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Errata List

Abbreviations	Line	wrong	Correct
	12	Dewani	Diwani

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	XV	6	Appendix A	Appendix A- Important territorial acquisitions in U.P.
,,	,,	7	Appendix B	Appendix B- Districts and Divisions of U. P. of Agra and Oudh.

Page	Line	Wtong	Correct
2	14	Reuter	Renter
,,	25		Asrekha, Aslekha or ashlekha
4	12	Third	A third
12	33	flour	floor
13	28	Free assesment	Free of assesment
,,	29	Signifying	Signify things
15	5	Makh	Magh
17	16	Pac	Pao
18	6		Add after 'irrigatec line 6, 10% given king in Muslim rule irrigation cess.
25	8	Till	still
26	6	General	general

Page	Line	Wrong	Correct
27	11	cold	clod
,,	12	starta	Strata
31	4	Incomple	Complete
33	10	hygiene	by gone
50	32	were	was
53	4	Waste	Waste lai
56	22	Attested	Assessed
59	1	or	of
61	27	the survey	survey
64	footnote line 2	sufficient	different
65	21	discaused	discussed
69	28	restored	resorted
74	footnote line 6	farminger	firminger
76	1	check	check it
77	2	tobaccos	tobacco
87	29	shahbad	Shahabad
	30	have been accrued	have accrued
	12	hilltracts	hill tracts
	21	Ten years, system	ten years' system
	2	Cawnpur, Saha-ranpur	Cawnpur and Saha-ranpur
	34	presentviceroy	Late Viceroy
	28	About them	Around them
	7	affected	effected
	26	Cruukshank	Cruickshank

Page	Line	Wrong	Correct
111	26	affected	effected
121	17	division	division, subsequently a member of the Board of Revenue
121	20	this investigation and of	this investigation a draft was prepared by the Board of Revenue but after further discussions and
„	23	But a few improvements were suggested among which was	Among the improvements suggested in the above draft was, however, the
125	5	For that under	For that. Under
126	11		Add footnote on occupancy tenants' "At present there are 51 p. c. of this kind of tenants"
126	17		Add footnote on statutory tenants "At Present there are 39 p.c. of such tenants
134	footnote line 1	The only Zamindars	perhaps the only Zamindars
137	16	Rises	Rise
138	6	Pages 111-111A	Page 121

Page	Line	Wrong	Correct
141	16		Delete the whole line.
142	33	liabel	liable
144	23	Arrest	2 (b) Arrest
146	footnote line 12	Burnes	Barnes
147	14	left	lease
147	17	acts	Acts
147	22	sub-ease	sub-lease
147	24	tenants	tenants'
148	33	Zamindar	Zamindars
152	20	defedence	deference
154	20	resumed. For	resumed for
158	1	inended	intended
161	12	I believe	We believe
161	20	II	2
163	32	them	them,
164	foot note last line	Sultanour	Sultanpur
165	2	little	title
166	1	as	an
168	26	and possess	yet possessing
170	26	first to far	delete the whole line
170	28	for the	for the first time the expression Birt, though the thing it stands for
174	21	heriditary	hereditary
„	26	Tenant right occupation	Tenants' right of occupation.

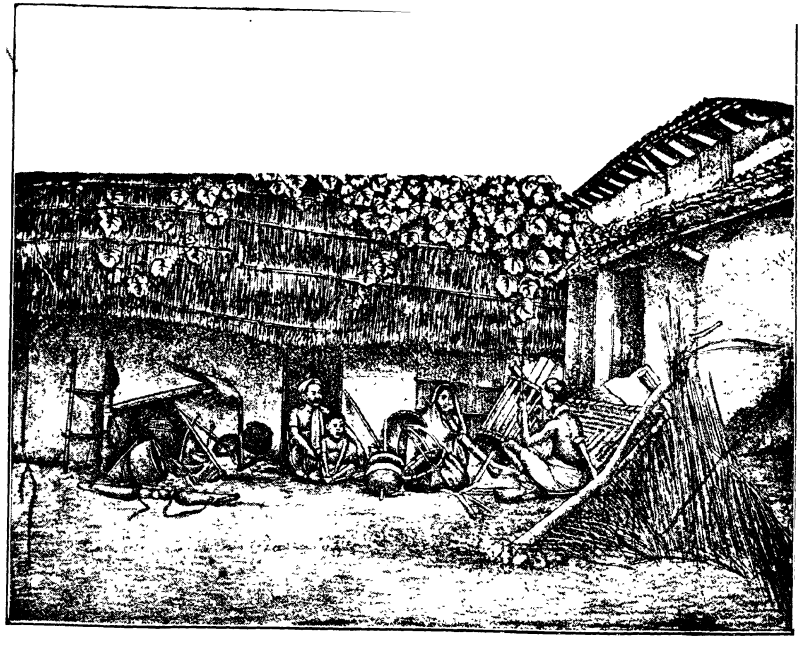
Page	Line	Wrong	Correct
175	11	proprietor	proprietor"
176	25	Oudh	left Oudh
197	7	Cohessive	Cohesive
198	6	in	is
203	35	annex	annexe
204	32	doors of	doors or
207	19	Addeydown	eiderdown
208	8	A'n	And
213	30	rude	crude
214	18	habits	habit
214	foot note line 3	fruit : shows	fruit shows
215	11	of from	from
222	1	brass	brass or Phul
231	35	reforms. This	reforms this
234	Foot note		Insert' owing . . . . them between' 'not and 'and that'
234	foot note line 3	Conqueror	conquerors
234	19	movable	moveable
235	11	Kautalia	Kautilya
236	28	Cariation	Variation
238	5	Mirgsira	Mirghisra, Mirgisra, Mirgishara.
240	2	batha	baithe

Page	Line	Wtong	Correct
240	16	(2) clay	(2) clayey
240	17	(3) Loam	(3) Loamy
240	30	clay soils	clayey soils
241	16	true (1)	(1) true
245	33	cart	cart,
247	7	wreeds	reeds
248	28	sheds	shed
249	16	result	results
251	2	Punjab	the Punjab
251	32	need	needs
253	22	reject use	rejects its use
261	5	phaories	pharuis
263	18	Dheki	Dhainkli
265	26	in	is
265	29	have	hava
271	foot note line 1	op. cit.	Rig veda
272	19	Voecker	Voelker
275	4	1928-29	Add footnote on 1928-29 "This year most of the farms have again sustained loss owing to economic depression and fall in prices.
276	18	1930-31 total	1930-31. The total
276	foot note	report of	Report on
276	21	Rs. 567	Rs. 567 lacs

Page	Line	Wrong	Correct
277	29	granted	Add foot note on granted, "Heretofore the grants were given to large zamindars in large sums of Rs. 2000/- to Rs. 5000/- but this year the department changed the system and gave grants in small sums of Rs. 50/- to Rs. 200/- to tenants for the use of improved seed.
278	1	farm	farms
278	10	lube well	tube well
278	25	Cattlebreading	(2) Cattle-breeding
282	1	at	as
284	6	seasons under of	Seasons of
289	20	arcobats	acrobats
296	Foot note	Rai Bareliy	Rae Bareli
299	,,	Jarraet	Garrett
300	,,	orbih	orlich
303	footnote line 3	Quinqueneal	Quinquennial
305	31	and to one sea	and have begun to realise that so long as education is confined to one sex.

Page	Line	Wrong	Correct
306	12	patwari	patwari's
312	foot note	of Director	of the Director
313	2	restorted	resorted
314	4	do.	do.
314	,,		
314	10	Sousa	Souza
314	27	Dist. Board	Dist. Boards
318	17	University	University respectively.
318	21	System some	System. Some
319	17	Dais	dais
321	19	necessary	unnecessary
321	22	helpness	helplessness
335	1	1904-1	1904-5
335	7	1904-5	1924-25
335	26	Skylocks	Shylocks
337	19	Bundelkhant	Bundelkhand
338	16	Acts	Act
338	32	Every	Very
341	25	Zubadat-ul-tarikh	Zubdat-ul-tawarikh
347	foot note	exproprietory	exproprietary
353	15	Mahmudabad	Mohammadabad
359		Former	Add footnote on Former "But owing to abnormal fall in prices, the zemindars were compelled to make very liberal remissions in rent amaunting to 4 crores & 12 lacs in these Provinces

Page	Line	Wrong	Correct
			in Rabi 1338 F (1931); the Revenue was also remitted to the extent of one crore & 9 lacs.
361	11	develope	develop
362	20	less	loss
363	4	Some degree	to some degree
371	5	Sub-mountain	Sub-montane
371	28	plaints	plains
374	2	non-Employment	un-employment
375	1	Muhamdabad	Muhammadabad
375	31	Pratabgarh	Partabgarh
376	5	Almora Mirzapur	Almora and Mirzapur
380	12	may prove to the help	prove helpful
382	6	Mahmudabad	Mohammadabad
383	Foot note (3rd line)	Recommendation	recommendations
386	4	educated	uneducated
386	9	that	as
390	22	insist	insist on
392	7	develope	develop
392	12	armistic	armistice
397	17	stiff	staff
397	21	number	member



THE PEASANT OF THE PERIOD: HIS HUT AND HIS IMPLEMENTS

THE HISTORY AND STATUS

OF

LANDLORDS AND TENANTS

IN THE

UNITED PROVINCES (INDIA)

By

S. N. A. JAFRI, B.A., BAR.-AT-LAW
M.R.A.S. (*London*)

With a foreword

by

SIR RALPH OAKDEN

THE PIONEER PRESS
ALLAHABAD
1931

CALCUTTA LAHORE

Dedicated by kind permission

to

His Excellency Sir Malcolm Hailey
M.A., G.C.I.E., K.C.S.I., I.C.S.
Governor of the United Provinces

for

His keen interest in village uplift

and

His solicitude for landed interests

FOREWORD

In his treatise on the tenantry of the United Provinces Mr. Najmuddin Jafri has given a description of the rural life of the province. He has described the origin of the revenue system and has traced its history from early times, and shown how it developed under the Moghul kings and British rulers. He describes the assessment method of Akbar and the settlements of later times. Then from Chapter VI he explains the position of the tenantry and shows how their rights to permanent or almost permanent occupancy have been increased or recognised by law. In Chapter VIII he gives a brief history of Oudh and explains the taluqdari and other proprietary systems, the various under-proprietary tenures, and the position of the tenants. In Chapter IX he explains the administrative methods by which the various tenures and cultivatory rights are recorded and safeguarded.

In Part II he deals with village life, methods of agriculture—past and present, irrigation, education, indebtedness and its causes, and touches on rural economy and village uplift.

This rough summary will show the scope of his work, and how he carries out his object, which is to describe the evolution of the tenantry and other landed interests under British rule, and [redacted] the great constructive work which has [redacted] establishment of a stable tenantry in the land.

The book should be of great value to all, politicians and others who desire to understand the problem of proprietary and tenant rights of this province, who are mindful of the fact that the real India is rural India, the home of more than 80 per cent of its people, and realize that the future not only of the United Provinces, but of India, depends mainly on the prosperity of the countryside, and that it is the duty of all to develop and not to exploit that country side.

The collection of material for this book must have been a heavy task. Mr. Najmuddin Jafri is to be congratulated on his diligence and on the result of his labours.

R. OAKDEN, C.S.I., O.B.E., I.C.S.
Member, Board of Revenue
United Provinces

Dated LUCKNOW
December 10, 1930

ABBREVIATIONS

S.D.B.R.—Selected Decision, Board of Revenue.

V.U.D.—Unpublished Decision of the Board of Revenue, published by Vishun Nath.

L.R.Rev.—Law Reporter, Allahabad Section, Revenue.

Rev. & Crl. L.J.—Revenue and Criminal Law Journal, published at Aligarh by M. L. Verma.

B.D.A.—Bengal Diwani Adalat.

I.L.R.—Indian Law Reports.

B.R.S.D.—Bengal Reporter, Selected Decision.

B.L.R.—Bengal Law Reports.

F.B.V.—Double Volume of Full Bench rulings.

S.D.A.—North-Western Province, Sudder Dewani Adalat Report.

L.R.—Legal Remembrancer, Rent and Revenue lists.

N.W.P.—North-Western Provinces, High Court Reports (Allahabad).

F.B.—Full Bench rulings.

All.—Allahabad Law Reports, Allahabad.

A.W.N.—Allahabad Weekly Notes.

O.P.—Parliamentary papers relating to Oudh.

Cal.—Calcutta.

O.W.N.—Oudh Weekly Notes.

P.C.L.J.—Privy Council Law Journal.

U.D.—Unpublished Decision by Saksena.

S.C.—Selected Cases of Oudh.

R.C.L.J.—Revenue and Criminal Law Journal, United Provinces.

I.O.L.—India Office Library, London.

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Map of the United Provinces of Agra and Oudh.

GLOSSARY

Agni.—Fire, or the god of fire to whom oblations of clarified butter are offered at most domestic rites.

Altumgha.—A royal grant under the seal of some of the former Indian princes of Hindustan and recognised by the British Government as conferring a title to rent-free land in perpetuity, hereditary and transferable. Although probably originally bearing a red or purple stamp, the colour of the imperial seal or signature became in Indian practice indifferent.

Adhipati.—A Superintendent, a headman.

Amir.—A nobleman, a Muslim of high rank.

Amin.—A confidential agent, trustee, a commissioner; applied in the United Provinces especially to an Indian officer of Government, employed either in the revenue department to take charge of an estate and collect the revenue on account of Government, or to investigate and report their amount, or in the judicial department, as a judge or arbitrator in civil causes.

Amil.—An officer of Government in the financial department especially a collector of revenue on the part of the Government or of the farmer of the revenue, also himself a farmer of, or contractor for, the revenue under the old Indian system, and invested with supreme authority both civil and military in the districts which he formed as is still the case in several States, especially in Hyderabad. In the early settlement of Benares by the Government of Bengal, the ámil was entrusted with the joint power of hákim or magistrate and tahsildar or revenue collector and was responsible for the realisation of revenue.

Ali.—Cousin and Son-in-law of the Prophet Muhammad. He was 4th Khalipha (Caliph) of the Prophet, but according to Shias deserved to be the first successor of the Prophet.

Abádi.—Village, the habitation of the people in a village; the area in which the houses exist in a village.

Amilguzar.—A Collector or a Settlement Officer.

Ayama.—Land granted by the Moghal Government, either rent-free or subject to a small quit-rent, to learned men and for religious and charitable purposes. Such tenures were recognised by the British Government as hereditary and transferable.

Abwáb.—Heads or subjects under the Muslim Government in addition to the regular assessment on the land. Miscellaneous cesses, imposts and charges levied by zamindars and public officers. In the later Muslim rule many such were introduced which were either abolished or consolidated with the land revenue by the British. Cesses are still taken along with the revenue.

Asámi.—A cultivator, a tenant, a reuter, a non-proprietary cultivator, also a dependant, also a debtor.

Angauchha.—A towel, a handkerchief.

Aghan.—One of the months of luni-solar year,—the ninth corresponding with November-December.

Achkan.—A long coat having buttons in front.

Asárh.—The fourth month of the Hindu solar year (June-July), considered the first of the rainy seasons, and beginning of the rice cultivation.

Adra.—The sixth lunar month, the beginning of the rainy season.

Ashlekha.—The ninth lunar month containing five stars.

Arhar.—A kind of pulse.

Aswani.—The name of the first lunar mansion or Nakshatr having the form of horse's head.

Aghani.—Produce of that portion of the *kharif* or cold weather crop, which is gathered in the month of Aghan. It is also applied to the harvest of the cold season.

Amawas.—Day of conjunction, day of new moon, when it rises invisible. The term is current throughout India.

Aushdhalya.—Dispensary, drugshop.

Aika.—A movement of tenants in 1920 in Oudh. This was started owing to illegal exactions by the landlords but

the movement allied itself with non-co-operation then in full swing and was suppressed. A full history of that is in Colonel Faunthorpe's report.

Akra.—A kind of grass or weed.

Argasi.—An iron fort.

Batwa.—Pipkin.

Bhaiyachara.—Lands or villages or certain rights and privileges held in common property either entirely or in part, as in the perfect, or imperfect *pattidari* tenure by a number of families forming a brotherhood, originally perhaps descended from a common ancestor but now not always connected by sameness of descent.

Birt.—Maintenance, support. Grant or endowment to any person for his maintenance or for religious and charitable objects. Proprietary right whether acquired by purchase, inheritance or grant heritable and transferable, subject to payment of revenue either to Government or to the raja or zamindar when not specially exempt. A right, custom or privilege derived from the performance of offices whether secular or religious. A right to perform certain offices claimed by different class. Fees to family priests.

Birwá.—A tree.

Bissoi.—The chief of a district in Orissa collecting the Government revenue and exercising police and judicial authority.

Bághát.—Plural of *bágh,* a garden, an orchard, a plantation.

Bhánd.—An actor, mime and jester of a particular tribe, sprung from the Hindu Bahrupiya.

Bábú.—An old title of respect attached to a name, as Mr. or Esqr., but unfortunately now used by Europeans in a bad sense and therefore respectable educated Indians do not like to be called Babus.

Badia.—Rich.

Bigha.—A measure of land varying in extent in different parts of India. The standard bigha of the revenue surveys of the North-Western Provinces is equal to

3,025 square yards of 5|8ths of an acre. In Bengal bigha contained only 1,600 sq. yds. In Benares it was, at the time of settlement, determined at 3,136 sq. yds. In other parganas it was equal to 2,025 to 3,600 or to 3,925 sq. yds. In Azamgarh 16 biswas make a kachcha bigha and 20 a pacca bigha. It varies in different places.

Batai.—Division of the crop between the cultivator and the landlord or the Government in that capacity. The proportions vary in some poor lands, the share of the landholder may not exceed a sixth, in the Konkan it is a half; the more usual proportion was third.

Bangar or Banjar.—Waste or fallow land.

Biswa.—A twentieth, but applied especially to the twentieth part of bigha.

Bhuri.—Light sandy soil.

Barfi.—A kind of sweetmeat prepared mainly from milk and sugar.

Baqr-id or Id-ul-Azha.—A Muslim festival in which besides offering prayers, animals are sacrificed in commemoration of the incident of Abraham being allowed to withdraw the sacrifice of his son Ishmael by offering a substitute for him.

Badshahi.—Royal. As applied to tenure, it denotes land, held under a royal grant, or in the language of the Regulation, a badshahi grant, extended to all grants made by the ruling authority for the time being. Grant by the Subadar of Oudh and by the British Government.

Bajhra.—A mixed crop, generally of rice and barley.

Birtia.—One holding a *birt*, or subsistence grant of any description upon the terms of the grant.

Bais.—A numerous tribe of Rajputs found in Oudh, in which they give the name to the district.

Bhat.—A title or cognomen of learned Brahmins.

Bathwa.—A kind of weed which springs up with the *rabi* crops and in the vicinity of water; also a potherb (chenopodium album).

Baigan.—The egg-plant, the brinjal.

Bhusa.—The husk or chaff of corn straw.

Bhando.—The name of the sixth solar month (August).

Baisakh.—The second solar month of the Hindu (April-May).

Bhur.—An unproductive soil, consisting for the most part of seven-tenths of sand and the rest of clay with very little vegetable fertility, being the third in common enumeration.

Bajra.—A grain much cultivated throughout India, a species of panic or millet.

Bansi.—A sort of wheat with blackish ears.

Bojh.—A heap or bundle of grain grass, also a load, a burden.

Bilmukta.—Round sum.

Bhindi.—A vegetable called "lady's finger."

Bandi.—Petticoat.

Bidái.—Departure of bride from her father's house to her husband's house.

Caravansarai.—Inn.

Chawkidar.—A watchman, a police or custom peon, a village watchman.

Chawdhari.—The headman of a profession or trade in towns; the headman of a village. A holder of landed property classed with the zamindar and taluqdar.

Chachar.—Land that has lain fallow for a year or more, but not a very long time. On being taken under cultivation the produce was divisible for the first year in the proportion of one share to Government and three to the cultivator. After a year of cultivation, it was placed on the footing of fully cultivated land of the same description.

Chakla.—Any quarter of a town.

Chait.—The Hindu name of the first month, the full moon of which is near Chitra (March-April).

Chaupál.—A shed in which the village community assemble

for public business. A raised platform near a house, a *chabutra.*

Chapáti.—A thin cake of unleavened bread.

Chaulai.—A species of potherb; *amaranthus,* polygamus. There are two kinds: one red, the other green; also called marsa, gandhari.

Chauka.—A place in which Hindus dress or eat their victuals.

Chádar.—A sheet, a tablecloth, a coverlet.

Chhaták.—The sixteenth part of a seer, two ounces.

Chúri.—Bangles. A widow generally does not wear them.

Chari.—Juar sown close and not suffered to run to seed, but cut unripe and used as fodder for cattle.

Chaupa.—Something like clover.

Charkhi.—The pulley or rather spindle by which water is raised from a well by two water pots tied to the ends of a rope that passes over a cylinder, and are raised alternately. A wheel for spinning rope. A machine for separating cotton seed.

Charban.—Parched gram taken by the poor people and labourers.

Chamár.—A caste of persons mostly found in the eastern part of the United Provinces.

Chana.—Gram.

Dar.—In, within—rate, price, a number or quantity fixed as a standard, an allowance.

Dasus; Dasyas.—Slaves.

Diwán.—A royal court, a council of state, a tribunal of revenue or justice. A minister, chief officer of state.

Dahsala.—Decennial, for ten years.

Doab.—A tract of land lying between two rivers, which after running for some distance unite, as the country between the Ganges and Jamna, known especially as the Doab.

Dál.—Pulse.

Dhoti.—A cloth worn round the waist passing between the legs and fastened behind.

Dasmi.—The tenth lunar day of the fortnight.

Dhenkli.—A machine for raising water, a horizontal lever resting on an upright, having a weight at one end and a string pulled by a man with a bucket or water jar attached to it at the other.

Dauri.—The basket to throw up water for irrigation.

Dan.—A gift or alms-giving.

Dugia.—A sling basket of large size used for irrigation.

Dabi.—Ten handfuls of the autumn crop.

