



reduced one-half to form district maps. Up to the end of 1872-73 the revenue survey of eight districts had been completed. In eight others it is in progress. The extent surveyed and plotted in fields is 40,848 square miles. The whole extent topographically surveyed and mapped is 48,872 square miles. The excess of assessable area brought to light by the survey ranges from 2 to 23 per cent, the average being about 12 per cent.

System of Settlement.—The productive powers of the soil, as in other countries, form the basis of assessment; but permanence of irrigation, proximity of markets, facilities for transit, and other local circumstances which tend to raise the value of the produce are likewise taken into account in fixing the rates to be charged per acre. The soils have been classed according to their origin or general characteristics, and then subdivided according to their component parts of clay, sand, lime, and organic matter, which have a decided influence on their fertility, leaving their chemical properties of salt, and mineral ingredients to be discretionally dealt with in connexion with other circumstances affecting productiveness. This system of classification admits of the adoption of fixed rules sufficiently general and comprehensive for all practical purposes. Five distinctive series, each having a different origin or basis of formation, have been adopted, and they are as follows:—(1.) *The alluvial and exceptional series.*—This takes in the rich *linka* or island soils deposited from rivers, and also provides for the garden and other soils which have been permanently improved. (2.) *The regur series*, or what is termed commonly (though not very suitably) the black cotton soil. The great fertility of the regur is owing to its containing mineral matter in a fine comminuted state. (3.) *The red ferruginous series*, originating from sandstone, laterite, &c., and possessing distinct characteristics in its constitution and fertility. (4.) *The calcareous series*, deriving its character from a substratum of lime and which has a chalky appearance. But this series was so rarely found that the fourth division has been practically abolished and is never used. (5.) *The arenaceous series*, comprising chiefly the sandy littoral tracts, either adjoining the sea-shore or running up by the side of estuaries and comprising marine alluvium. The average fertility of these several kinds of soil is generally admitted to range in the above order, but the grades of fertility in each kind are so wide that a single rate of assessment will not suffice for each, and as the texture of the soil has been generally found practically to indicate its productive power and adaptiveness to particular descriptions of crop, the table adopted by the Settlement Department further provides for a subdivision of the series into *classes* dependent on



the proportion of impalpable powder, commonly known as clay, contained in them. These classes are denominated—

(1.) *Clayey*, containing more than two-thirds of clay, or impalpable powder.

(2.) *Mixed* or *loamy*, containing from one-third to two-thirds of clay.

(3.) *Sandy* or *gravelly*, containing not more than one-third of clay. Each of these grades or classes is then divided into "sorts," never exceeding three, which are determined chiefly by the quantity of organic matter, or the presence of other valuable or deleterious ingredients.

The next step in settlement operations is the ascertaining and assignment of grain values to these several classes and sorts of soils. Much consideration is given to this important subject, and every precaution is taken to obtain as fair results as possible. The Deputy Directors and the heads of their field establishments, as well as other trustworthy subordinates, make numerous experiments for the purpose of ascertaining the actual outturn or yield of land sown with staple products, taking full, ordinary, and indifferent crops, and with the aid of intelligent and respectable ryots, representatives of a community and selected for their knowledge of agriculture, an average per acre, such as will apply to a series of years, good and bad, and to ordinary tillage, is eventually fixed for each kind of soil. Although, as might be expected, the ryots invariably underrate the produce, and their estimates often materially differ among themselves, still the relative values upon the whole generally accord with the rates of the tentative scale adopted by the Settlement Department after experiment. This, of course, gives confidence in the correctness of the classification. From the results so obtained a deduction of $\frac{1}{4}$ th to $\frac{1}{3}$ th is usually made to compensate for vicissitudes of season, as well as to allow for such portions of fields as, being taken up by bunds, pathways, water-courses, &c., are unproductive, but nevertheless included in the area of the "Survey field."

The conversion of the grain produce of the land to a money value is sometimes attained with difficulty, owing to the imperfect accounts of bazaar prices obtainable from the Revenue authorities, and the uncertainty oftentimes of the actual capacity of the reputed local measures. The price lists were formerly prepared in the talooks without much care, and do not represent accurately the value of grain in the ryot's wholesale transactions, as the bazaar prices from which these lists were framed are naturally often affected by fortuitous circumstances. Until recently the statements of prices were compiled for as long a series of years as procurable, and averages struck for every seven



and ten years, and a general average deduced from these was applied to the conversion of grain into money values. The prices for the months in which the ryots chiefly sell their produce were selected, care being taken to reduce the country measures of the accounts to the standard measure of 100 cubic inches. But in 1869 it was ruled that the commutation prices should be determined according to the average prevailing during the series of 20 years from 1845-46 to 1864-65. These quotations, however, represent the merchants' selling prices, and, if applied to the ryots' transactions, would obviously tend to over-assessment; but, in order to obtain the wholesale or ryots' prices, a percentage deduction ranging from 8 to 20 per cent., according to local circumstances of the district, is usually made from the market prices. This not only meets the cost of carriage and the merchants' profits, but fixes liberally for the ryot the approximate wholesale price he has really obtained.

The lands having been classified according to their physical and mechanical composition, their productive powers ascertained by experiments of outturn of produce per acre and consultation with ryots, and these results converted into a money equivalent, based on the average selling prices of a series of 20 years, a percentage deduction being made therefrom on account of carriage and merchants' profits, the next step is the estimation of the cultivation expenses. The mode in which the calculations were made in the earlier settlements varied considerably. In some the various items were calculated in grain and afterwards converted into money; in others the expenses were shown in money at once, and this course is now generally adopted. The items brought to account are generally a portion of the original cost of ploughing bullocks and agricultural implements, paid labourers, seed, and in some cases also the cost of feeding bullocks, although usually this item is taken as a set-off against the price of straw, which does not form an asset in calculating the money-value of the produce grown. The cost of cultivation is estimated differently by different persons, and it does in itself vary considerably under vicissitudes of season, description of crops grown, condition of cultivation, &c. Attempts to get at the exact expenditure from ryots have been of little avail beyond aiding in determining the relative cost for the different descriptions of soil. The greatest labour is generally bestowed upon the better soils, although theoretically the poorer ones often require more expenditure to bring them into ordinary bearing, but practically the ryots are content with the smaller return on these for the smaller outlay, particularly as the return is generally less certain than in the superior soils.



The cultivation expenses being deducted from the gross assets, the result is the approximate net profit on the land, half of which is taken as the Government demand, and, being applied to each description of soil, becomes what is termed the "Money rate," or future assessment for wet and dry lands respectively. The modifications to be made on account of markets, communications, and efficacy of irrigation now come into consideration, and this brings us to the important process of "grouping of villages," by which arrangement the set of standard rates framed for each group is applied to each village according to its worth and capabilities. To carry out this operation of grouping, the following points are observed:—Proximity to a large place of trade or consumption is, of course, a very great advantage in the disposal of produce, and is duly taken into account. Irrigation is estimated with regard to the security and permanency of the supply, and according to the relative advantages of distribution, levels, &c. When lands are irrigated by lifting water, a deduction is made in the assessment of the fields thus watered. Transport by canal, railway, or road is also taken into consideration, as, not only does it enable the ryot to get his produce easily to market, but proximity to these lines of communication is often as advantageous as being near to the market itself. Clusters of villages at the foot of hills possessing the same soils and substratum, as well as other similar characteristics, would fall into one group as would a collection of delta villages irrigated by the same source and composed of the same kind of alluvial soil.

The villages having been thus properly grouped, the rates appertaining to each group are next applied. Thus, if the second group be deemed the normal or natural one, the money-rates as actually worked out are applied to all 2nd group villages, whilst the rates of the 1st and 3rd groups are respectively raised or lowered one grade. Again, if there be a 4th group, to this is affixed a set of rates one gradation lower throughout than those of the 3rd. This grouping is consequently, as already stated, a very important point, and the effect is to raise the assessment of the more favourably situated villages, to allow the ordinary ones to retain their normal position, and to show consideration in the shape of lower rates to those villages whose situation, poverty, or indifferent irrigation render this indulgence absolutely necessary. When a second crop is grown on *Nunjai* (irrigated) lands, half the single rate is charged for such crops, unless the ryot offers to compound, when a consolidated double crop assessment is levied at $\frac{1}{3}$ rd, $\frac{1}{4}$ th, or $\frac{1}{5}$ th of the rates charged on the first crop.



Statement showing the Cultivation in the several Districts of the Madras Province for the Official Year 1872-73.

CSL

DISTRICTS.	DRY.		WET.		TOTAL.		1871-73.		COMPARISON.			
	Extent.	Assessment.	Extent.	Assessment.	Extent.	Assessment.	Extent.	Assessment.	INCREASE.		DECREASE.	
									Extent.	Assessment.	Extent.	Assessment.
	Acres.	Rs.	Acres.	Rs.	Acres.	Rs.	Acres.	Rs.	Acres.	Rs.	Acres.	Rs.
Ganjam ...	98,390	1,24,502	164,834	4,77,747	263,224	6,02,249	265,700	6,03,509	...	...	2,476	1,260
Vizagapatam ...	50,836	54,413	24,323	1,28,612	75,219	1,83,025	75,396	1,60,706	...	22,312	177	...
Govavery ...	307,366	6,12,375	264,717	14,93,167	572,283	21,05,542	557,212	21,87,428	15,071	...	...	81,896
Kistna ...	1,452,068	21,37,283	169,397	9,31,953	1,622,965	30,63,236	1,581,313	29,12,671	41,152	1,56,865	...	...
Nellore ...	587,562	7,56,251	169,073	7,61,896	756,725	15,12,147	751,427	14,73,551	5,298	33,596	...	...
Cuddapah ...	1,128,004	8,66,966	93,014	7,91,633	1,226,018	16,58,589	1,204,564	15,79,873	21,454	78,716	...	...
Bellary ...	2,326,205	14,86,071	117,910	6,25,845	2,444,115	21,11,916	2,306,044	20,16,368	133,071	95,548	...	...
Kurnool ...	1,162,745	11,17,725	24,800	1,89,734	1,187,545	13,07,459	1,148,329	12,80,577	39,216	26,582	...	...
Madras ...	...	...	...	...	...	...	...	...	...	...	...	...
Chingleput ...	166,962	2,92,980	244,434	10,28,317	411,396	13,21,297	404,298	13,07,578	7,098	13,719	...	...
North Arcot ...	393,230	6,33,004	188,878	11,68,569	587,068	18,06,573	617,324	17,89,436	...	17,136	30,626	...
South Arcot ...	808,687	15,94,983	267,067	14,83,802	1,075,754	30,78,791	1,076,779	30,07,262	...	71,509	1,025	...
Tanjore ...	215,788	2,02,876	748,673	37,19,660	964,491	40,22,336	954,486	39,97,454	9,975	25,082	...	...
Trichinopoly ...	808,227	7,21,071	135,508	6,36,144	943,835	13,57,215	991,378	14,57,308	...	...	47,543	1,00,093
Madura ...	624,753	8,23,498	189,176	6,11,814	763,929	14,40,312	755,865	14,32,874	8,064	7,438	...	...
Tinnevely ...	884,566	7,15,627	208,660	15,28,874	1,093,226	22,44,701	1,003,028	22,07,265	90,199	37,436	...	...
Coimbatore ...	1,936,311	17,99,657	81,295	6,12,723	2,017,606	24,12,378	1,945,910	22,86,682	121,696	1,24,696	...	...
Nitigiris ...	62,577	22,54	40	90	62,617	22,874	60,550	31,738	2,067	...	...	5,834
Salem ...	1,068,307	12,40,355	77,371	4,53,141	1,135,678	16,93,496	1,086,933	17,24,968	48,740	...	...	31,372
South Canara ...	14,129,124	153,06,615	3,124,480	166,43,720	17,253,604	319,50,335	16,787,051	314,58,388	548,100	7,15,442	81,547	2,23,495
Malabar ...	...	...	...	...	...	12,76,328	...	12,75,238	...	1,090	...	...
	...	...	...	...	...	17,80,682	...	17,71,713	...	8,969	...	...
Total ...	14,129,124	153,06,615	3,124,480	166,43,720	17,253,604	350,07,245	16,787,051	345,05,339	548,100	7,25,501	81,547	2,23,495

Madras.



The area of cultivable ryotwary land is shown below, exclusive of Malabar and South Canara, where the assessment was Rs. 30,57,010. As a natural result of the early and abundant rains, there was an increase in the cultivated area of 4,66,555 acres, the only districts where there was a noticeable decrease being North Arcot, where the ground was cut up by floods, and Trichinopoly, where two-thirds of the decrease was merely nominal. The collections on account of Land Revenue increased by Rs. 25,31,638, certain Treasury arrangements made by the Accountant-General having virtually given the year a fifty-third week at the time when most payments are made. The charges for collecting Land Revenue remained nearly the same.

Decrease.			Area.	Assessment.
			Acres.	Rs.
Unirrigated ...	...	...	14,129,124	1,53,06,610
Irrigated ...	...	...	3,124,480	1,66,43,720
		Total ...	17,253,604	3,19,50,330

Wards Estates.—The number of estates under the management of the Court of Wards at the beginning of 1872-73 was twenty-six. Of these Kallur was restored to the minor on his coming of age in November 1872, while six others came under wardship during the year. Their income was Rs. 15,15,970.



CHAPTER III.

BOMBAY.

IN this Province the survey of land has been in progress for a period of thirty-seven years. In its origin it was simply an experimental measure, carried out with a very limited establishment, in a single Talooka (Indapoor) of the Poona Collectorate, and with the object of correcting the work of a previous survey preparatory to a revision of assessment. The duty of conducting the work was entrusted to Mr. Goldsmid, of the Civil Service, then an Assistant Collector, and Lieutenant Wingate,* of the Engineers. With these gentlemen Lieutenant Nash, of the Engineers, was subsequently associated. This was the real commencement of the Revenue Survey in the Bombay Province.

Settlement is always for thirty years, except in Sindh, where, owing to the still imperfect condition of irrigation, it has been thought desirable to adopt the shorter period of ten years. The advantages enjoyed by the occupant of land under the survey settlement are—*1st.*—Fixity of tenure conditional on the due payment of the Government demand. *2nd.*—His occupancy is heritable, and transferable by gift, sale, or mortgage, without other restriction than the requirement to give notice to the authorities. *3rd.*—His assessment is fixed, but subject to revision after periods of 30 years. The right of occupancy is not affected by the expiration of a term of settlement, being conditional solely on the payment of the assessment imposed. *4th.*—He is at liberty to resign his entire occupancy or any part of it defined by the survey† in any year, provided notice be given by a fixed date. If waste land be available, he may enlarge his holding at pleasure on application to the district officials. *5th.*—He may sublet his lands, and Government aid him, under certain limitations, in recovering rents from his tenants. *6th.*—His holding cannot be encroached on by his neighbour, every field in it being clearly defined by boundary marks, and susceptible of immediate identification by means of the village maps. Further, the fact of his possession of any field can be traced without difficulty in the village records year by year up to the date of the introduction of the first survey settlement. Thus the chances of dispute and litigation are entirely removed or reduced to a minimum. The

* Now Major Sir George Wingate, K.C.S.I., retired.

† That is, any entire survey field, or any share of such a field defined by the survey, termed in Act I. of 1865 a "recognised share."



following shows the financial results of the revenue survey to the end of 1872-73.

Divisions.	Realizations prior to Settlement.	Realizations under Settlement.	Amount of Increase.	Per cent.	Total Cost.
	Rs.	Rs.	Rs.		Rs.
Northern Division ...	1,17,97,325	1,60,45,662	42,48,337	36	
Southern Division ...	43,28,463	55,82,041	12,53,578	29	26,48,480
Total ...	1,61,25,788	2,16,27,703	55,01,915	34	

The Bombay system of land revenue administration, under which each individual ryot deals direct with the Government in the persons of the village officers, and under which an exact record of the area and assessment of each separate field or number is kept, affords special facilities for the collection of precise agricultural statistics.

The tenures on which land is held in Sindh are of the simplest character. Doubtless in the ancient times of Hindu nationality, and under Brahman dynasties, the same complexity of land tenure prevailed in Sindh as in other Provinces of India; but as successive waves of Mahomedan invasion and conquest passed over the Province, and when finally the bulk of the population forsook the old faith to profess that of Islam, the ancient institutions must have gradually decayed and given way to those brought in by the conquering race. The land in Sindh is held by a large number of peasant occupants and by comparatively small body of large proprietors. Probably half the entire number of holdings do not exceed 5 acres in area, and not more than a quarter exceed 30 acres. Yet there are not wanting indications that in times not distant from the present nearly all the land was held by large proprietors. In course of time the zemindary rights in the land were purchased by the tenant, or lapsed or demise without heirs, or otherwise fell into disuse, and thus has sprung up the present large peasant proprietary.

Cesses.—Certain funds, the principal of which is a one-anna cess in addition to the ordinary land tax, have been set apart for the promotion of education in the rural districts and for the formation and repairs of local roads. The total Local Fund revenue for the past year amounted to Rs. 45,70,094, the receipts in the different districts varying from Rs. 3,89,068 in Khaudesh to Rs. 8,377



in Upper Sindh. It was part of the original scheme that the taxpayers should have an influential voice in the disposal of the funds. Accordingly, by Act IV. of 1869, the appointment of Local Fund Committees was legalised.

The land revenue year in the Bombay Province terminates on the 31st July, so that the revenue derived from the produce of one single rainy season may all be collected and brought into the accounts of one year. The comparative results of two seasons can then be accurately known. This mode of reckoning was inherited from the Native government, and it is so interwoven with the whole system of administration, that, independently of its being naturally the most suitable, it could not now be changed. On the other hand, the financial year ending the 31st March, is purely an arbitrary division of time.

The actual land revenue collections between the 1st April 1872 and the 31st March 1873, as compared with those of the previous year, were as follows :—

<i>Land Revenue.</i>	1871-72.	1872-73.
	Rs.	Rs.
Ordinary revenue	2,66,76,155	2,95,72,582
Sale proceeds of waste lands and redemption of land tax	40,947	18,693
Redemption of summary settlement cess*	16,715	3,143
Miscellaneous (including proceeds of sales of unoccupied fields)	9,38,986	13,80,999
	2,75,72,803	3,09,75,417

Alienation Settlement Department.—A regular and systematic inquiry into the validity of titles to alienated holdings in this Province was first suggested in 1851 by the discovery of unauthorised and fraudulent alienations during the operations of the Revenue Survey in the Southern Maratha Country. The results up to 1870-71, at a cost of Rs. 24,10,813 are Rs. 50,13,936 in land and cash recovered to the State and Rs. 69,87,423 confirmed to alienees.

