beginning with Act X of 1859.

The various forms of land tenure found in Hooghly are for the most part the same as in the neighbouring districts and a detailed description of them is not required, practically the only peculiar tenures being the service tenures held by *patnidars*.

The number of revenue-paying estates borne on the revenue-roll of Hooghly (which for this purpose includes Howrah) was 4,309 in 1907-08; while the number of revenue-free estates assessed to cesses was 536. Of the revenue-paying estates, 3,973 are permanently-settled, while 101 are temporarily-settled and 235 are held direct under Government. Among the estates last named, the most interesting are the Chinsura and Serampore Khas Mahals, which passed to the British from the Dutch and Danes respectively. Among other estates, mention may be made of the

aisa estates, which were originally tenures granted at a quit-rent. They were, in fact, fields assessed to a small revenue, and date back to the rule of the Muhammadans.

The number of estates in this district has increased considerably during the last half century owing to the subdivision of proprietary rights. In 1850 there were 2,784 revenue-paying estates held by 5,775 proprietors, and in 1870 the number of the former was 3,850 and of the latter 8,215. In 1873, though the area of the district had been considerably reduced by the transfer of estates to Burdwan and Midnapore, the number of revenue-paying estates had increased to 3,573; and, as already stated, there are now no less than 4,309 such estates on the revenue-roll. The *cess* returns show that the number of revenue-paying estates assessed to cesses is 7,953, in addition to 536 revenue-free estates, and that the number of recorded shareholders is 27,685.

One of the most common tenures is that known as the *patni* ^{*Patni*} ^{*taluk*}, which had its origin in the estate of the Mahārājā of Burdwan and then spread to other permanently-settled estates. A *patni taluk* is defined in Regulation VIII of 1819 as one created by a zamindar and held at a rent fixed in perpetuity, the tenant furnishing collateral security for the rent, and binding himself to certain conditions regarding the sale of the tenure for arrears, and also to the sale of his other property in case the proceeds of the sale of the tenure are not sufficient to pay off the entire sum due. The records show that there are 1,397 *patni* tenures in the district, paying to the zamindars a total rent of Rs. 9,09,219-8.

A *dar-patni* is an under-tenure created by a *patnidar*, to whom its holder pays rent, and is similar to a *patni* tenure in all respects. The district records return the number of these under-tenures in Hooghly at 200. *Se-patni* is a *patni* tenure of the third degree created by a *darpatnidar*.

Other tenures are the usual *ijāras* or leases, which have no special characteristics. Among them may be mentioned (1) *mukarari ijāras*, i.e., permanent or long-term leases granted at a fixed rate of rent for a valuable consideration, (2) ordinary *ijāras* or leases held for a limited term, (3) *dar-ijāras* or sub-leases subordinate to the foregoing, and (4) *zarpanahi* or usufructuary leases granted for repayment of loans by collections of rents from the estate or *taluk* so let out.

Rent-free tenures are exceptionally numerous in Hooghly; in fact, perhaps in no other district in Bengal are tenures of this class scattered over such a large area. The following are the principal varieties of rent-free tenures:—(1) *Lakbirdi*, or rent-free

land granted as a reward for services performed or for some other special purpose. (2) *Debottar*, or lands granted for the worship of various Hindu gods, and vested in *abbots* or trustees, who have no right to alienate such lands. (3) *Brahmottar*, or lands granted for the support of learned and pious Brahmins. These are liable to be alienated. (4) *Mahattar*, or lands assigned by zamindars for the maintenance of religious and learned men, or of poor men other than Brahmins. (5) *Vaishnavottar*, or lands granted for the support of Vaishnavas. (6) *Pirottar*, or lands resembling the *debottar* lands of the Hindus, being grants made by Muhammadans for the maintenance of the worship of *pirs* or Muslim saints. (7) *Wakf*, or lands granted by pious Muhammadans for the maintenance of mosques or *madras*, and for the purpose of feeding *shikris* or religious mendicants. (8) *Chiraghi*, or lands granted for defraying the expense of providing lights at the tombs of Muhammadan saints. (9) *Nawab*, or lands presented for the maintenance of Muhammadan saints or holy men, and for defraying the expenses of festivals. (10) *Khairati*, or lands granted solely for charitable purposes. (11) *Khandasari*, or lands granted rent-free as sites of homesteads.

Service-tenures. There are a number of small private service-tenures held by *parohits*, or village priests, *napits* or barbers, *kanars* or blacksmiths, *malis* or gardeners and makers of garlands for decorating idols, and *dhobis* or washermen.

Patnari-dars. The only peculiar service tenure is that of the *patnari-dars*, who were originally semi-military police holding rent-free lands and performing police duties. They date back to the early days of British rule and were described as follows by the Magistrate of Hooghly in 1828:—"In the *malis* formerly attached to Zilla Burdwan, and generally throughout this district, there are in each village two or three police *chaukidars* who have each an allowance of about 8 or 10 *bighas* of *chakran* land; and besides this establishment of *patis*, there are certain individuals, denominated *patnari-dars*, *simandars* and *dignars*, to the former of whom in some cases a *naib* and generally several *chaukidars* are attached, in proportion to the extent of the *patnari-dar's* jurisdiction, and who are allowed from 50 to 200 *bighas* of land. These *patnari-dars* are authorized to apprehend robbers and house-breakers, to report the occurrence of crimes to the police thanas, to patrol the villages attached to their *patnaris*, to observe whether the *chaukidars* perform or neglect their duties, and generally to render every assistance to the police *daregas*. The total number of *patnari-dars* existing in this district amounted, from a very correct register

that I had made up in the year 1825, to 175, together with 32 *naibs* and 808 *patis* and *piyades*, and the total quantity of *chakran* land attached to the *patnaris* amounted to 14,763 *bighas*. The total number of village *chaukidars* amounts to between 10,000 and 12,000 men, and the quantity of *chakran* land set apart for the maintenance of the whole body amounts to between 80,000 to 90,000 *bighas* of land. The above arrangements have existed, I understand, from time immemorial in this district, as well as in Burdwan and Midnapore, and were finally adopted by Government about the year 1762 or 1763, when Mr. Johnston was Collector of Burdwan."

As the *patnari* system had long been superseded by newer systems, and was of very little use, Government in 1881 sanctioned an arrangement by which, when any of these men died or were dismissed, the vacancy should not be filled up, and their lands, which were specially excluded from the Permanent Settlement, should be taken charge of and settled by the Collector. The revenue derived from them was to be devoted to maintaining a force of head-constables for patrolling villages and seeing that the *chaukidars* did their duties properly. The absorption of the *patnari-dars* is still proceeding, but the proceeds of the resumed lands are no longer entirely applied to the maintenance of patrol head-constables, for it seems that the money was transferred to the head of land revenue by orders of the Board of Revenue in 1886, the origin of the fund having, apparently, been lost sight of. There are now only 54 *patnari-dars* in possession of *patnari-dari* lands.