Deorha.—One and a half; used to express interest in kind or grain at the rate of 50 per cent.

Dhenki.—A kind of pestle or pedal projecting from the end of a liver, one end of which being pressed down by a weight or by the foot, the other falls of its own weight when the pressure is withdrawn. It is used to clean rice or tobacco, to pound brickdust.

Dehyak.—Tenth part of a share.

Deh-kharacha.—Village expense.

Dopalli topi.—A sort of thin cap.

Dai.—Nurse.

Dia.—Lamp or lantern.

Farzi.—Not real, supposed.

Fasli.—Belonging to the harvest or season when cultivated or lands productive of crops are assessed according to the value of the crops or frequency an abundance of the harvests. The harvest year, a mode of computing time prevailing throughout India. An era originated with Akbar.

Firmán.—Regulation; command.

Gaz.—A measure of length, a yard.

Gumashta.—An agent, a steward, a confidential factor, a representative, an officer employed by zamindars to collect their rents, by bankers to receive money, by

merchants to carry on their affairs in other places than where they reside.

Ghee.—Clarified or oiled butter, butter boiled and then set to cool, when it remains in a semi-liquid or oily state, and is used in cooking or is drunk by some village yokels.

Gur.—Molasses, raw sugar, the produce of the first inspissation of the juice of the cane.

Ghalla-baksh.—A system by which share of produce was taken by division or appraisement of crops.

Gojai.—Barley and wheat mixed.

Ghilaf.—Cover.

Ghangaria.—Loose trousers worn by women, specially in villages.

Goind.—Land near the village.

Goera.—Dried cow dung.

Garansa.—Chopper.

Ghurra.—A complete set for irrigation consisting of men, charas (bucket) and barha (rope with pulley) and sundry other things.

Guria fair.—A fair in which dolls abound and are purchased for children.

Huzuri.—Under the Muslim Government the term was sometimes applied to such land as paid revenue to the *Diwan* or financial representative of the Government in opposition to the *Nizamat* lands, which paid revenue to the Nazim or Viceroy.

Hákimi.—Belonging to the ruler or the Government, as the Government share of the crop or the revenue derived from it.

Haqq.—Right.

Hukka.—The pipe in which tobacco is smoked. *Hubble-bubble.*

Har or Hal.—Plough.

Hansya.—A sickle.

Homa.—Burnt offering, oblations of clarified butter poured on the fire, other articles may also be offered. The rite is of high antiquity, and forms part of all domestic or religious observances, such as marriages, adoptions and so forth.

Hákim.—A ruler, a governor, the supreme administrative authority in a district, also a judge.

Harri.—Cess requiring a cultivator to plough the land of his landlord without any payment.

Hariai.—Green weeds, etc., used as fodder.

Husain.—Second son of Ali—grandson of the Prophet Muhammad, being son of his daughter Fatima.

Hatiyana.—A *nazrana* realised in the past from tenants by some taluqdars for purchasing an elephant.

Imám.—A head or chief in religious matters, whether he be the head of all Muslims as the Khalifa (Caliph), or the priest of a mosque, or the leader in the prayers of a congregation.

Id-ul-fitr.—A Muslim festival, which falls on the day succeeding the expiry of the month of fast (*Ramzan*).

Izar.—Trousers.

Jagir or Jageer.—A tenure common under the Muslim Government, in which the public revenues of a given tract of land were made over to a servant of the State, together with the powers requisite to enable him to collect and appropriate such revenue and administer the general government of the district. The assignment was either conditional or unconditional; in the former case some public service, as the levy and maintenance of troops or other specified duty, was engaged for, the latter was left to the entire disposal of the grantee. The assignment was either for a stated term or, more usually, for the life time of the holder, lapsing on his death to the State, although not usually renewed to his heir, on payment of a *nazrana*, or fine, and sometimes specified to be a hereditary assignment, without which specification it was held to be a life-tenure only.

Jagirdar or Jageerdar.—The holder of any assignment of revenue.

Jalebi.—A sweetmeat prepared from fine flour, *ghee* and sugar.

Jarib.—A measure, in its original use a measure of capacity equal to 4 kafiz or 384 *madd,* about 768 pounds, it then became applied to a land measure, or as much land as could be sown with a jarib of seed corn; and then appears to have been loosely used as an equivalent to a bigha. In course of time it occurs as a measure of land of various extent and as the chain or rope for measuring. In the United Provinces the measurements are made by a chain, and the jarib is equal to 5 chains of 11 yds. each or to 60 *gaz,* or 20 *gathas* or knots.

Jetansi.—The share or portion of the eldest born.

Jua.—Gambling, yoke.

Juar.—Indian millet, vicinity, neighbourhood.

Jau.—Barley.

Jeth.—The name of the third Hindu month (May-June).

Jhil.—A lake, a marsh, low ground.

Jhula.—A swing, a cradle.

Jota.—The strap that goes round the neck of the animal under yoke.

Jundhuri or Jondhari.—Indian millet.

Khiráj.—The tribute, applied in an especial manner to the tribute levied by Muslims upon non-Muslims after conquest, but latterly to the revenue raised from the land, in which sense it is still employed, importing the amount claimed by the State as its rent or share of the profits of land in cultivation.

Kázi.—A Muslim judge, an officer formerly appointed by the Government to administer both civil and criminal law, chiefly in towns according to the principles of the *Quran,* under the British authority the judicial functions of the *Kazis* in that capacity ceased and with the exception of their employment as the legal advisors of the court in cases of Muslim law, the duties of these stationed in the

cities or districts were confined to the preparation and attestation of deeds of conveyance and other legal instruments, and the general superintendence and legalization of the ceremonies of marriage, funerals and other domestic occurrences among the Muslims.

Killah.—A fort, a fortress, a castle, a built-fort.

Kubuliyat.—A written agreement, especially one signifying assent, as the counterpart of a revenue lease, or the document in which a payer of revenue to the Government or that of rent to the zamindar farmer expresses his consent to pay the amount assessed upon his land.

Kankut.—The appraisement of standing crops.

Khálsa.—As applied to lands it means those of which the revenue remains the property of Government. Not being made over in *jagir* or *inam* to anyother parties. Lands or villages held immediately of Government, and of which the State is the manager or holder. It is termed in some official papers the rent roll of the Government, meaning the revenue receivable from Government or Khalsa land.

Kharif.—Autumn, autumnal crop.

Kach-Nikasi.—Gross income, gross produce.

Khichri.—An Indian dish of rice boiled with split pulse and spices.

Khánd.—Coarse sugar, a piece, a portion.

Kahár.—A tribe of Sudras chiefly settled in Behar following agricultural pursuits, but employed in town as palanquin-bearers, many of them in their own provinces are serfs and are considered impure.

Khurpa.—Spade, hoe, a weeding knife.

Karáhi.—A flat vessel of iron or brass in which food is boiled, a frying pan, a tray.

Katora.—A cup or goblet or any metal, a bowl.

Kachauri.—A sort of fried bread prepared with ghee, and flour in which *mash* pulse or some other pulse is filled.

Kara.—An ornament used on the hand like a bangle but thicker than a bangle.

Kapas.—Cotton with seed.

Kanungo.—A revenue officer (fully described in Chapter VIII of Volume I).

Kans.—A weed.

Kuar.—The 7th month of the Hindus (September—October).

Katik.—The name of the 8th Hindu month, the full moon of which is near Karitika or the Pleiades (October-November).

Khadir.—Low lands, of easy irrigation, and especially fit for rice cultivation, rice beds, or patches of ground surrounded by low banks so as to confine water and moisten the ground for rice cultivation, also moist alluvial ground on which, with or without irrigation, barley and wheat are grown in some places.

Kurta.—Shirt.

Kiari.—A bed in a garden, one in a field especially for the plantation of rice in small squares, with raised borders to retain the water, a field surrounded by a high bank forming it into one large bed.

Kodo.—A small grain, which is eaten. It has the property of intoxicating when made into bread; it is then called motáona.

Kudár.—A kind of pickaxe.

Karkun.—An inferior revenue officer in charge of a *taraf* or division, under the mamalatdar, or District Collector.

Karbi.—Fodder.

Kabaddi.—A game played by Indians now popular only in villages.

Kara.—An ornament worn on the hand.

Khali.—Oilseed cake.

Kachhis.—A caste of agriculturists who are specially good in cultivating vegetables, etc.

Khalyan.—Threshing flour.

Kurmundan.—A sort of worship on the completion of all sowings of *rabi* crop.

Kakun.—A sort of pulse generally given to poultry and pigeons.

Khad.—A pit, an abyss.

Kurti.—Shirt of a woman.

Kondar.—A stock of *juar* or *bajra.*

Lákhiraj.—Rent-free land, applied to land exempted for some particular reason from paying any part of the produce to the State.

Lungi.—A cloth passed between the thighs.

Lota.—A small round metal or earthen pot.

Lohar.—A blacksmith.

Lao.—The rope by which the leather bucket of a well is drawn up.

Lipai.—Plastering of floor or walls—Hindus prepare a mixture of cowdung and earth and water and plaster it by means of cloth on the floor, etc.

Langala.—Ploughing, cultivation.

Latan.—A name given to all the early sown cold-weather crop.

Laddoo.—A sweetmeat made of sugar and milk or some sort of pulse.

Lákh.—One hundred thousand.

Mahál.—A local area held under a separate engagement for the payment of land revenue. It may consist of a portion of village or a single village or even more than one village. For full definition see section 3(4) of U. P. Act III of 1901.

Muafi.—A grant of land free assessment; the word is in common use to signifying exempt or free from duty or tax, as lands, goods. It also designated a particular grant formerly made by zamindars and the revenue officers of the Government, which became hereditary and transferable, and was also applied to lands which were held free of revenue on condition of service. Land revenue free.

Malikana.—Pertaining or relating to the malik or proprietor, as his right or due; applied, especially in revenue language,

to an allowance assigned to a zamindar, or to a proprietary cultivator, who from some cause, as failure in paying his revenue or declining to accede to the rate at which his lands are assessed, is set aside from the management of the estate, and the collection and payment of the revenue to the Government, which offices are either transferred to another person, or taken under the management of the Government Collector. In such cases a sum not less than 5 per cent, and not exceeding 10 per cent, on the nett amount realized by the Government was finally assigned to the dispossessed landholder.

Munda.—The head, a headman.

Mukaddam.—Applied to the headman of a village or of a caste or corporation.

Milkiat.—Possession, property, mastership, proprietary right, also real property, landed possession; it is sometimes applied to the possession of rent-free lands.

Mash.—Kind of pulse very generally eaten.

Mazkuri.—In old revenue account it was applied to small and scattered estates or zamindars not included in the account of the districts in which they were situated, and of which the assessments were paid direct to the officers of the Government.

Muffassal.—The country, the province or the stations in the country as opposed to the sadar or principal station or town.

Mujrai.—A pension, an allowance, any authorised deduction applied under the Muslim Government to an allowance to the zamindar of Rangpur for presents made by them to the chiefs of the hill tribes to prevent depredations. Under the British Government it implies deductions from the revenue on account of allowances to cultivators or contractors, as an encouragement, or of assignments or remissions or grants of revenue for charitable purposes.

Mustajir.—A farmer.

Moti.—A sort of pulse.

Matar.—Peas.

Malguzari.—Revenue assessment, the payment of land revenue.

Mardana.—That part of a house which is apportioned for males.

Mithai.—Sweetmeat, confectionery, sugar.

Makh.—The eleventh month of the Hindu year (January-February).

Múth.—Handle, hilt, fist, sorcery, a game.

Mothia.—A class of thugs residing chiefly in Rangpur and Dinajpur, usually following the business of weavers, said to be so termed from giving their leader a handful of rupees from each man's share in addition to his own.

Mori.—A water-course, a drain, a pipe under the surface to convey water.

Mahajan.—A great man, but applied in most part of Hindustan to a merchant, a dealer, a banker, or money-changer.

Madwa.—A sandy soil of light brown colour.

Musoor.—A kind of pulse.

Mirzai.—A small coat.

Malmas or Malamasa.—A Hindu month in which no religious ceremonies should be performed.

Mothi.—A kind of pulse.

Múng.—A kind of pulse.

Matiyar.—A kind of soil.

Masala.—Spices.

Naqdi.—Paid or to be paid in cash or ready money, applied especially to the land revenue which is paid in money in contradistinction to that which is paid in kind.

Nizamat.—The administration of criminal justice, the office of nazim.

Nim.—A tree.

Nazar.—Present.

Naib.—A deputy, an assistant, a delegate, a vicegerent.

Nawabi.—The rule of the Oudh Nawabs was so called.

Nij-jot.—Lands cultivated by the proprietors, or revenue payers

by themselves, and for their own benefit; also land allowed to be set apart for the private maintenance of a zamindar, on which before the decennial settlement in Bengal no revenue was assessed.

Nakshtra.—An asterism or collection of stars which are classed in twenty-seven divisions and serve to make the moon's course through the ecliptic, hence called a lunar mansion; any constellation.

Nazrana.—Present given to a landlord by his tenant at the time of engagement and sundry other occasions.

Nár or Nári.—Rope.

Patta.—A deed of lease, a document given by the collector to zamindar or by some other receiver of revenue to a cultivator or under—tenant specifying the condition on which the lands are held.

Pura.—A small village.

Pattidari.—Explained in Chapters VI and VII.

Pargana.—A district, a province, a tract of country comprising many villages but of which several go to constitute a *chakla* or *zila;* the actual extent varies, but the distinction is permanent.

Patwari.—A village registrar or accountant.

Polaj.—Land constantly in cultivation never requiring to be left fallow.

Pahunchi.—A kind of ornament worn on the hand.

Patili.—A vessel for cooking.

Parja.—*Reyaya, asami.* Generally members of old village communities who hold inferior position such as barber, carpenter, potter, etc.

Poolah.—A bundle, sheal.

Peshkar.—An agent, a deputy, a manager, or an official of a court who puts up files.

Pahi-Kasht.—Cultivation by non-resident cultivators or tenants-at-will. It is now applied to such cultivators who cultivate in one village and reside in another.

Peshkash.—Tax, tribute, what is first drawn.

Pádsháh.—A king.

Pakka.—Cooked, dressed.

Parát.—A big tray.

Phágun.—The twelfth month of the Hindu corresponding to February and March.

Pús.—The tenth solar month (December-January).

Patra.—A leaf of a plant, generally the platter made of leaves commonly used in villages in feasts.

Pandit.—Learned Brahman, well versed in Sanskrit; now every Brahman is called "Pandit".

Payal.—Paddy straw.

Pasi.—A caste of Sudras found largely in Oudh.

Patta Istimrári.—Lease in perpetuity.

Phenta.—Turban, a small girdle.

Pharia.—A bedsheet for children, a garment for children.

Pac.—One quarter of every thing, more commonly of a seer.

Ryot or Raiyat.—A subject, but especially applied to the agricultural population, a cultivator, a farmer, a peasant.

Rahdari.—A passport, a custom pass or permit, transit duties, tolls and duties collected at inland stations upon grain and other articles, levied formerly by the Government, or sometimes by the zamindars on their own authority.

Rabi.—The spring, the months of March-April, the spring harvest or crop sown after rains and reaped in the first three or four months of the year ensuing, a name common to the third and fourth month of the Muslim year.

Rikabi.—A plate.

Ras.—Juice of every thing, more commonly of sugarcane.

Roy Royan or Rai Rayan.—Title borne by the Financial Minister and Treasurer of the Nawab of Bengal, and was assigned by the British Government to the Chief Indian Officer whom they appointed in 1772, abolishing the office of Naib-Diwan.

Razai.—A covering filled with cotton worn in winter.

Sír.—It is explained in Chapters VI and VII.

Soma.—A climbing plant from which a juice is extracted by pressure, which, when fermented, is offered in libation to the gods or to fire.

Sharb.—Right to water or to use the draw wells or channels of irrigation, which is declared to be transferable independently of the land which is irrigated.

Sharbat.—Syrup.

Shiqdar.—A revenue officer or collector appointed either by the Government or a zamindar to collect the revenue from a small tract of country or from an estate.

Subah.—A province, a government, one of the larger subdivisions of the Moghal dominions.

Sarai.—An inn.

Sarkar.—An extensive Division of country under the Muslim Government, a sub-division of a subah, containing many parganas, a district, a province.

Salámi.—Presents and perquisites that used to be taken by the servants of the East India Company and which were forbidden by the Directors.

Shikmi.—A cultivator who holds land from the tenant and pays rent to him, a sub-tenant.

Sattu.—Grain parched and ground to flour sometimes mixed with peas and usually eaten made into a paste with water.

Sag.—Greens, pot herbs, vegetables.

Sári.—A long cloth worn by Hindu women, wrapped round the body and passed over the head. In some places it is now worn by Muslim women too.

Siwain.—Vermicelli.

Sáwan.—The fifth month, the full moon of which is near Aquila (July-August).

Shagun.—Omen.

Sathi.—A kind of rice produced in the rain.

Sudi.—The bright half of a lunar month from new full moon.

Sunni.—A sect of Muslims which recognises the first-four Khaliphas (Caliphs) of the Prophet as they succeeded the

Prophet Muhammad. This sect relies on the traditions of the Prophet next to the *Quran* and hence the name.

Shia.—A sect of Muslims who do not recognise the first-three Khaliphas (Caliphs) of Muhammad and consider the fourth Caliph, Ali, as the only one who was entitled to succeed the Prophet.

Sahukár.—A banker, a dealer in money, an exchanger, a merchant in general.

Singhára.—A fruit which grows in ponds, lakes, etc.

Sherwani.—A long coat, worn chiefly by Muslims, but also by some Hindus.

Sadr.—Divani Adalat. The chief civil court of the East India Company.

Sadar Faujdari.—The chief criminal court of the East India Company.

Sowad.—On the side of.

Sáfa.—Turban.

Taluqdar.—A possessor of an estate, a landlord. In Oudh it is a technical name for landlords who hold land by virtue of a *sanad* given by the British Government after the Mutiny.

Taqawi.—An advance to cultivators for seed, implements, digging wells, bullocks, etc.

Tola.—A certain weight, especially of silver, containing under the old system, a varying number of *mashas,* but usually regarded as equivalant to the weight of the sikka rupee or 179.666 troy grains.

Takht.—A plank, a platform, a low table made of wood on which people sit.

Thali.—A small flat dish or plate.

Tawa.—An iron pan on which bread is baked.

Til.—The seed of the sesamum, a mole, a moment.

Tilli.—Spleen, milt or roe.

Tarai.—Marsh, meadow, marshy ground.

Tehsil.—Collection, especially of the public revenue derived from the land, the revenue collected, also sub-division of a district.

Tirbeni.—Confluence of the three rivers, namely, the Ganges, the Jumna, and the invisible Sarswati. The place where they meet is called "Tirbeni". It is in Allahabad.

Tihara Panseri.—Three times of a five seer measure.

Taufir.—In revenue language, an augmentation of the revenue, either from extended cultivation or the lapse or resumption of alienation assignments: excess above an extended amount of assignment, which when realised in a jagir, was considered to be the right of the State, although rarely acknowledged or paid.

Upla.—Dried cakes of cowdung used as fuel.

Urd.—A sort of pulse.

Waqf.—A bequest for religious or charitable purposes; an endowment, an appropriation of property, by will or by gift to the service of God in such a way that it may be beneficial to men, the donor or testator having the power of designating the persons to be so benefited.

Wajib-ul-arz.—In the United Provinces of Agra and Oudh it designates what is considered to be the most important of the documents relating to the village administration, describing the established mode of paying the Government revenue, the actual shares of holdings, whether held in severalty or in common, and how separation or re-allotment takes place, the powers and privileges of the lambardars, and how elected, what extra item of the collection are recognised, the rules regarding fruit and timber trees on the estate, and how irrigation is maintained, the appropriation of waste lands, the village servants and their fees and the pay of the village watchman, it should be in fact a complete view of the organisation of the village, and it is to be attested by the signatures of all the lambardars and as many of the shareholders as choose to sign, and by the signature of the patwaris and kanungos.

Zamindari.—The office and rights of a zamindar.

Zabt and Zabti.—A system of Akbar's Administration of Revenue discussed in Chapter II.

Ziladár.—An official of the Court of Wards (and of the Canal department, and of all zamindars who is in charge of collection of rent).

PREFACE

This book deals with the history and status of the landed interest in a province of India called the United Provinces of Agra and Oudh. The main object of the book is to show the evolution and improvement in the position of agriculturists, specially the tenantry under British rule, but for the sake of historical continuity some phases of pre-British administration of villages have also been described.

The subject with which the book deals is a vast one, full of complications and difficulties. Our apology for dwelling on this subject is that it will give educated Indians an opportunity of making an impartial study of the great constructive work done in this direction since the advent of the British in India.

The book is divided into two parts. The first part opens with a description of village communities. An attempt has been made to trace back the grouping of the villages and the formation of village communities in India to times as far anterior as available sources can take us. It has been suggested that the original collection of houses called 'Severalty villages' were pre-Aryan (some writers taking them as Kolarian and others as Dravidian) and that with the intermixture of the Dravidians and other elements with Aryans they took different form called 'joint villages'. The system of village government of pre-Aryan and Aryan times have been treated briefly. The Hindu view of property in land has been mentioned and some light has been shed on the various shades of rights in properties that began to show themselves in later Hindu times, and developed during Muslim rule in India.

The effect of Muslim rule on the revenue administration has been brought to light. Sher Shah was the real pioneer of reforms in revenue administration in India, but it is truly said that Akbar was to administration what Shakespeare and Saadi were to poetry. If Akbar borrowed[1] some ideas from the Afghan rulers, his original measures were dictated by a spirit of true statesmanship and a keen solicitude for the welfare of his subjects. His administration and

[1] Ain-e-Akbari Jarrat II, Pages 44, 45 and 66.

his famous institutes have received due notice at our hands and we take this opportunity of acknowledging with gratitude the pains taken by Messrs. Moreland, and Yusuf Ali in their article in the "Journal of the Royal Asiatic Society," 1918—to dispel erroneous notions entertained in some quarters of certain phases of the reforms introduced by this Emperor.