Survey and Settlement Department.—The revision of the rates of assessment in the different parts of the Province where the survey leases are beginning to fall in, gives a special importance to the working of the Survey and Settlement De-

* The Summary settlement was one under which holders of alienated land revenue agreed to pay a percentage on their holdings in preference to submitting to an inquiry into their titles.



partments. The year's operations comprise the measurement of 2,533,962, and the classification of 2,049,195 acres. In the Poona, Nasik, and Sholapoor Collectorates, the results of revision give an increased revenue of Rs. 1,70,788, or 61·2 per cent. in excess of the former demand. This increase is not, however, wholly due to the imposition of enhanced rates, but is, to a considerable extent, the result of the detection and measurement of land formerly unassessed. In each case of revision of rates Government has insisted on a policy of moderation; and there would seem to be no cause to fear that the increase is larger than ought, under the altered condition of the country, to have been obtained.

The almost entire cessation of the importation of bullion into Bombay during the previous two years has been accompanied by an increasing remittance from up-country of ornaments for conversion into coin. The value of these remittances, which in 1871-72 amounted to six and a half lakhs, rose during 1872-73 to more than double that sum. It is probable that the condition of the money-market offering an immediate though small profit, has tempted the money-lending classes to realise the accumulations of years. The fact, however, remains that, without any special cause of poverty, the rural population has of late been obliged to part with a considerable portion of its ornaments. This would seem to confirm the current opinion, that, as a class, the cultivators are at present somewhat deeply sunk in debt.



CHAPTER IV.

NORTH-WESTERN PROVINCE.

THE Benares Division of this Province was permanently settled and the other districts received the promise of a permanent settlement on certain conditions. The discussion of these conditions has been going on at intervals up to the present time (1874). But, except Benares, the Province is under thirty years' leases.

Tenures.—With few exceptions the land tenures may be divided into three great classes—*zemindaree*, *putteedaree* and *bhyachara*. Zemindaree tenures are those in which the whole land is held and managed in common, and the rents and whole profits of the estate are thrown into one common stock, and divided amongst the several proprietors, whose rights are estimated according to fractional shares, whether of a rupee, or of the local unit of land measure known as a beegah. Putteedaree tenures may be divided into perfect and imperfect putteedaree or *bhyachara*. Perfect putteedaree is that tenure wherein the whole lands are held in severalty by the different proprietors, all of whom are jointly responsible for the Government revenue, though each is theoretically responsible only for the quota represented by the proportion of the land he holds to the whole estate. Imperfect putteedaree is where portions of the land are held in severalty, and portions in common, with a joint responsibility for the Government demand. In this case the revenue is primarily made up from the rents of the common lands, and the remainder by a *bachh* or cess proportioned to the holdings in severalty and calculated either by custom or on a fixed scale. Talookdaree estates are those in which the profits remaining after the Government revenue has been paid are divided amongst different proprietors or classes of proprietors, the one superior and the other inferior. In such cases a sub-settlement is usually made between the inferior proprietors and the superior, who is known as the talookdar. An estate may pass by the agreement of the sharers from one class to another, the joint responsibility remaining inviolate. The tendency is to increase the number of perfect putteedaree holdings by a partition of the common lands.

Settlement.—During the last eighteen years nearly the whole Province, except the permanently-settled districts of Benares, has been undergoing revision of settlement. At the beginning of 1872-73 only Moradabad, Agra, Humeerpore and Banda were still under the settlement of 1833; and in each of these the term of that settlement expired on the 1st July, 1872. In the Hu-



Meerpoore and Moradabad Districts considerable progress has already been made in measurement and survey. The fiscal results of the new assessments are recorded in the following table, the net increase of land revenue being £345,865:—

District.	Former land revenue without cesses.	Revised land revenue without cesses.	Increase.	Decrease.
	£	£	£	£
Dehra Doon, ...	4,020	5,779	1,777	...
Seharanpore, ...	110,068	116,554	9,741	3,255
Moozuffernuggur, ...	103,403	109,080	9,084	3,416
Meerut, ...	182,614	218,467	35,808	17
Boohundshahur, ...	111,368	125,166	13,898	101
Allygurh, ...	184,857	214,679	29,822	...
Kumaon, ...	15,288	28,989	13,701	...
Gurhwal, ...	6,927	9,631	2,704	...
Bijnour, ...	118,250	117,811	6,057	6,496
Budaon, ...	92,822	102,944	10,122	...
Bareilly, ...	137,832	166,267	28,571	136
Phillibheet, ...	31,136	41,205	10,069	...
Shahjehanpore, ...	97,537	118,696	21,163	4
Farruckabad, ...	112,546	124,658	12,152	...
Mynpoory, ...	112,105	127,626	15,521	...
Etawah, ...	119,128	132,780	13,652	...
Etah, ...	73,246	93,922	20,978	302
Allahabad, ...	80,642	103,777	23,135	...
Jaloun, ...	88,008	90,253	3,567	...
Jhansie, ...	55,682	45,907	...	9,775
Lullutpore, ...	15,267	13,399	...	1,877
Goruckpore and Bustee, ...	208,260	283,418	75,158	...
Azingurh, ...	58,467	72,065	13,598	...
Total ...	2,118,405	2,463,114	345,865	25,415

The charges were £58,405. The total land-tax in 1872-73 was £4,091,708.

Cesses.—Out of a cess of 10 per cent. on the land revenue, the cost of village police and village schools, roads, and other improvements is met. Where land is bought in fee-simple, the revenue is to be assumed at 4 per cent. of the purchase-money, and the local cess calculated on that. Where the land revenue has been redeemed, the cess is imposed on the original revenue; and in the case of grants which pay a progressively increasing sum, it varies with the revenue demand of each year. In permanently-settled districts, instead of the local cess, an acreage rate of two annas per acre is taken for the same local purposes as those above described.



Wards' Estates.—Thirty-nine estates were under the management of the Court of Wards, including three released and one taken over during the year. Their land-tax amounted to £137,050.

Government Estates.—These are chiefly of two classes—estates encumbered or confiscated; and in some instances it has devolved on Government, in the absence of any zemindar or other person with full proprietary title, to assume the position and duties of landlord. The number of properties of the first of these classes is likely to increase under the efforts made by Government to prevent the sale of ancestral landed property, and the downfall of old families of local influence and importance. The largest estate of this kind at present is the Majholi Raj in the Goruckpore District, which has an income of nearly £15,000, and was founded more than two hundred years ago. When this estate was on the verge of ruin (in 1869) Government interfered, paying the debts, which amounted to over £80,000. Confiscated estates are either such as have been confiscated in perpetuity on account of the misbehaviour of their proprietors, or such as are only temporarily confiscated for arrears of revenue or other causes. The former class almost all date from the Mutiny, and, as it has been considered best to sell them whenever an opportunity offers, are not very numerous. The estates in which Government stands in the position of zemindar are the most important of all, both on account of their size and of the close relations between Government and the tenants.



CHAPTER V.

OUDH.

BEFORE the Mutiny the land system of the North-Western Province was attempted in Oudh. As the people who had been made proprietors invited the talookdar landlords to resume their estates Lord Canning made a settlement with 256 of these, preserving the rights of the sub-proprietors and tenants, to which subsequent legislation has been directed. The land tenures of Oudh, in their general features, resemble very closely the tenures prevailing throughout Upper India; they may be broadly classified as held direct or indirectly from the State. The first may be subdivided into:—A. Talookdaree Estates. B. Zemindaree or Mufrid Estates. C. Estates held in fee simple. Estates of the first class are held by the Talookdars of the Province, who were settled with immediately after the suppression of the Mutiny, and those of the second are the property of the ordinary Zemindars, or small landowners of the country. It is with regard to the Talookdaree estates that the land tenures of Oudh differ chiefly from those of the North Western Province, for whereas in the older Provinces the tendency was to set aside the large landlord and engage direct with the under-proprietors and tenants, here the position and rights of the Talookdar, as proprietor of the land, have been fully recognized.

The Talookdars and Zemindars alike possess the full right of property in their estates, which they can alienate or dispose of as they please; but they differ from each other in the degree of security on which their titles rest. Protected by Act I. of 1859, the title of a Talookdar is unassailable, except upon a cause of action which must have arisen subsequent to the settlement which was made with him after the re-occupation of the Province; whereas the Zemindar is liable at any moment to be called on by the Courts to defend a suit in which the cause of action may have arisen before annexation. By the same Act too, the Talookdar has been freed from the provisions of the ordinary Hindoo Shasters and Mahomedan Shar'a which, except when overridden by a strongly defined family custom, usually regulate succession and inheritance among the Mufrid Zemindars; and out of the two hundred and fifty-six Talookdars of Oudh a large number have adopted the law of primogeniture. Subject to certain provisions, every Talookdar can bequeath by will the whole or any portion of his estate.



The *Mufrid* estates may be the property of one individual or, as is far more common, of a whole community who are generally the descendants of a common ancestor. Those which belong to simple proprietors have, as a rule, been acquired within the last few years. In estates owned by communities the lands are sometimes held altogether in common, in some estates the land is divided, and each member of the brotherhood is accountable for the management of his own share; while in others the land is held partly in common and partly in severalty. They correspond in fact with Mr. Thomason's *zemindaree*, *putteedaree* and imperfect *putteedaree* tenures. In every case one or more headmen (*Lumbarbars*) are appointed, who are immediately responsible to the Government for the payment of the land revenue. The *Lumbarbar* is entitled to a perquisite of 5 per cent. on the demand, as an equivalent for his trouble in collecting from those of his co-sharers who pay through him.

Of estates held in fee simple there are very few; they consist only of some properties that have been sold under the waste land rules and form so small a portion of the land tenures as to call for no special notice. There is also a small class of *m'afidars*, or persons to whom the Government revenue has been assigned, but the *m'afis*, or revenue free holdings, in Oudh are too few to require more than a passing remark.

The tenures held indirectly from the State are the following:—

A. Entire villages or entire shares of villages. B. *Sir*, *Daswant*, *Nankar* and *Dihdari* lands. C. Groves. D. *Birts* and *Shankallaps*. E. *Marwat* or *Marauti*. F. Lands held by village servants. G. *Mussulman chaks* in large towns and *kasbahs*. The first of these are what are called "sub-settled villages," and, included as a general rule in the *Talookdaree* estates, are actually in the possession of communities who in former days held them direct from the State; but who, in the unsettled times that preceded the annexation of the Province, either had their estates annexed by some powerful *Talookdar*, or finding themselves helpless without his protection, voluntarily put their villages into his *talooka*. Act XXVI. of 1866 has defined the rights of these under-proprietors, who resemble the *Mufrid Zemindars* in all points save this, that in addition to the Government demand they pay a percentage on it to the *Talookdar* or superior proprietor. This tenure is very similar to the *Putnee Talookas* of Bengal, defined in Regulation VIII. of 1819.

The *sir*, *daswant*, *nankar*, and *dihdari* lands are held by those ex-*zemindars*, or former proprietors, who have been unable to prove their right to a sub-settlement of the whole village, or a share of it. These lands are occasionally held rent free, but are



more generally subject to a light rental which is fixed for the term of the settlement. Tenures of this class are as a rule transferable. The groves of the Province are for the most part held either by ex-zemindars or simple cultivators. In the former case the land goes with the trees, in the latter it does not, and generally speaking the grove holders are required to give the landlord a share of the produce, and in the event of their selling the grove, a portion, varying from 25 to 10 per cent., of the purchase money. But the custom varies in different parts of the Province; on some estates the cultivator may not cut down tree without the Lumbardar's permission; on others he has a right only to the fallen wood and half the fruit. Nowhere can he plant a new tree without the sanction of the landlord. The *birts* and *shankallaps* of Oudh are not peculiar to the Province; but are similar to the Bermooter and Bishunprut lands of the Bengal Regulations. They are lands granted one or more generations ago to the predecessors of the persons now found in possession of them, either on receipt by the then proprietor of a money consideration, or as a free gift out of religious motives. In the former case they are in some districts, more specially in Faizabad and east of the Gogra, known as *birts*, and in the latter as *shankallaps*; but in many parts of the country the words are used indiscriminately. The *birts* of the east of Oudh frequently comprise whole villages or integral portions (*puttis*) of villages; but as a general rule the *birt* ranges from ten to fifty standard beegas. The holders of these tenures enjoy full under-proprietary right in them, and their rent is fixed as in *sir* lands. *Shankallaps* for which no valuable consideration has passed, are ordinarily heritable but not transferable, and the rent is somewhat higher than that of *birts*.

Mawart or *Marauti* is land in possession of a person whose ancestor was killed in battle, fighting for the Talookdar; the land having been conferred rent free, or at a low rental, upon the heir of the dead man. Such lands have generally been decreed in heritable but non-transferable right, at a fixed rent to the person now in possession, if descended from the original grantee.

There remain the tenures upon which the village servants, the barber, that is to say, and the watchman, the washerman, the smith and others, hold their lands. These men as long as they live in the village and do the work required of them, are each allowed to cultivate free of rent a few beegas of land, which are recorded in the Revenue Registers as their *jageers*.

In addition to all the above tenures, which are those of the country and rural districts generally, there are to be found in the large towns and kasbahs, many gardens and rent free holdings in the possession of Mussulman families who were formerly in



the service of the Kings of Oudh, and who have now been confirmed in the possession of these lands by our Courts.

Tenants are of two classes—with a right of occupancy and at will. The former, who are descendants of persons who were in proprietary possession of the village in which the lands are situated, within the thirty years next preceding the annexation of the Province, enjoy certain privileges under the Oudh Rent Act (XIX of 1868); while the latter are the ordinary Indian cultivators. Under the Oudh law, unlike that which prevails in the Regulation Provinces of Bengal, no mere length of possession can create any right in favour of a tenant at will or squatter. If a present tenant's ancestors never enjoyed a proprietary right in the village, he can now be nothing more than an ordinary tenant. The tenant with a right of occupancy holds on certain favourable terms, which are $12\frac{1}{2}$ per cent., or two annas in the rupee, less than the terms of rent prevailing in adjacent fields held by ordinary tenants, and, as his designation implies, he is not liable to ejection at the will of the landlord. His right though hereditary is not transferable. In no case can the Courts interfere between landlord and tenant to determine the amount of rent to be demanded from an ordinary cultivator. But if any tenant constructs works of permanent utility, such as masonry wells, water courses, or the like, he cannot be ousted nor can his rent be raised until he has received compensation for his outlay on the improvements.

Varieties of Tenure not held direct from Government.

NATURE OF TENURE.	Number of holdings.	Average area	Average rent	Average rent
		of each holding.	of each holding.	per acre.
		A. R. P.	Rs. A. P.	Rs. A. P.
Intermediate holders between Zamindars & Ryots ...	21,822	22 1 12	36 11 6	1 10 3 $\frac{1}{2}$
On permanent tenures.	864	45 3 9	97 0 5	2 0 10 $\frac{1}{2}$
On farming leases.	4,996	10 2 5	27 11 6 $\frac{1}{2}$	2 10 1 $\frac{1}{2}$
Ryots holding at fixed rates, ...	3,015	7 2 0 $\frac{1}{2}$	27 10 7	3 10 11 $\frac{1}{2}$
Ryots with right of occupancy at variable rates, ...	4,40,336	3 3 31 $\frac{1}{2}$	14 11 10 $\frac{1}{2}$	3 11 9 $\frac{1}{2}$
Cultivating tenants with no permanent rights ...	4,049	2 3 1	10 7 5	3 12 9 $\frac{1}{2}$
Holders of service grants, ...				
Total ...	4,75,082	4 3 31 $\frac{1}{2}$	16 1 6 $\frac{1}{2}$	3 4 0 $\frac{1}{2}$



Varieties of Tenure held direct from Government.

NATURE OF TENURE.	Number of estates.	Number of villages.	Number of holders or shareholders.	Gross area in Acres.		Average area of each estate.		Average assessment of each estate.		Revenue rate per acre.		Supposed net profit per acre.										
				A.	R. P.	A.	R. P.	Rs.	A. P.	Rs.	A. P.	Rs.	A. P.									
Great zamin-daries paying more than Rs. 50,000 revenue.	29	4,368½	24	24,99,465	2	9	86,188	1	34	83,656	11	9	0	15	10½	0	15	10½				
																			Held by individuals under law of primogeniture, ...			
Large zemin-daries paying more than Rs. 5,000 revenue.	7	1,349	7	10,24,332	1	24	1,46,333	0	32	1,06,474	8	7	1	0	1	1	0	1	1	0	1	
																						Held by individuals and families under ordinary law.
Small zemin-daries other than those of cultivating communities.	236	5,739½	202	34,32,141	1	0	14,542	3	35	15,992	2	5	1	2	2½	1	2	2½	1	2	2½	
																						Under ordinary law, ...
Proprietary cultivating communities paying in common, ...	164	2,445½	1,324	13,39,307	3	6	8,166	2	0	8,647	0	10	1	1	9	1	1	9	1	1	9	
Proprietary cultivators paying separately including all small estates paying less than Rs. 100, ...	3,181	5,734½	18,774	29,55,890	3	4	929	0	37	814	12	8	1	2	4	1	2	4	1	2	4	
Holders of revenue { In perpetuity and free tenures. } for life ...	3,082	4,202½	40,148	23,56,150	3	20	764	1	38	873	5	0	1	3	4½	1	3	4½	1	3	4½	
Landholders who have redeemed the revenue ...	467	457	5,637	2,11,023	2	33	451	2	19	671	2	1	0	12	10½	0	12	10	0	12	10	
Purchasers of waste land. { Grantees ... } Purchasers ...	1,113	1,104	2,834	3,08,249	1	16	276	3	32½	374	9	7	1	3	3½	2	6	7	2	6	7	
	2	11	9	6,768	0	0	3,384	0	0	4,145	8	0	1	3	7	1	13	7	1	13	7	
	90	124	923	1,63,963	1	17	1,321	3	10	955	12	5	0	8	3	0	8	3	0	8	3	
	55	110	50	1,58,702	0	30	2,835	1	38	18,906	12	0	1	0	4½	1	9	4	1	9	4	
Total ...	8,426	23,646	69,232	1,44,55,995	0	39	1,715	2	22½	1,840	12	4

Tenures held direct from Government.



Survey and Settlement are virtually completed. The principles on which the assessments have been made, are to assess the country village by village, and not by estates, and to fix as the Government demand one-half of the average gross rental of each village. In making his assessment the Settlement Officer was to be guided not only by the actual present gross rental, but also by the following considerations. Too much weight was not to be allowed to mere arithmetical calculations. When the village rent roll, prepared by the village accountant was tolerably accurate, the assessing officer was to use it as a test of his assessment. The different descriptions of soil, rents ascertained on the spot, estimates of native officers who could be trusted, personal inquiries from village to village by the assessing officers, reference to former collections and payments to Government, the character and caste of the people, the style of cultivation, the capability of improvement, the comparative certainty or precariousness of the crops, vicissitudes of season, liability to floods, every thing in short that could assist the Settlement Officer in determining the amount of a just and moderate demand, was to have full consideration. Culturable, but uncultivated, land was to be assessed very lightly; a portion of it for grazing purposes being either altogether exempted, or assessed at a merely nominal rate. Grove lands were to be assessed moderately in all cases, and if they did not exceed one-tenth of the whole village area, they were to be exempted from assessment, on the condition, that if the land were afterwards cleared it would become liable to immediate assessment. The assessment of an entire pargunah having been framed on the above principles the Settlement Officer made known to the landowners the amount which he proposed to fix as the annual Government demand for a period of 30 years; and after all objections had been considered and disposed of, engagements or *Kabuliats* were executed by the Zemindars, and the assessment was reported to the authorities for sanction. Having thus surveyed and assessed the District, the Settlement Officer brought his labours to a close by preparing for each village the following registers:—The map and field register. The house map and register. A list of all wells and tanks in the village. A register showing the lands in possession of each co-sharer in the village. A census paper. A register showing the amount of each co-sharer's share. A paper describing the custom of the village respecting inheritance, irrigation, fisheries, groves, appointment of Lumbardars and of inferior village servants, &c.

These papers were prepared in duplicate, one copy for the Collector's office, the other for the office of tahsildar. With the for-



mer were bound up the Demarcation Officer's map and other papers described above; and the completion of these volumes was the final work of the Settlement Officer.

Waste Lands.—The purchasers of waste lands have not found the speculation so lucrative as they anticipated, and at the close of the year there remained due to Government Rs. 1,94,607 on account of principal, and Rs. 63,120 on account of interest.

Government Estates.—The demand on account of Government estates was Rs. 1,88,074, of which a sum of Rs. 1,53,985 only was realized. These estates are chiefly villages which have been decreed to Government in the course of the settlement operations.

Wards' Estates.—There were twenty-seven estates under the management of the Court of Wards. The total demands were Rs. 14,33,562-11-8, and the collections Rs. 10,21,611-15-4, leaving a balance of Rs. 4,11,950-12-4, or 28·7 per cent, on the demand.

In addition to these above there were fifty-three estates under direct management, in accordance with provisions of the Oudh 'Talookdars' Relief Act (XXIV. of 1870.) The following statement shows the condition of these estates :—

No. of vil- lages.	Amount of debt at com- mencement of year.	Demand.	Collections.	Government revenue.	Amount of debts paid.
3,925½	37,75,073-14-7	36,03,993-14-6	24,04,994-10-9	16,52,993-13-8	65,122-13-11



CHAPTER VI.

PUNJAB.

THE land system of the North-Western Province was introduced into the Punjab on its conquest in March 1849. The Province has an area of 65,283,050 acres, or nearly 102,005 square miles. Returns of tenure exist for 30 districts, being wanting only in the case of Kohat and Hazara; but the Jhung return must be rejected, as regards area at least, as it shows the entire area of the district, much of which is waste land, the property of Government, or held by private owners. There remain 29 districts, with an area of 90,462 square miles. In these districts 1,301 villages, with an area of 4,446 square miles, are held by 3,579 proprietors of the landlord class; and 29,558 villages, with an area of 63,039 square miles, by 1,955,928 cultivating proprietors. The remainder of the area, nearly 23,000 square miles, is in part the property of other persons; much of the land entered as held by them is evidently included in the area already mentioned as belonging to cultivating proprietors. It is probable, also, that in the Derajat division, the first regular settlement of which is now in progress, part of the area unaccounted for belongs to proprietors of whose holdings there have not hitherto been full returns. But a large part of it consists of unappropriated waste land, the property of Government. An incomplete statement shows that there are 6,020,717 acres, or 9,407 square miles, of such land in these 29 districts, and 2,308,480 acres, or 3,607 square miles, in the district of Jhung. Upwards of 10,200 square miles in the Mooltan division, more than half the area of the division, consists of unappropriated waste. In the Derajat, little more than 600 miles of unappropriated waste is returned; but, if this be added to the area shown in the return of tenures, there will still remain half the area of the division unaccounted for, much of which is unquestionably Government property.

Taking the Province as a whole, it may be estimated that between one-fifth and one-sixth of the area is the property of Government; while upwards of four-fifths belongs to private owners. The greater part of the area belonging to Government is, however, little better than a desert, and could not profitably be brought under cultivation without the aid of extensive works of irrigation. Some of the more favourably situated portions are preserved as forest or grazing lands, and others are held under lease from Government for purposes of cultivation; but almost



the entire cultivated area of the Province is included in the lands of private owners.

These lands are held subject to the payment of land revenue to the State, or to grantees holding from the State; and this revenue at present exceeds Rs. 2,20,00,000 per annum, of which more than 32 lakhs are received by assignees who had, on various grounds, claims to consideration from Government. In some cases these assignments are of the nature of the release of the revenue of lands belonging to the assignees, but they have no necessary connection with proprietary right, and in the majority of instances the grantees are merely entitled to receive the revenue payable to Government, the amount of which is limited in the same way as if it were paid direct to Government.

Thus the great mass of the landed property in the Punjab is held by small proprietors, who cultivate their own land in whole or in part. The chief characteristic of the tenure generally is that these proprietors are associated together in village communities, having to a greater or less extent joint interests, and, under our system of cash payments, limited so as to secure a certain profit to the proprietors, jointly responsible for the payment of the revenue assessed upon the village lands. It is almost an invariable incident of the tenure, that if any of the proprietors wishes to sell his rights, or is obliged to part with them in order to satisfy demands upon him, the other members of the same community have a preferential right to purchase them at the same price as could be obtained from outsiders. In some cases all the proprietors have an undivided interest in all the land belonging to the proprietary community,—in other words, all the land is in common; and what the proprietors themselves cultivate is held by them as tenants of the community. Their rights are regulated by their shares in the estate, both as regards the extent of the holdings they are entitled to cultivate and as regards the distribution of profits; and if the profits from land held by non-proprietary cultivators are not sufficient to pay the revenue and other charges, the balance would ordinarily be collected from the proprietors according to the same shares. It is, however, much more common for the proprietors to have their own separate holdings in the estate, and this separation may extend so far that there is no land susceptible of separate appropriation which is not the separate property of an individual or family. In an extreme case like this, the right of pre-emption and the joint responsibility for the revenue, in case any of the individual proprietors should fail to meet the demand upon him, are almost the only ties which bind the community together. The separation, however, generally does not go so far. Often all



the cultivated land is held in separate ownership, while the pasture, ponds or tanks, &c., remain in common; in other cases the land cultivated by tenants is the common property of the community: and it frequently happens that the village contains several well-known sub-divisions, each with its own separate land, the whole of which may be held in common by the proprietors of the sub-division, or the whole may be held in severalty, or part in separate ownership and part in common.

In these communities with partial or entire separation of proprietary title the measure of the rights and liabilities of the proprietors varies very much. It sometimes depends solely upon original acquisition and the operation of the laws of inheritance; in other cases definite shares in the land of a village or sub-division different from those which would result from the law of inheritance have been established by custom; in other cases reference is made not to shares in the land, but to shares in a well or other source of irrigation; and there are many cases in which no specified shares are acknowledged, but the area in the separate possession of each proprietor is the sole measure of his interest. It is sometimes the case, however, that while the separate holdings do not correspond with any recognized shares, such shares will be regarded in dividing the profits of common land, or in the partition of such land; and wells are generally held according to shares, even where the title to the land depends exclusively on undisturbed possession.

In some cases the separate holdings are not permanent in their character, a custom existing by which the lands separately held can be re-distributed in order to redress inequalities which have grown up since the original division. Between the Indus and the Jumna this custom is rare, and is probably almost entirely confined to river villages which are liable to suffer greatly from diluvion and have little common land available for proprietors whose separate holdings are swept away. Even in river villages, it is often the rule that the proprietor whose lands are swept away can claim nothing but to be relieved of his share of the liabilities of the village for revenue and other charges.

Trans-Indus, however, in the tracts of country inhabited chiefly by a Pathan population, periodical re-distribution of holdings is by no means uncommon, and the same is stated to have been formerly the case in some of the villages of the Pathan Ilaka of Chach, Cis-Indus, in the Rawulpindee district. The remarkable feature in the re-distributions Trans-Indus was that they were no mere adjustments of possession according to shares, but complete exchanges of property between one group of proprietors and another, followed by division among the proprietors



of each group. Nor were they always confined to the proprietors of a single village. The tribe, and not the village, was in many cases the true proprietary unit, and the exchange was effected at intervals of 3, 5, 7, 10, 15, or 30 years between the proprietors residing in one village and those of a neighbouring village. In some cases the land only was exchanged; in others the exchange extended to the houses as well as the land. Since the country came under British rule, every opportunity has been taken to get rid of these periodical exchanges on a large scale by substituting final partitions or adjusting the revenue demand according to the value of the lands actually held by each village; but the custom is in many cases still acted upon amongst the proprietors of the same village, though probably no cases remain in which it would be enforced between the proprietors of distinct villages.

Throughout the greater part of the Province the organization of the proprietors of land into village communities has existed from time immemorial, and is the work of the people themselves, and not the result of measures adopted either by our own or by previous Governments. Indeed these communities have sometimes been strong enough to resist the payment of revenue to the Government of the day, and before our rule nothing was more common than for them to decide their disputes by petty wars against each other, instead of having recourse to any superior authority to settle them. But in some localities the present communities have been constituted from motives of convenience in the application of our system of settlement. Thus in the Simla hills and in the more mountainous portions of the Kangra district the present village communities consist of numerous small hamlets, each with its own group of fields and separate lands, and which had no bond of union until they were united for administrative purposes at the time of the Land Revenue Settlement. In the Mooltan division, again, while regular village communities were frequently found in the fertile lands fringing the rivers, all trace of these disappeared where the cultivation was dependent on scattered wells beyond the influence of the river. Here the well was the true unit of property; but where the proprietors of several wells lived together for mutual protection, or their wells were sufficiently near to be conveniently included within one village boundary, the opportunity was taken to group them into village communities. The same course has been followed in some parts of the Derajat division, where small separate properties readily admitting of union were found. These arrangements were made possible by the circumstance that the village community system admits of any amount of se-



paration of the property of the individual proprietors, and by care being taken that in the internal distribution of the revenue demand it should be duly adjusted with reference to the resources of the separate holdings. They also in general involved the making over in joint ownership to the proprietors of the separate holdings of waste land situate within the new boundary, in which no private property had previously existed. In some cases the village communities, while holding and managing the land as proprietors, are bound to pay a quit-rent to superior proprietors under whom they hold. The settlement is made according to circumstances, either with the superior proprietor, who collects the Government revenue as well as his quit-rent from the communities, or with the communities in actual possession of the land, who pay the land revenue to Government and the quit-rent to the superior proprietor. In either case, the amount which the superior proprietor is entitled to collect is determined at settlement as well as the amount of the land revenue demand. In the 30 districts from which returns of tenure have been received, only 435 villages, with an area of 514½ square miles, are shown as held by superior proprietors collecting the Government revenue in addition to their own quit-rent; but this evidently does not include cases where the superior proprietors are also assignees of the Government revenue. There are also 13,169 holdings of superior proprietors who collect only their own quit-rent and are not responsible for the Government revenue. The latter are in many cases persons to whom the quit-rent was given in commutation of more extensive proprietary rights, of which they had been dispossessed in favour of the present holders.

There are sometimes also proprietors holding lands within the estates of village communities, but who are not members of the communities, and are not entitled to share in the common profit, nor liable for anything more than the revenue of their own lands, the village charges ordinarily paid by proprietors, and the quit-rent, if any, payable to the proprietary body of the village. The most common examples of this class are the holders of plots at present or formerly revenue-free, in which the assignees were allowed to get proprietary possession in consequence of having planted gardens or made other improvements, or because they had other claims to consideration on the part of the village community. In the Rawalpindiee division, also, it was thought proper to record old-established tenants, who had never paid anything for the land they held but their proportion of the land revenue and village



expenses, and had long paid direct to the collectors of the revenue, but were not descended from the original proprietary body, as owners of their own holdings, while not participating in the common rights and liabilities of the proprietary community. Except in the Jhelum and Rawulpindee districts, where a small quit-rent was imposed, these inferior proprietors were not required to pay anything in excess of their proportion of the Government revenue and other village charges. In Goojrat, at the time of the first regular settlement, this class held no less than 10 per cent. of the total cultivated area, and in Rawulpindee it paid 9 per cent. of the revenue. In Rawulpindee the persons recorded as proprietors of their own holdings only were in some cases the representatives of the original proprietary body, jagirdars having established proprietary rights over what were formerly the common lands of the village.

In Mooltan and Muzuffurgurb, and perhaps in some other districts in the south of the Punjab, a class of proprietors distinct from the owners of the land is found under the name of chakdars, sillandars or kasurkhwars. These are the owners of wells, or occasionally of irrigation channels, constructed at their expense in land belonging to others. They possess hereditary and transferable rights, both in the well or irrigation channel and in the cultivation of the land irrigated from it, but may be bought out by the proprietor repaying the capital they have expended. They are generally entitled to arrange for the cultivation, paying a small fixed proportion of the produce to the proprietor, and being responsible for the Government revenue. Sometimes, however, the management of the property has been made over to the proprietor, who pays the Government revenue, and the chakdar receives from him a fixed proportion of the produce, called *hak kasur*. Or a third party may manage the property, paying the Government revenue and the *hak kasur*, out of which the chakdar pays the proprietor's allowance. In Rawulpindee, also, there is a small class of well-proprietors in the position of middle-men, paying cash rent to the owner of the land and receiving a grain rent from the cultivator.

The area held by tenants does not appear from the returns, but in most cases the settlement reports show that proprietors cultivate much more land than tenants do. In the 30 districts from which returns are available, the number of tenants is about 1,100,000, as against 3,661 landlord proprietors, and nearly 2,000,000 cultivating proprietors. The total number of tenants is therefore little more than half the number of proprietors; and, as proprietors are generally found to cultivate larger holdings than their tenants, the latter probably do not cultivate more than one-fourth of the total cultivated area.



Tenants entered as having rights of occupancy are 378,997; 50,685 as holding conditionally; 1,232,467 as tenants-at-will; and 33,932 as holders of service grants excused from revenue or rent other than the customary service by the proprietors. The tenants-at-will can scarcely be estimated at more than 650,000; and this number and the number of tenants entered as holding conditionally has been considerably reduced by the revision of tenancy entries in the Umritsur division and the Lahore and Goojranwalah districts; while the number of tenants with right of occupancy has been correspondingly increased. Tenants with rights of occupancy have a heritable, but not, except in the case of a few of a superior class, transferable, tenure. Their rights are regulated by the provisions of the Punjab Tenancy Act, unless so far as by decree of Court or agreement, relations are established between landlord and tenant different from those which would arise under that Act. The Act has given certain entries in the records of Settlements, confirmed by Government, the force of agreements. Under the Punjab Laws' Act, tenants with rights of occupancy have a right of pre-emption, coming after that of the members of the village community, over immovable property brought to sale in the village. The tenure of tenants holding conditionally is ordinarily regulated by a lease or other agreement under which they hold; that of tenants without rights of occupancy needs no further notice than that the Punjab Tenancy Act applies to them to the same extent as to tenants with rights of occupancy, and subject to the same limitations.

System of Settlement.—When a regular settlement of the land revenue is made for the first time, it is necessary to prepare a record of rights of the village proprietors and tenants, showing the ownership and occupation of each field, and the terms on which it is owned or occupied. Maps and measurement papers, showing the position, area and boundaries of each field have, therefore, to be prepared. This has always been done in the Punjab, under the control of the officers appointed to make the settlement, by putwarees (village accountants) trained to the use of the plane-table and chain, assistants being given them when necessary. As from their position the putwarees must have more or less acquaintance with the ownership and occupation of the fields, and are liable to be called to account afterwards if any very gross mistakes prove to have been made, this system, with proper supervision, is found to supply all that is necessary for the registration of property in land, and the distribution, where necessary, of the land revenue over the separate holdings included in the village. The maps have also been pronounced by canal officers sufficiently accurate for the assessment of canal rates upon fields according to area. Measurements thus con-



ducted are much less expensive than if they were carried out by the Survey establishments, and the system has the further advantage that, after the settlement is over, the putwarees are competent to make any measurements that are rendered necessary by river action, alteration of the boundaries of fields, or other causes, and, being on the spot, can often be employed in such duties where the expense of deputing a professional surveyor would otherwise make the measurements impossible.

The contents of the record of rights are now prescribed by Section 14 of the Punjab Land Revenue Act, 1871, and the rules made under the following section by the Local Government. The term for which the settlement is made is in each case fixed by the Local Government. No settlements have been made in this Province for a longer term than 30 years; but there is one case in which a family at Kurnal has received a grant in perpetuity of the land revenue of a tract of country, subject to a fixed payment to Government. Such grants are, however, no bar to the periodical settlement of the land revenue payable by the village proprietors.

While the rights and liabilities of proprietors and tenants are defined by the record of rights prepared at settlement, the settlement of the revenue of each village is made with the proprietors collectively, and as they are often too numerous for all to be conveniently joined in the engagement, while some may labour under legal disabilities at the time of settlement, representatives are appointed who engage for the revenue on behalf of the entire proprietary body of the village or estate, and whose engagement binds the whole. These representatives are the village headmen, and ordinarily act for the community in all its relations with Government, and collect the land revenue from their co-sharers, receiving a percentage as remuneration for their services to the community.