From the accounts of a few reformers, however, it should not be understood that the condition of the peasantry was satisfactory throughout, or that the solicitude for the peasantry was the common feature of Muslim rule, or even of later Hindu rule. Mr. Moreland truly says "Measured either by time or by area these prominent events are mere episodes." In his article "The Indian Peasant in History", published in the *Hindustan Review* of July, 1929, he has drawn a picture of peasantry of pre-British days which is worth perusal.

Coming to the British period, the real revenue administration of the British Government commences from the time when the East India Company obtained the right of *Diwani* in Bengal. In giving a brief history of revenue administration since then, the policy of the Government as regards assessments has been explained and it has been noticed with satisfaction that the mistaken policy adopted in Bengal of making settlement in perpetuity, and with zamindars whose *bona fides* was questionable, was not followed in the United Provinces. In these provinces the settlements have been made temporarily, except in those districts formerly known as the Benares province, and generally in all cases with rightful owners. While the system of periodical settlement may be commended, it should be borne in mind that it is not either in the interest of the State or landlord, or cultivator that the period of the fixation of demand should be of brief duration. We would not go so far as Irwin,[2] who suggests ninety-nine years as a suitable period, but would rest content for the present with recent legislation whereby the term of settlement has been extended from 30 to 40 years.

Various legislative Acts affecting the position of the landlords and tenants have been dealt with. A survey of the whole position will show that landlords have considerably improved in many ways and that from an indefinite and precarious position, as was that of the tenantry at the advent of the British Government, it has been

[2] Garden of India by H. C. Irwin.

gradually brought by constant and judicious legislation to a position of some security. At first a right by prescription was recognised, and now even those who had no right by prescription have obtained a statutory right of life tenancy with a right for five years for the successor. This is a substantial advance for which Government deserves the gratitude of all who have the interests of the tenantry at heart.

But periodical enhancements are till there; the law of eviction has not yet been sufficiently restricted, and the cultivator is still uneasy in mind from fearing that if he enlarges the output of his holding by careful tillage or by introducing improvements, his labour and expenditure may prove in vain; he still dreads that eviction may follow should he display independence or venture to cross the action and wishes of his liege lord. So long as the Indian ryot is deprived of certainty of tenure and of a reasonable expectation of enjoying the fruits of his toil, who can wonder if he is slow in improving his plot of land. To obtain free scope for economic development, greater security and fixity of tenure seem to us essentially needed. As one of the means for extinguishing extreme poverty for one whole generation, Mill proposes "raising a class of small proprietors." We may not be able to do that, but the same purpose will be served by the cultivators obtaining complete security. We have made our humble suggestions as to how this can be effected, but confess these are somewhat imperfect owing to the extreme intricacy of the problem to be solved. Much, however, depends upon the attitude of the landlords who dominate even the legislature now. We would remind them of the well known lines of Sadi:—

"Raiyyat cho bekh ast woa Sultan darakht,
Darakht ai pesar bashad az bekh sakht."
"A tree resembling, standing firm and fast,
The zemindar, defying rain and blast.
Whence comes his strength? 'tis with the ryot found
Rooted to earth, sunk deep into the ground."

Coming to the second part, we have handled the causes of disruption among village communities; have described briefly the existing condition of villages, the state of sanitation, medical relief, agricultural advancements, the indebtedness of the rural population, the extent to which they are associated with the administration, and various other economic questions. We have briefly re-

ferred to pre-British conditions and under each head have noticed the steps taken by the British Government to satisfactorily deal with the above matters; especially emphasising reconstruction work. Had the measures taken by the Government fulfilled reasonable hope, there is no doubt that a substantial advance would have been made, but we observe with regret that the General outlook of the life of an agriculturist has changed very little from what it was in the past ages. The main reason for this is, we are convinced, the general illiteracy. We do not advocate advanced education for agriculturists, but would insist on their being taught the three R's. A little literacy will gradually open their mind and may raise them out of the rut of superstitious notions, enable them to realise the advantages of modern knowledge and methods, create in them a habit of conscious thinking, and may even bring home to them the pernicious effects of the caste system which has been a great barrier in their advance Till lately only a feeble attempt was made to bring knowledge to the home of the Indian villager but now some substantial attention is being paid to the subject. As a result, however, of the policy in the past the people fail to appreciate the efforts made in their behalf. For example, the agriculturist has the franchise with the power which that gives to press their point of view on the Legislature of the province and the Local Boards, but, unfortunately, their own representatives frequently are hostile to their interests, and, owing to their clossal ignorance, they do not realise this. It is noticed frequently that it is the Government that comes to their rescue. Similarly the co-operative movement is admittedly the best means of saving them from the clutches of the bania (money-lender) and improving their financial position, still they do not perceive its significance. We regret that the co-operative movement in these provinces is in the words of H. E. Sir Malcolm Hailey 'in a stagnant position.'

There is yet a serious position which is the result of unenlightment. While slavery has been abolished, thanks to the British pioneers against the evil, serfdom is still prevalent among the tenantry and agricultural labouring classes. When a householder in the city rents his house he has nothing in mind but the contractual position; when in a village, however, a landlord leases land, he ignores the contractual position and has always in mind the dominating position of overlordship. Every landlord seems specially

anxious to get as tenant a member of the depressed classes, not from charitable or philanthropic motives, but to utilise his services as a serf. This is nothing more than a remnant of the evil spirit of slavery, and the grave drawback is not likely to be eradicated until these classes become literate.

Last, but not least, take the case of agriculture. Leave aside other problems connected with it, and consider it as a profession by itself. If we estimate dignity by immediate usefulness, agriculture is undoubtedly the first and noblest science, yet the old notion that agriculture is not a dignified calling still obtains credence, and we see the plough driven, the cold broken, the maize spread, the seeds scattered, the harvest reaped, by men of the lower starta of society, while those who feed upon their industry will never be persuaded to admit them into the same rank as themselves. It is these most essential workers who form the base of the pyramid of subordination, yet centuries of Muslim and English rule have brought no change of mind in this respect. It is obvious that it is due to want of education, and verily to education we must look to combat . .

"The sordid vices and abject pains,
That evermore must be,
The doom of ignorance and penury."

Another cause in some cases of the disappointing results of remedial measures is that while steps are taken to root out the apparent and superficial cause of some such evil, other circumstances which are fundamentally responsible for the evil are ignored. For example, steps are taken to combat malarial epidemics by some sanitary measures, and the provision of medical relief, but the question of sanitation in relation to such epidemics is closely connected with that of the hygienic conditions of the homes in which the people live, and the villages in which these homes are grouped; and that problem has not yet been tackled. Light and air are two main desiderata for health, yet are not obtainable in an Indian village abode so long as the houses are dark and unventilated, cattle living practically in the same dwelling as their owners and their dung stacked in promiscuous fashion all over a village; breeding ground for mosquitoes and other pernicious germs. Verily the state of an Indian village horrifies and disheartens the social reformer, still he should take *nil desperandum* as his motto and proceed undaunted in his good work.

A Royal Commission on Agriculture was appointed to go into the various problems and the result of their labour has been embodied in an interesting and instructive Report. It is hoped that the recommendations are meeting with sympathetic attention and that substantial improvements in existing conditions may be noticed ere long. Peace, prosperity and happiness are the right of the agriculturist as much as of other citizens.

We conclude by quoting a verse from a poet on the Indian peasant, sombre indeed, yet free from exaggeration.

Tillers of earth, a much-enduring race,
On whom grim want and hardship leave their trace,
One blessing known, their wants are plain and few,
So lived their parents, in like fashion grew.
Labour unceasing, on from year to year,
Their childhood dull, their method bland and drear,
Their food coarse bread, their drink is from the stream,
Pleasure they taste not—even in a dream,
Yet still they work, nor utter plaintive groan,
Their silent suffering seen by GOD alone.

S. N. A. JAFRI

PART I

CHAPTER I

ANCIENT INDIA

No discussion on the status of the landed interest, especially the tenantry in the Central-Northern part of India—in modern days known as the United Provinces of Agra & Oudh —would be incomplete without an attempt to trace their early source and gradual evolution as civilization progressed. Some throw back their origin to the dawn of authentic history: others again date from pre-historic ages. From the Vedas something can be learnt regarding the state of things when those sacred books were compiled, but before the Vedic period one gathers no definite knowledge of Indian history and the condition of the country until the Aryan invasion. What people were its inhabitants and what were their laws and customs are matters still to a great extent enveloped in mystery. Such questions may at first sight appear to have little bearing on the present state of the Indian ryot, yet in a land where change moved so slowly, sometimes remained fixed in *status quo*, the lapse of thousands of years has scarcely affected sundry characterstics of rural India, so that certain village institutions can be traced back to the epochs anterior to the advent of the Aryan tribes. In his paper on Village Communities[1] Mr. Hewitt justly points out that immigrant races progressed gradually and did not trouble themselves to destroy existing systems nor to altogether upset the social order they found on their arrival in India. As a rule, the new comers were content with alterations to suit their own special ideas and habits, and while they changed some essentials, common details of life among the people they supplanted were usually retained. From passages[2] in the Rig Veda it is evident that the Aryans encountered a race not ignorant of the science of war. Indra, god of storm and rain, is spoken of

[1] Journal of Society of Arts, May 6, 1867, p. 614.
[2] ii. 20. 8.

as hurling thunderbolts against the cities of the Dasus, as the aboriginal tribes were called. Again, the same god is referred to, along with Agni, god of fire, overthrowing the strongholds of the Dasus, and in a third passage, Indra is praised for his valour when—exhilerated by draughts of soma—he twice demolished the fort (Argasi) of the Dasus constructed of iron or some other metal.

In the absence of intelligible script, the student of Indian history who seeks to delve into the secrets of past aeons must conduct his researches by the aid of the Archaeological Department; those experts who supervise excavation work and are able to decide with wonderful accuracy the nature of discoveries made and the eras to which they belong. Interesting as are the results of excavations lately carried out at Mohenjodaro in Sindh and Harappa in the Punjab, proving beyond doubt that these two places[3]—though about 400 miles apart were inhabited by persons of the same race and possessed 3,000 years or over prior to the Christian Era a civilisation equal in some respects to that visible in small Indian towns in the present year of grace, the natural temptation to discuss so inviting a topic must be resisted. Suffice it to remark that the people dwelling in these buried cities, towns or villages were not lacking in a certain amount of culture and knowledge of the arts. Everything points, where civilisation is concerned, to their having been very much on a par with the Aryans, who arrived in India centuries later. It is not yet ascertained whether the civilisation unearthed at the sites named is of an urban or a rural character, though some features of the excavated portion point to its being urban, yet it gives a reasonable clue to the existence of a civilization perhaps much more ancient than that of the Aryans. Leaving this point, we must invite attention to one race since their organisation

[3] (*a*) "Pioneer," July 4, 1927, Page 11.
(*b*) Exhibition of Antiquities discovered by Archaeological Department 1926-27, a pamphlet.
(*c*) "Illustrated London News," September 4, and September 20, 1924.
(*d*) "The Times," January 4 and 5, 1928.

reveals the beginning of some village institutions still flourishing, altered indeed, but not beyond recognition. We allude to the settlers whom the antiquary has made Kolarians and whose modern representatives can be met with in the Kols and Korwas—jungle folk still inhabiting the Dudhi pargana of the Mirzapore district. Preceding the rise of the Dravidian tribes, the rules by which the Kolarians were governed are pertinent to our consideration of how the present position of the tenures was evolved from the condition and usages of hygiene ages.

The Kolarians formed the group system of villages—found among the Rajput clans of later times—each group (*Parha*) being presided over by a chief (*Manki*), while each village included in the *Parha* had its own administrator in the *Manda,* or hereditary headman, a personage whom the United Provinces Government about 25 years ago sought to revive under the title of *mukhia.* Mr. Hewitt[4] remarks that the tribal territory under a hereditary chief called Manki, is still the most important territorial division, but some *parhas* in the more cultivated parts of the country were divided into townships with their local deity, or deities, called the Desokhi, to which common sacrifices were offered by villagers. The religious welfare of the Kolarians was as carefully provided for as their secular interest, each village having its priest, a hereditary office, the holder of which received no grant of land—as the Brahmans did in later times—but was paid by a general cess on the villagers.

Under their land system nobody appears to have claimed more than his own actual holding. Each hamlet was permitted to choose its own particular headman, still the latter had no hereditary rights until his hamlet attained the dignity of a village.

Coming next to a Dravidian race, we have material more

[4] Mr. Hewitt's article on village communities. Journal of the Society of Arts" 1867, pp. 620 and 621.

directly associated with the United Provinces in the tribe called Bhars, since a large portion of that territory was held by those people prior to the Muslim conquest. They were undoubtedly an aboriginal tribe and after they threw off the yoke of the Kanauj rulers extended their sway far beyond the present limits of Oudh under the joint leadership of two brothers, Dal and Bal. They are said to have carried their conquest as far as Malwa. First coming to notice about 1050 A.D. they held their own for over two centuries till completely crushed by Nasiruddin Khilji in 1224[5] A.D. Their predominance and widespread possessions are testified to by the names of many towns—Bareilly, Barhaj, Bahraich are the first examples[6] that occur to us—while Bara, formerly an important place in Oudh, was founded by a Bhar Raja of that name, and Bara Banki, an Oudh district, has memories of Jas and other Bhar chieftains; also the Bhadohi tract—now a part of the Benares State, but formerly a tehsil of Mirzapur district. In addition to these towns and pieces of country, recollection of the Bhars are evoked by these ungainly heaps of debris, a feature of so many village sites in the United Provinces bearing the generic name of Bhardih and concealing beneath piles of rubbish traces of political and economic culture among the now almost banished Bhars.

Mr. Hewitt[7] tells us that the Dravidian form of Government was modelled on the plans of their camps, the central states being ruled by the king or Commander-in-Chief, while outlying territory was assigned to the subordinate chiefs, who, with the forces that they commanded acted also as wardens of the Border.

The Dravidians adopted the *parha* of Kolarian tribes

[5] "Garden of India," Chapter III, Page 67.

[6] (*a*) Rev. M. A. Sherring: Hindu Tribes and Castes, Vol. I, Part I, Chapter I, p. 357 *sqq.*

(*b*) Dr. Gustav Opport, Original Inhabitants of India, Pages 22, 38.

[7] "Journal of the Society of Arts" 1882, pp. 621 and 622.

but united several of these when a large province was needed. Boys and girls lived apart from the rest of the family while quite young and occupied separate dwellings yet have trained to act as one united body: a feature of the Dravidian educational system. "They had," says Baden-Powell[8], "a central government with a king or Raja, the whole produce of the land being claimed by the ruler while the principal source of income for the subordinate leaders was the special holdings allotted to them in every "village." The villages were divided into lots called *khunt.* One of the portions thus made was the *majhas,* or royal farm: another lot fell to the headman, another to the *pahan* or priests who were in turn sub-divided into those who attended to the worship of the great goddess—possibly the representatives of Nature —and the district and village gods respectively. As years rolled by the produce from the royal farm did not satisfy the kingly wants, so the monarch received a grain share to which everybody had to contribute, except the priesthood and the village headman. The king introduced a state accountant, *mahto,* in the village polity, thus reducing the influence and social status of the *munda,* or natural headman. The *mahto* got his grant of land which, like the Bhumihar families, the original settlers, he held free. In order to secure a supply of labour for the royal farm a revenue-free allotment was made to some of the cultivators in return for their working on *majhas* land. Finally, all land— except the Bhumihar holdings and *bhekti* land (that given to the royal labourers)—paid a share to the king and was styled raja's land. This system of taking a grain share by way of revenue was apparently adopted by the Aryans but had been an established custom prior to their advent. Soon after the arrival of the Aryans fusion[9] commenced between them and the original Dravidian settlers and inter-marriages took place, also a mixture of language, religion and custom: a mutual influence of the social religious systems

[8] "Land Systems of British India," Chapter IV, Pages 118 and 119.
[9] Op. Cit. Chapter V, Pages 59 to 87.

had a far-reaching effect.

In one of the seven groups of Sir H. Risley[10] the Aryo-Dravidian, found in the United Provinces, the Aryan strain predominates in lower groups, the Dravidian in the higher sections of society. Each of[11] the seven groups referred to has a characteristic basis which only disappeared under the absorbing and transforming power of caste.

Mr. Nesfield rather happily illustrates the situation by comparing the merging of the Aryans with the Dasyas to that of the Lombard in the Italian, the Frank in the Gaul, the Moor of Spain into the Spaniards, the Indian Portuguese in the Indian. This fusion naturally caused alteration in the village community and its modes of administration.

Original village or what is termed the 'severalty'[12] or ryotwari village was distinguished by having a headman chosen from one of the leading families, and allotment of land shares to each member of the community, each member of such village being held individually responsible for his share of any tax levied on the village community, while from time to time redistribution of holdings was made so that each cultivator might in turn enjoy as favourable soil as his neighbours.

The Aryan village or which is known as the 'joint' village presents certain points of difference. It consisted of a landlord, or body of landlords, intermediate between raja or chief and the resident cultivators.

It seems to have been either a growth over and above ryotwari villages or the form resultant from the original conquest and occupation of the land.[13]

From observations made in the United Provinces, Madras, Bombay, and the Punjab, villages of the joint type

[10] "People of India," by Sir Herbert Risley, Chapter I, Page 31.
[11] Op. Cit. Chapter II.
[12] "Land System of India," by Baden-Powell, Chapter IV, Page 129.
[13] "Village Communities of India," by Baden-Powell, Chapter II, Page 59.

appear to have arisen from dismemberment[14] of a raja's state and the partition of estates having a long area, (*b*) from grants in land made to courtiers, favourites, and to scions of the reigning family, (*c*) by usurpation of Government officials in later days; (*d*) the rise in power and prosperity of Government farmers of revenue and purchasers of land when a village was sold up for being in arrears with the Government demand for revenue and (*e*) conquest or occupation by special clans or the settlement of associated bodies of village families and colonists.

There are three kinds of joint village, the first, and most perfect, being the *pattidari* where the community consists of the descendants of one man or his brothers; the second is the *bhaiyachara*, or tribal brotherhood village, held by a tribe or clan with joint responsibility for taxes; and thirdly, the associate village, containing different families that united for defence or to keep their lands from outsiders. A feudal organisation, or at all events what Baden-Powell calls for a 'feudal tendency,' was by degrees developed. Kings made grants of land to military leaders in return for service in the army and fealty to the reigning monarch. On like conditions a leader would divide his land among his relatives, taking care to reserve a demesne for himself, and thus was created a chain of vassals indebted to the king for their land and entrusted with charge of the armed forces of which they were the heads. The author of the "Land System in India" correctly points out how 'a number of major and minor chiefs—Babu, Thakur, or Rana divided the land among themselves. When no raja was forthcoming, the land was equally divided into villages and family estates while a number of such small states showed a wise inclination to be united in some greater confederacy, under some greater emperor. Such was the case in the days of Chandra Gupta and Asoka and when the Rathor kings of Kanauj were at the zenith of their power.

[14] "Village Communities of India," by Baden-Powell, Page 130.

The chief points distinguishing the rayetwari from the joint village were (1) the former had a patel or headman, the latter had no such official, (2) the former had separated holdings while the latter holdings which are only inherited shares of an original or single state, (3) the former had no mutual liability for taxes, while in the latter each holding was assessed separately, the revenue being assessed in a lump sum and (4) finally, the rayetwari village had no common land, which a joint village had, though liable to partition.

According to Dr. Pran Nath[15] *grama* which so far used to be understood as a village meant an estate and was the ancient Hindu territorial division. The country was divided into janapadas, janapadas[16] into ganas[17] (or say paraganas as he calls them), and ganas into gramas. The collection of revenue was entrusted to the charge of officers called dasin, satin, sahas-radhipati, mandala. Satin was an officer over ten, one hundred and one thousand estates respectively. There were sometimes more than one satin in the case of a large village approaching in size to a town.

Land was an important source of revenue.[18]

These state-owners were called rajans,[19] rajanakas, amatyas, rajan-yakas, samantas, maulas, rayas, ganas, ganarayas, ksatriyas, rajaputras, etc.

With regard to the legal ownership of the land,

[15] A Study of the Economic Condition of Ancient India by Dr. Pran Nath, published by the Royal Asiatic Society, London, 1929 p. 25 seq.

[16] During the time of Kautilya janapada was the unit of local administration. The area under its jurisdiction on an average was 10 sq. yojanas.

[17] The number of families or kulas were entered under the head gana or a federation of nobles.

[18] According to Kautilya the sources of revenue (verges) were seven—(1) Fort (durga), (2) States (rastra), (3) Mines (khani), (4) Vegetable and Flower Garden (setu), (5) Forest (vana), (6) Pasture (orga), and (7) Trade-routes (Vanika patha), Artha-Shaster of Kautilya, p. 59.

[19] A Study of the Economic Condition of Ancient India by Dr. Pran Nath, published by the Royal Asiatic Society, London, 1929, Chapter VI, p. 131, *seqq.* We may remark *en passani* that system was practised in India long before the advent of the Aryans.

according to ancient Hindu Law, a wide difference of opinion exists. Baden-Powell, Chesney, and others held that sole ownership vested in the sovereign, while Elphistone, Colonel Briggs, and Beveridge, deemed ownership to have belonged to the ryot, that is the cultivating tenant. In short, the latter held that the ruling power had no proprietary rights in the soil and that the cess paid was not a feudal rent but a tax paid for protection afforded. Much ingenuity and learning has been displayed by the controversialists on both sides, but the assumption on which they both proceed, that there was an absolute ownership of land vested either in king or ryot, is probably a mistake. Absolute ownership is an idea which could not be and was not understood in India in those days when society was in such a crude state. What any one person had was only a limited interest. Sir George Campbell in his "Essay on Indian Land Tenures" truly says "Property[20] in land as a transferable, marketable commodity absolutely owned and passing from hand to hand like any chattel is not an ancient institution, but a modern development, reached only in a very few advanced countries. In the greater part of the world the right of cultivating particular portions of the earth is rather a privilege than a property, a privilege first of the whole people, then of a particular tribe or particular village community." Where waste land is sufficiently plentiful, the privilege of occupation and cultivation is commonly allowed to anyone who choses to exercise it. With an increasing population matters became more intricate and novel interests arose. When petty States were consolidated under one ruler holding charge of the Central Government, a class of military chiefs with their followers appeared on the scene and as the soldiers could not be paid in money, the revenue claimable from certain tracts was assigned for their maintenance; or an assignment of distant territory, where war was being made, was granted. By degrees these

[20] J. W. Probyn, Ed. "Systems of Land Tenure in Various Countries," (For the Cobden Club). Cassell, Petter, Galpin & Co., London, 1881, p. 215.

leaders acquired a high local position and their descendants, settled permanently in one part of the country, stood midway between the cultivator and the Crown. Other grants were made to civil officials as the reward of good work; to temples and holy men; sometimes to court favourites as a token of the esteem in which they were held by the ruling monarch. In short, these grants met the costs of various State Departments. One ruler frequently resumed the grant made by a predecessor, for it must be remembered that the actual land was not assigned to a grantee but the right to collect the Government revenue from it. To err on this point leads to holders of grants being mistaken for the original proprietor of the land. Many of the high State officials awarded a grant of land were prevented by their duties from leaving the court to attend personally to their landed property and had therefore to employ other persons to superintend the affairs of their estates, receiving for their trouble a percentage of the collection.