The first regular settlement has generally been preceded by a summary settlement, which is a provisional settlement, consisting of the assessment only, without a complete record of rights, though in many cases a record of rights such as could be prepared without delaying the assessment has been made. A regular settlement is now in progress in all the districts which have hitherto been only summarily assessed, except that of Kohat. On the expiration of a regular settlement, a re-settlement may be ordered, either consisting of the assessment only, or including a revision of the record of rights. A re-settlement may also be ordered for the purpose of revising the record of rights, without disturbing the assessment. The re-settlement now in progress in the Delhi division and the Rohtuk and Mooltan districts in-



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The Punjab.

clude both a new assessment and revision of the record of rights. The Sikh system of assessment was that the State, as proprietor-in-chief, took all that it could get, and it *did* take often as much as one-half the gross produce of an estate, besides a multitude of cesses under the name of *rasum*, *nazarana*, &c., and exorbitant fines on succession. Immediately after the first Sikh war, an assessment by British officers, on the principle of taking one-third of the gross produce, was considered light and liberal. When regular settlements were first introduced, the system in force in the North-Western Provinces was adopted, under which the State's demand was limited to two-thirds of the net assets of an estate, or about one-fourth of the average gross produce. It is now limited to one-half of the net assets, but in practice it is considerably less. It may be said never to exceed one-sixth, is frequently not more than one-eighth, one-tenth or one-twelfth, and in some tracts where the rain-fall is scanty, it is not more than one-fifteenth of the average gross produce, the value of which is calculated on the average price of produce for a period of from twenty to thirty years. In the countries of Central Asia which have recently come under the sway of Russia, where a moderate assessment of land revenue was called for on the strongest grounds of political expediency, the Government demand is said to have been fixed at *one-fifth* of the gross produce, and is admitted to be eminently liberal.

Survey.—Of the total area of the Punjab, amounting to more than 103,000 square miles, upwards of 88,000 square miles had up to the close of 1871-72 been scientifically surveyed and mapped, village by village, for revenue and administrative purposes; and nearly 35,000 square miles had been topographically surveyed. During the year 1872-73, the area surveyed in British territory was increased by 3,084 square miles, and 4,910 square miles of survey were completed in the adjoining Native State of Bahawalpoor. Maps showing village boundaries, the area under cultivation or forest, as distinguished from waste, and the leading topographical features of the locality, such as roads, ravines, *jheels* and the like, are prepared with scientific accuracy by the Survey Department. The detailed field survey, on the other hand, is effected by the agency of the village *patwarrees*, who are taught the elements of mensuration, and work under the orders and supervision of the Settlement Officer. The cadastral survey system in force in the Madras and Bombay Provinces, and recently introduced into Bengal and the North-Western Province, under which the detailed field survey is also effected through the agency of the Survey Department, is undoubtedly far more costly than the present; and, however suitable it may



be in provinces where the size and shape of fields are prescribed by law, and the boundaries permanently fixed, it is, in the opinion of the Lieutenant-Governor, unsuitable to the Punjab, where fields are small, irregular and often intermixed, while the boundaries are constantly liable to change.

Government Estates are those the proprietary right in which is vested in the Government; and estates, the proprietary right in which is in private hands, but in which the Government collects its revenue directly from the cultivators. Full information regarding the first class is not at present available. Of the second class there are 85 villages in the Punjab under direct management, the principal being in the Kolachee pergunnah of the Derah Ismail Khan district. The Land Revenue demand, which is fixed chiefly according to a share of the produce, was for the year under report Rs. 80,819, or rather less than the average of previous years.

Wards' Estates.—There were 29 estates under the Court of Wards yielding an income of Rs. 3,24,763 to meet an expenditure of Rs. 1,50,611. The total assets of the estates at the end of the year are reported to have been Rs. 3,63,846, and the unpaid liabilities only Rs. 6,087.

Land Revenue.—The demand on account of land regularly brought on to the roll, rose from Rs. 1,87,64,491 in 1871-72, to Rs. 1,88,47,364 in 1872-73, making an increase of Rs. 82,873. The increase is due chiefly to the large lapses of revenue-free grants and to the considerable excess of alluvion over diluvion. The gross amount collected during the past two years was as follows:—

	1871-72.	1872-73.
	Rs.	Rs.
Regular land revenue	1,85,93,692	1,88,65,063
Tributes	2,86,299	2,80,465
Miscellaneous	11,16,228	12,34,665
Total	1,99,96,219	2,03,80,191

The total of over two millions sterling realised in 1872-73 is larger than had previously been reached. The water-advantage revenue, which is taken from lands irrigated by the Barea Doab Canal, amounted to Rs. 2,18,969.

Local Cesses.—These are contributions levied over and above the Imperial Revenue demand, either under special Acts, or in virtue of agreements at the time of settlement, or in accordance with long-standing usage. They are spent on objects immediately benefiting the district or village from which they are raised. They are comprised in the following list:—



The *Putwaree Cess* is a contribution levied in the form of a percentage on Land Revenue, at various rates, for the support of the *putwaree*—an official essential to the prosperity of village communities, discharging the functions of accountant, surveyor, and registrar of crops cultivated, mutations of proprietorship and tenancy, &c., and general local referee. The *Lumburdaree Cess* is a fee of 5 per cent. on Land Revenue collections, payable to village headmen in remuneration for their agency in collecting and paying in the revenue, and for acting as representatives of the village communities in their transactions with the Government. The *Chaukidaree Cess* is a contribution levied, generally in the form of a house-assessment, from non-agriculturists as well as agriculturists, for the support of village watchmen. These three cesses are not paid into the Government treasury, but are realized at prescribed rates by the village headmen and paid to or appropriated by the recipients. They are not properly taxes, but regulated payments to village officials for services performed. The *District Dâk Cess* is a contribution of $\frac{1}{2}$ per cent. on Land Revenue, expended on keeping up postal communication in the interior of districts on lines of road not traversed by the imperial post; but when a line of postal communication, supported by the *Dâk Cess*, promises to become self-supporting, it is absorbed into the imperial post. The cess is at present levied in 16 districts only. The *Educational Cess* is a contribution of 1 per cent. on Land Revenue for support of village schools. The *Road Cess* is a contribution of 1 per cent. on Land Revenue, for keeping up district roads between the head-quarters stations and the villages in the interior. Under native rulers the duty of keeping up such communication is obligatory upon the villages, and is usually effected by forced labour. In British territory the obligation is commuted for a money payment, and forced labour is abolished. The *Local Rates Cess* is a contribution falling practically at the rate of one anna in the rupee on Land Revenue, levied under the provisions of Act XX. of 1871, with a view partly of supplementing the deficiency caused by reduced allotments from the Imperial Revenues under the Decentralization Resolution, and partly to supply funds to meet the increasing demand for roads, schools, hospitals, and other local works calculated to promote the public health, comfort and convenience.

The receipts from the *Educational, Road and Local Rates Cesses*, are paid, in the first instance, into a general fund; from this fund allotments are made to each District in proportion to its contributions, after deducting charges more conveniently dealt with provincially, such as fixed contributions towards the cost of central controlling establishments, the pay of existing educational



or hospital establishments, and the balance is placed at the disposal of district committees composed of the principal district officials and selected agricultural notables from all parts of the district. During the year 1872-73, rules were drawn up defining clearly the powers, duties and procedure of these committees; and during the year 1873-74 sums aggregating Rs. 20,00,000 have been allotted to the several committees for expenditure. The rules give the committees as wide powers as possible consistently with reasonable precaution against extravagant or ill-judged expenditure.

The total amount levied during 1872-73 on account of the four cesses properly so called, the Dâk Cess, Educational Cess, Road Cess and Local Rates Cess, was in round numbers Rs. 19,22,000, and fell at the annual average rate of 3 annas only (or $4\frac{1}{2}d.$) per head of the agricultural population. In return the agriculturists received the following benefits:—Nearly 19,000 miles of road were kept in repair, and many hundreds of miles of road were improved or newly made; 110 hospitals and dispensaries and 1,042 village schools were maintained; postal communication was kept up on lines not reached by the imperial post; sarais, public wells, and other works of public improvement were constructed; and a considerable sum remained at the disposal of the committees for future public improvements.



CENTRAL PROVINCE.

Land Tenures.—Within the limits of the Central Province are to be found almost every form of tenure which exists in India. The estates of Feudatory Chiefs are held on conditions requiring on their part loyalty and good administration. As long as these terms are fulfilled no interference of any kind is attempted with their management, so that within their jurisdictions the authority they exercise is of a somewhat absolute character, sentences of death alone requiring the sanction of the Chief Commissioner. The succession to these Chiefships follows ordinarily the law of primogeniture, but in each case the succession requires the approval of Government.

Among ordinary landed proprietors, non-feudatory Chiefs known locally as Zemindars occupy the most prominent position. The estates are held by single proprietors who have usually been in possession for many generations, and succession is governed by the law of primogeniture. The junior branches of the family are entitled to maintenance, the nature and extent of which is ruled by custom, but they are not entitled to any share in the estate, as the Hindoo law of inheritance does not apply. The absolute proprietary right of the chief proprietor called "Zemindar" is only in so far limited, that in individual villages an inferior proprietary right may have been acquired by a hereditary farmer, and an absolute occupancy title by a hereditary tenant. Such cases, however, are exceptional, as the Chiefs under Native government, and even for years under British rule, exercised in revenue matters an almost independent authority, and under a rack-renting system changes were so frequent as to prevent the gradual development of subordinate rights. Under the present system any interference with subordinate recognized right can be made the subject of a Civil or Revenue action.

The Talookdaree estates, called also in this Province Tahudaree, are also held by single proprietors, and succession usually follows the law of primogeniture. In comparison with Zemindaree tenures they are generally of recent origin, and therefore the villages included in the estates are often held by inferior proprietors on permanent tenure, who are perfectly protected from interference, so long as they make the prescribed annual payment to the superior proprietor. This payment is a certain percentage over the fixed Government assessment. Cultivators hold on the same conditions absolutely as in ordinary Malgozaree villages.



Most of the estates in the Province are held on what is known as the "Malgoozaree" tenure. The estate, whether the property of one or many owners, is always managed by a single proprietor, and the land is chiefly held by cultivators whose rents are thrown into a common stock. The profits are divided or the losses made up with reference to the respective shares of the different proprietors. The ancient proprietary land in cultivation by the owners themselves and known as "Seer", is either held and cultivated by the proprietors according to their shares or else is cultivated in common. If any proprietor takes up extra land he pays regular rent thereon, which is thrown into the same stock with his cultivator's rents. When disputes occur a regular division takes place and the whole lands of the village come to be divided and held in severalty according to shares, the tenure becoming Patidaree. When, however, a body of proprietors has gone so far, the tendency in the Province is to separate altogether and by complete partition to constitute the several portions separate estates.

The estates which are held from Government revenue-free and at a quit-rent are usually on the Malgoozaree tenure and require no separate description. The case of purchasers of waste lands is exceptional. Their proprietary title is absolute and they are subject to no future revenue assessment.

Of subordinate tenures not held direct from Government, the following exist in the Central Province :—Lease-holders of estates who have been recognised as inferior proprietors, and whose tenure is a permanent one, both heritable and transferable, so long as the fixed annual payments are made to the superior proprietor. Lease-holders whose tenures are limited by the terms of agreement entered into with proprietors. Proprietors of their holdings called "Malik Makbuzahs." This class possesses full proprietary rights with free power of transfer or division. The revenue quota is fixed on the lands held by them, on which they pay a stated percentage to cover risk and expenses of collection. Cultivators possessing absolute occupancy rights in their holdings at rents fixed for the period of the Settlement. The tenure is heritable and, under prescribed conditions, transferable. Cultivators with rights of occupancy at variable rates of rent, the question of liability to enhancement if contested being subject to the decision of the Revenue Courts. Holders of land in lieu of service, which in some cases, owing to long possession, have become hereditary holdings, though in the majority the tenure is absolutely conditional on the continued adequate performance of the service for which granted. Holders of rent-free and quit-rent grants according to the terms on which held. Tenants-at-will with no occupancy rights, except such as may arise from special contract with proprietors.



Surveyed and assessed area in acres.

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Districts	Cultivated.				Uncultivated			Total area assessed.	Assessment.				
	Irrigated.		Unirrigated.	Total.	Grazing lands.	Culturable.	Unculturable waste.		Gross amount.	Rate per acre on cultivation.		Rate per acre on culturable lands.	
	By Govern-ment works.	By private individuals.								Rs.	A. P.	Rs.	A. P.	Rs.	A. P.
Nagpoor	6,588	985,797	992,380	97,535	320,132	335,053	1,745,100	812,189	0 13 1	0 9 3	0 7 5	
Bhundara	12,578	801,183	813,761	30,845	556,987	636,550	2,037,942	409,940	0 8 1	0 4 8	0 3 3	
Chunda	154,371	423,136	577,507	312,983	2,515,844	1,090,917	4,497,251	226,618	0 6 3	0 1 1	0 0 10	
Wurdha	2,446	785,644	788,090	20,314	271,002	204,589	1,284,495	484,775	0 9 10	0 7 3	0 6 0	
Balaghat	63,007	181,794	194,801	...	371,063	1,103,347	1,669,216	74,084	0 6 1	0 2 1	0 0 8	
Jubbulpoor	2,865	757,671	760,536	4,116	635,336	495,043	1,895,081	551,128	0 11 7	0 6 4	0 4 8	
Sagur	6,913	620,716	627,629	242,466	530,215	343,742	1,744,052	453,815	0 11 7	0 5 2	0 4 2	
Dumoh	1,819	415,022	416,841	177,171	244,510	370,506	1,209,028	264,299	0 10 2	0 5 1	0 3 6	
Saonee	65,462	554,296	619,758	...	362,647	429,333	1,412,238	220,276	0 5 8	0 3 7	0 2 5	
Mundla	1,492	330,992	332,484	...	765,976	381,057	1,479,517	64,434	0 3 1	0 0 11	0 0 8	
Betul	14,750	627,021	641,771	177,827	548,871	307,353	1,675,822	190,632	0 4 9	0 2 3	0 1 10	
Hoshungabad	1,963	819,916	821,879	112,837	472,965	250,693	1,658,374	417,581	0 8 1	0 4 9	0 4 0	
Narsinghpoor	8,299	579,628	587,927	...	141,971	289,445	1,019,343	412,912	0 11 3	0 9 1	0 6 6	
Chindwara	7,618	538,503	546,121	286,053	182,790	257,895	1,272,859	197,858	0 5 9	0 3 1	0 2 6	
Nimar ...	322	7,264	364,420	372,006	...	168,996	161,718	702,720	159,786	0 6 10	0 4 9	0 3 8	
Raipoor	5,143	2,224,810	2,229,953	...	2,751,510	1,670,280	6,651,743	541,174	0 3 5	0 1 9	0 1 4	
Bilaspoor	196,161	364,802	1,060,963	...	1,176,585	2,243,438	4,480,986	268,851	0 4 0	0 1 11	0 0 11	
Sumbulpoor	
Upper Goda-very ...	19	9,833	36,168	45,920	...	103,200	59,520	208,240	32,620	0 11 6	0 3 6	0 2 7	
Total ...	341	568,067	11,861,519	12,429,927	1,462,647	12,120,605	10,630,779	36,643,958	5,783,032	0 7 5	0 3 7	0 2 6	

The Central Provinces.



Varieties of tenure held direct from Government.

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Nature of Tenure.	Number of estates.	Number of villages.	Number of holders and shareholders.	Gross area in acres.	Average area of each estate.	Average assessment of each estate.	Revenue rate per acre.	Supposed net profits per acre.
						Rs.	Rs.	Rs.
Great Zemindaries paying more than Rs. 50,000 revenue.	Held by individuals under law of primogeniture ...	...	...	...	...	...	...	...
	Held by individuals and families under ordinary law...	...	...	...	...	...	...	...
Large Zemindaries paying more than Rs. 5,000 revenue.	Under law of primogeniture ...	4	688	4	948,776	235,944	12,480 0 0	0 0 11
	Under ordinary law ...	45	2,067	81	2,013,769	44,750	11,690 0 0	0 4 2
Small Zemindaries other than those of cultivating communities ...	15,023	19,926	37,117	26,879,308	1,788	312 8 0	0 2 9	0 1 8
Proprietary cultivating communities paying in common ...	6	6	85	4,243	707	336 0 0	0 7 3	0 3 4
Proprietary cultivators paying separately, including all estates paying less than Rs. 100 ...	33,084	7,985	35,643	6,802,862	178	18 10 3	0 1 4	0 1 0
Holders of Revenue-free tenures.	In perpetuity ...	2,316	1,137	4,710	390,929	90	...	0 5 6
	For life ...	5,121	896	9,036	1,023,743	200	...	0 5 6
" of quit-rent tenures.	In perpetuity ...	646	498	820	581,444	900	...	0 3 6
	For life ...	1,123	789	1,367	703,175	632	...	0 3 6
Under Kham management ...	7	7	...	4,169	595	47 0 0	0 1 2	0 0 6
Landholders who have redeemed the revenue ...	...	...	...	...	...	...	...	...
Purchasers of waste lands ...	201	...	181	196,617	...	...	...	...
Total ...	64,576	33,994	89,071	39,544,035	612	...	...	...

Tenures held direct from Government.



Varieties of Tenure not held direct from Government.

Nature of tenure.	Number of holdings.	Average area of each holding.			Average rent of each holding.			Average rent rate per acre.		
		A.	R.	P.	Rs.	A.	P.	Rs.	A.	P.
Intermediate holders between Zemindars and ryots ...	1,553	480	0	0	182	4	0	0	6	0
Ryots holding at fixed rates ...	8,473	617	1	10	127	6	8	0	3	3
Ryots with right of occupancy at variable rates ...	155,743	17	1	32	15	2	9	0	13	10
Cultivating tenants with no permanent rights ...	140,063	15	3	4	11	4	11	0	11	4
Holders of service grants ...	484,743	11	1	2	7	8	0	0	10	11
	51,007	3	0	9	2	6	0	0	12	4

System of Settlement.—The measurements in each district for revenue purposes were especially placed under the direct charge of a Deputy Collector. The measuring parties consisted of Ameens and Putwarees, who after being trained were supplied with plane table, mariner's compass, scale, sight and measuring chain. In the first place the boundaries of villages were distinctly demarcated, and this done the survey of each village was carried through field by field. Each field as surveyed was entered in the surveyor's map, and, at the same time, its dimensions, its name, nature of the land, crop, revenue, its occupant and other particulars, in his field book. The map thus prepared is known as the Shajrah and the field book as the Khusrah. The map when completed shows the whole of the cultivation and waste of the village, while the field book gives detailed particulars of occupancy, ownership, soils, crop grain, and other similar data. The whole of this work is tested by the supervising officers of the department, and completes all that is required from the measuring agency. The map and field book require to be very carefully checked, for all the subsequent papers which are prepared are based on these, and any errors which are overlooked will most likely disfigure permanently the Settlement record. The statistics prepared from the field book supply an important part of the data for assessment. The Settlement Officer has before him the cultivated and culturable area of each village, a detail of the different kinds of soil, and of the extent of irrigated and unirrigated land. He obtains from the District office the nature of

past Settlements and the general fiscal history of the estate. From inspection he knows the character of the cultivating community, the nature of the cultivation, while inquiry is directed to ascertaining the gross rental or net produce of the village. The assessment is based on the ascertained assets of the whole estate, and is calculated on the average annual net produce which it will yield during the period of settlement, about one-half of which is fixed as the Government assessment. This need not be half of the existing gross rental, for in estates with much waste or with future capabilities of improvement, the special circumstances require to be specially considered.