Usually this arrangement was known as *mustajiri,* or farming, the farmer agreeing to pay a certain sum and to look for his own profit from what amount he could squeeze out of the tenantry. The unassigned portion of the royal demesne was also farmed in the same way, and with the increasing circulation of gold and silver farming out the public revenue became very common; the farmer collecting in kind and deriving additional profit from its transformation into specie. In Oudh, also a stronghold of Hindu organisation, this system was adopted and became very common, while in the other provinces subsequent historical circumstances prevented its full expansion. Successful farmers were left in peaceful possession of that position and often assumed the status of hereditary landowner. It is with reference to this system that Mr. Phillips[21] says, "There were in Hindu times hereditary officers corresponding to

[21] Phillips' Tagore Law Lectures, 1875, Page 96.

the zamindar, but they were only officials, although hereditary. They generally tended to displace the ancient revenue collector and to absorb his privileges.

CHAPTER II

Muslim Period

The Muslim revenue administration in India was influenced by two factors (1) Hindu land laws, the notions of the Hindus regarding land which the Muslims found current on their advent in India; and (2) the religious land laws of the Muslims themselves.

In the preceding chapter an account has been given of the Hindu ideas of property and also some theory of their village administration. The Muslim views regarding property were, not very dissimilar to those entertained by the Hindus. Individual rights in property were acknowledged. In 'Hedaya'[1] as well as in the 'Fathul-Qadeer' and the 'Behr-ul-Raiq' it is said that all the lands of Sowad Iraq are the property of the inhabitants, who have a right to sell or dispose of them in any manner they please; as by mortgage or gift. Whenever the *imam* acquires land by force of arms, he is at liberty either to divide it amongst the conquerors or to relinquish it in favour of the previous proprietors and receive *khiraj* (tribute)[2] therefrom; and in the latter case the land remains the property of the inhabitants. Some people say that the principle underlying the above passage in Hedaya is confined to Sowad Iraq only, but the precedent established when Sowad Iraq was subdued in the reign of Caliph Omar, was adopted as a general principle in other countries conquered later. The author of "Behrul-Raiq" says that if the proprietor of the land sells it to another, the *khiraj* due therefrom shall in like manner be chargeable to

[1] (*i*) Hidaya—with Fathul-Qadeer—Printed at Newal Kishore Press, Lucknow. Vol. II, Chapter "Al-Ushr-e-Khiraj, p. 750.

(*ii*) Bahr-ul-Raiq—Printed at Ilmia Press, Egypt, Vol. V, Chapter "Al-Ushr-e-Wal-Khiraj-Wal-Jizia," pp.114-115.

[2] The meaning of the word *khiraj* as well as the whole system of Muslim land taxation will be clear on a perusal of "Ain-i-Akbari," Vol. II, pp. 56-57. *See also* Glossary.

the purchaser. If the proprietor dies, the land still liable to *khiraj* descends to his heirs, but if the proprietor dedicates the land to religious purposes, the land becomes exempt from *khiraj*.

In "Qazi Khan"[3] it is stated that in a letter written by Abu Yusuf to Haroon-ul-Rashid, it is specified that the land is his who brought it into life (i.e., first cultivated it) and the *imam* may not dispossess him. But he is liable for the land tax upon it. In "Sadiya"[4] and other books it is stated that when a person shall bring into life (cultivate) dead land (waste land) with the permission of the *imam* or *kazi*, he becomes the proprietor of it.

In Shami Kitab-ul-Jehad, Bab-ul-Ushre-e-Wal-Khiraj, land whether *khiraji* or *ooshri* (whether it belongs to a believer or non-believer), is said to be the property of the holder. He can sell it and make a *waqf* of it. It is just like other property and will be subject to *shufa* (pre-emption). Jalal Thanesari, one of the great luminaries of India of the past, who died in 982 A.H. had discussed the whole Muslim law on this point in his book "Resalah-i-Tahqiq-e-Arazi-i-Hind"[5] published in 1303 A.H. The conclusion at which he has arrived after a survey of the Muslim law on the point may be summed up as follows:—

(1) If a man cultivates waste land or land which has no owner (with the permission of the *imam*), he becomes the owner.

(2) If he cultivates such land without permission of the *imam*, the opinion of the Legal experts differ as to whether he shall be proprietor or not.

[3] (*a*) and (*b*) Fatawah Kazi Khan on the margin of Fatawah Alamgiri, printed at Amiria Press, Egypt 1310, Vol. III, p. 219.

[4] Shami printed in Egypt, 1249 A.H., Vol. III, Page 396; *also see* Quduri, Kitab-ul-Sair, pp. 314-315 printed at Qaiyyumi Press, Cawnpore, 1344 A.H. also Alamgir printed at Amiria Press, Egypt 1310 A.H., Vol. III, Chapter Kitab-ul-Sair, VII, p. 237.

[5] This book is in Arabic and has not yet been translated.

(3) If the land has an owner, then even if a man cultivates the land with the permission of the *imam,* he will not become the owner.

(4) The trespasser does not become an owner in any case.

Lieutenant-Colonel Briggs, while stating the terms granted by Muslims to Copts on their conquering Egypt, says that among others were the following:

"That they should retain their lands.
That the land should not be liable to any additional tax."[6]

In the Institutes of Timur, private property is clearly acknowledged as a bar to the claims of the sovereign. It is said there that all ruined lands which lay uncultivated (if there were no owners to those lands) should be annexed to the Crown, and if there were owners and those owners were reduced to distress, necessary supplies should be granted to them, that they might cultivate their lands anew.[7]

In Tarikh-e-Ferishta also where *chawdharis* and *moqaddams* are mentioned, there is express testimony to the existence of private property in land, under the name of "*milk*" or "*milkiyat*". In "Ain-i-Akbari," in the historical abstract of various provinces the word 'owner' is used in several places regarding cultivators. We find even the much-maligned Aurangzeb mentioning the cultivators as owners in his famous regulations.[8]

In regulations dated 1079 A.H. addressed to Muhammad Hashim, on the collection of revenue, he says:—

(*a*) If the peasant is too poor to procure agricultural implements and runs away leaving the land idle, give the land to another on lease or for direct cultivation and take the amount

[6] "Land Tax in India," by Lieutenant-Colonel Briggs, Page 109.
[7] "Tuzuk-i-Timuri," Page 369, Library Shibli Manzil, Azamgarh.
[8] Mirat-e-Ahmadi, Bombay Edition, pp. 283-288.

of revenue from the lessee in case of lease or from the share of the owner in case of cultivation. If any surplus is left, pay it to the owner . . . . and whenever owners again become capable of cultivating, restore the lands to them."

(*b*) "But if it be capable of cultivation, or really a piece of land fallen into ruin, then in both these cases, in the event of land having an owner and that owner being present and able to cultivate it, urge the owner to till it. But if the land has no owner, or if the owner is unknown, give it for reclaimation to a man who can reclaim it."

(*c*) "As for a desert tract (*badial*), if the owner be known leave it with him, do not give possession of it to others. If the owner be unknown, and there is no chance of cultivation of the land, then as policy may direct, give the land to whomsoever you consider fit to take care of it. Whosoever makes it arable must be recognised as the owner of the tract and the land should not be wrested from him."

Some unknown person who has added a commentary under every paragraph has tried to show that "owner" everywhere meant owner of the crop, and that the owner of the land was really the king. But whoever goes through the original regulations intelligently will be convinced that such an interpretation is absurd.

Referring to these regulations Colonel Briggs[9] says:— ". . . . . We still find him (Aurangzeb) respecting the proprietary right of landowner".

Bernier[10], no doubt, in his letter to Colbert when giving some facts concerning India of Aurangzeb's time, states that

[9] Land Tax in India by Lieutenant Colonel Briggs, page 127.
[10] Bernier's Travels in the Moghal Empire, p. 264.

the king was proprietor of every acre of land in the kingdom, excepting, perhaps, some houses and gardens which he sometimes permitted his subjects to buy, sell, and otherwise to dispose of among themselves. But Bernier probably got this impression from some economic facts and did not think of the legal theory. In any case he erred greatly in saying that some houses and gardens only were excepted, for—in the United Provinces alone—a vast area was held as old zamindari, in addition to land held rent free. The fact seems to be that whatever land a ryot held for a long time came to be regarded as his possession, but waste and uncultivated land, also that to which an heir was wanted, was looked on as belonging to the Crown. For this reason, all *firmans* about grants of land contain mention of such lands. The *jagirdars* were not considered to be the owners of the land but merely had the revenue accruing from it assigned to them.

From what has been said above it is clear that the Muslims recognised individual property. But whether they recognised absolute right over property, that is "dominion" or "property" as now understood, is a question. Personally we are inclined to favour the view taken by Mr. Erskine who says[11]:—

"There were two seperate and legal rights in the land, that of the ryot, or cultivator who held it by hereditary succession; and that of the Government which could justly claim a fixed share of the produce. Both of these were permanent."

It is, however, true that the influence of the Hindu land system and other circumstances made a gradual change in the situation. It has been stated in Chapter I that during Hindu times small chiefs or rajas were created. The Muslims reduced or conquered such rajas, but they only took from them the land revenue, leaving the local taxes

[11] Erskine's History of India, p. 529.

and custom duties and the administration of justice as they were before.

Again to collect the revenue the rulers appointed or recognised not only a headman and accountant in each village, but also an hierarchy of graded officials in districts and minor divisions of territory formed for administrative purposes. These officers were often remunerated by holdings of land, and a class of tenures arose from these official holdings[12]. Copies of grants named zamindari *sanads*[13] of Akbar Shah show that the duty of such grantees was to pay revenue into the treasury and after having paid the revenue completely to the end of the year, to receive other credits according to usage, to encourage the ryot to cultivation, to keep roads in repair, to check the commission of robberies and other crimes. These grants, it is believed were given to such officials. Sir William[14] Hunter states that the *sanads* conveyed no right of transference or inheritance but the opinion of *Roy Royan* and the kanungo delivered to the committee of Revenue at their request very positively states that the son has a right to the father's zamindari, but that it is usual to get the *sanad* to inherit the zamindari before his father's brothers or nephews. Sir William also admits that there was a custom to that effect. During the decline of the Muslim kingdom these revenue officials have been commonly found to merge in or be superseded by revenue farmers—persons who contracted for a certain sum of revenue to be paid into the treasury from a given area as representing the state dues exigible from the land holdings within that area. Mr.

[12] Appendix to A. Philips' Tagore Law Lectures 1874-75, p. 478 seqq; Harlington's Analysis of Bengal Regulations Vol. III, p. 252.

[13] We admit that these *sanads* are no authority for prior Muslim rule. It is possible that these *sanads* were given because in the condition that obtained then collection of revenue individually was not easy. Moreover, this applies mainly to Bengal where the system of assessment during Hindu rule was akin to *nasq* and possibly the same was continued to an extent during the Muslim time as well.

[14] Sir W. Hunter's Bengal Records, Vol. I, pp. 30 to 46, Rev. Board Proceedings, April 27, 1773.

Philips[15] truly says, "Throughout, the proprietary character of (such) zamindars tended to strengthen itself while the official character tended to be ignored except as a usual auxiliary to the proprietary right." And thus we find that before the period of British rule the proprietary character had, to a great extent, absorbed the official character.

The Muslims also continued the system of assignment and grants which they found on their advent in India. Like the Hindus, they assigned revenue, and, in some cases, land for the maintenance of troops, for the support of civil establishments or as remuneration for service performed, or anticipated, and for the maintenance of charitable and religious endowments under the denominations of *jagirs, lakhiraj, ayama, milk, madad-i-maash, and Altumgha.* There were also grants by the name of zamindari grants as mentioned above.

One may hesitate to declare definitely that the Muslims imitated the Hindu practice of nominating certain chiefs to rule special tracts of country—especially those in the hills or on the frontier—but they certainly adopted the plan of granting to court favourites, to civil ministers and army commandants, the right of collecting revenue from an allotted area either to properly maintain their position and dignity or for the pay and equipment of troops whose services were always available for the Crown[16].

These causes[17] coupled with other vicissitudes partly obliterated the old simple tenures, partly created new ones and partly were responsible for confusion among the persons entitled to the tenure right by successively displacing the older proprietary bodies and allowing later and more powerful successors to lord it over them.

In examining the revenue system of the Muslims the first and very important point to be noticed is that they

[15] Tagore Law Lectures, 1874-75, p. 108.

[16] "Land System in British India," Baden-Powell, Chapter IV, p. 189.

[17] *Op. Cit.*, p. 196.

made no attempt to revolutionise existing arrangements. They prudently recognised that any great and startling changes of fiscal policy, any material interference with prescriptive rights and interests, with ancient customs and beliefs, would universally cause resentment and excite disaffection among the influential classes of their new subjects. Accordingly they left the question of land tenure pretty much as it was under Hindu rule. In actual practice the agency of officers of the Hindu Government were found useful in several directions. By their aid they secured the payment of tribute in money without interfering with the established methods of collection and vested proprietary right. Besides, they converted to their own views the very persons whose local influence would otherwise have been hostile and created among them a political interest wholly in their favour. Under any other system opposition would undoubtedly have arisen.

The principle adopted seems to have been one of farming out the collections under personal superintendence of an *amil;* an officer who enjoyed the rank and salary of a receiver of revenue; a superintendent of police, and a commandant of troops which last-named official did not interfere with the details of village management which was left to the local functionaries to deal with. Under the new regime the *adhipati,* as he was called by Hindus, was engaged for the payment of the amount at which villages under his care were assessed and which he duly received by appropriation and sale of the proceeds in kind of the rates paid by his fellow proprietors.

No real reform worth mentioning was made by any Muslim king till the days of Sher Shah of the Afghan dynasty. Of Altamash and Balban we find that they bestowed *jageers* on officials, but this was nothing new. It was moreover remarked of Balban[18] that he was considerate to

[18] "Bibliotheca Indica", edited by Syed Ahmad Khan 1862, pp. 25, 62 and 100.

all the ryots and that, in his advice to his son, Prince Muhammad, he wrote that collection should be based on equitable principles and should not press hard on the ryots. Next comes Allauddin Khilji, famous for certain regulations which attempted, in a queer fashion, to fix the prices of grain and other commodities with the view of mitigating the sufferings of his subjects from the high cost of living. Berni[19] in his "Ferozshahi" and the author of "Zubdat-ul-Tawarikh" unite in thinking that by such measures famine was prevented in his reign. It is also stated by Ferishta that he demanded one half of the produce, probably the first interference with the old rules concerning the share due to the Government. His successor, Mubarak, also known as Qutub Uddin, adopted a mild policy towards his subjects. The villages which had been incorporated in the royal demesne during the reign of Allauddin were restored to the rightful owners and the exorbitant tribute demanded from the people was abolished. Coming to the reign of the Tuglaq kings, we are at once attracted by the justice and moderation displayed by Feroz Shah for the peasantry in his dominions. Shams Seraj Afif[20] testifies to the extreme kindness this monarch had for the cultivators, when he writes, "The king showed the greatest favours to all his ryots and did all they wanted, so that a handful of seed produced seventy to seven hundred fold at time of harvest."

It is also related in the "Tarikh-i-Firoz[21] Shahi" how he introduced irrigation into the township of Fatehabad and Hissar so that from 80 to 150 miles of land were brought under cultivation and not only villages but fortified towns (*kasbas*), sprung up, such as Hansi in after years, the chief stronghold of the renowned George Thomas. The advantage of a good water supply were acknowledged in every town or

[19] (*a*) Berni's Feroz Shahi, pp. 25, 62 and 100.
(*b*) Zubdat-ul-Tawarikh, M.S.S. pp. 28 and 29.

[20] Shams Seraj Afif Moqaddamah 5th, p. 288, 6th, p. 288, 7th, p. 139, 16th, p. 293.

[21] (*a*) Shams Seraj Afif's Feroz Shahi Moqaddamah 6th, p. 129.
(*b*) Elphinstone's History of India, Book VI, Chapter III, p. 412.

village and Firoz Shah in a general assembly he had convened of learned and pious persons put the question as to whether the man who at great trouble and expense provided the inhabitants of a district with the life-giving fluid ought not to be rewarded for his trouble and outlay. The assembly gave an unanimous reply to the effect that a public benefector of this kind was certainly entitled to the rights of *sharb*, that is, ten per cent. The sultan henceforth realised *sharb*, including the amount in his rent roll. Apart from anything else, this anecdote indicates the deference shown by Feroz Shah to public opinion of the proper sort and how he availed himself of it when needful. There is another[22] interesting story related of the king. Returning one day from the chase, hungry and thirsty, the Tuglak ruler stopped at a garden and demanded refreshment without disclosing his identity. A lady happened to be owner of the place and sent him some remarkably fine grapes. The king relished the fruit exceedingly and asked for another supply. In the meanwhile he had ascertained from the steward what was the revenue paid and learnt that it was but a trifling sum. Thinking that soil capable of growing grapes of such high quality was surely worth a larger amount, he mentally resolved to increase the revenue demand. The lady, informed by her servant of the questions asked him, was clever enough to guess who the stranger was, and in response to the request for more grapes sent some of much inferior quality to the first. Firoz, surprised at their sourness, inquired why as good grapes had not been given as on first occasion. His hostess ventured to point out that when the royal mind was favourably inclined to a tenant, the grapes had a sweet savour, but if unkind, harsh thoughts were cherished then the best fruit would taste sour. Firoz took her words to heart and, pleased by her wit, changed his mind and did not alter her rental.

[22] Seraj Afif's Feroz Shahi, Moqaddamah, 17th, p. 182.

From the time of the Tuglaks we advance to that of Taimur, the Tamerlane of English poetry and drama, who in 1398 swept over the plains of the Punjab, with the speed of lightning and with the violence of a tornado. Delhi was reached, where a cruel massacre wrote the story of his arrival on the pages of history in characters of blood. Taimur made a short stay in India, but we deem it necessary to refer to his Institutes, prepared originally for his other dominions but partially adopted by the officials left by him to represent Moghul power in Hindustan. His Institutes ran as follows:—

2 (*a*) From the produce of land made fertile by means of irrigation, two-thirds should be allotted to the possessor and one third to the royal treasury. Rent can be paid in cash if so preferred.

(*b*) If this proportion is disliked by tenants, the land should be divided into three classes, the produce of the first estimated at three loads, of the second and third at one load, half should be reckoned as wheat, half as barley, and half of the total produce be collected for the Crown.

(*c*) If even this arrangement was not approved by tenants, the load of wheat should be fixed at five *miscals* of silver, a load of barley at 2½ *miscals*, and that the Fort dues shall be exacted in addition to the above, no further demand being made on any pretence.

(*d*) That the rest of a cultivator's land which yields crops throughout the year and land dependent on the rainfall for its produce, should be divided into classes, then measured, and a third or fourth be taken as revenue.

(*e*) Taxes should not be collected before harvesting time had arrived, and be realised in three separate instalments.

(*f*) That when a subject pays the royal dues of his own accord and promptly, the appointment of a tax gatherer is unnecessary, but if occasion arises for the presence

of a tax gatherer, he must not employ a cudgel, cord or scourge, nor place the subject in chains of any kind.

(*g*) That in the first year nothing should be taken from the cultivator of waste or from one who improves means of irrigation, plants groves or reclaims cultivable land, and in the second year, whatever offers he makes ought to be accepted, demand for the third year being guided by regulation.

(*h*) All waste land without any owner should be annexed to the Crown. If the owner exists but is in distressed circumstances he should be given requisite help to enable him to renew cultivation of the land.

To place the revenue administration on a proper footing Taimur ordained that (1) royal assignment be made of the revenue collected from kingdoms and provinces, after dividing them into larger and smaller lots: such assignments to be brought to the hall of audience—corresponding to the Diwan-i-Am we suppose—and that the *amirs* and *mingbaushees* should each take an assignment. If the amount exceeded what a man could afford, somebody would be associated with him in the transaction, and if it were less, it could be exchanged or something added to it. (2) Collections in a province of the royal assignment was entrusted to two supervisors whose duty it was to supervise the collection and to safeguard the interest of the people, so that they might not be impoverished or ill-treated by a *jagirdar*. These officers had also to keep account of all monies collected in a province and maintain a register of public expenditure and, from the revenue, pay the military establishment. (3) The grant of a *jagir* to an *amir* held good for three years. At the expiration of that period the State of the province or grant, was to be gone into, and if found prosperous, the holder remained undisturbed. If, however, the people were dissatisfied and the country in bad condition, the *jagir* reverted to the Crown and the *amir* could not draw up any subsistence from that source.

From his regulations, especially those concerning revenue collections, it is clear that Taimur, in spite of many acts of cruelty committed by his orders, evinced a humane liking for his poorer subjects and was strongly opposed to their being subjected to any kind of exaction or oppression. Next we might mention Sikandar Lodi who reigned from 879 to 901 A.H. He laid the foundation of some useful reforms of which his measurement *gaz* of survey is well-known. Ferishta[23] says that during his reign the zamindars' exactions and tyrannical ways were put a stop to and high and low had become all equal, i.e., there was no distinction in redressing the grievances of the people. He also says that in his time dearness was removed and there was peace and prosperity all round. Daud[24] also pours similar encomium on him[25].

SHERSHAH

We now come to Sher Shah, the pioneer of the reform in the revenue administration. Sher Shah, while yet only *Fareed* (as his name was) and not a king, was entrusted by his father with the charge of two parganas. It was while administering these that Sher Shah commenced using administrative methods as far as land was concerned which have continued with modifications only throughout India until the present day.

He gradually built up from below a solid structure of government, whose base was co-extensive with the area of his Empire. He took up the pargana as its administrative unit.

The Empire of Sher Shah was divided into 47 divisions each of which comprised a large number of parganas. Some 113,000 parganas were directly under the Exchequer.

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[23] Tarikh-e-Farishta, p. 186, printed at the Newal Kishore Press, Lucknow. 1321 A.H.

[24] History of India, Vol. IV, by Sir H. Elliot, p. 442.

[25] Tarikh Sher Shahi. F. 102, E.D. IV. A.N. Bib. Ind. p, 196—Erskine, II, 433.

In each pargana there was one *shiqdar,* one *amin,* and two clerks, one munsif and one treasurer. Besides these State officials there were the *patwari* and *chaudhari,* who were the representatives of the people, and were recognised as such by the Government. Over these officials there were chief *shiqdars,* and the chief munsif, whose jurisdiction extended throughout the whole division (*sarkar*). Besides there was an amir for each *sarkar,* whose position was analogous to that of a governor of a province. The above mentioned officials were employed in the territories which were under the Exchequer. The zamindars, the tributary princes, free jagirdars and the waqfholders were generally allowed to make their own arrangements within their jurisdiction. The *waqf* land was, it seems, under the management of a local board, chosen from the local inhabitants.

The *shiqdar* was entrusted with police duties. The *amin* was the head of the civil establishment; the *karkun* and treasurer were his subordinates but they were all, collectively and separately, responsible to the central government for their acts.

The next higher and larger administrative unit was the *sarkar,* over which Sher Shah appointed two officials, one military and the other civilian, who respectively bore the titles of *Shiqdar-i-Shiqdaran* and *Munsif-e-Munsifan,* to supervise the conduct of their subordinates. This was borrowed by Sher Shah from the system possibly introduced by Sikandar Lodi, for the government of Crown lands divided into *shiqs* over each of which were appointed one *shiqdar* and one *diwan.* The chief *shiqdar* was generally a grandee of considerable influence, with a contingent of police varying from 2,000 to 5,000 troopers, according to the character of the peasantry and the geographical situation of the *sarkar.* His task was to hold the people in due subjection to authority, and to provide for the safeguarding of the highways and punish the peasantry for tur-

bulence and wilful non-payment[26] of revenue, the *shiqdar* though a military noble, and one who often carried on raids also, was like a magistrate.

The chief munsif was a supervising officer over the civil officials of *sarkar*. He had no connection with the revenue. But he had to watch the conduct of the pargana officials and to see that they did not oppress the people. He could not dismiss or transfer the pargana officials for misconduct; he could only report to the Emperor who took the necessary steps.

Lands were surveyed under a uniform system of mensuration. He ordered the use of the *gaz* of Sultan Sikandar Lodi (32 digits[27]) in measurement; the land was measured by rope into bighas. The terms *bigha*, and *jarib* were interchangeable, one *jarib* or *bigha* consisted of 3,500 square *gaz*[28]. The holding of every ryot was separately measured, one-fourth of the expected produce was assessed as the Government revenue. As was the custom under previous sultans, the cultivator was given the choice of payment either in kind or cash, preference being given to the latter mode. There was no great difficulty in the realisation of the revenue in cash, but where it was attested in kind, definite and clear instructions were given as the kind of grain which should be taken so that the officials might not trouble the cultivators.

The survey of land was done under the supervision of Ahmad Khan with the help of able and learned Brahmans[29]. In the office of the Exchequer was kept a register in which were entered the rights of owners and the measurements of all land, arable or otherwise. The land was divided into several classes and the rate for each was fixed. Land was measured at every harvest, and the revenue was charged accordingly.

[26] Elliot. IX. 440.
[27] "Ain-i-Akbari" II, 61.
[28] *Op. Cit.* II, 62.
[29] Tarikh-i-Shershahi. F102. Ed. IV.

The work of survey and assessment of every village within a pargana was carried out under direct supervision of the *amin*. A *kabuliat* (agreement) which contained a short account of ryot's holding, and the amount he agreed to pay to the Government, was taken by him from every individual ryot, duly signed and attested; and he, in return, gave a *patta* (title deed) to the ryot stating the demands of the State.

The custom of paying soldiers by granting them jagirs in lieu of cash payments was abolished, also that of releasing land from mortmain. A number of mosques had been built and endowed by the Lodi Sultans, certain known *imams* of which were charged with wrongfully obtaining more lands than they were justly entitled to hold. Sher Shah inquired personally into each case and reclaimed such holdings leaving each man in possession of his rightful property.

On account of the fraudulent practices of these men, he did not give the *firman* to the grantees, lest they should tamper with it on the way, but sent it under his own seal to the *shiqdar* of the *sarkar* where the lands were assigned[30].

The collection was usually made by the *moqaddam*, but the ryots were perhaps encouraged to pay direct to the pargana treasury, with the object of diminishing the importance of the headman and of drawing the ryots into closer relation with the State officials.

It appears that the expenses of assessment and collection were abolished, at least as separate charges, all being merged in the land revenue. The expenses of assessment, it appears, were given by way of outdoor allowance, both in money and ration, by the State according to a fixed rate.

During his time if there was insufficiency of rain or any other cause damaged the crops, advances were made

[30] Abbas in Elliot. IV, 423.

to the cultivators so far as the resources of the State permitted[31].

Sher Shah looked upon agriculture as the only source of wealth, and upon the labour of the peasantry as the most productive kind of human effort. He therefore found that without improving the lot of the peasantry, it was not possible to make the condition of the parganas more flourishing. His theory finds expression in his sayings, such as "the cultivators are the source of property"[32]. "I know that cultivation depends upon the humble peasants for if they be ill off, they will produce nothing, but if prosperous, they will produce much[33]."

His deep sense of duty towards the peasants is happily revealed when he says "I shall always watch over their conditions, so that no one may oppress or injure them, for if a ruler cannot protect the humble peasantry from the lawless, it is tyranny to exact revenue from them."

He extended his protection to the peasants against the violence of the soldiers and the extortions of the *moqaddams*, and he forbade all illegal exactions.

His solicitude for the peasantry boldly reveals itself in what he did when his father entrusted him with the charge of a pargana. On arriving at the pargana he summoned the soldiers, *moqaddams, patwaris* and cultivators to meet him and at first addressing the soldiery said:

"I shall exert myself in the improvement of the cultivation and population of the pargana. Therein are concerned your interests as well as my good name. Whatever agreements you have made with the peasantry at the time of sowing, you must not revoke at the time of collection. Let it be known to the soldiers and *amils* that the oppressions and cruelty they have committed before this, are forgiven. But if it reaches my ears that anyone has taken even a blade

[31] Journal of Indian History, November 1921, p. 135.
[32] Elliot IV, 314.
[33] Elliot IV, 313.

or grass forcibly from the ryots, I shall inflict such punishment upon him that others may take lesson from it."

Next he turned to the peasants and told them "This day I give you your choice as to your mode of payment. Do whatever is most advantageous to your interest and in every possible way". He also asked the peasants to approach him direct for representations and redress of grievances.

Some of the headmen asked for written agreements for fixed money rent; others preferred payment in kind. Accordingly he gave leases and took agreements, and fixed the payments for measuring the fields and the fees for the tax collectors and measurers. Similarly he exhorted the chowdharis and headmen, impressing upon them the need of leniency to peasants, specially at the time of measurement, but punctuality in collecting just demands without resort to undue oppressions.

These embody most noble sentiments, and under his care, as Abul-Fazl says "the country became a garden and ornament of the world." Mr. P. Kennedy[34] truly thinks that his rules embody those which have governed the wisest Indian administrators.

AKBAR

The successors of Sher Shah did not follow his intentions and the whole revenue administration was more or less in a chaotic condition when Akbar assumed the reins of government. He felt the need of a reform and was full of a calm determination to adjust the relative rights of master and subjects. "A collector of revenue", states his *ain*, "should be a friend of the agriculturist, zeal and truthfulness should be his rule of conduct[35]."

He proceeded with the reforms, having always regard for local conditions. From Ain-i-Akbari we learn that there

[34] History of the Great Moghals, p. 184.
[35] Ain-i-Akbari, p. 43 and V. Leb. 2. Jarrett.
[36] *Op. Cit.*, p. 44.

were three systems of assessment prevalent in his time, namely, I. *Gallabakhsh,* II. *Zabt,* and III. *Nasq.* The first of these was the original Indian system; the second that known as the *zabt* or Akbar's system; whilst the third is not specifically defined.

I. *Gallabakhsh.*—According to Messrs. Moreland[87] and Yusuf Ali the word as used in *ain* appeared to include such developments as the determination of the share by estimation instead of actual weight and the commutation of its value for cash. Under this system a share of each crop was taken by the ruler. This method was the method of *kankut* or *batai.*

Kankut is the appraisement of a crop by actual measurement of the land or by pacing it, and calculating the standing crops estimated in the balance of inspection. Such estimate proves woderfully accurate as a rule, but if doubts arise the crop can be cut and, after division into three lots, good, average, and inferior, an estimate is taken.

Batai, sometimes called *bhauli,* is the division of the crop. The system is that when crops have been cut and stacked, they are divided by mutual agreement of the persons concerned, some intelligent and impartial neighbours being present to secure fair play. *Batai* is of two kinds:

1. *Khat Batai*
2. *Lang Batai*

The former comes when fields are allotted off after sowing has been completed and the latter where after the reaping is finished the grain is formed into heaps, and separated into shares to be taken home by the cultivators for cleaning and turning to profit. A cultivator agreeing, the collector of revenue may take the value of corn-bearing land in cash at the current bazar rate. When sugar, *pan* or cotton, are sown on the land during the first year of occupation the cultivator was entitled to remission of one fourth of usual assessment. If, on the other hand, the produce is better, but the cultivated area is smaller than the previous year,

[87] Journal of the Royal Asiatic Society, 1918, p. 9.

the revenue demand would not change nor could anything be done to harass the owner of crops. Lest cases of incompetence, perhaps too harsh assessment, should result from the work of estimation being left in the hands of the headman, collectors were ordered to deal personally with each tenant, to treat him with courtesy, and to receive and acknowledge payment of his dues.

The system of crop division had many drawbacks, for under it one had to depend on a good or bad monsoon and also on the honesty and industry of the officials. Moreover, the basis of that system was not only the area sown but the yield per unit of an area, which latter was difficult to check. The *zabt* system aimed at removing the foregoing defects and eliminating uncertainties. Under that system it was laid down that each plot of land sown should be charged with a cash assessment decided according to the nature of the crop.

The revenue officer to whom the great task was committed had at first three points to ascertain:—

(1) A correct measurement of the land.

(2) The amount of produce which each *bigha* gave, and the proportion of that amount which Government should take.

(3) The equivalent in money for the raw produce.

With reference to (1), and that perhaps the most complicated of the three, competent officers were deputed to the survey with instruments of greater exactness than had as yet been employed. The *tanab*[38] or measuring line, which, when of rope (as introduced by Sher Shah), was liable to extend or contract according to the greater or less moisture of the soil over which it passed, was by the Emperor's special order made of the common bamboo. The terms gaz and bigha, hitherto of vague acceptation, were defined with precision. Akbar's standard land measure, the

[38] Jarrett's Ain-i-Akbari, Vol. II, Ain X, p. 61.

jarib consisted of 60 *ilahigaz;* each *gaz* was equal to 41 fingers breadth; that is, one English yard so that the newly defined *jarib* was equal to 60 yards. A square *jarib* was a *bigha,* which therefore was equal to 3,000 square *ilahigaz.*[39]

The various soils[40] were specified and comprised everything from the half cleared jungle to the teeming corn field. The land which never failed to answer yearly to the call of the husbandman, was termed *polaj*; and that which only required a short interval to recover its strength, *perauti.* They were each divided into good, middling, and poor lands. *Chachar* was the name given to land lying fallow for three or four years, and that which from natural unfertility or carelessness on the ryot's part had yielded no produce for five years, was known as *banjar* or *bangar.* The latter term still survives in some districts of the United Provinces. Upon the basis of the survey made and the classification of the soil specified and the productive powers of the soil ascertained, the rate of taxation was determined as follows:—

The poduce of a *bigha* of each class was taken, and the average of the three was assumed as the average produce of a *bigha;* of this average one-third was fixed as the ground rent per bigha. For example, if a ryot had 3 *polach bighas*, say in wheat, one being of each class, his spring harvest would yield as follows:—

(1)	Land of the first quality . .	6 20 *mans*[41]
(2)	„ „ „ second „ . .	. . 14 „
(3)	„ „ „ third „ . .	. . 8 „
	Total produce .	42 *mans*
	1—3rd as the average for a *bigha* . .	14 *mans*
	1—3rd as imposed on 1 *bigha* . .	4 2|3 *mans*
	Total imposed for 3 *bighas*	14 *mans*

[39] Jarrett's Ain-i-Akbari, Vol. II, Ain VII, p. 58.

[40] *Op. Cit,* Ains XI, XII, XIII, XIV, pp. 63 to 69.

[41] *Man,* or maund, is equal to 82 lbs. avoirdupois. Akbar's *man* was only equal to 34¾ lbs. (Wilson).

The above simple calculation shows that in one farm containing *polach* land in the three qualities, this rate of assessment was highly advantageous because it always corresponded to the produce of the average field.

Perauti lands were assessed by the same rule as *polach*. For *chachar* lands it was customary to demand two-fifths of the produce of the first year of cultivation: three-fifths of the second; and four-fifths of the third and fourth; in the fifth year it was treated as *polach*. Thus if five *bighas* had lain fallow for four years and were then put under cultivation being sown with three *bighas* of rice and the two of *sesamum*, the ratio at the autumn harvest would be as follows:—

1st year	
(*a*) 2 *bighas* of sesamum	4 *Mans*
(*b*) 3 „ „ rice	5½ „
Tax from (*a*)	1¾ „
„ „ (*b*)	2 1|5 „
2nd year	
(*a*) 2 *bighas* of sesamum	6 *Mans*
(*b*) 3 „ „ rice	7 „
Tax from (*a*)	3 3|5 „
„ „ (*b*)	4¼ „
3rd and 4th years	
(*a*) 2 *bighas* of sesamum	13 & 15 „
(b) 3 „ „ rice	14 & 17 „
Tax from (*a*)	10½ & 12 „
„ „ (*b*)	11 1|5 & 13 3|5 „

In the next year *polach* rates would obtain. Throughout the first quadremum the tax was levied without consideration of the quality of the land. In the above illustrations, the produce per field may not be quite accurate, but it does not impair the correctness of the rule.

The clearing and cultivation of *banjar* was necessarily the least burdened by taxation and laborious ryots were willingly assisted in the work from the Royal Exchequer by

grants of seed corn. The imposts on it for 4 years were as follows:—

1. 1|40th or 1|20th of a *Man*,
2. 1|8th of a *Man*,
3. 1|6th of the produce.

After 4 years it fell under *polach* rates. A great part of the *banjar* land gave promise of considerable profit, thus on the lower courses of the Indus and the Ganges, stretch rich low lands of productive alluvial soil which need but the plough to reward the ryot with an abundant harvest. Lands, really waste were not subject to taxation.

We learn from Abul-Fazl that directly the soil commenced bearing any quota, however small, the regulations were put into force, and we find certain provisions by which *perauti*, when fully cultivated, was to pay at the same rate as the best land; and *chachar* and *banjar* after 4 years of successive crops were to be merged without distinction in the first denomination. Still further to carry out this equitable arrangement an *amil guzar*, or settlement officer, was appointed in each district. He was instructed to deal by local investigation with each husbandman separately, the settlement being thus exclusively *ryotwari*, and occupying an inordinate time and labour: and although the *moharrir*, the *karkun* and the *patwari*,[42] each with their well kept accounts were to be present during the measurement, he was also to collect his information from the headmen of the village, who were best qualified from their hereditary offices to give accurate statistics as to the varying of crops from such incidental causes as floods or lack of rain. When the amount of the produce of each kind had been adjusted, the next thing was to commute it to a payment in money. At first local rates were adopted instead of uniform rates for the whole kingdom. Thus the valuation of a grain crop was based on the estimate of average prices taking from a

[42] The Patwari Still exists in the United Provinces, but his system of appointment is sufficient. This has been dealt with in Chapter VIII.

succession of years. In other words, what was done was this, on the basis of the prices of 15th to 24th *ilahi* an average of one tenth was declared to be the cash demanded for 25 *ilahi*. Similarly, from the tariff for 1925 an average was struck for the previous nine years and that for the ensuing year 26 *ilahi*, fixed accordingly. Also prices for 27 *ilahi* were fixed by a nine years sliding scale, i.e., for the year 17 to 26; an arrangement carried on in the reigns of monarchs who followed Akbar.[43] The result was that a fixed price was always available whereon to calculate the revenue demand, and few loopholes were left for either officials or tenantry to indulge in malpractices of any kind. From some wordings in the Ain, a common idea arose among many historians—Elphinistone, Strachey, and others that Akbar made a ten years' settlement besides establishing a decennial average for prices of grain stuffs. Keane even goes so far as to think that he made nineteen years' settlement, being probably deceived by Ain 14 of the Ain-i-Akbari. But a perusal of Akbarnama,[44] clearly shows that what Abul-Fazal meant to express was only the average of prices discaused by us. Moreover, if it had referred to a ten-yearly settlement we must have found a trace of a change of settlement after ten years, i.e., in the 35th year of the reign of the Emperor, in the pages of Abul-Fazl, but no such indication is afforded upto the time of his death. Besides, this system of average prices continued through the reigns of the successors of Akbar, down to the accession of Aurangzeb. Messrs. Moreland[45] and Yusuf Ali in discussing this point rightly say that the words of "Ain-i-Akbari" from which this idea has sprung are:—

(1) The heading of the chapter which is "Ain-i-Dehsala."

(2) The words in the text "Jamai-deh-Salah Qarar Girift".

[43] Dastur-ul-Amal Alamgiri British Museum, London, Leaf 2×36.

[44] Akbarnama—24th year, Vol. III, p. 149, printed at Newal Kishore Press, Lucknow.

[45] "Ain-i-Akbari, by Jarrett, Vol. II, Ain V, p. 43.

They say that the *deh-salah* is obviously the decade 15th to 24th *ilahi*, that is the period (already passed), which gave the basis of revenue rates adopted, and *jamai-deh-salah*, cannot be read as implying a settlement of ten years to come. We are afraid the expression is loose and the use of the word *jama* is unfortunate, but the conclusion at which they have arrived is correct.

According to Akbar's system, whenever it was inconvenient for the peasants to pay in cash, or when they thought the price too high, or were unable to find a ready market for their goods, the Government officers were compelled to take the raw produce instead of money. The land was either measured with the standing crop or the Government share apportioned, or the grain was divided when threshed, or by an ordinary arrangement as soon as it had begun to sprout, (but this last was seldom done). Only certain kinds of crops which were rather luxurious were taxed in ready money. Such articles included radishes, melons, *pan* or betel, *haldi* or turmeric, cucumbers, brinjals and plants such as indigo, hemp, and sugar; and to prevent possible discouragement arising from the demand for ready money Akbar, when fixing a new standard of coinage, directed the tax officers to reckon at their full nominal value old coins which were still in circulation, a course which must have caused no inconsiderable loss to the treasury. But all incidental causes likely to affect the fertility of the soil were also taken into consideration. The propinquity of water and consequent facility enjoyed for irrigation, or the reverse; the character of the earth, gravelly or loamy, sandy or black, were all considered as reasons for diminishing or increasing the assessment; and the ryot cursed with a large portion of land impregnated with saline particles, and producing, instead of the rich waving crop of rice, a few blades of worthless grass, which even his bullocks would refuse to eat, might claim indulgence from the *amilguzar*.

Akbar's system first dealt with individual cultivators and the revenue was to be paid at the commuted money rate upon

the actual produce, year by year. It is said[46] that he adopted this course because he and his ministers were aware that any fixed money assessment of so large a portion of the produce would very soon prove unequal. In less than ten years it was found that this plan would not work, and he adopted the system of assessing the whole village collectively, leaving it to the people themselves to allocate the share payable by each individual.

III. *Nasq* partook of the nature of an arrangement or contract rather than that of a revenue demand based on calculation, and appears to have been known in India before the advent of Akbar. It was of two kinds, namely, agreement was made sometimes with reference to grain, sometimes to cash. In Kabul,[47] for instance, it assumed the former shape, in Bengal[48] and Behar[49] the latter. The collector[50] of revenue was under the *nasq* system warned against dealing with the headman and was ordered to transact business directly with the cultivators, for obtaining whose good will Akbar always displayed anxious solicitude. Messrs. Moreland and Yusuf Ali in their instructive article on Akbar's land system[51] have discussed this thoroughly and the whole article will repay perusal.

Besides the above three methods there are traces of others current in the time of Akbar. In short, the revenue system was not uniform[52] and an indication of that in force over the greater part of the United Provinces may be gathered from the following[53]:—

Allahabad.—Out of 177 *parganas,* 131 were assessed on the *zabt* system. The remaining *46 parganas* are stated to be

[46] Akbarnama, Vol. III, p. 232, printed at Newal Kishore Press, Lucknow.
[47] "Ain-i-Akbari," Newal Kishore Press, Vol. II, p. 175.
[48] *Op. Cit.,* Newal Kishore Press, Vol. II, p. 50.
[49] *Op. Cit.,* Newal Kishore Press, Vol. II, p. 110.
[50] *Op. Cit.,* Jarrett, Ain 5, p. 45.
[51] Journal of the Royal Asiatic Society, January 15, 1918, pp. 28 and 29.
[52] (*a*) Phillips' Tagore Law Lectures, 1874-75, p. 79.
(*b*) Firminger's fifth Report, Vol. II, p. 170.
[53] Journal of the Royal Asiatic Society, January 15, 1918, pp. 36 *et sqq.*

naqdi, and no area figures are given for them; it is probable that the revenue was paid through zamindars.