This mode of assessment has been followed in the case of the great majority of estates in the Province. An exceptional mode of procedure, however, was required as regards the Feudatory Chiefs and the important class of non-Feudatory Zemindars. Their payments were in all cases revised, but the Government demand could not be fixed on any regular arithmetical proportion of the gross realizations and had to be regulated in accordance with the position held by the Chiefs, and having reference also to the amounts, whether of a quit-rent or nominal character, which they had always hitherto paid. The Government demand therefore in these Chiefships, following precedent and custom, is not fixed in the same manner as in ordinary estates.

In the matter of assessment generally great care is necessary that in protecting the revenue interests of government the error is not made of over-assessing the people. In the Central Province it is believed that the assessments have been fixed at very moderate rates. In addition to the assessment a full record of all rights connected with the land is one of the matters carefully accomplished in the course of each settlement. This record includes rights of all classes, both proprietary and non-proprietary, in every estate coming under settlement. In all cases of dispute a regular judicial decision is passed, which is binding on all parties and effectually prevents future litigation. When all disputes have been settled and all rights duly investigated, the proprietary record comes to represent accurately the proprietary rights and liabilities of every kind found to exist in the estate. In the same way the nature of the occupancy tenure of each cultivator is duly inquired into, and when this is completed a list is prepared showing in detail each person possessing a right of occupancy of any kind. The results of Survey and Settlement proceedings are found recorded in the following principal papers, which are contained in the Settlement Record of each settled estate; 1, the village map; 2, the field book; 3, the as-



assessment statement; 4, the detail of occupancy holdings; 5, the village rent-roll; 6, the record of proprietary rights and liabilities; 7, the list of cultivators with occupancy rights; and 8 the administration paper, showing the constitution of the village and the various customs prevailing therein.

The Khusrah measurements above described, undertaken for purposes of revenue assessment and settlement, are followed and checked by the scientific Survey, which has already finished the great majority of districts in the Central Province. In the open country the scientific Survey carries on detailed interior measurements village by village while hilly tracts are only topographically surveyed.

Survey.—On the completion of the 55,157 square miles this year by the Revenue Survey, there remain only 29,738 square miles of more or less wild or partially cultivated tracts to be surveyed by the Topographical parties to complete the British portion of the Province. In the same way most of the Feudatoryships have been surveyed by the Topographical parties, and the area surveyed on this system was 25,767 square miles.

Waste Lands.—The area sold on a fee simple tenure in past years under the rules now in abeyance was 216,213 acres at varying upset prices for the different districts. This area was sold in numerous small plots for Rs. 4,31,748. The average price realized per acre at the sales was very nearly Rs. 2 or 4 shillings. Low as this rate may appear, it has in some of the larger transactions been more than the purchasers could pay, and they have thrown up the land after paying a few of the yearly instalments and after sinking some capital in the excavation of tanks, clearing of underwood and other improvements. In most cases, however, these waste lands have been purchased in small plots by agriculturists close to their proprietary holdings under the Revenue Settlement, and in these cases the purchases have no doubt been profitable. Besides these sales in fee simple, waste lands are granted on clearance leases under rules sanctioned by the Government of India, and such grants during the year amounted to 11,898 acres, principally in the Hoshungabad district.

Government Estates.—These are only the waste lands excluded at the Settlement and managed as reserved and unreserved forests.

Wards' Estates.—There were 14 comprising 106 villages with a rental of Rs. 57,340 and paying Rs. 39,863 to Government for tax and management.

Land Revenue.—The land revenue demand in 1872-73 was Rs. 60,43,000. With the exception of a very small balance the



whole was collected. Nor was it necessary to put any pressure on the landholders to make them pay the revenue. The assessment on the land is moderate and there is no difficulty in paying it. Coercive processes had in very rare cases to be resorted to, and no estate was sold, the most severe measure taken being the transfer of a defaulting shareholder's share to the other shareholders for a term of years. The only parts of the Province where the land revenue was not easily collected or readily paid in and where the people had some difficulty in meeting the Government demand, was the Murwara Tuhseel in Jubbulpoor and the Hatta Tuhseel in Dumoh. In these parts the harvest was poor, and both Tuhseels suffered from a succession of unfavourable seasons. Murwara has never recovered from its losses in the famine year 1869, and the difficulty there is the want of population. The Settlement may under the present circumstances be too high in some pergunnahs at least, and it was to be decided whether any modification of the Settlement is necessary. In Hatta the body of the agriculturists and landowners are not in so bad a plight.

Cesses.—The Road Cess levied in the Province yielded Rs. 1,44,000, which was exclusively expended in the improvement of district communications. The receipts of the Education Cess were very nearly the same as those of the Road Cess, the general rate, viz, 2 per cent. on the Land Revenue, being the same for both in most districts.



CHAPTER VIII.

BURMA.

Land Tenures.—The Province is cultivated by peasant proprietors who prefer annual leases, so great is the extent of fertile waste. In some parts of Thayet and Sandoway the rent is as low as sixpence per acre; whilst in Myanoung and Amberst, where rich alluvial land is obtainable, and the facilities of transport are considerable, the highest rate levied is six shillings per acre. The light land-tax, however, is supplemented by the capitation tax, which is peculiar to the Province; and by the rice duty, which is a tax falling, from a variety of causes, wholly upon the producer, and is equivalent to a duty of 14 per cent. *ad valorem* on this article of export. No landed proprietors known in India as Zemindars, exist in this Province. The holders of the land are, with but few exceptions, the cultivators, and the extent of their holdings average about 5 acres. The exceptions are, where grants of waste land have been made to Europeans or natives of India, but such grants are but little cultivated.

System of Settlement.—The recommendations of a Committee of experienced officers were approved of, to the effect that the Settlement establishment sanctioned in 1869 should be modified and that, in future, settlements should be carried out under the supervision and control of the revenue authorities; that the primary duty of the establishment entertained for settlement purposes should be to demarcate and map the various holdings; that where possible a uniform rate of assessment should be imposed on the area of each *kweng* or plain, such rates to be fixed by the Deputy Commissioner subject to the approval of the Commissioner; that the system of individual leases should be followed in all cases, the joint system having been productive of oppression; that leases for portions of holdings only should not be granted; that lessees should be allowed to abandon their holdings on giving one year's notice, or on payment of a year's tax; that an allowance for *bonâ fide* fallow land not exceeding one-quarter of the total area of the leased holdings should be granted; that the leases should be for periods of 5 or 10 years, one term of duration only being allowed in each *kweng*; that due provision should be made for providing that the village inclosure is not encroached upon, and that a sufficiency of grazing ground is allotted to each village; and that the rights of the cultivators to the waste lands adjoining leased tracts, should not be absolute, but only preferential.

Land Revenue.—In 1872-73 the revenue realized from land under cultivation again showed a satisfactory increase, the assessment in the year of report having been Rs. 35 74,726, against



34,45,227 in the previous year, a percentage increment of 3.75; whilst the area increased by 278 per cent. There was a considerable increase in the acreage under rice, and in the area of land granted under the Government rules, and a slight increment in the quantity of land cultivated as gardens and orchards:—

CSL

DISTRICTS.	1868-69.		1869-70.		1870-71.		1871-72.		1872-73.	
	Area.	Revenue.	Area.	Revenue.	Area.	Revenue.	Area.	Revenue.	Area.	Revenue.
	Acres.	Rs.	Acres.	Rs.	Acres.	Rs.	Acres.	Rs.	Acres.	Rs.
Akyab ...	279,314	5,34,568	284,211	5,45,187	286,900	5,51,572	2,89,331	5,56,840	294,072	5,67,323
Northern Arakan	1,086	609	1,225	684	1,233	702	1,260	734	1,312	758
Ramree ...	85,326	1,17,668	86,007	1,18,355	87,071	1,20,508	96,101	1,36,793	96,808	1,37,670
Sandoway ...	36,000	48,255	36,618	49,383	36,968	49,898	37,033	50,539	37,198	51,233
Rangoon ...	410,171	8,10,214	420,106	8,30,168	468,085	9,20,365	498,641	9,65,344	529,311	10,45,628
Bassein ...	222,777	3,60,499	220,214	3,57,694	224,383	3,66,764	233,242	3,81,229	233,998	3,77,876
Henzada ...	236,906	3,70,411	248,589	3,89,336	260,232	4,06,689	264,721	4,12,222	266,550	4,18,040
Prome ...	265,379	2,80,480	175,192	2,21,359	184,474	2,29,061	182,106	2,28,139	180,621	2,27,028
Thayetmyo ...	Included in Prome.		95,866	63,215	115,222	69,945	102,807	67,530	98,290	64,671
Toungoo ...	26,607	32,337	37,290	32,671	35,364	31,949	35,466	32,263	36,323	32,835
Shwé-gyeen ...	72,604	50,692	74,352	52,377	80,055	56,030	81,963	87,736	90,692	97,365
Amherst ...	194,494	3,38,790	204,074	3,58,986	210,151	3,69,075	221,039	3,82,572	231,647	4,03,194
Tavoy ...	59,012	91,394	60,392	91,879	60,966	91,878	61,604	88,243	63,898	90,226
Mergui ...	37,312	51,694	38,783	53,503	39,822	54,505	38,654	55,043	42,818	60,279
Total ...	1,936,988	30,87,531	1,982,869	31,64,797	2,090,386	33,19,441	2,148,968	34,45,227	2,203,589	35,74,726

Increase of Cultivation and Land-tax.



With the great demand for rice which exists there is no doubt that the quantity of land tilled will still further increase year by year, and if sufficient population could be obtained the supply of grain from this Province, with its favourable rainfall, would be practically unlimited. As it is, the quantity of rice available for export has of late years increased in a much greater ratio than the area of land under cultivation, as will be seen by the following statement :—

Years.	Exports of Rice to.			Area under rice cultivation.
	Europe, Straits, &c.	Upper Burma.	Total.	
	Tons.	Tons.	Tons.	Acres.
1866-67 ...	248,101	21,372	269,473	1,635,253
1867-68 ...	325,913	100,465	426,378	1,660,158
1868-69 ...	446,109	74,500	520,609	1,643,668
1869-70 ...	323,641	75,049	404,690	1,676,540
1870-71 ...	440,001	96,307	536,308	1,756,491
1871-72 ...	487,162	57,123	544,285	1,820,727
1872-73 ...	720,350	26,655	747,005	1,883,120

Waste Lands.—Of the area granted under the rules 8,719 acres were under assessment in 1872-73, which yielded a revenue of Rs. 9,110; in the previous year the area was 7,672 acres, and the revenue Rs. 7,796. In the Naf township of the Akyah District the area held by grantees is 78,301 acres, of which 40,024 acres are under cultivation, and 5,784 only are as yet liable by payment of revenue, yielding Rs. 6,104. The area of grants made under the rules in Pegu is 80,923 acres, of which but a small proportion is under tillage.



CHAPTER IX.

AJMEER AND COORG.

No report of Ajmeer has appeared. But on the 28th June Colonel Pelly, the Governor General's Agent for Rajpootana, announced the concession of a permanent settlement to the landholders of the district. Government had for some years been considering the question of reassessing their estates which it had a right to do. But "after mature deliberation" it had resolved to waive this right, and to guarantee to the landowners the present assessment as "permanently exempt from enhancement." But Government will see that the landlords discharge scrupulously their corresponding duties to their tenants and to the State. They are to manage the village police and to be held responsible for the repression of crime.

Coorg.

Land Tenures.—Besides the rent-free temple-lands there are four tenures peculiar to Coorg. (1) *Jamma* is derived from the Sanskrit *Jamma*, a word conveying the meaning of hereditary by birth, and is the holding of the privileged class called *jamma ryots*, comprising *Coorgs*, *Umma Coorgs*, *Higgada*, *Umbakala*, *Arris*, *Konoyas*, *Moplais* and *Gaudas*. The holders of these lands pay half assessment or Rs. 5 per 100* *bhattis* of wet land with its accompanying *Bane* and *Narike*, and are liable to be called out for military, police or other duties when required. In these days opportunities for military service do not arise, but the *jamma ryots* are expected to furnish Police and treasure guards. They are therefore allowed to carry arms, and embarrassment has sometimes resulted from the fact that a few *Moplais*, whose ancestors migrated to Coorg under the native dynasty, are found in their ranks. Residents of Coorg other than the above mentioned are not entitled to become *jamma ryots*, and these latter are therefore debarred from selling, mortgaging or in any way alienating the land held on this tenure, except with the sanction of Government. On obtaining land on the *jamma* tenure, the *ryot* has to pay a present known as "*Nazir Kanike*" in three yearly instalments, and a fee of one rupee termed the "*Ghatti Jamma fee*" on taking possession of the land. At the time of granting the *jamma sannad* signed by the Chief Commissioner, a formula is spoken intimating that the holder has secured the hereditary right to the land on the feudal conditions laid down, and at the same time a handful of the soil of the land (*Ghatti*) he has applied for is given to him, and

* 100 *bhattis* estimated to be equal to almost 2 acres.



whenever he resigns the land held on that tenure formally, he lays down before the Superintendent a handful of the soil as a sign of his resignation of all rights which he had before possessed.

Sagu is derived from the Kanarese word "Sagu" meaning under "cultivation." It is the normal ryotwaree tenure, all others being exceptional. The rate of assessment is Rs. 10 for every 100 Bhattis of land, and the holders are not bound to render any feudal or any other description of service to the State. The *sagu* ryots may claim remission of assessment for those fields of their farms which they are unable to cultivate. The lands under the denomination of *Umbli*, which means service of any kind, were granted on account of services performed by certain ryots in the Raja's times, and are lightly assessed at rates varying from one to three rupees per 100 bhattia. Certain lands which are taxed at the *jamma* rates come under the head of *Jodi*. The only distinction between these two tenures seems to be that *jodi* grants were made for a special purpose, or in consideration of a particular kind of service, while *jamma* ryots were bound to perform duties of a general nature. No remission of *jodi* can be claimed by the holders of *Jamma*, *Umbli* and *Jodi* lands.

For coffee cultivation, which has become very extensive in the Province, land was formerly obtained as in Mysore, free of tax, subject, however, to the payment of a *Halat* or export duty on the produce at a uniform rate. This system was abolished under the orders of Government in 1860-61, and an acreage assessment substituted in its stead at the rate of Rs. 1 to 2. These rates are not, however, levied at once. The assessment for each holding is not demanded for the first four years. From the 5th to the 12th year one rupee per acre, and rupees two ever after, are levied whether the land is cultivated or not. These terms which were fixed after much discussion would appear sufficiently favourable in themselves, but owing to the reckless way in which coffee land has been taken up, remissions are frequently applied for.

Survey and Settlement.—Owing to the introduction of a land tax in the coffee plantations, in lieu of the *halat* or tax on the coffee, a Survey Department was organized and a party detached from the Madras Revenue Survey in 1862. This party has no connection with the Mysore Survey and is in immediate subordination to the Superintendent of Revenue Survey, Madras. All the estates have now been surveyed, and when their mapping, computation, &c., are completed, it is anti-



icipated that there will be a considerable increase of revenue derived from the excess over the estimated areas of the plantation found in surveying. It is not contemplated to introduce any system of fieldwar survey and settlement into Coorg, but a topographical survey of the Province is progressing well. The land was permanently settled in 1806 by Linga Rajendra Wadiyar, whose settlement was accepted by the British Government on the conquest of the country, and has not since been interfered with.

Waste Lands.—The difficulty and expense of reclaiming waste lands in Coorg for wet cultivation are considerable. To counterbalance these drawbacks which otherwise would deter ryots from coming forward to take up waste, the Government have sanctioned a graduated scale of assessment in addition to granting remissions, the extent of which is regulated by the number of years the lands have lain fallow. For lands which have lain waste from—

10 to 15 years,	1 year's assessment,
Do. 15 to 25	2 do.
Do. 25 to 35	3 do.
Do. 35 to 50	4 do.
Above 50 years,	5 do.

Waste lands now brought under the plough for the first time are chiefly held on the "sagu" tenure. In the case of "Kumri" cultivation, which is conducted after felling and burning the jungle, the rule is different; the land so cleared is allowed to be felled free of tax for the first eight years, and afterwards the maximum assessment upon it is realized in four years at a progressive payment of one-fourth of the amount in each year. The waste land rules are also in force in the Province. One hundred and seventy-seven acres of land, forming chiefly the coffee estates, were sold up to 1871-72, and realizations under this head in the year under report amounted to Rs. 1,410 on an area of acres 177, as against Rs. 1,922 on acres 50 in the previous year. The fact that the sale proceeds were less when the extent sold was comparatively large, shews at once that there was less competition among purchasers of land for coffee cultivation owing to the depressed state of the industry.

Government Estates.—During the time of the Rajas it would appear that no inconsiderable part of their revenues was derived from "Punniyas" or royal farms, which were both numerous and extensive. The cultivation of these estates was conducted with great care by the agents of the chief to whom their management was entrusted, and the inhabitants of the district



in which they were situated were under an obligation to assist either personally, or with a certain number of their servants, for a specific period at the time when the business of the "Punniya" required such aid. The produce thus raised chiefly went to supply the household and maintain the numerous followers of the chief, the surplus being converted into money. On the occupation of the country by the British, however, these estates, which were so large that few private individuals could be found capable of undertaking the cultivation of a whole one, were divided into a number of small farms and disposed of like all other land at the normal rental of Rs. 10 per 100 bhattis of land. There are no Wards' Estates.