Oudh.—The *zabt* system prevailed through the *suba,* but a few *parganas* in Gorakhpur may have paid through zamindars.

Agra.—The *zabt* system of assessment was the rule, and it was apparently universal in the *sarkars* situated in the *doab,* but subject to exceptions south of the Jumna.

Delhi[54].—The plains area was assessed on the *zabt* system, and there are few traces of zamindar's system, there may have been zamindars in Amroha and a few other *parganas* of *Sarkar Sambhal,* and a few *parganas* of Hisar. The hill tract *Sarkar* Kumaun, was assessed on some other system.[55]

Under his orders the collector was to assist the needy husbandman with advances of money and recover them gradually. It was also his order that when through the exertions of the village headman the full rental was received, he should allow him half a *biswa* on each *bigha,* or otherwise reward him according to the measure of his services.

This was Akbar's revenue system. In several provinces the principles and practices of the Settlement Department essentially are the same as those worked out by Akbar and his ministers.[56]

Akbar's reign was really marked out by genuine sympathy for the peasantry and the people and absence of discrimination between believers of one faith or the other. His *ain,*[57] which contains instructions to *amils* alone, bears testimony that he had the welfare of the peasantry fully at heart. Von Garbe truly says of him that "great, fabulously great, was Akbar as man, general, and ruler, all in all a prince who deserves to be known by every one whose heart is moved

[54] As this Suba contained many districts of the United Provinces the system current in it are noted here.

[55] "Ain-i-Akbari," by Jarrett, Vol. II, Sin. V. P. 44.

[56] "Smith's Akbar, the Great Moghal—Introduction.

[57] "Ain-i-Akbari," p. 43, Vol. II, Jarrett.

by the spectacle of true human greatness."[58]

Akbar's system was followed by Jehangir and Shahjahan without hardly any modification, and from Kennedy we learn that Jehangir encouraged agriculture. In Aurangzeb's time too his system continued in a way.

From Sir Jadunath Sarkar's "India of Aurangzeb," in which there are translations of "Khulasat-ul-Tawarikh," and "Chahargulshan," we learn that from Akbar's time till that of Aurangzeb in 16 Indian provinces of Akbar the area of measured land rose from 12,70,60,440 bighas, to 27,81,76,156 1|20 bighas, an increase of nearly 119 per cent. He also says that the newly conquered provinces of Bengal, Orissa, Berar and Khandesh were not surveyed during the reign of Akbar. but this task was left for his three successors, during whose respective reigns progress in this respect was also made in the older provinces.[59]

Besides, the two regulations of Aurangzeb,[60] addressed to Muhammad Hashim and Rasik Dass, contain a mention of fixed revenue at several places which shows that the *zabt* system was current and in the regulation addressed to Rasik Dass there is an indication that he had regard for Akbar's system. "Also find out" says he to Rasik Dass, "what was the system of revenue collection in the reign of Akbar under the *Diwani* administration of Todar Mal." Of course, just as in the days of Akbar, so in the days of his successors, the system was not uniform. For example, we find[61] that in Multan *zabt* was the custom, but in Gujrat revenue was assessed by valuation of crops, survey being seldom restored to.

In Bengal the customs[62] of *zabt* or *gallabakhsh* did not

[58] Von Garbe's "Essay on Akbar, Emperor of India," I.O.L., p. 3.

[59] "India of Aurangzeb," by Sir J. N. Sarkar, Bose Brothers; Calcutta, 1901, p. 38.

[60] Translation of Regulations, published in the "Journal of the Royal Asiatic Society," and republished in Sir J. N. Sarkar's "Studies in Moghal of India."

[61] "India of Aurangzeb," by Sir J. N. Sarkar, Bose Brothers, Calcutta, 1901, p. 41.

prevail. The rent due was collected in this way. The cultivator for eight months in the year paid rent pie by pie (by instalments).

Aurangzeb[63] was opposed to heavy and severe assessments He favoured assessment at one third of the crop and his orders were that in no case the assessment should exceed half the crop even though the land may be capable of paying more. During his time no revenue was to be charged for land which was turned into a cemetery, or *sarai* (inn) by endowment.

Like Akbar he also gave discretion to ryots to choose if the revenue was to be based on a share of crops or cash payment. The time for collecting the revenue was at harvest time.

If land to which revenue was fixed were subject to calamity, the revenue was remitted to the extent of the calamity.

In the case of fields which were flooded, or where the rain water was exhausted, or any non-preventible calamity had overtaken the crop before reaping, so that the ryots had secured nothing, nor had time enough left for a second crop to be raised before the beginning of the next year, the revenue was considered as lost.

If the owner of the land subject to a fixed revenue cultivated it, but died before paying the year's revenue, and his heirs got the produce of the field, the revenue was to be collected from them. But if the aforesaid person died before cultivating and the time was not left for tilling, nothing was to be taken from the deceased's successor.

If the owner gave his land in lease or on loan and the lessee or borrower cultivated it, the revenue was to be taken from the borrower, but if the owner planted a grove, he was liable for the revenue.

[63] Aurangzeb's Regulations addressed to Muhammad Hashim, published in the "Journal of the Royal Asiatic Society," and republished in "Studies in Mughal India," by Sir J. N. Sarkar, paras 6 and 16.

Aurangzeb's instructions were also to the effect that if the peasants were unable to procure the implements of tillage, they should be advanced money from the State in the form of *takawi*' after taking security, that where there were disused wells they should be repaired and facilities should be afforded for digging new ones—in fact they were to be dug at State expense.

A study of the aforesaid two regulations shed more light on the revenue system of Aurangzeb. From these regulations there seems to be no doubt that, religious and God-fearing as he was, he always had the solicitude of the peasantry at heart.

"All the desires and aims of the Emperor" says he, "are directed to the increase of cultivation and the welfare of the peasantry and the people at large, who are the marvellous creation of and a trust from the Creator." The *amils* were exhorted to be benevolent to the cultivators and to avoid all oppression in the collection of revenue.

Many writers think that it was in the time of Aurangzeb that the revenue demand was raised from one-third as introduced by Akbar to one-half, but they are wrong. Even in the days of Akbar the rule of one-third share was not common. In Kashmir[64] one-half, in the *kharif* harvest of Ajmere[65] either one-seventh or one-eighth were demanded. In Gujrat,[66] also in some parts of the Ajmere *suba*, it was half. In the time of Shahjahan we find Murshid[67] Kuli Khan, *Diwan* of the Deccan, issuing the following orders which show that as was the nature of the land, so was the demand.

(1) State took one-half of the crop dependent on the rainfall.

(2) The share of State was 1|3rd in the case of grain when cultivation depended on well irrigation, and in the case of the more valuable crops—

[64] "Ain-i-Akbari, Newal Kishore Press, Vol. II, p. 176.
[65] *Op. Cit*, p. 128.
[66] "Mirat-e-Ahmadi," Bombay Edition, p. 118.
[67] *Op. Cit*, pp. 493 to 500.

such as grapes, sugarcane, anise, peanuts and plantains—from 1|3rd to 1|4th.

(3) Variations occurred in the revenue demand when fields were watered from a canal.

Aurangzeb[68] also abolished many imposts, etc., for example *rahdari*[69] impost in his demesne lands and requested the *jagirdars* and zamindars to do the same in their estates. He also did away with inland transit duties that is, a toll of one-tenth of the value of goods which was being taken at every ford, ferry and hill. Sarkar says, "Thanks to the remission of the transit[70] duties on grain, the dearth of one place was easily removed by the surplus produce of another." He also abolished a large number of cesses, mostly vexatious.

After Aurangzeb there is hardly anything of note. This is however certain, as Ghulam Husain Khan, author of "Sair-ul-Mutakhirrin," says "The Institutes of Akbar continued in use till Bahadur Shah, though with modifications." So far, however, as Bengal was concerned we learn from Phillip's Tagore Law Lectures, 1874-75 that the first increase in Todar Mal's assessment, (which was made in 1582), was made in 1658 by Shuja Khan. No further material enhancement was made until the time of Jafar Khan, who having put aside the zamindars and others who stood between the Government and the cultivators, managed the collection of revenue entirely by his own officers. By these means, and by supplying the ryot with implements of husbandry and with advances of seed grain, he increased cultivation and augmented the revenue. He imposed, however, some *abwabs*. He employed Hindus in the collection of revenue. He divided the *suba* into 13 *chaklas*, over each of which he placed a collector. Many of these collectors later became zamindars. Jafar Khan died in 1725, and was succeeded by his son-in-law Shujauddin. The

[68] Sarkar's "History of Aurangzeb," Vol. I, p. 193.

[69] Transit duties, tolls and duties collected at inland stations upon grain and other articles levied formerly by the Government, sometimes by the zamindars on their own authority.

[70] Sir J. N. Sarkar's "History of Aurangzeb," Vol. IV, p. 19.

zamindars who had been confined by his predecessor were released on their agreeing to pay the amount of revenue which had been assessed upon their zamindari. He imposed four additional subadari *abwabs*. Shuja-ud-din was succeeded in 1740 by Aliverdi Khan, who died in 1756. Some more *abwabs* were imposed in his time. The highest assessment before the time of British rule was made by Kasim Ali but Mr. Shore thought that there was no proof that the revenue fixed by him was ever realised. He calculated that the impositions of Jafar Khan, Shuja, and Aliverdi, amounted to an increase of about 33 per cent. upon the assessment of 1658, while the increase of the zamindar's exactions from the ryots could not be less than 50 per cent.

CHAPTER III

The history[1] of land revenue in India, where the British are concerned, commenced in 1698, almost a century after the East India Company obtained its first charter. The territory in question lay in the immediate neighbourhood of Calcutta, but ere many years extended to Patna and Murshidabad. This tract of country was governed by what Lord Brougham in a law suit described as the "title[2] of purchase from the owners of the soil, with the permission of the established Government of the country," the Company undertaking management of the new zamindari, as it had already done in respect to smaller land acquisitions in other parts of the country.

The actual history of the Bengal property may be said to date from 1765, when Lord Clive, on behalf of the Company, secured a *sanad*, or official grant, of what was termed the *Diwani* of Bengal from Shah Alam, then seated on the throne of the Moghal Empire.

At that time the Empire founded by the Great Babar was in a sad state of disintegration and decay, and after the death of Murshid Ali Khan the *Diwani* itself had been united to *Nizamat*, powers enjoyed by the Nawab for military and civil administration, but quite distinct from the authority vested in the *Diwan*. In fact, since Nawab Ali Verdi Khan died, the Province of Bengal had lapsed into a chaotic condition, with branches of the executive almost suspended and a

[1] *a*. Administration of East India Company, by J. W. Kaye, London, 1859.
b. Bengal Records, by W. W. Hunter—Vols. 1 to IV,1782 to 1793, London, 1894.
c. Elphinstone's History of India.
d. History of British India, by Mill.
e. Farminger's Fifth Report.
f. History of India, by Henry Beveridge.
g. Encyclopaedia Britannica, Vol. XII, p. 768, Edition IX.

[2] Mayor of Lyons versus East India Company, p. A.B.-273.

complete lack of system and discipline visible everywhere. The grant of the *Diwani* obliged the Company to undertake the task of administration, among other matters the question of land revenue occupying a prominent place. Nor had its officials much knowledge or experience of the novel duties which now fell to their lot. The practice then in vogue in India could hardly furnish a secure basis whereon to work, because it was terribly inconsistent and has been described as "a tangled unsystematic mass of dishonesty and oppression." The Directors in England, and their servants in India, set about forthwith to collect information regarding administration of the land revenue. In August 1769 European Supervisors were appointed to tour the country thoroughly for the purpose of gathering news as to its true condition and, as far as possible, to learn its history and that of its institutions. The details they were bidden to collect were similar to those which a modern Settlement Officer has to attend to and need not be enumerated here. The spirit in which they wanted their servants to work will appear from the concluding passage of a lengthy exhortation from Leadenhall Street, head office of the Company, which will bear quotation and ran as follows:—

"Your Commission entrusts you with the superintendence and charge of a province whose rise and fall must considerably affect the public welfare of the whole. The exploring and eradicating of numberless oppressions, which are as grievous to the poor as they are injurious to the Government; the displaying of those national principles of honour, faith, rectitude, and humanity, which should ever characterise the name of an Englishman; the impressing the lowest individuals with these ideas of raising the lowest of the ryots from oppression and despondency to security and joy; are the valuable profits which must result to our nation from prudent and wise behaviour on your part. Versed as you are in the language, depend on none, where you yourself can possibly hear and determine. Let access to you be easy and be careful of the conduct of your dependants. Aim at no undue in-

fluence yourself and check in all directions. A great share of integrity, disinterestedness, assiduity, and watchfulness is necessary, not only for your own guidance, but as an example to all others, for your activity and advice will be in vain unless confirmed by example."

Such excellent sermons could not go without producing good effect, but unfortunately such a love of pious platitudes was usually contradicted by a request of the Board for more funds which nullified the sermon. However, before the letter just quoted had reached Calcutta, the leading representatives of the Company in Bengal had to recognise the necessity for amassing the kind of knowledge suggested by the Directors in order to make a start towards introduction of a suitable system for the collection of land revenue. The newly appointed Supervisors were furnished with a long string of orders for their information and guidance and began the somewhat hopeless business of cleaning the augean stable of abuses and neglect, bequeathed to the company by former rulers of the *Diwani*. We need not dilate upon that. It will suffice to trace, to the best of our ability, the course of evolution in land revenue matters, from the days of these Supervisors down to the Collector of the present time. The first point to be gained was to arrive at a fairly accurate notion as to the actual value of the territory for whose administration the Company was now responsible, also the nature of its products and their value. Officials were warned not to place undue dependence on information supplied by subordinates, who were likely to deceive them; at first from motives of self-interest, later on from the necessity of averting just suspicion by new forms of trickery. Care for the welfare of the ryots was again mentioned and specially insisted on. The terrible famine of 1770, remembered by the Indians as the "Chalisa" because the number forty figured in the Samvat (Hindu calendar), for that year, must have hindered the Supervisors greatly in their investigation. The scarcity was confined to Bengal, where terrible privations were experienced and heavy mortality occurred.

Next year, 1771, the Directors expressed regret and indignation on learning from "authentic sources" that the Supervisors had not only failed to carry out instructions but, along with "certain members of our Council", had managed to secure monopoly in respect to salt, betelnut, and tobaccos; doubtless a profitable, if nefarious, kind of trade and one that probably produced the class of "get-rich-quick persons, known in the days of George III as Nabobs," the term, popular taste in Britain, substituted for the nawab of the vernacular. "Further," so declared the angry Directors, "They have been so far lost to the principles of justice and humanity as to include rice in the same destructive monopoly, by which an artificial scarcity was made of an article so necessary for the very life of our subjects."[3]

At the same time a step towards decentralisation was made by the creation of two Councils, at Patna and Murshidabad, for better dealing with a task of such magnitude as the land revenue question in the new territory certainly was. Faced by a famine[4] of such severity that one-third of the inhabitants of Bengal are said to have died from starvation—an exaggerated estimte we imagine—the Councils and their respective staffs of Supervisors gathered the revenue collections, and those for 1771-1772 actually were bigger, not only than in the preceding year but equalled the amount realised in 1760.

Warren Hastings in a speech to his Council in November 1772, did not hesitate to ascribe the unexpected rise in revenue collection to means of violence and oppression bringing it up to standard of favourable seasons.

In obedience to orders from Home to "Standforth[5] as *Diwạn* and by the agency of the Company's servants, to secure extra care and management of the revenue," Mohammad Raza Khan, *Naib-Diwan* of Murshidabad—along with

[3] Gleig's Hastings, Vol. I, p. 214.
[4] Gleig's Hastings, Vol. I, pp. 219-20.
[5] Bengal Records, Introduction, Chapter I, p. 18.

all his hangers—on and immediate subordinates was dismissed; a similar fate soon afterwards befell the officer who held that post at Patna. In both cases the duties of those individuals were assumed by the Chief and Council concerned.

In May[6] 1772 the Governor-General made the following announcement which must be carefully studied, since it forms the constitutional base on which future proceedings were to rest. In accordance with the several items of this important edict the land of the province was to be farmed out for a period of five years and a Committee of Circuit, consisting of the Governor-General and four members of Council were to visit the principal districts and form the settlement. The Supervisors, whose work had achieved little towards the object about which the Directors appeared anxious, had been relegated to their original posts but were now reintroduced under the name of Collectors, a more correct title than they had hitherto borne, and were given the help of an Indian official, styled the *Diwan*. All other duties, save those of a purely official character, were forthwith to be abandoned and they were forbidden to receive any presents.

The experiment of the two Councils, however, did not show better results than the Supervisors had done. Many of the farmers of the revenue became defaulters, having engaged for larger terms than was justified. Forgetful of the effect produced by the severe *Chalisa* famine, they were unable to raise the amount they had promised to pay in order to win the post of farmer.

Mr. Middleton, afterwards Resident at the Lucknow court, was then in charge of the Murshidabad division, and declared the settlement made by the Committee of Circuit to be unavoidably arbitrary and referred to the case of a Rani of Rajshahi, who sooner than incur what she deemed a disgrace, (the farming of her property by an outsider), engaged with the Company for payment of a far larger amount of revenue than could possibly be realised from the smaller zamindars

[6] Proceedings of the Council, May 14, 1772.

and the mass of her tenantry. Probably she thought that by such action the obloquy she dreaded would not take place and that Government might gradually be convinced that the revenue demand was exorbitant and grant her a suitable remission.

The machinery[7] for collections did not work so well as had been anticipated. European Collectors had little knowledge of the work and the result of their labours was found so disappointing that in the spring in 1773 the Board of Directors decided to remove the British element altogether from revenue matters and to replace it by a set of Indian officials, called *amins*, whose proceedings were to be controlled by a permanent Committee of Revenue (predecessors of our present Revenue Board), meeting daily at the Presidency; and by certain Commissioners, selected from the servants of the Company, who were to visit such of the districts as might require local investigations.

Warren Hastings published a circular (3rd May, 1773), chiefly noteworthy for the redistribution of the administrative units which it now authorised. One reads that, in future, the province is to be divided into six Grand Divisions —each division to be under the management of a Council, consisting of a Chief and four Members. At the same time, subsidiary orders were passed for facilitating the collections of revenue by a fresh distribution of Collectors, and a better system of subordination to central control.

In order to avoid the temptation to become oppressive and too exacting, which was afforded to men in these positions, some injunctions were included in the circular referred to—or more correctly in a series of Resolutions simultaneously issued. *Nazars* and *salamis* were abolished and other petty abuses rectified. Both Europeans and Indian officials were restrained from farming land, from lending money to the ryots; from standing security for any person under their control; the ryots were to be granted advances at

[7] Bengal Records, Chapter I, p. 19.

a low rate of interest Rs.2 per cent per mensem. The Councils, we regret to find, met with the same difficulties as their predecessors in office had done. It was not properly established what might be the revenue of an estate; what was the actual sum paid by the ryot, or what he was supposed to pay, and what steps were necessary to check the constant deficit in the amount paid by the farmers into the coffers of the Company.

The Council for the districts of Murshidabad[8] and Dinajpore plainly announced that lands were over-assessed and like reports came from Burdwan and elsewhere.

In 1773 a Regulation[9] Act was passed, by which the executive forces of the Company were again remodelled by the establishment of a Supreme Council at Calcutta, with a Governor-General at its head and with four Members. It was held directly responsible to the paramount power—the Government then in office at Westminister and was known by the general title of the Board, inheriting from the previous arrangements control over the land revenue. Warren Hastings was India's first Governor-General and with him were associated as Members General Clavering, Colonel Monson and two Civilians, Mr. Barwell and—best known of the quartette—Phillip Francis. Much of the history of this Board has been recorded by Macaulay in his brilliant Essay on Warren Hastings. The new Council displayed no great eagerness to tackle the thorny question of land revenue, for it was not till November 1774 that a meeting took place for consideration of the matter, so important for the financial status of the Company and also a test of its ability to fill the position of an administrative body, not a mere association of traders.

Hastings reviewed the situation; explained what measures had been adopted without much success in the past; he further outlined the system to be followed, main features of which have already been noted above.

[8] Minutes of the Committee of Revenue.
[9] 13, George III, Chapter LXIII.

A resolution was passed by the Board in 1773, based upon a minute prepared by the Governor-General, which declared that the five years' farming would expire next year. It was expedient that before entering upon any new agreement, or renewing an old one, that special officers be deputed to try and decide the still unsolved questions of rental paid in the provinces. Investigations were also to be conducted with the view of ascertaining whether ryots ought not to be granted possession in perpetuity of their holdings. A trio of Company's servants, Messrs. Anderson, Crofts and Bogle were accordingly despatched to conduct inquiries into the question of the real value of the land and the exact rental derived from it. In addition to this they were ordered to gather all possible information about the nature of the *pattas* (lease granted to tenants), and how they differed in various parts of the country. The work occupied the three officers nearly five years, when they submitted a report full of interesting and valuable information.

The farming system terminated in 1777 but, pending instructions from the Directors, a fresh settlement was for some time held in abeyance. A despatch, however, came from the Directors towards the close of 1771 in which they signified their disapproval of the terms "for life" or "in perpetuity," where lease of land were concerned. In face of this the authorities in India made a new settlement for one year only. The land was to be leased out to the zamindars, or some other persons, but preferably to the former, on the best terms procurable, at a rental considered agreeable to the true value of an estate, while another rule was introduced by which a zamindari[10] that was in arrears of revenue could be sold or farmed out. The zamindar himself became liable to arrest if the demand of the Company was not properly paid up.

For three years these annual settlements continued, engagement for the rental being made direct with the zamin-

[10] Colebrooke's Supplement, Vol. II, p. 110.

dars whenever the latter accepted reasonable terms. Yet the Company regarded this method of realising the revenue as merely a temporary arrangement, to be replaced by a permanent system as soon as a suitable one was discovered.

In 1781 certain regulations were proposed by the Supreme Council before mentioned in order to put the business of revenue collection on a firmer footing and gradually changing revenue administration as a whole, to avoid any bad effects that might follow the immediate introduction of new and far-reaching innovations.[11] Provincial Councils were abolished, their powers and duties being transferred to a Revenue Committee known as the Board. The Board consisted of four members, covenanted servants of the Company, and Mr. Shore (who officiated at a later period as Governor-General), Anderson, Charters, and Crofts were chosen for the new posts. They were controlled, of course, by the Governor-General and his Council, but had the same authority as that body possessed. The entire scheme was summarised as bringing all the collections of the provinces (Bengal and Bihar) down to the Presidency—so Calcutta was termed in the official language of the day—there to be administered by a Committee of the most able and experienced of the Covenanted Civilians, under the immediate inspection of, and with the opportunity of instant reference for instructions, to the Governor-General and Council.

With sufficient material now at their disposal for arriving at a fairly correct estimate of the amount of revenue to be realized, the problem of the best method for collecting the same had to be solved.

After some deliberation the Board held that except for mismanagement, oppression, or incapacity, the zamindar was the most convenient person for the Company to deal with. At the same time orders concerning annual payments and the renewal of agreements were issued.

[11] Introduction to Resolution for the Revenue Administration, February 20, 1781.

The Supreme Council agreed with the Board and early settlements were in force—without very satisfactory results it must be confessed—when Lord Cornwallis came as Governor-General. Indian affairs were noticed in Parliament in 1784 by what is known as Pits[12] Bill, by which the Company was ordered to ignore the complaints of certain dispossessed zamindars and to ensure the collection of rent and duties by the Company in consonance with principles of moderation and justice: also according to the Laws and Constitution of India. The perpetuity of tenure was urged upon the Company, so in 1786 came a despatch from the Directors which contained the first germ of that piece of Legislation known as the Permanent Settlement. The Calcutta authorities were informed that a final system for transacting business with zamindars was in course of preparation, and would be forwarded by "one of the early ships of this season."

The same despatch enjoined change in the assessment period from one to ten years, on the very reasonable ground that frequency of change had created such distress in the mind of the people as to render the idea of some definite terms more pleasing than a dubious perpetuity. It also laid down that if at the end of ten years' trial the system was successful it would become permanent. The[13] figures for the four succeeding years were to serve as a guide to the assessing authority but their verdict had to be confirmed in London, a vexatious and not particularly useful procedure.

After assuming[14] charge of his high office Lord Cornwallis soon noticed that knowledge of the real condition of the country had not even yet been acquired by the Revenue Board in Calcutta, nor indeed by Collectors in the districts. Accordingly he postponed execution of the instructions of the Directors and yearly settlements were allowed to go on

[12] Pits India Act of 1784.
[13] Firminger's Report V, Appendix.
[14] *Op. Cit.*, Vol. I, p. 15, Madras Report, 1886.

as before. Again the Council issued a Circular[15] letter to districts directing a land settlement to be made for a term of years—the exact period would be specified later—and inviting special attention to three points[16]. (1) the amount of revenue to be paid; (2) the persons responsible for its payment; and (3) such rules as might appear needful to protect the ryots from harsh treatment by a zamindar or any farmer of revenue. The last of these three points need not be discussed at present, beyond remarking that from perusal of some minutes of Mr. Shore, written in 1785, it is evident that tenants were often harassed, if not exactly oppressed, owing to the precarious and uncertain nature of their claims upon the landlord. Concerning the amount to be assessed (*jama*), it apparently differed under the preceding Muslim rule, being in some cases one-third, one-half, two-fifths and three-fourths of the gross revenue of an estate or portion of land. Sir John Shore estimated it at 45 per cent of the total product which ought to be realized under a permanent settlement, as it had been determined it would finally be made. This was the percentage to be paid by the zamindars, sub-renters and cultivators paying 15 and 40 per cent, respectively. As a matter of fact, in the chaos existing prior to the advent of British rule a good deal more than the fixed *jama* was realized, but under other names, hence any estimate arrived at was of little value, for it was largely founded on conjecture.

As regards the persons[17] with whom the settlement should be made, the claimants were the representatives of old Muslim and Hindu families who had owned their lands before 1560, the year in which Akbar became the acknowledged Emperor of India. Now came rajas and big landowners, the majority of whom had acquired landed property in the 17th and 18th centuries and who so long as they paid land tax to the Muslim rulers of the country, enjoyed

[15] No. 3 of 10th August—Bengal Records—Chapter II, pp. 24-28.
[16] Letter No. 1307, p. 143, Bengal Records, Vol. I.
[17] Bengal Records, Sir W. Hunter, Vol. I, p. 31.

the independence of Feudatory Chiefs, custom classifying them as such as did members of the class first mentioned. The third section consisted of families, members of which had held the post of revenue collectors for one or more generations, and were regarded as having prescriptive rights. Following them were persons who, since the *Diwani* grants in 1765, had been farmers of the Company. A good many of these individuals were now *zamindars*, a fact testifying to the lucrative gains to be secured under the farming system. The fifth place on the roll was assigned to taluqdars in Bengal, a sort of intermediary between zamindars and cultivators, not landed magnates as are their namesakes in Oudh at the present time: next came those who had rendered good service to the State, either in the army or civil employ, who held land rent-free, or at a very reduced rate, and reserved property of this kind was usually known by the name of "grant" and all grants held good which were made previous to the Company being appointed *Diwan* of the Bengal province. Overseers or managers in trust of temple lands, also of property set apart for charitable and educational purposes, were given free grants or their rental fixed at a very moderate sum. Last of all came the cultivator—the rent demanded from him being, as a rule, dependent on the soil of his holding and its position in the *siwana* (village lands).

Prior to this time two opposite schools of thought existed among the Company's officers, divided by the vexed question of the true status of the zamindars. One party pronounced them nothing more than collectors of revenue, acting as agents for government in that business, while another party considered them as hereditary owners of the estates now being assessed and bound to retain that position so long as they paid the land dues demanded from them. Mr. Grant described the landowners as merely "annual contributory farmers or receivers of the public revenue," whereas Mr. Boughton Rouse, in his writings on landed property in Bengal, claimed that "here-

ditary right and property belonged to the zamindars [18] and had done so for many generations". Hastings and Francis agreed in taking this view of the matter, to which, later on, Sir John Shore and Lord Cornwallis, then Governor-General, also assented. In a long minute Sir John Shore laid down the axiom—familiar to students of land administration in India,—that the soil belongs to the zamindars, the rent to the king, the law of inheritance and that of prescription. He supported the theory of hereditary rights by reference to old records and practices in vogue under Moghal rule and conceded to zamindars the avowed right of malikana.

Dealing with the ryots, he said "Their rights appear very uncertain and indefinite It is however generally understood that by long occupancy they can acquire possession and are not liable to removal; still this right does not authorise them to sell or mortgage land and is, so far, distinct[19] from a right of property".

It may be added that the first commissioners (Anderson, Crofts and Bogle), in what was called the Amani[20] report of April 1778, treated the revenue problem at great length. A few extracts from their reports are not devoid of interest. Separating the payers of rent into three classes, zamindars, chawdharis, and taluqdars, they defined them in the following terms:

"A zamindar, whatever rights his tenure and office may convey, is the superior of a district of which he collects the rent, for which he pays a revenue to Government. He is the first in point of rank amongst the several landowners."

"A chawdhari is inferior, though next in rank to a zamindar . . . ."

[18] Harrington's Analysis, p. 368, Vol. III.
[19] Harrington's Analysis, Vol. II, p. 173.
[20] R. B. Ramsbotham, "Studies in the Land Revenue History of Bengal 1769-1787—Oxford University Press, 1926, pp. 99-133.

"Taluqdars are either *huzuri* or *mazkuri*. The first hold under, and pay their quota of revenue immediately to, Government, and although inferior in rank and title to either of the two former classes of landowners, seem to possess their little territories on a tenure fully as secure, and at a revenue generally more fixed. The *mazkuri* Taluqdars, on the contrary, hold under a zamindar and chawdhari, to whom they pay their rents. The immediate occupant of the soil, whether he be considered as proprietor or tenant, is called ryot: the ground of which he enjoys the fruits and for which he pays a rent is granted by the zamindar, the chawdhari or the superior in whose district it is situated." They also stated in the report that the two higher classes of landowner appeared always to have enjoyed the privilege of holding land immediately under the Government.

In 1789 occurred the Decennial Settlement, attached to which was the most important provision for the future of land revenue in Bengal, to wit, the promise that when the ten years come to an end, the assessment would be continued and remain unalterable for ever. This great change of policy only waited for approval by the Directors to become an accomplished fact. Opinion in Calcutta was not unanimous on the wisdom of this change in administrative measure for we find Sir John Shore[21] opposed to such hasty perpetuation, though not to the principle of perpetuity. He thought Permanent Settlement will not give that confidence to the proprietors which it was desired to create. Mr. Law in Behar and Mr. Brook, Collector of Shahbad, were in favour of this experiment in land legislation, as was Lord Cornwallis, who replied to all hostile arguments in a lengthy minute which need not be quoted here. The change was regarded with favour in London and the Directors directed in a despatch of March 20, 1793, a Permanent Settlement to be forthwith concluded[22]. A pro-

[21] Minute of Sir John Shore, paras. 68 and 69.
[22] Encyclopaedia Britannica, Vol. XII, p. 770, Edn. IX.

clamation was accordingly issued by the Governor-General and by it the public was informed as follows:—

The Marquis of Cornwallis, the Knight of the Most Noble Order of the Garter, Governor-General in Council, now notifies to all zamindars, taluqdars, and other actual proprietors of lands in the provinces of Bengal, Orissa and Behar, that he has been employed by the Hon'ble Court of Directors for affairs of the East India Company to declare the *jama*, which has been or may be, assessed upon their land by the regulations (the original Decennial Settlement is here meant), above mentioned, fixed for ever". Soon afterwards a code of regulations was passed for the guidance and information of all parties concerned, landowners and tenants by observance of which they would secure for themselves the inestimable privileges and immunities granted by the British Government.

The most interesting points dealt with in the said regulations were the prohibition to create new cesses and the order to amalgamate those already existing with the rent while the latter had to be exact, the sum demanded being fully stated on each written *patta*, or agreement. Current leases were to remain in force till the expiry of their term and those ryots holding lands under the *khudkasht* system, in which formal written agreement was often absent, were not to have their leases cancelled, save in cases of collusion or when the rent was notably smaller than on leases in the same agreement, containing soil of a similar description and quality.

Disputes between landlords and tenants were to be tried and decided by the newly created civil courts of the Company, called the *Adalat Diwani* and situated in every district. Such, briefly stated, was the memorable compact between rulers and ruled, the Company and Indian land proprietors; known in fiscal history as the Permanent Settlement of Bengal: a measure against and for which many arguments have been advanced, much ink and paper expended. It would be a difficult task to deal all the pros and cons, nor

would such attempt prove anything but irksome to the general reader, even officials engaged in land administration might be pardoned if they shunned perusal of a mass of contradictory matter. We shall, therefore, confine ourselves to a few observations regarding the settlement in question.

Whether or not it was right to ignore the cultivator, and to make assessment with the zamindars, there is no doubt that the intention of the Permanent Settlement which in the words of Sir John[23] Strachey was not only to fix for ever the land revenue of the zamindar, but at the same time to secure to the ryots fixity of tenure and fixity of rent, was not fulfilled in so far as the rights and security of the latter were concerned. Lord Cornwallis, father of the Permanent Settlement, never intended that the zamindars should enhance rents, for in his minute, he says "whoever cultivates the land, the zamindar can receive no more than the established rent. To permit him to dispossess one cultivator for the sole purpose of giving the land to another, would be vesting him with power to commit a wanton act of oppression." The real mistake was that the matter of the security of ryots was left to the zamindars and that no survey was made and no record of rights prepared. However much may be made of the regulations mentioned above, they did not go far enough, and even subsequent legislative measures for bettering the status of the tenant have not compensated them for the loss that they sustained in the settlement not being effected direct, nor have these improvements given them such advantages as have been accrued to the zamindars from perpetual settlement. Baden-Powel[24] says "grevious as the failure of the Permanent Settlement has been, its failure is not due to the fact that the zamindars confirmed, or that in the unavoidable necessity of defining and securing their position in English legal documents, they were called and

[23] India, p. 454.
[24] Land System in British India, p. 403.

made landlords. The evil consisted in this, that their right was not limited with regard to all the older ryots, leaving newcomers to be in principle. . . . counter-tenants." The effect was that the already opulent zamindars became more wealthy and the poor cultivators continued to remain in a state of economic depression. Truly, says Miss Florence Nightingale:—

"He is underfed, yet always works hard,
He is for the most part in debt."

Secondly, economists must differ as to the permanency of settlement, and Sir Verney Lovett truely expresses the view of most of the economists when he says[25], "The Government of India has often seen reason to regret bitterly that, as Shore recommended, the figures of demand were not fixed for a particular period, that, in technical language, the settlement was not 'temporary', for the finality of the assessments has cut the public revenue off from all share in the profits which have accrued from a great rise of rents and spread of cultivation."

[25] India, p. 95.

CHAPTER IV

A HISTORICAL ACCOUNT OF THE SETTLEMENT IN THE PROVINCE OF AGRA

In this chapter we shall endeavour to lay before our readers an historical account of the settlement resorted to in the United Provinces and the rival merits of permanent and periodical settlements. Roughly speaking, the territory now styled the United Provinces of Agra and Oudh—formerly known as the North-Western Provinces and Oudh—is chiefly composed of districts acquired by various treaties with the Nawabs of Oudh, and the western divisions of Agra and Meerut, surrendered by the Marahthas after their defeat by Lord Lake. Similarly, after the wars with Nepal, that State handed over to the victorious British the tiny principalities near Simla, lovely Dehra Dun, and the hilltracts of Naini Tal and Almora, where Gurkha influence had domineered[1]. Farrukhabad was, in 1801, voluntarily ceded by the ruler of that State, inhabited by a colony of Bangash Pathans. The doctrine of lapse—of which Lord Dalhousie was so ready to avail himself—gave Jhansi to the British. Most of Bundelkhand had previously been ceded by the Peshwa, sometimes lands were exchanged or restored on the amendment of a treaty, while for loyal help rendered during the Mutiny by Jung Bahadur and his Gurkhas, Nawab Kalb Ali Khan of Rampur and his Rohillas, considerable tracts of country possessed by the British were transferred to the States of Nepal and Rampur respectively. It would be tedious for readers, and irksome for the writer, to make seperate mention of each accession of territory, so a fairly comprehensive list of these transactions has been given in the Appendix A.

[1] *a.* Encyclopaedia Britannica, Vol. XII, p. 805, Edition IX; *b.* Moral and Material Report, 1882-83;
c. Bengal Administration Report, 1870-71.

The jurisdiction now called the United Provinces of Agra and Oudh was at first administered from Calcutta, till in 1833 it was raised to the dignity of a separate province. In the first instance Allahabad was chosen as the capital partly because under Moghal rule there was a *subah* of that name, and partly because of its suitable position at the confluence of the Ganges and Jamna and fairly central as the seat of Government. The growing power of the Sikhs and troubles threatening in Afghanistan induced the authorites to shift the capital to Agra in 1838, a city still known by the title of Akbarabad and rich in memories of that great Emperor and his successors.

Subsequent to the quelling of the uprising it was decided to honour the ancient city of Prayag—as Allahabad is called by the Hindus—by again fixing it as the provincial capital and this arrangement still holds good, albeit its citizens complain that the place is only a capital *de jure*, while the advantages and privileges of that distinction are held by Lucknow as the capital *de facto*. Some basis for this grumbling may be in existence, still it cannot be gainsaid that Lucknow possesses the advantages of a central position, fine traditions, and is a city rich in beautiful buildings, both ancient and modern. In 1877 the Oudh Province was amalgamated with the rest of the North Western Provinces, yet the former retained some trifling peculiarities to distinguish it from the sister province of Agra.

As the result of the Reforms Scheme of 1919 the United Provinces are now ruled by a Governor in Council consisting of two members[2]—the Home and the Finance and three Ministers[3]. The different administrative units

[2] A Member is appointed by His Majesty by warrant under the Royal Sign Manual (*vide* Sec. 47, Government of India Act, 1919).

[3] Ministers are appointed by the Governor of a province from among the non-official elected members of the Council. They administer Transferred subjects. In relation to transferred subjects, the Governor shall be guided by the advice of his members (*vide* Secs. 49 and 52, Government of India Act, 1919).

are classified as Reserved[4] and Transferred[5] subjects. The Ministers are chosen by the Governor from among the elected members of the Legislative Council of the provinces.

For administrative purposes the United Provinces are divided into ten divisions, containing districts, a list of which has been given in Appendix B. Eight of these divisions are in Agra Province and two in Oudh. Each division has its Commissioner, and each district its District Officer, called in Agra Province as Magistrate and Collector; in Oudh as Deputy Commissioner. When the territory styled in old documents the Benares Province was ceded by the Oudh Government, shortly after the battle of Buxar, the settlement problem was yet unsolved in Bengal, so till 1785 the local Raja of Benares paid a fixed tribute and collected the revenue accordingly. The condition of the tenantry was sufficiently miserable to attract the notice of officers of the Company,[6] and frequent cases of torture, ill-treatment, and extortion, forced the Calcutta authorities to devise some remedy for such evils and to hit upon some other method of realising money due to the Company as *Diwan* of Bengal. The Benares Province was therefore permanently settled, with the same administration of estate as in Bengal, a few of which *taufir*, or excess lands—being temporarily dealt with, as were lands claimed as free of revenue on titles the validity of which lacked proper cofirmation. This settlement was named after Mr. Duncan, a well-known Civilian of those days. Baden-Powell,[7] in his "Land System of British India," errs in assuming that a cadastral survey was conducted on this occasion and that existing rights were duly recorded, yet the settlement was, on the whole,

[4] Provincial subjects other than Transferred subjects under the charge of a Member of the Governor's Executive Council.

[5] Provincial subjects administered by the Minister with the concurrence of the Legislative Council of the province.

[6] Memoirs of Ghazipore by Oldham, pp. 99-100.

[7] Land System of British India by Baden-Powell, Vol. II, p. 5.

more carefully carried out than had been the case in Bengal. It was not long before difficulty was experienced in collecting the revenue, about one-fifth of the Benares[8] Province being leased out to farmers, or held direct by Government, and all such villages needed re-settlement, while disputes over boundaries and property rights became painfully numerous. In the Jaunpur[9] district it was evidently imperative to draw up a formal record of rights, also to have the land thoroughly surveyed. These operations were entrusted to Mr. Chester and to Mr. Abbot, an R. E. officer whose business it was to supervise the survey. The task was completed by both officers about 1845, yet—for some unknown reason—no action followed, and their report, with its accompanying files, was entirely destroyed at the time of the Mutiny. Thirteen years elapsed and fresh material was collected for a new settlement which was duly carried out and finished in 1867 but was pronounced unsatisfactory. Sixteen years passed by and then Government once more decided on the preparation of a new record of rights.

The Raja of Benares was not taken into this fresh settlement, but it was made generally with village zamindars, as they were then called, i.e., landlords of joint village—some of them *bhaiyachara*—communities. Occasionally settlement were made with a class of men called *mustajirs*, revenue farmers who, after acting for a long period in that capacity, now began to claim proprietary rights.[10]

A searching[11] inquiry was made into individual grievances, and in many instances justice, tardy it must be confessed,

[8] Board's Review 58|17 of 1889; dated. January 2, 1889, p. 4, on Final Report on Survey and Revision of Records recently completed for the Benares District by M. V. Porter, 1887.

[9] Board's Review No. 13-1-116, dated Allahabad, April 18, 1888, p. 2 on the Report of Revision and Settlement Operations in Jaunpur District from 1877-1886 by P. C. Wheeler, Assistant Settlement Officer.

[10] Bahrul-Maram by Munshi Mohd. Mehdi, p. 36. Printed at the Anwar Ahmadi Press, Allahabad, 1333 A.H.

[11] Notification No. 49 of November 28, 1852—Selections from Records of the Government, N.-W. P. in Thomason's Despatches, Vol. II, p. 202.

was done to the claims of real proprietors. In other respects the procedure borrowed from Bengal was applied to the Benares provinces. Under it the ryots obtained a certain amount of protection and proprietors were informed that permission to levy revenue was limited to the *Hakimee*, or Government, proportion of the produce. All recent *abwabs* (cesses) were abolished; *pattas* (leases), were only granted for sums not exceeding the established rates of the *pargana* for lands of the same quality and description, consideration being paid as far as was required to the customs of the district, any alteration in the species of culture; and the caste of the cultivator. This rule was enforced for both classes of tenant, alike for the resident and the non-resident. In regard to the latter another condition was affixed to those mentioned above, to the effect that although due payment of rent secured a good caste tenant from eviction, permission for other classes of tenant to continue on their holding rested with the farmer or the proprietor. So much for settlement work in Benares from the end of the 18th to the middle of the 19th century. It only remains to note that from time to time Regulations were issued to save cultivators from unlawful[12] confinement, torture, corporal punishment, and the disagreeable methods a harsh landlord did not hesitate to employ towards recalcitrant tenants or those whom unfortunate circumstances prevented from prompt payment of rent and manorial dues.

With regard to the ceded territory in 1802, a proclamation was issued by the Government of India, embodied the next year in a Regulation announcing a somewhat novel plan for a land settlement, which was to cover a period of ten years (1802-1812). This was to be in the form of two triennial assessments, succeeded by one for four years, and on the completion of the full term, a permanent[13] settlement was to be made with the same persons, supposing they were willing to engage and if nobody with better claims

[12] Regulation 25 of 1803.