Land Revenue.—The demand for 1872-73 was Rs. 2,63,358-3-10, as against Rs. 2,67,900-3-4 for the previous year. The plough tax for educational purposes was introduced during the year, and Rs. 2,643-8-0 were collected. The rate is—

For a Jamma ryot	4 Annas	} per plough.
" Sagu	3 "	
" Dry landholder	3 "	





CHAPTER X.

MYSORE.

Land Tenures.—Government lands are held under the ryot-waree tenure either on kandayam, i. e. a fixed money assessment, or on * batayi. Except in the settled talooks, where the term of the settlement is fixed at 30 years, kandayam lands are held on annual leases or pattas, but the assessment is seldom altered and hardly ever raised. By far the larger portion of the land in the Province is held on this tenure. Under the batayi system the land is held direct from Government, but the share of Government is paid in grain. In Mysore the proportion generally claimed by Government is one-half, but it is probable that in reality only one-third is received, the remaining two-thirds being shared between the ryots and the village servants. The batayi tenure, though still greatly prevalent in the Nundydroog Division, will wholly cease with the completion of the survey and the settlement in each talook. In the meantime the ryots can always convert their occupation of batayi lands into that of the ordinary kandayam tenure if they please, and every encouragement to their so doing is afforded by the Government, which earnestly desires the entire abolition of the batayi tenure.

In the case of private estates, such as inam and kayamgutta, villages and large farms of Government lands cultivated by payakaris or under-tenants, the land is held on the following tenures:—*Warum*, under which an equal division of produce is made between the landlord and the tenant, the former paying the assessment of the land to the Government; *Mul-kuppe*, under which two-thirds of the produce go to the cultivator, and one-third to the landlord, who pays the assessment of the land; *Arakandaya* or *Chatarbhaga*, under which the landlord gets one-fourth of the produce and pays only a half of the Government revenue, the remaining half being discharged by the cultivator who enjoys as his share three-fourths of the produce; *Volakandaya*, in which the tenant pays a fixed money rate to the land-lord. This may either be equal to or more than the assessment of the land. An hereditary right of occupation is attached to all kandayam lands. As long as the pattedar pays the Government dues he has no fear of displacement, and virtually possesses an absolute tenant right as distinct from that of proprietorship. When the Government finds it necessary to assume the land occupied by him for public purposes.

* This term signifies the temporary occupation of Government land by a ryot without paying money assessment but sharing the produce with the Government.



he is always paid compensation fixed either by mutual consent or under the Land Acquisition Act. At the same time it would be paradoxical to say that the ryot is the proprietor of the land when it is liable to be taken away from him for default of revenue, and when he cannot convert it to purposes other than cultivation except under special sanction of the ruling authority. The right of proprietorship has all along been maintained by Government, and a reference to some of the sannads granted by the Rajas of the old Vijayanagar dynasties for certain free villages in Nugur, shews that when private individuals desired to found institutions, for the support of which lands were required, they had not only to purchase the tenant-right from the cultivator, but also to pay the price of the land to the reigning sovereign in the shape of a "Kanike" or present. The right of occupancy is, however, an old institution and can be traced in the Mulnad talooks so far back as the 17th century in which Sivappa Nayik revised the old Vijayanagar "Raya Rekha" assessment.

Kans are large tracts of forest, extending in one case over eight miles in length, for which a cess called the kan khist is paid. The kans are preserved for the sake of the wild pepper-vines, bagni palms, and certain gum trees that grow in them. *Koomri* cultivation is almost peculiar to the hill tribes. Soon after the rains they fell the trees on a forest-site, a hill site being preferred. The trees are left lying till January and then set on fire. The ground is afterwards partially cleared, dug up, and sown towards the end of the rains with ragee, castor-oil nut, and other dry grains. In the first year the return is prodigious, but it falls off by one-half in the second year, and the place is then abandoned till the wood has again grown up. Strong fences are made to keep off wild beasts, and for a month before harvest the crop is watched at night by a person on a raised platform.

Coffee Lands.—Grants of land for coffee cultivation are made out of the Government jungles chiefly in the Western Ghats forming the Nugur and Ashtagram Mulnad. On receipt of applications for a plot of such land, its area is ascertained by a rough survey, the boundaries defined, and then it is sold by public auction. The successful bidder is granted a patta or title-deed. The cultivation of coffee now takes rank as one of the most important industries of the country. The rich red loam of the primeval forests which cover the slopes of the Mulnad hills is found to be well adapted for its growth. The cultivation of the berry introduced first from Mecca by Bababudan, on the hills which bear his name in the Kadur District, was gradually extended, and at the period of the assumption of the administration of



the country by the British Government was already of some importance. In the early days of coffee cultivation the produce raised was divided equally between the Government and the planter, and the share of the former was leased out or sold to the highest bidder. This system was given up as opening a door for fraud. An excise of one rupee per maund of 28 lbs. of coffee produced was introduced, which was afterwards reduced to 8 and finally to 4 annas, at which it now stands fixed.

The clauses of the coffee patta or title-deed transcribed below shew on what tenure land for coffee cultivation is now held by the planter.

“These lands are granted to you for the purpose of planting coffee, and should you raise any other crop upon them, lands thus appropriated will be liable to assessment according to the prevailing rates in the talook. By this, however, it is not intended that plantains, castor-oil plants, or fruit trees, planted for the *bona fide* purposes of affording shelter or shade to the coffee, should be liable to taxation. On the coffee trees coming into bearing you are to pay Government an excise duty or halat of 4 annas on every maund which is produced. This is in substitution of the ancient wara. This taxation is subject to such revision as the Government of Mysore may at any time deem expedient. For every acre of land which you take up under this patta you must within a period of five years plant a minimum average number to the whole holding of 500 coffee trees to the acre. The Government reserves to itself the right of summarily resuming the whole or any uncultivated portion of the land mentioned in your patta should you not conform to this condition. You are exempt from the visits of all jungle and petty Izzardars who will be prohibited from entering hereafter lands taken up for coffee cultivation, and you are empowered to fell and clear away the jungle, but previous to doing so, you are bound to give six months' notice to the Sarkar authorities, to enable them to remove or dispose of all reserved trees which may exist on the holding. Should you wish to sell, or alienate in any way, the lands mentioned in this patta you must notify the same to the Commissioner of the Division, and this patta must be forwarded for registration under the name of the new incumbent. Any attempt at evading the halat will involve confiscation of the article itself, together with a fine of twice the amount of halat leviable upon it.”

It is a question whether this system of *Halat* in lieu of assessment is a success, and whether it does not promote wasteful deforestation. The clause in the lease which provides that a certain minimum number of trees per acre must be planted within a given time, is designed to prevent this evil, but it is much to be feared that the clause is frequently evaded, especially by native planters, and that the official returns of the acreage under coffee are fallacious.

Cardamom Lands.—Lands for the cultivation of cardamom are granted from the jungles on the east side of the Western Ghats in which this plant grows spontaneously. In these jungles are also to be found lac, resin, bees-wax, gums, pepper and similar other articles. The farms were formerly leased out, the limits of the tract being annually defixed; but to afford every facility to the planter and to encourage the cultivation of



cardamoms, rules have recently been framed, under which those planters who are desirous of embarking on cardamom cultivation can obtain land for the purpose on more liberal and advantageous terms. Under these rules grants of land not exceeding two hundred acres nor less than ten acres, and well defined by natural features can, after being put up to auction, be secured by planters on twenty-year leases: the lessee binding himself to pay the actual cost of survey and demarkation at once and the auction price by twenty instalments. At the expiration of the lease should the lessee be desirous of renewing it, he is allowed to do so on terms fixed by Government, and in the event of his declining to renew he is paid compensation for improvements from any surplus on the re-sale of the land realized by Government. The lessee pays an excise duty of two rupees per maund of 28 lbs. on the cardamoms produced by him, and as the land is granted solely for the cultivation of cardamoms, the rules provide that if any portion of it is cultivated with any other description of crop, such land will be assessed at the prevailing rates. The lessee is, however, allowed to make use of minor forest produce, and to fell trees (with the exception of the ten reserved kinds) in order to facilitate the growth of his cardamoms. On the other hand he binds himself to plant not less than 500 cardamom plants per acre on his land by the expiration of five years from the date of his grant.

The *Inam* or rent-free tenures are numerous. The ryotwara and inam lands are now being settled on a permanent basis, by the two separate Departments, of "Survey and Settlement," and "Inam Settlement."

System of Settlement.—All cultivated land in Mysore is classed either as kushki (dry,) tari (wet,) or bagayat (garden.) The first class is cultivated with dry grains, which are entirely dependent on the rain-fall; the second with rice, sugarcane, or such other staple productions as require artificial irrigation; and the third with cocoa and areca nut trees, and other garden produce. The two last require artificial irrigation from tanks, canals or wells, except in some of the Mulnad Talooks, where the rain-fall is exceptionally plentiful. To stop extensive fraud the Bombay system of survey and settlement was introduced in 1863-64. The fixed field assessment for thirty years introduced by the survey system, secures to the cultivator the full advantages of a thirty years' lease without burdening him with any condition beyond that of discharging the assessment for the single year to which his engagements extend.



Inam Settlement.—The rent free holdings in the Province may refer to one of three epochs :—

	Whole Villages.		Minor Inams.	
	Valuation.	Jodi or light assessment.	Valuation.	Jodi or light assessment.
	Rs.		Rs.	
(1.) Inams up to the termination of Dewan Purnaiya's administration in 1810	2,86,038	1,32,150	4,99,528	1,48,134
(2.) Inams granted during the Maharaja's administration	3,19,167	62,435	35,025	...
(3.) Inams granted by the Chief Commissioner of Mysore ... ..	...	...	18,500	8,000
(4.) Stal Inams or unauthorized Inams ..	...	...	63,616	17,948
Total Rs. ...	6,05,205	1,94,585	6,16,669	1,74,080

After the fall of Seringapatam in 1799 the British Commissioners directed Purnaiya plainly that no alienation of land should be made without the Resident's approbation. This salutary advice was fairly acted on by the Dewan during his long and successful administration. From 1810 to 1831, when the British Government interfered to save the country from utter ruin, the Raja recklessly alienated lands, some of them forming the best villages in the country, besides confirming others on permanent or kayamgutta tenure, while his loose system of administration afforded his subordinate officers opportunities for alienating land without proper authority. The 3rd epoch dates from the commencement of the present administration in 1831. The grants made during this period are comparatively of small value, and are held on condition of service consisting in the up-keep of chatrams, maintenance of groves, tanks and avenue trees. In addition to the above the statement shews a considerable number of Stal inams or, as they are sometimes termed, "chor inams." Under this head are comprised all such inams as, although enjoyed for some time, have not been properly registered as having been granted by competent authority.

The Inam rules, following the Madras system, were sanctioned in April 1868. These rules, based on the theory of the reversionary right of Government, are so framed as to meet the several



descriptions of inam lands existing in the Province, testing their validity—1st, by the competency of the grantor irrespectively of the duration of the inam whether 50 or less than 50 years old; 2nd, by the duration of the inam for 50 or more than 50 years irrespectively of the competence or otherwise of the grantor. In July 1868 rules were passed for the settlement of the money grants made at various periods to numerous institutions and individuals for services or otherwise. Some 3 lakhs of rupees a year were being paid towards the support of 1,500 charitable and religious institutions consisting of temples, matts, and cha-trams, as well as of 10,000 persons in receipt of personal grants.

Exclusive of miscellaneous items, such as fines, savings, stamp duty, &c., the financial results of the past five years' operations of the inam settlement are shewn in the subjoined statement:—

Items permanent.	1868—69.		1869—70.		1870—71.		1871—72.		1872—73.		Total.	
	Rs.	A. P.	Rs.	A. P.	Rs.	A. P.	Rs.	A. P.	Rs.	A. P.	Rs.	A. P.
Quit-rent ...	6,334	0 0	2,604	0 0	7,770	0 0	9,913	0 0	11,674	0 0	36,582	0 0
Net value of Land Inam resumed ...	581	0 0	2,054	0 0	2,026	0 0	6,658	0 0	11,928	0 0	23,247	0 0
Muzrayl resumption ...	...	...	226	0 0	89	0 0	71	0 0	59	0 0	436	0 0
Total ...	4,915	0 0	4,974	0 0	9,895	0 0	16,643	0 0	23,852	0 0	60,268	0 0

Survey.—Of 81 Talooks in the Province, survey operations have as yet been extended to only 32. The total area measured from the commencement of the survey operations in 1863-64 up to the close of 31st October 1872 was 7,214,174 acres, of which 4,909,916 acres were classified. The cost for both survey and classifying aggregated Rs. 13,13,115.

Waste Lands.—Owing to the fact that Mysore is a State which the British Government holds in trust for a native dynasty, no rules under which waste lands can be sold in fee simple have been introduced into the Province. The culturable waste land was 28,73,276 acres. Of this area, 27,082 acres were taken up as follows:—

	Area.		
	A.	G.	Y.
Granted on usual application ...	26,259	19	65
Sold to the highest bidder on competition ...	790	31	21
Granted or sold for building purposes ...	81	29	35
Total ...	27,082	0	0



Of the rest 2,85,590 acres form the pasture reserves under the designation of Amrat Mahal Kavals for the grazing of the cattle belonging to the Madras Government, and to the Palace of H. H. the Maharaja of Mysore.

Government Estates.—Under this head may be classed the Lal Bagh and Meade Park at Bangalore, the Dariya Daulat Baghat Seringapatam, and the Farm at Kunigal for the breeding of horses for the Mysore Siledar Force.

Land Revenue.—On the fall of Seringapatam in the year 1799, Tippoo Sultan's dominions, yielding a revenue of Kantirayi pagodas 30,22,537 or Rs. 87,92,736 as per accounts of 1792 which formed the basis of the Partition Treaty, were thus divided:—

	Kantirayi Pagodas.	Rs.
Company's share ...	7,77,170—6 $\frac{1}{2}$	= 22,60,860
Nizam's share ...	6,07,332—1 $\frac{1}{2}$	= 17,66,785
Peshwa's share ...	2,63,957—3 $\frac{1}{2}$	= 7,67,776
Raja's share ...	13,74,076—8 $\frac{1}{4}$	= 39,97,315

The following statement shews the revenue derived since 1799 from land in the Province as at present constituted.

Administra- tion.	Year.	Amount.			Administra- tion.	Year.	Amount.		
		Rs.	A.	P.			Rs.	A.	P.
Dewan Farnals's Administration.	1799-1800				British Administration.	1831-32	47,07,232	5	10
	1800-1801	65,85,419	0	0		1832-33	41,20,369	7	6
	1801-1802					1833-34	43,34,339	4	4
	1802-1803	64,91,949	2	0		1834-35	47,19,700	5	10
	1803-4	69,06,312	11	8		1835-36	49,77,378	14	7
	1804-5	75,04,138	4	8		1836-37	46,76,945	7	3
	1805-6	74,52,146	8	0		1837-38	49,39,872	0	0
	1806-7	73,81,260	15	2		1838-39	47,42,760	7	3
	1807-8	77,42,579	11	2		1839-40	51,79,520	0	0
	1808-9	77,92,880	6	6		1840-41	47,79,514	2	11
	1809-10	70,13,407	7	4		1841-42	51,49,853	0	5
	1810-11	66,51,927	5	6		1842-43	51,27,703	4	4
						1843-44	48,56,450	14	7
						1844-45	48,61,911	4	4
				1845-46	47,40,818	8	9		
				1846-47	48,22,344	10	3		
				1847-48	63,63,717	12	2		
				1848-49	54,34,455	1	6		
				1849-50	53,02,184	11	8		
				1850-51	53,63,557	13	2		
				1851-52	54,01,178	2	11		
				1852-53	53,56,494	8	9		
				1853-54	54,74,522	2	11		
				1854-55	53,32,712	0	6		
				1855-56	57,34,759	12	6		
				1856-57	57,92,322	10	1		
				1857-58	56,27,105	15	6		
				1858-59	60,63,006	5	8		
				1859-60	67,73,369	8	10		
				1860-61	63,10,117	2	3		
				1861-62	65,64,758	0	7		
				1862-63	66,71,539	11	5		
				1863-64	53,11,030	3	6		
				1864-65	75,01,456	8	5		
				1865-66	75,85,610	15	9		
				1866-67	72,42,422	5	11		
				1867-68	75,98,954	11	9		
				1868-69	73,53,180	9	1		
				1869-70	72,69,272	9	0		
				1870-71	72,91,497	15	7		
				1871-72	71,64,034	12	6		
				1872-73	73,03,433	8	0		
Maharaja's Administration.	1811-12	67,75,590	13	1					
	1812-13	66,21,553	12	0					
	1813-14	69,86,361	13	2					
	1814-15	67,92,442	6	0					
	1815-16	73,10,517	13	10					
	1816-17	66,10,672	4	6					
	1817-18	71,78,355	10	3					
	1818-19	67,40,349	3	0					
	1819-20	62,50,535	5	10					
	1820-21	61,33,612	0	0					
	1821-22	60,18,085	1	2					
	1822-23	64,32,025	6	8					
	1823-24	58,93,892	10	0					
	1824-25	63,46,017	2	0					
1825-26	64,73,593	7	3						
1826-27	59,04,455	7	4						
1827-28	52,92,296	11	8						
1828-29	57,27,764	4	4						
1829-30	56,78,807	4	4						
1830-31	52,90,117	13	1						



The Revenue of Mysore.

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In Dewan Purnaiya's Administration of ten years the revenue rose from Kantirayi pagodas 22,63,738 or Rs. 65,85,419 to a high figure, viz., Rs. 77,92,880 in 1808-9, and again fell to Rs. 66,51,927 in 1810-11, in which year Purnaiya resigned the administration into the hands of His Highness the late Maharaja who had then completed his minority. The increase in the revenue in 1808-9 was attributed to a Paimayish conducted by the Dewan which unsettled the old Shist and Kandayam and caused a sudden increase in the value of many lands; the increased rates were paid only for two years and from 1809 the settlements declined. During the late Maharaja's direct administration of the country, extending over a period of 20 years, the revenue rose to Rs. 73,10,517 in 1815-16, when it began to decline until it fell to Rs. 47,07,252 in 1831-32, in which year the present form of the administration of the country was introduced. Since that time, with some fluctuations, the revenue has gradually increased. It reached the highest point in 1867-68 and then began slightly to decline until 1872-73 in which the revenue was Rs. 72,09,453-8-10.



CHAPTER XI.

BERAR.

THE Bombay system of survey and settlement according to fields has been adopted in Berar. The whole country is being surveyed, marked off into plots and assessed at rates which hold good for 30 years. The assessment of an entire district or village may be raised or lowered as may seem expedient, but the impost may not be altered to the detriment of any occupant on account of his own improvements. Of the restrictions on this principle some are intended to guard the rights of Government, and to check the tendency to excessive subdivision of land—the chief defect of a peasant proprietary system—and the rest to protect the interest of persons other than the occupant who may have an interest in the holding. First, if an occupant wishes to do anything which will destroy the value of his land, as to quarry in it, he must apply for permission to do so, and pay a fine to compensate Government for the prospective loss of assessment. Secondly, not less than the entire assessment of each field is to be levied. If, consequently, one share of a field is resigned, and the other sharers will not take it up themselves, nor get some one else to do so, the whole field must be resigned. Thirdly, a shared field once resigned must be taken up again as a whole and no further subdivision of shares, after the settlement is once made, is permitted. An occupant may always resign his holding (or any portion of it, being an entire field or distinct share in one) by simply giving a written notice of his intention before a certain date, which frees him of all liabilities from the current year. When the registered holder alienates his estate, he does it by surrender and admittance, like an English copy-holder. Indeed, the Berar occupancy tenure has many features resembling the copyhold estate in the reservations of manorial rights. Thus the Berar cultivator has passed from all the evils of rack-renting, personal insecurity and uncertain ownership of land, to a safe property and a fixed assessment.

Land Tenures.—The occupancy tenures of Berar are thus classified. Land is held—1.—By proprietors who manage each his own plot in his own family. 2.—By proprietors working together on the joint-stock or co-operative system. 3.—By the *Metairie*—halving the gross produce. 4.—By the *Metairie*—halving the net produce. 5.—By money rents. 9.—By proprietors employing hired labour. Land is now very commonly held on the joint-stock principle. Certain persons agree to contribute shares of cultivating expenses,



and to divide the profits in proportion to those shares, that proportion being usually determined by the number of plough-cattle employed by each partner. These shareholders have co-ordinate proprietary rights in the land. If you admit a partner without stipulation as to term, you cannot turn him out when you wish to get rid of him although you can dissolve the partnership by division of shares. It is not always easy to distinguish proprietary shareholders from sub-tenants, but the partner is he who has put in a share of capital and stock on loan from the proprietor, and after accounting for all advances receives a stipulated share of the net profit and of cultivation. If the sub-tenant has subscribed any capital, that transaction is adjusted separately.

The *batai* sub-tenure (*metairie*) was formerly, and is still, very common in Berar. These are the ordinary terms of the *batai* contract:—The registered occupant of the land pays the assessment on it, but makes it over entirely to the *metayer*, and receives as rent half the crop after it has been cleaned and made ready for market. The proportion of half is invariable, but the *metayer* sometimes deducts his seed before dividing the grain. He (the sub-tenant) finds seed, labour, oxen, and all cultivating expenses. The period of lease is usually fixed, but it depends on the state of the land. If it is bad, the period may be long; but no term of *metairie* holding gives any right of occupancy. *Metairies* are going out of fashion. As the country gets richer the prosperous cultivator will not agree to pay a rent of half the produce, and demands admission to partnership. Money-rents are also coming into usage slowly—mainly because the land now occasionally falls into the hands of classes who do not cultivate and who are thus obliged to let to others. The money-lenders can now sell up a cultivator living on his field and give a lease for it; formerly they could hardly have found a tenant.

Many persons now hold substantial estates, particularly in the Berar valley. These are usually village or *perguna* officials, who have had good opportunities of getting hold of the best fields. Several could be named who are registered occupants of 300 and 400 acres, and a few have larger holdings rated at rupees 1,000 or upwards of land revenue. It may be affirmed, however, that in almost all these instances the land is really possessed by a family of shareholding kinsmen, who assist in the management and divide the profits—not, as in England, by a single proprietor. These large landowners farm most of their fields by hired labour, providing seed and plough-cattle, though, where the lands are scattered in different villages, they are often leased out. The rate of wages of farm-labourers is as high as rupees 8 monthly in the centre of the vale along the railway; in the more backward tracts



it falls to rupees 25 or rupees 40 yearly, with food and clothing beside. Further down south the labourer still gets a share of the produce only.

While in Berar the tenure of land except by special grants, was always very loose, the tenure of revenue offices, with all the rights, perquisites and immunities which convey usufruct of land or shares in the produce, has from the earliest times been strong and steadfast. For this reason the office of Patel is much prized, and is virtually a family possession with all the dignities and emoluments pertaining thereto, as though the actual appointment to the positive duties of a Patel lies with the Revenue Administration, the heir succeeds on a death vacancy unless he is quite unfit. The Patel has always been the agent between the State and the village tenants for cultivation and collections; he used to be paid by rent-free land, money dues, and dignities, the whole being grouped under the term "watan." Under our rule he and his coadjutor, the putwaree, receive only a fixed percentage on the collections, but the importance of their office is undiminished. Deshmooks and desbandias were the superior officers of pargana or revenue subdivisions. Under the Mahomedan Government they held by virtue of office the right to take certain dues from the revenue collected in their subdivisions, and some of the more powerful families, of which one or two representatives still remain, received large grants of land in jageer, and patents for the collection of additional subsidies, on condition of military or police service and the maintenance of order. But when the Nazim and the Marathas came to struggle for the revenue of Berar, they were too powerful to let any subjects stand between them and the full demand; while, wherever the Marathas got complete mastery, those keen financiers dispensed altogether with the services, and therefore with the claims, of untrustworthy and influential collectors not directly subordinate to themselves. The deshmooks and desbandias have now no official duties, their families enjoying certain allowances which are charged upon the net land revenue.

The tenures of land by grant of the sovereign power differ not essentially from the estates of the same kind all over India. These estates were always granted free. The jageer of Berar seems to have been originally a mere assignment of revenue for military service and the maintenance of order by armed control of certain districts. In later times the grant was occasionally made to civil officers for the maintenance of due state and dignity. The interest of the stipendiary did not ordinarily extend beyond his own life, and the jageer even determined at pleasure



by the sovereign, or it was transferred on failure of service to another person who undertook the conditions. But some of these grants when given to powerful families acquired an hereditary character. When Berar was made over in 1853 to the British, some villages were under assignment to jageerdars for the maintenance of troops, and these were given up by their holders. Up to that date, however, the system of *tankha jageer*, or assignment for army payments—by which whole pergunas in Berar had been formerly held—had barely survived. The irregularities of the old practice were notorious. A few followers, to enable the jageerdar to collect the revenue, were sometimes the only armed force really maintained; no musters were held, and when troops were seriously called out the jageerdar made hasty levies, or occasionally absconded altogether.

There are still several personal jageers without condition in Berar, which have been confirmed to the holders as a heritable possession. But none of these were made hereditary by original grant, save only the estates given to pious or venerable persons—*Saiads, fakeers, peerzadas*, and the like—and perhaps an estate which was first assigned as an appanage to members of the reigning family. Other jageers have been obtained by Court interest, acquired by local officers during their tenure of power, or allotted to them for maintenance of due state and dignity, and such holdings were often continued afterwards as a sort of pension which slid into inheritance. The term *jageer* seems to mean, in these districts, any rent-free holding of one or more whole mouzas. Almost every jageer title was given by the Delhi Emperor or the Nizam, one or two by the Peshwa; but not one full grant derives from the Bhonsla dynasty, which never arrogated to itself that sovereign prerogative.

Other service tenures are these—grants allowed as a species of black-mail to secure immunity from the attacks of robber chiefs, land allotted in pension to men who assisted in the collection of land-tax and the work of administration like our tehsel peons, and, commonest of all, the village grants of land to the menial servants of the village community and to artizans which are still more prized as hereditary possessions.

Grants to religious or charitable institutions by the sovereigns or their deputies are very numerous; none of them date from a time earlier than the 17th century, and most of these are under the seal of Aurangzebe to Mahomedans. Land has been made over rent-free for the support of many mosques, Hindoo temples, holy places, tombs, dhurumsalas or hospices, and shrines innumerable. Money payments from certain revenues have been allotted, and the



The Tenures of Land.

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right to collect dues from specified villages. Where the grants were for religious rites, liturgies, or menial services at an institution, they have shown a tendency, perceptible even in Christian countries, to merge into personal estates vesting in an ecclesiastical family or community. The services have become obsolete, and the buildings decayed. These grants, or inams, are now continued on condition of service and maintenance of buildings.

Other grants are personal by origin. It was very common for the Moghul rulers, and for the Marathas while they had power, to make petty allotments of rent-free land for the maintenance of persons whose piety, poverty, or learning gave them some claim. Waste land was usually granted, often on a life-tenure only, but a little interest got the rent-free estate continued to heirs, and tenures of this sort are among the oldest on the province.

Land Revenue.—The land revenue demand in 1872-73 was Rs. 59,04,058 and the gross revenue Rs. 80,97,824. Subjoined is a table showing the contributions to these totals of the several districts with the population of each as ascertained by the Census of 1867—since which signs of increase, especially in the town population, have been plainly observed :—

Name of District	Land revenue in 1872-73.	Gross revenue in 1872-73.	Population in 1867.
Akolah	17,67,013	24,00,032	649,134
Oomraottee	14,26,600	21,51,747	407,276
Ellichpore	9,09,371	12,60,105	344,358
Buldanah	9,30,772	10,75,888	353,436
Woon	3,82,363	6,45,690	477,361
Bassim	4,87,939	564,362	*
Total	59,04,058	80,97,824	2,231,565
	₹590,406	₹809,782	

Survey.—The number of villages under British administration in Berar is 6,795. Of this number, 657 have to be measured, 1,774 classed and 2,598 settled. The total increase of revenue to the province resulting from the survey settlements is Rs. 12,32,802 while the total cost of survey operations from the commencement has only amounted to Rs. 18,15,438 so that an expen-

* This district having been formed after the Census was taken, the figures for it cannot be shown separately, but are included in those given for the Akolah District.



Berar Waste Lands.

CSL

iture of £181,500, extending over a period of 12 years, is yielding an annual return of £123,200.

Waste Lands.—Approximately, the uncultivated area in the Province is 5,280,000 acres, of which 1,060,000 are grazing land, 2,200,000 cultivable and 2,020,000 uncultivable. The area actually under cultivation is 5,691,000 acres. In the year 1865 443 villages were let out on lease in the Woon district; of these 201 were partially cultivated and 242 were altogether waste. During the succeeding 5 years, of the 242 waste villages 164 were brought under cultivation; in 69 preparation was being made to bring waste land under the plough, leaving 9 villages in which nothing was done. The rules have been suspended since that time.

There are no Government or Wards' Estates in Berar.



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PART III
PROTECTION.



PART III.

CHAPTER I.

LEGISLATION.

THERE are four law-making Councils in India—those of the Governor General, of Bengal, of Madras and Bombay. Each consists of the Executive Council with additional members representing the non-official public, Native and European.

In the Governor General's Council, also, there are generally three or four official members who advise or take charge of measures referring to the provinces, such as the North West, the Punjab, Bombay and Madras. The Lieutenant Governor, or Governor, of the Province in which the Central Legislature may sit, is *ex officio* a member of it. Bengal has no Executive Council. The Governor General has the power of veto on the legislation of the inferior Legislatures, and the Secretary of State for India may advise Her Majesty to disallow the Acts of the Governor General's Council.

The Governor General's Legislative Council.

The following Acts were passed in 1872-73 :—

Act No. VII. of 1872 to consolidate and amend the law relating to the Courts in British Burma.

The repeal extends to Sections three hundred and seventy-two, three hundred and seventy-three and three hundred and seventy-four, so far as they relate to British Burma, of Act VIII. of 1859; to Section twenty-three, section twenty-five and sections twenty-seven to thirty-four, of Act XXIII. of 1861 and to the whole of Act I, XXI, XIV. of 1863 and Act III. of 1866.

Act No. VIII. of 1872, the Indian Income Tax Act.

This Act ceased to be in force on the thirty-first day of March 1873, except as to taxes payable in respect of the period previous to the thirty-first day of March 1873 and as to penalties incurred under this Act.

Act No. IX. of 1872, the Indian Contract Act.

This Act repeals the whole of Acts XIII. and XIV. of 1840, Act XX. of 1844, Act XXI. of 1848, Sections 9 and 10 of Act V. of 1816, the whole of Act XV. of 1866 and the whole of Act VIII. of 1867.

Act No. X. of 1872, the Criminal Procedure Code.

Act No. XI. of 1872, to provide for the trial of offences committed in places beyond British India and for the Extradition of Criminals.

Act No. XII. of 1872, to amend Act XII. of 1870 (the Native Passenger Ships Act.)

This Act must be read as part of Act XII. of 1870.



The Governor General's Legislative Council.

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Act No. XIII. of 1872, to amend Act XV. of 1859.

This must be read with and as part of Act XV. of 1859.

Act No. XIV. of 1872, to exempt the Straits Settlements from the Indian Emigration Act of 1871.

Act No. XV. of 1872, to consolidate and amend the law relating to the solemnization in India of the marriages of Christians.

This repeals the whole Act V. of 1852, with the exception of those parts which have already been repealed; the whole Act V. of 1865 and the whole of Act XXII. of 1866.

Act No. XVI. of 1872, for imposing a duty on certain spirits manufactured in British Burma.

Act No. XVII. of 1872, for postponing the day on which the Code of Criminal Procedure is to come into force.

Act No. XVIII. of 1872, to amend the Indian Evidence Act, 1872.

Act No. XIX. of 1872, to amend the definition of 'Coin' contained in the Indian Penal Code.

Act No. XX. of 1872, to amend Act No. V. of 1872.

Act No. XXI. of 1872, to facilitate the admission of Native Military Lunatics into Asylums.

Act No. XXII. of 1872, to explain and amend Act X. of 1859.

Act No. XXIII. of 1872, for regulating the re-importation into British territory of goods cleared at Rangoon for the territory of the King of Ava.

Act No. XXIV. of 1872, to repeal Bombay Regulation XIII. of 1827. (for defining the Constitution of Courts of Criminal Justice, and the Functions and Proceedings thereof.)

Section thirty-four, clause nine, is repealed.

Act No. XXV. of 1872, to give the force of law to certain Rules relating to Salt in the Punjab.

Act No. XXVI. of 1872, to amend the Law relating to Opium in the Punjab.

Act No. XXVII. of 1872, for postponing the day on which the Code of Criminal Procedure is to come into force in Sindh—namely the 1st April 1873.

Act No. I. of 1873, the Burma Courts' Amendment Act.

Act No. II. of 1873, the Burma Ferries Act.

Act No. III. of 1873, the Madras Civil Courts' Act.

Act No. IV. of 1873, the Punjab Municipal Act.

Act No. V. of 1873, the Government Savings' Banks Act.

Act No. VI. of 1873, to amend the law relating to the transshipment of goods imported by steamer and for other purposes.



- Act No. VII. of 1873, for the levy of port dues in the ports of British Burma.
- Act No. VIII. of 1873, the Northern India Canal and Drainage Act.
- Act No. IX. of 1873, to prolong the law relating to appeals and reviews of Judgment in the Punjab.
- Act No. X. of 1873, the Indian Oaths Act.
- Act No. XI. of 1873, to provide for the appointment of Municipal Committees in the Central Provinces and for other purposes.
- Act No. XII. of 1873, for the repeal of certain obsolete Enactments.
- Act No. XIII. of 1873, to amend the Law relating to timber floated in the rivers of British Burma.
- Act No. XIV. of 1873, to provide for the security and application of the effects of Officers and Soldiers becoming insane on service, but not removed, put on half-pay, or discharged.
- Act No. XV. of 1873, to make better provision for the appointment of Municipal Committees in the North-Western Province and Oudh and for other purposes.
- Act No. XVI. of 1873, to consolidate and amend the Law relating to Village and Road Police in the North-Western Province.
- Act No. XVII. of 1873, to provide for the liquidation of the debts of the Nawab Nazim of Bengal, and for his protection against legal process.
- Act No. XVIII. of 1873, to consolidate and amend the law relating to the recovery of Rent in the North-Western Province.
- Act No. XIX. of 1873, to consolidate and amend the Law relating to Land Revenue and the jurisdiction of Revenue Officers in the North-Western Province.

Bengal.

All important business pending before the Bengal Legislative Council was disposed of in 1872-73 with the exception of the Mahomedan Marriage Bill. The new law regarding embankments and drainage is one of very great importance, as also is the new Emigration Bill, which will satisfactorily settle a number of weighty questions relating to emigration to our tea districts. The following Acts were passed. Though few in number, the work connected with them was heavy:—

- Act No. III. of 1873, to amend the Calcutta Port Improvement Act.
- Act I. of 1873, to amend the Salt Act of 1864.
- Act No. II. of 1873, to amend the District Municipal Improvement Act and the District Towns' Act.



The Madras and Bombay Legislative Councils.

CSL

Act No. III. of 1873, to amend Section 9, Act XI. of 1849, and Section 27, Act XXI. of 1856.

Act No. IV. of 1873, for the registration of births and deaths.

Act No. V. of 1873, to provide for a lighting rate in Howrah.

The Bill to provide for embankments and drainage, continued to occupy the attention of the Council and was discussed with much care both in Committee and Council, and referred more than once to a Select Committee. The Bill was at last passed by the Bengal Council in 1873.

An important Bill to consolidate and amend the law relating to the emigration of labourers to the districts of Assam, Cachar, and Sylhet, and to regulate contract labour and service, was introduced during the year and occupied the Council much.

Towards the close of 1873 a Bill was introduced which provides a system for registering Mahomedan marriages and divorces. Under this Bill the Registrar will, as regards registration, take the place which was filled by the old Kazees, who are now no longer recognized by law; and certified copies of extracts from his reports will be made *prima facie* proof of the facts recited therein. It is not proposed that there should be any compulsion or interference between the Mahomedan registrar and those who may voluntarily go to him for marriage or divorce.

Madras.

Two Acts passed by the Council received the assent of the Governor-General and came into force during the year:—

Act No. I. of 1872, for the better regulation of the Police within the territories subject to the Presidency of Fort Saint George.

This received the assent of the Governor General on the 30th May 1872 and took effect from the 11th June 1872.

Act No. II. of 1872, to extend the purposes for which Port Rules may be passed by the Governor of Fort Saint George in Council.

This received the assent of the Governor General on the 24th June 1872 and took effect from the 1st September 1872. The object of the Act is to extend the provisions of Act XXII. of 1855, Section 7, under which the local Government, with the consent of the Governor-General in Council, is authorized to make Port Rules for certain purposes.

A Bill to prevent the indiscriminate destruction of wild elephants, which was passed by the Council on the 11th April 1872 and received the assent of the Governor on the 19th idem, was disallowed by His Excellency the Governor-General, under date the 10th June 1872, not on account of any principle involved in the measure, but in consequence of the wording of some of the sections. A similar measure, free from the defects pointed out was introduced into the local legislature on the 21st February 1873, and has, since the close of the year under review, been passed by the Council, receiving the assent of His Excellency the Governor-General.

Bombay.

Act No. III. of 1872, the Bombay Municipal Act.

The inquiry which was made in the year 1871 at the solicitation of the Bench of Justices into the state of the finances of the Bombay Municipality showed that



The Bombay Legislative Council.

CSL

some reform of the Municipal constitution was necessary to secure a more efficient administration of the Municipal estate and to enable the Corporation to exercise a more direct and complete control over its expenditure. To effect the changes which had appeared to the Executive Government to be requisite, this measure was devised and advantage was taken of the opportunity to consolidate and amend the several Acts, with the exception of the Loan Acts, relating to Municipal administration in the city of Bombay, and to introduce such additional provisions for the collection of rates and taxes and the regulation of sanitation and other subsidiary matters as had been suggested by the experience of the past six years.

Act No. 1. of 1873, the Bombay Port Trust Act.

It was desirable in the interests of the trade of Bombay to place the conservancy and management of the harbour and of certain wharves and portions of the foreshore, the property of Government, in the hands of Trustees; and this Act was passed in order to provide for the constitution of a Trust, for suitably arranging for the management of the property to be held in Trust, to vest the different properties in the Trust, to impose on the Trustees the liabilities already incurred on account of the properties, to confer on the Trustees power to raise revenue and funds to meet these liabilities and to provide for such prospective improvements as might be deemed to be necessary for the accommodation of the trade.



CHAPTER II.

POLICE.

Madras.—One of the acts passed by the local Council last year amended the prevailing regulations by authorizing the Government to declare what places shall be considered towns within the meaning of section 48 which empowers the police to deal with nuisances. On March 31st the strength of the force was 22,018, including office establishments and supervising staff. The total cost was Rs. 33,43,674. If the salt, land, customs and jail guards and the town of Madras be left out of consideration, the cost of each policeman was Rs. 154, or 1½ annas per head of the population, the ratio of distribution being one policeman to every 1,750 of the ordinary inhabitants of the country. Seven officers and 677 men were departmentally dismissed and 336 were criminally convicted, the majority of the charges being of a petty nature. From the returns of the religion and caste it appears that the men numbered 14,595 Hindoos, 6,018 Mahomedans and 440 Christians, of whom 13,551 were able to read and write. There were 77 escapes from police custody, 64 being from subsidiary and 13 from other, jails. Forty-three of the former and 10 of the latter were re-captured and, as 204 out of 246 who escaped from "other custody" were caught again with four who had escaped in previous years, the gross result was 323 escapes and 261 captures. Extensive frauds having occurred in the district of Ganjam, in consequence of collusion between the salt and police authorities, the interesting experiment was tried of employing for service as salt guards the Ooryah Naiks or hereditary militia of Goomsoor, who hold land from Government on the feudal system. The call was responded to with alacrity; and, as the chiefs are responsible for the good conduct of the men, every one of whom is also a landholder, the result as yet has been most satisfactory.

The following table is an abstract of the police operations in cases in which arrests were made without warrant :—

Cases	{	Reported ...	...	...	...	86,133
		Investigated by police	...	...	...	56,582
		Convicted ..	...	...	...	35,178
Persons	{	Arrested ...	...	...	...	78,067
		Put on trial	...	...	...	72,477
		Discharged after trial	...	...	...	16,318
		Convicted...	...	...	...	56,108
		Pending ...	...	...	...	1,170
Property	{	Lost ...	...	...	Rs.	11,64,899
		Recovered	...	...	"	3,03,211



lunatics and 112 persons were murdered in various ways not detailed in the reports. Dacoity and all professional crime, in the old acceptance of the term, is decreasing. Indeed the latter may be almost said to be extinct.

North Western Province.—As usual, the effect of the unprosperous agricultural year, was visible in the police returns, the number of offences reported being much larger and the proportion higher, than in 1872. The percentage of convictions to crimes was 25·71 per cent, and more than four out of every five cases judicially prosecuted were successful—a result for which the department may well take credit. The total strength of the Provincial and Municipal Police Force was 82,988 men, or 27 for every 10,000 of the population. The force is recruited from among all castes and religions. The reconstitution of the Village Police was almost completed and in all but a few districts these men now receive fixed wages besides their traditional perquisites, instead of irregular and uncertain payments in money or in grain or land. The entire cost of the Department was £472,376. Deducting the cost of Municipal and Village Police, the expenditure on the Constabulary Police was £259,437, or £20,000 less than last year. This reduction of expense was accompanied by a marked increase of efficiency. The number of murders was 316 and of professional poisoning cases 19. In six cases the poisoner was convicted and in two committed to the Sessions. In none of these cases does there seem to be any ground for believing that the poisoners belonged to an organized fraternity. It is merely a rude form of robbery committed on unwary travellers and the drug employed is generally *dhatoora*, which, as a rule, only causes temporary insensibility. In dacoities the same measure of success was not obtained. In 1871, 82 cases were under enquiry and 29 convictions were obtained; in 1872 the numbers were 81 and 28. But last year, of 313 persons arrested, 151 were convicted, while this year only 110 were convicted out of 288. During the year proposals went up to the Government of India to proclaim as criminal tribes the Bowreeahs of Bedowlee, the Haboorahs and Aheeriahs of certain villages in Etah, the Bowreeahs of Cawnpore, and the Sonowriahs of Lullutpore. Sanction was received in the first two cases and the Act is now in force. Its effect is that a register of the members of each family is kept up and they are compelled to be present at roll-calls, which are held at uncertain periods: they cannot thus wander away on thieving excursions and are compelled to devote themselves to the trades and pursuits which they profess to follow, but which formerly were only a cloak for robbery.



Punjab.—The state of crime in 1872 was more satisfactory than it had been for a long time past—the effect chiefly of good harvests and cheap prices. The number of offences cognizable by the Police (44,451) shows, indeed, a slight increase as compared with the preceding year; but in all the more important classes of crime—offences against public tranquillity, serious offences against the person, serious offences against property and minor offences against the person—there was a decrease. The only noticeable exception to the general decrease of heinous crime was in the case of murders in the Peshawur district. These attained the formidable number of 102, being nearly one-third of the aggregate number of murders in the entire Province. The Pathans, however, are a people full of fierce enmities and factions with a keen sense of injured honour; and they possess a border close at hand for flight, their neighbours sympathising with the murderers, or fearful of giving evidence against them.

The total strength of the police force was 20,194, fifty-seven of whom only were Europeans. The cost of keeping up this body of men amounted to Rs. 29,52,949.

Oudh.—Notwithstanding the great increase in the number of crimes reported, the police, which was at the same strength as during the preceding year, investigated a greater proportion of cases. It is satisfactory to find that the offence of rioting, which for many years had been steadily on the increase, was not nearly so prevalent during the year under review. The chief increase was in thefts and that most of them were of a petty nature is shown by the fact, that out of a total of 79,541 no less than 52,530 were thefts of property valued at less than Rs. 5. The number of thefts of grain rose from 12,429 in 1871 to 23,662 in 1872, proving beyond all question that many persons were driven to crime by want. Cases of murder and attempt to murder, were not so numerous as usual. The following table shows the number to be lower than in any year since 1867 :—

1867,	...	...	...	109
1868,	...	...	...	142
1869,	...	...	...	136
1870,	...	...	...	145
1871,	...	...	...	134
1872,	...	...	...	113

One hundred and forty-eight persons were arrested, of whom eighty-two only were convicted. The strength of the Police Force was 978 Officers and 4,898 men and the cost Rs. 9,12,449



The percentage of cases convicted to cases decided was 86.5 and that of persons convicted to persons brought to trial 77.4. In cases of rioting, trespass, theft and so forth 41,043 persons were summoned by Magistrates *suo motu* and of these 18,447 were discharged without trial. Charges of the above nature are cognizable by the police, but the practice of direct action by the Magistracy is not discouraged, as it leads to the cases being more readily dropped, if, as so often happens, they turn out to be really more of a civil than of a criminal nature. Even in the case of grave crime inquired into by the police there was, as usual, a large number which it was found necessary to refer as false for the orders of the Magistracy. There was a decrease of eighty in the actual number of reported cases returned to be false, while the percentage fell from 36.4 to 32.2 as compared with the results of 1872.

Bombay.—There was a slight but general improvement in the proportion of persons accused of crimes which were followed up to conviction in this Province. For the Northern Division the returns show 53 against 48 per cent., in the Southern Division 48 as compared with 44.5 per cent., while in Sindh there is an advance from 57.8 to 60.92 per cent. The proportion of stolen property recovered, on the other hand, fell off, the slight rise from 38 to 40 per cent. in the Northern Division being more than met by the decrease in the Southern Division from 47 to 43 and in Sindh from 67.2 to 60.6 per cent. In the case of non-cognizable offences the low proportion of convictions to prosecutions attracted the attention of Government. The explanation would seem, however, to lie in the too free issue by Magistrates of warrants and summonses on *ex-parte* complaints, rather than in injudicious action on the part of the police. The large number of departmental punishments as compared with rewards and the small proportion of the constables who can read and write, are points to be regretted. The inquiry into the state of the village police was continued, but no special changes were determined upon. The administration of police in the City of Bombay was successful, order was preserved throughout the year and a remarkably large proportion—92 per cent.—of the cases taken up by the police were prosecuted to conviction.

Bengal.—The chief feature of the police administration in Bengal in 1872-73 was the rent disturbance at Pubna. The ryots who were hard pressed by the worst zemindars and who had nearly yielded, obtained the support of their fellows, who knew that their turn would come next and a very extensive ryots' union was formed and rapidly spread. Then, as is so apt to happen in



such cases, some of the men of the union committed themselves by breaking the peace and the law. There was a violent and threatening outbreak, of which of course many bad characters took advantage. The deeds of the rioters were enormously exaggerated; in reality they did nothing of a very atrocious character, but there were serious breaches of the peace, a little plunder of property and some old quarrels were worked off. There was no loss of life nor any serious personal injury. But the landholder class was thoroughly alarmed and terrible stories of the atrocities committed by an excited *Jacquerie* were told all over Bengal and partly believed in. The rioters never for a moment resisted the authority of Government; they never went further than to report that the zemindars were to be abolished and they were to be the Queen's ryots. The peace was completely restored without military or other extraneous aid and the rioters have been duly punished. The District Police of the Lower Provinces remained on very much the same footing as it was last year. In Assam some small saving was effected by dispensing with a District Superintendent in the Khasee Hills, where crime was merely nominal and by other slight reductions here and there; but the strength stood at 22,640 men of all ranks at an actual cost of Rs. 42,07,068. The figures relating to cognizable crime stand thus :—

		1871.	1872.
Cases reported	...	70,866	112,883
Number arrested	...	72,817	88,821
Ditto finally convicted	...	36,813	48,139
Ditto acquitted	...	23,805	32,563

Eighty-one thousand three hundred and thirty-three cognizable cases were before the Magistrates for trial and convictions were obtained in 35·5 per cent.—nearly 4 per cent. more than last year; 80,702 persons were put on trial, of whom 59·5 per cent. were finally convicted and 41·5 per cent. acquitted. Of murder there were 394 true cases reported; 160, or 40·5 per cent., only were detected and though 1,100 persons were arrested, only 323 were convicted. Twelve were murders by dacoits, 18 by robbers (chiefly murders of children for their ornaments), 16 by poison—all domestic crimes—and the rest ordinary murders. The exciting causes cannot always be ascertained; but it may be noted that 72 wives were murdered by their husbands; 18 husbands by their wives or the wives' paramours; 43 paramours by the husband or relatives; 8 women by their relatives on account of intrigues; 30 persons were killed in riots, generally land disputes; 24 children were murdered for the sake of their ornaments; 11 illegitimate children were made away with; 9 people were killed by



in the whole Province there is one regular policeman to 4.49 square miles and a population of 1,919, and one chawkeydar to 1.44 square miles and a population of 354; while in towns there is a policeman to every 86½ persons and in Cantonments one to 26½.

Central Province.—The effect of the harvests is generally to be traced in the Police returns of the year and the knowledge that in the early part of 1872 the price of food was high might be thought to explain the fact that the number of offences cognizable by the Police increased from 23,000 to 30,000. The entire increase indeed occurred among offences against property, housebreaking, theft and cattle theft, which increased from 17,500 to 24,100. There seems therefore a very plausible connection between the increase in the price of food and the increase in crime, but in spite of this it has been deemed more consistent with all the known facts of the case to ascribe the major part of the increase of crime to better reporting and more honest recording of reported offences. In many districts it has come to this, that the most trifling matter is reported as an offence, under the belief that everything that can possibly be made an offence should be reported, even though no inquiry or assistance on the part of the Police is required; and the estimated value of the property stolen in a very large proportion of the reported theft cases is utterly insignificant, while the reports of the theft of a handful or two of grain are very numerous. Be the cause of the increase what it may, the manner in which the Police department performed its duty was satisfactory. The Police investigated 84 per cent. of the cases reported and obtained convictions in 36 per cent. or in 43 per cent. of cases investigated. They arrested 22,441 persons, of whom they discharged 15 per cent. without bringing them to trial. Again, 82 per cent. of those arrested were put on trial, the percentage of convicted to arrested being 72. These results are not unfavourable and show that the Police were not only active but careful in their investigations and proceedings. Heinous crimes are fortunately rare in this Province and they have not shown any tendency to increase. The Provincial Police force numbers 7,379 of all ranks, the Municipal Police 980. The former costs Rs. 11,99,000, the latter Rs. 96,000 per annum. Exclusive of Feudatory States, there is one policeman for every ten square miles, one for every thousand of the population, while the number of cognizable offences per *mille* of population is 3.7. This constitutes the entire Police force of the Central Province. In other parts of India the village



which forms a body of policemen supplementary to the regular Constabulary and are more or less under the control of the Police officers. The pay of these supplementary men is given either in the shape of a rent-free tenure or of a monthly cash allowance. Thus in the North Western Province the number of village policemen is not less than 50,000; in the Punjab nearly 25,000 in Oudh about 20,000. In this Province there are the village Kotwals, but their position differs very materially from that of the rural Police elsewhere. They are simply the village servants, the servants of the Patel or Malguzar, and it is to the master not to the servant that the Government officers look for the proper reporting of offences committed in their villages. By custom the Kotwal is the person whom the Malguzars employ to make these reports and to aid the Police in their enquiries into any case; but the Kotwal is not a policeman and is not responsible directly for the performance of any duty connected with crime any more than any other villager. It is the village head not the village servant who is charged with Police responsibilities in the village. This was the state of things before the introduction of the regular Police in 1862 and it has not since then been altered, nor does it appear desirable to relieve the village headman of any of his responsibility by making a Government servant of the village drudge and placing him under the orders of the regular Police.

British Burma.—For 14,263 cognizable offences 18,553 persons were placed on trial, as compared with 16,679 persons who were tried for 14,226 cognizable offences in 1871. The large number of persons tried in proportion to the number of cases is a very favourable feature in the working of the police of this Province. Seventy-six per cent. of those tried in 1871 were convicted and in 1872, 77 per cent. or, in other words, while the number of cognizable offences is nearly identical in both years the number of persons convicted increased from 12,817 to 14,393, showing that the police were active and intelligent in arresting criminals. The proportion of cases carried to conviction, improved from 52 to 56 per cent. There were only sixty-five cases of dacoity, of which 21 were committed by marauders from foreign territory—principally in the Tenasserim Division—so that the “home” dacoities numbered only 44. Against those foreign marauders the police were active and, on the whole, successful. On the frontier of the Salween District formidable gangs of Shan and Karenee robbers entered on several occasions and were almost always encountered by the police, although often with very disproportionate numbers. The nature of the work may be arrived at from the fact that 10 of the



marauders were shot in British territory. But cattle theft, which fell from 1,358 cases in 1870 to 847 in 1871, again rose to 950—an increase of nearly 100 cases. This, however, does not rightly express the course of the crime, which fluctuated considerably in the various districts.

It is not to be wondered at that the Burmans should, compared with the Indians, find police work unattractive; but it is very necessary to watch whether their willingness to join the department is lessened from year to year. The figures given in the last Police report show that the service is, if judged by the proportion of voluntary resignations, becoming gradually more enticing. In 1867 twenty-five per cent. of the police voluntarily resigned the service, while in the past year the proportion was only fourteen per cent.

Berar.—The police of this little Province number 2,632 and cost only Rs. 4,81,416, there being one policeman to about 1,000 persons and nine square miles. Of 8,605 cognizable cases 8,003 were enquired into by the police on their own motion and the rest by order of the Magistrate. There were apprehended 11,104 persons, of whom 72·28 per cent. were convicted. The total amount of stolen property was Rs. 1,90,976, of which 25·54 per cent., against 31·65 in 1871, was recovered. Eleven thousand persons passed through the hands of the police in 1872 and 9,823 were arrested *suo motu*. Most of the serious offences were committed in the first half of the year, as in 1871 they fell mostly in the latter half. "I have little doubt," writes the Inspector General, "but that the distress in West Berar, which followed the scanty rainfall of 1871, was the chief cause of much crime in the beginning of the past year also." In support of this opinion is the fact that half the dacoitees and robberies in the province took place in Akolah and Buldanah, the two districts which suffered most from drought and in which the highest prices of food (wheat and jowarree) prevailed. The number finally convicted was 8,027, or 72·28 per cent., against 71·3 in the past year. In connection with this improved percentage, it is satisfactory to record that in the year under report the number of persons punished for nuisances—generally a sure find for a policeman who wants to improve his average of convictions—has been less than in the two previous years. The proportion of those released without trial was 16·52 per cent.; of those acquitted or discharged after trial 9·46 per cent.

Mysore.—The police of this part of India were in a transition state, owing to the pending introduction of the village system,