[13] Fifth Report, Firminger, Vol. I, p. 91 and Holt Mackenzie's Memo of 1916, published in Selections from Revenue Records, N.-W. P. (1818-1820).

came forward for such land as might be sufficiently cultivated to warrant this measure on such terms as the Government deemed fair and equitable. Four years later a similar course was prescribed by Regulation 9 of 1805 for the territory conquered from the Marathas and again like action[14] was taken in Bundelkhand.

For rather more than the first half of the last century the comparative claims of permanent and temporary settlements were hotly advocated by supporters of the two systems. Curiously enough the Directors, seated in London, showed themselves capable of forming a juster and more statesmanlike view of the problem than the men on the spot. Not that all the officers of the Company in India favoured the idea of settlements made in perpetuity, for the majority of district officers opposed the scheme, whose advocates were high dignitaries like Members of the Board of Revenue and men holding posts in the Secretariat.

1803[15] and the next year find the Directors in favour of temporary arrangements, pending the collection of fuller and more accurate information, which would, they trusted, be forthcoming on the expiry of the ten years, system just described. The Government out here ventured to anticipate matters and directed regarding conquered territory handed over by the Marathas in the western division, also in Bundelkhand, that the jama[16] (rental) that might be assessed in the last year of the settlement ensuing should remain fixed for ever, if such proceeding received the sanction of the Hon'ble Court. Accordingly the three following settlements, namely that of 1808 to 1812 in the ceded tracts, that of 1808—1811 in conquered territory, and that of 1809—1812 in Bundelkhand, were declared "Provisionally permanent" and a Special Commission was appointed to superintend their con-

[14] Regulation 25 of 1803, Fifth Report, Holt Mackenzie's Memo., 1819.

[15] Letter dated September 14, 1803 and August 28, 1804 and Regulation X of 1807.

[16] Regulation X of 1807.

clusion. Leadenhall Street was informed[17] of this Commission and its members: there were Messrs. R. W. Cox and St. George Tucker and later on Messrs. Colebrooke and Dean. After considerable delay—it was not until 1810 that the Home authorities answered the despatches just referred to—the Directors continued to veto any settlement *in perpetuo* before data were placed before them to justify so important a step. Meanwhile Messrs. Cox and Tucker lost no time in getting to work, and from Sheorajpur—a town in the Cawnpore district—sent forth a circular to all Collectors concerned asking for information regarding their districts and indicating the form replies should take if they were to be favourably received at head-quarters. This was done, yet the Civilian of those far off days apparently possessed the courage of his convictions nor hesitated to differ from a policy he could not approve, even though it was that chosen by higher authority, for the consensus of opinion was against perpetuity of tenure. This in spite of the Commissioners proclaiming in the circular just mentioned that[18] "the Governor-General in Council," when enacting Regulations of 1807, evidently had in view to extend to ceded and conquered territory the benefits which have already been realized in Bengal from the practical operations of these principles. The permanent settlement concluded in the Bengal Province had "notoriously been attended with the happiest success and the flourishing states of those provinces must, we think, be ascribed in an eminent degree to that wise and salutary measure." So thought the Special Commission, though they graciously stated their willingness to take local circumstances into consideration. The bulk of the District Officers regarded the belauded permanence in a very different light, and behind them were the Directors, resolved not to hurry matters and pronounce a final decision on so momentous a measure. The magnates

[17] Despatches of July 31, 1807 and September 15, 1808.

[18] Selections from Revenue Records, 1873, p. 279. Letter dated September 7, 1807.

of the Board at home adopted the Asquithian policy of "wait and see."

In 1811[19] the settlements of Gorakhpur, Cawnpore, Saharanpur were not formerly sanctioned and instructions were sent out that leases in the Upper Provinces should not be granted for longer than five years. Impatient, doubtless, at the leisurely manner in which correspondence on this important subject was being conducted,—it took six months for a despatch to come and go, even if it were replied to by return of post,—the Government of India forced the situation in 1812—when the time for renewal of the settlement arrived by supposing zamindari estates to have been permanently settled and only the estates held in farm were resettled. The next eight years were marked by cancellation of Regulation No. 10 of 1807 and, pursuing the policy approved of in 1812, estates sufficiently cultivated were to be settled permanently and the *jama* revised so as to leave proprietors with 10[20] per cent of the total revenue, only an estate having two-thirds culturable land under actual cultivation were supposed to be fit for this measure.[21]

The revised assessment was first tried in Cawnpore and a little later in the Rohilkhand districts of Shahjahanpur and Bareilly. Many estates were found qualified (as is explained in the preceding paragraph), but the Revenue Board expressed doubts as to this accuracy of the accounts and Government declared this settlement to be temporary; a decision with which the Directors cordially agreed and forbade any arrangement being called permanent till the resources of the country were better ascertained and individual rights more firmly established. A proposal to make the settlement of Farrukhabad permanent was rejected in 1815 by the Directors for like reasons. The cold weather of 1818

[19] Holt Mackenzie's Memo., pp. 17-18, in Selections from Revenue Records, 1818-20.

[20] Holt Mackenzie's Memo., published in Selections from Revenue Records, 1818—20.

[21] *Op. Cit.* Government Proceedings, September 28, 1812.

found Mr. Colebrook, who now had Mr. Trant as his colleague in place of Mr. Dean, determined to force the pace and have a permanent settlement established to a great extent, in spite of the authorities at home. The Commissioners recommended that all villages in which the Collectors shall be of opinion that the reclaimable land not in cultivation does not bear a greater proportion than one-fourth to the cultivated land be declared permanently assessed. The process of a regular cadastral survey was condemned as too tedious and the landowners were represented as anxiously expecting the fulfilment of what they considered a sacred promise on the part of Government. We can well believe that zamindars in the United Provinces eagerly longed for the privilege their fellows in Bengal enjoyed, thanks to the creation of a permanent settlement for that province.

The Marquis of Hastings, however, was too experienced a statesman to be bound by a Commission, special or otherwise, into acquiescing with a measure he did not fully approve of, or of irrevocably committing his Government to a policy disliked by the Directors of the Company. Accordingly, the Governor-General penned the following minute showing that the Permanent Settlement in Bengal was not exactly the priceless boon it was depicted in some quarters. His lordship, in fact, denounced certain features of this Settlement in outspoken fashion. "Never, " he remarks,[22] "was there any measure conceived in a purer spirit of generous humanity and disinterested justice than the plan for the Permanent Settlement in the Lower Provinces. It was worthy of the zeal of Lord Cornwallis. Yet this truly benevolent purpose, fashioned with great care and deliberation, has, to our painful knowledge, subjected almost the whole of the people throughout these provinces to the most grievous oppression, so guaranteed by a pledge that we are unable to relieve sufferers. After such an example let us feel our way before we again enter into similar engagements." Compare the

[22] Minute, dated December 31, 1819, Selections of Revenue Records, 1818-20.

foregoing remarks by Lord Hastings with the utterances of the Special Commission and other members of the Government of India, and it is hard to believe that both were dealing with the same subject. Mr. Mackenzie, Secretary of the Board of Revenue, was against the idea of settlement made in perpetuity but the indefatigable[23] Mr. Colebrooke—along with Messrs. Adams and Fendall—continued to write minutes in support of permanency. After the suppression of the Mutiny the old question of permanent and temporary settlement was again raised, the former having a warm partisan in Colonel Baird-Smith, R.E. In compiling[24] his report on the famine of 1860-61 this gallant officer wrote in vigorous support of land being assessed in perpetuity and described the permanent settlement as an effectual remedy for most of the evils endured by the rural population. The Board of Revenue was cautious and dismissed his report with a non-committal remark,[25] Lord Canning, first of India's Viceroys, prepared a somewhat strange scheme under which a sale of waste lands in perpetuity discharged from all prospective demands on account of land revenue, and the permission to redeem the existing land revenue demands were to take place. What the tenantry thought of these innovation was not recorded, but the Board of Revenue in the persons of Messrs. Muir and Money, favoured permanent settlement. On the other[26] hand, Mr. Keane strongly opposed the idea of an assessment fixed in perpetuity.

July 1862 brought a reply from the Secretary of State negativing any scheme for the reduction of land revenue but containing the momentous announcement[27] that Her Majesty's

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[23] Minute, dated July 12, 1820, p. 25, Revenue Records, North-Western Provinces 1818-20.

[24] Memo. on the Revision of Land Revenue Settlements in the North-Western Provinces, A.D. 1860-70, by Auckland Colvin, printed in 1872, p. 62.

[25] Despatch No. 140 Revenue, July 9, 1862, published in Government Settlement, North-Western Provinces 1879, also Colvin's Memo., p. 62.

[26] *Op. Cit.*, pp. 65-66.

[27] Revenue No. 14, July 5, 1862, Permanent and Periodical Settlements, 1869 and Colvin's Memo., p. 67.

Government were resolved to sanction a permanent settlement of the land revenue throughout India with sundry conditions. The chief of these were limiting permanency to those districts in which no considerable increase of revenue was expected and to those where an equitable apportionment of the last revenue had already been or may hereafter be ascertained to the satisfaction of the Viceroy. Sub-tenures and other subordinate rights were also to be secured and there was to be no repitition of the Bengal error. The authorities were at last coming to doubt the virtues and benefits conferred on the inhabitants of the Lower Provinces by the Permanent Settlement, once so highly praised at Government head-quarters. The Government of India appearing to assume that a permanent settlement was bound to follow very shortly, informed the Local Government of the North Western Provinces, (as it was then called), that the measure —i.e. permanent settlement—was applicable to most districts and that, excepting the backward areas, some estates might be selected, the test being 80 per cent of culturable area, if the area was actually cultivated; estates not permanently assessed were to have two *jamas* (initial and maximum), the latter not to exceed the former by more than 25 per cent to 50 per cent.

The opening of the Ganges Canal in 1854, to be soon followed by those other important waterways, the Eastern and Western Jamna Canal systems, added irrigation to the factors to be dealt with in assessing the value of land, but the matter of revised rates for watering was left for the present with the Canal Department. The Board of Revenue had issued instructions to the various Settlement Officers when an impasse arose owing to the Secretary[28] of State not agreeing with the conclusions arrived at by the Viceroy. The post was held by Sir Charles Wood—afterwards Lord Halifax, and the father of the present Viceroy—and he struck out an

[28] Revenue No. 24, March, 1815. Papers regarding the permanent settlement North-Western Provinces, 1869 and also Colvin's Memo., p. 69.

independent line for himself by dividing all districts of the United Provinces into three separate groups—those in which cultivation was backward, those where the land was fairly tilled, and those of a mixed nature. As regards the first and second class of estate, there could be no discussion, facts clearly indicating the only cause to be pursued. In the third class only those estates on which the full *jama,* calculated upon 80 per cent of the cultivated area, came up to 60 per cent of the assets, were to be declared permanently assessed and no promises were extended to the others.

These instructions of the Secretary of State, combined with the problem of the canal irrigation, caused endless discussion among Settlement Officers over the orders of Whitehall and those promulgated by Calcutta. The Secretary of State laid another straw on to the burden of official backs to be manufactured by the officials engaged on settlement duties by an order that no permanent settlement shall be concluded for any estate to which canal irrigation is, in the opinion of the Governor-General, likely to be extended within the next twenty years, and the existing assets of which would thereby be increased in the proportion of 20 per cent. Officers were deputed for settlement work in districts temporarily assessed to learn which were ripe for a permanent settlement.

Things remained in *status quo* for the next five years till the accession of Sir William Muir to the post of Lieutenant-Governor of the North Western Provinces and Oudh. Shortly after taking up the reins of office His Honour toured through the Meerut division and—being a most painstaking and observant officer—could not help noticing sundry discrepancies and unexpected conditions in the different districts; even in *parganas* of the same district. In 1869 some difficulties arose in the Meerut and Bulandshahr districts; in the former rents were found to be abnormally low, in the latter there was a very rapid rise in rent. Sir William[29] Muir

[29] Minute of December 22, 1869, permanent and temporary settlements in North-Western Provinces, also Colvin's Memo., p. 71.

referred matters to the Government of India, and further suggested that a third condition be added to the two laid down by the Secretary of State, namely that the standard of rent prevalent or the estimate of net produce, on which assessments were based was adequate and was not below the land rent throughout the country at large. The Government[30] of India asked the then Governor to reconsider the whole question of the permanent settlement, and a little later the Government of Lord Mayo advised the Secretary of State—that post was filled at that time by the Duke of Argyle, father-in-law of Princess Louise—that "the permanent settlement would cause most serious and certain injuries to the public" and a Select Committee of the House of Commons decided that further steps for extending the permanent settlement in the North-Western Provinces should be suspended. Sir William was personally, as has been already shown, in favour of permanency. He invited the opinion not only of his Board of Revenue but of several officers experienced in settlement work. In the case of the former Mr. Inglis, Senior Member, sided with His Honour, the Junior Member disagreed. The views of the Settlement Officers were given in clear terms and these gentlemen, Indian as well as British, proved veritable Balaams by condemning where praise was expected from them. Mr. J. R. Reid[31] for instance, who had seen both systems at work, said that "they (permanently settled tracts) differ not in respect of improvements and extension of cultivation from the temporarily settled estates about them. He added that "the people of permanently settled estates were not better off." A Muslim officer Maulvi[32] Nazir Hamed, L.L.D., a Deputy Collector, subsequently known to fame under the title of Dr. Shamsul Ulama, expressed himself with delightful candour. He writes with

[30] Government of India Despatch Record North-Western Provinces, 1882, October 29—Selections from Government Records—North-Western Provinces, 1881-6.

[31] Permanent and temporary settlement, 1872, pp. 94A-99A.

[32] *Op. Cit.*, p. 99.

gentle sarcasm that "it is very difficult, if not altogether impossible, to gauge beforehand rightly and correctly all the future improvements destined for the country under British rule, and the permanent settlement, however cautious and well conceived it may be, must be liable to certain mistakes and errors and therefore a dangerous thing both for Government and the people. Supposing, for the sake of argument, that a fair and permanent settlement may be effected, it will be disliked by the people because they will have to pay partly for the profits that may possibly accrue to their descendants in the future. One may be led to think that by the extension of railroads and canals over hundreds of miles both the productive power of the soil and the value of the produce have reached their height, but the question is whether the present roads and canals are up to the requirements of the country. Nobody can deny that they are not. Besides, there is a great deal to be done in material improvements of the soil, the manner of cultivation, the introduction of better staples and the employment of new implements to save time and expense. I should therefore like the permanent settlement to be discussed no more, at least not in the present generation." Despite the convincing nature of so valuable a contribution—written by one who preferred looking at real facts, not ideal fancies—Sir William Muir still hankered after a plan for perpetuity of assessment and proposed an all-round rateable increase after intervals, but when the paper treating of this suggestion came before his successor in office, Sir John[33] Strachey, the latter was averse to fettering the future finances of the provinces, and he was not even confident of the success of the grain share. When the files were again brought forward in 1876 the depreciation of silver afforded sufficient proof of the danger of a fixed cash assessment. Sir Alexander Arbuthnot, member in charge of revenue, agriculture and commerce called up the papers for reference but returned them

[33] 3372A, October 6, 1874, Government of India despatch 1882, para 18. Selections from Government Records North-Western Provinces, 1881-86.

in 1879, when they were deposited without any order for future production.

The Government of India during the Viceroyalty of the Marquess[34] of Ripon, wished to renew discussion of the matters we have been describing and sought to restrict the Government demand for revenue by limiting it to three separate sources (1) increase of the area under cultivation (2) rise in prices, and (3) improvements affected at Government expense. Probably the report containing the foregoing proposal was the one called for by the Select Committee of the House of Commons in the time of Lord Mayo. The Earl of Kimberley, then Secretary of State, pointed out before discussing these new orders, that the principles underlying them were such as to involve in the first place final abandonment of the policy of the permanent settlement.[35] This long protracted controversy was now finally laid at rest, although an attempt was made to revive it by a letter in the days of Lord Curzon, written by Mr. R. C. Dutt, in which he invited Government and the public at large to believe that had the country been permanently settled forty years ago, (the allusion was evidently to the 1862 line of policy), the country would have been spared the most dreadful and devastating famines which have been experienced in recent years and proceeded to lay stress on the happy condition the tenantry will enjoy under a permanent settlement. Government easily disposed of the wrong analogy he produced by comparing the condition of the tenantry in Bengal with those prevailing in other parts of the country and his wrong picture of the state of Bengal tenantry. This official[36] reply was founded on economic facts and logical conclusions, which effectually demolished such arguments as figured in the letter written by Mr. Dutt. Dealing with his eulogy of the condition of tenants of Bengal, it was justly retorted that while the Government of India were proud of the fact

[34] Despatch No. 17, dated October 17, 1882, Selections from Revenue Records, North-Western Provinces, 81-86.

[35] No. 525 of May 9, 1883, Government Revenue Records, 1881-86.

[36] Resolution dated January 6, 1902.

that there were many worthy and liberal minded men in Bengal as alleged, this was not peculiar to Bengal alone and that the evils of absenteeism, of management of an estate by unsympathetic agents, of unhappy relations between landlords and tenants, and the multiplication of tenure holders or middlemen between the zamindars and cultivators, in many and various degrees, were at least as marked and on the increase there as elsewhere and then therefore they could conscientiously endorse the proposition that in the interests of the cultivator a system of agrarian tenure should be held up as the public model which was not supported by the experience of any civilised country and which was not justified by the single great experiment that has been made in India, and which was found in the latter case to place the tenant so unreservedly at the mercy of the landlords that the State had been compelled to employ for his protection more stringent measures of legislation than have been found necessary in temporarily settled areas, in which mostly lay the salvation of the tenants and not in the permanent settlement. Since then one hears no more of the benefit arising from a permanent settlement.

Having so far taxed the patience of readers by the foregoing lengthy, yet necessary, disquisition on the merits of permanent and periodical settlements we shall proceed in the next chapter to explain—to the best of our ability—the essence and merits of the assessment operations as adopted in these provinces.

CHAPTER V

The Assessments in the Province of Agra

We shall discuss in this chapter the right of the sovereign to his share of the land, the incidence of demand accepted by the Government, the persons with whom settlement was made, and the method and procedure of assessments. In Chapters I and II we have shown what were the Hindu and Muslim ideas about the position of the king as regards land, also the share of produce of income derived from the land by the sovereign. We have said there that the right of property existed in the people and that the State had always some share in the produce or income which varied in different ages. With the advent of the British no novel ideas were enforced, for they relied on past traditions. Their system rests solely on the principle that, by the ancient law of the country, the ruling power is entitled to a certain proportion of the annual produce of every *bigha* of land, excepting in cases in which that power shall have made temporary or permenent alienation of its rights to such proportion of the produce, or shall have agreed to receive instead of that proportion a specific sum annually, or for a term of years, or in perpetuity.[1] In his minute dated 20th January, 1832 the Governor-General said "Of the existence of the right of property in the soil in these provinces there can be no doubt."[2] A further discussion of this question here would be futile. Persons interested in the subject are recommended to read the works of Colonel Brigg's "Land Tax of India" and the "Land System of India" by Baden-Powell, Vol. I, Chapter IV, Section 6.

As regards the amount to be paid to the sovereign under the British Government, it has varied from time to time.

[1] Regulation S-S XXXI of 1803.

[2] Selection from Government Records, North-Western Provinces, 1822-33, p. 352.

According to Regulation II of 1793 the share of the produce was fixed by estimating the rent paid by tenants, deducting the cost of collection, and allowing to the landlord 1|11th of the remainder as his share, Government appropriating 10|11th as its share of the estate. By Regulation VII of 1822, it was fixed at 83 per cent and by Regulation IX of 1833 at 66 per cent. Just prior to the Mutiny, the relative amounts due to the Government and the landlords were again carefully reviewed and the result of that inquiry was embodied in some rules issued by Mr. John Colvin, then Lieutenant-Governor, for the guidance of the officers deputed for settlement work in the Saharanpur[3] district. According to that the revenue demand was reduced to one half of the average assets.

The standard of assessment remained the same till lately but it was applied with constantly increasing moderation.[4] During the last two decades it was the exception, not the rule, to take one-half assets as the Government share. In recent years, however, there has been a further move in the downward direction as illustrated by the following figures:—

(1) Saharanpur[5] 44.9 per cent.

(2) Muzaffarnagar 44.86 per cent.

(3) Gorakhpur 43.4 per cent.

Variations are due to the fact of Settlement Officers avoiding excessive enhancement of old revenue. This shows that the general tendency was to assess between 43 to 45 per cent. The term net assets is now restricted to the actual assets at time of settlement, no allowance being made—as in the earlier settlement—for prospective advances in value.

The Act of 1929 and the rules made thereunder make

[3] Report on the Administration of the United Provinces, 1901-02, p. 2. *Vide* also rule 52 of the Directions to Settlement Officers.

[4] A reference to the rent rates and the assessment report compiled by Messrs. Pim and Nelson in 1903-06 will show how Government demand has varied from time to time.

[5] Settlement Report, Saharanpur, 1917, Muzaffarnagar, 1921, Gorakhpur, 1919, and Government Resolutions on these reports.

provision for a further reduction. Under these the revenue assessed on a *mahal* should usually be 40 per cent of the net assets and may exceed 40 per cent but not exceed 45 per cent to avoid reduction of the existing revenue or that a round sum be paid. It will not exceed 38 per cent of the net assets in *mahals* in which the number of proprietors is large and the circumstances are poor and will not exceed 35 per cent where the number is large or existence of *malikana* justifies reduction.[6] The revenue of a *mahal* shall not be enhanced by more than one-third of the expiring demand except when the expiring demand, if increased by one-third, amounts to less than 30 per cent of the net assets. In that case, the revenue shall ordinarily be 30 per cent.[7] The term of settlement shall be forty, instead of thirty years as hitherto.

These changes and other provisions of this Act as well as the rules[8] regarding allowances for improvement and precariousness and matters of a similar nature combine in forming a lenient and equitable settlement.

If the question of permanent and periodical settlements divided Government into two camps, no less warmly was the cause of the individual proprietor, real or posing as such, supported by those who doubted the wisdom, and were sceptical regarding the possibility of realizing revenue from a village community whom they imagined were not the real owners of the soil. The village communities did exist but were of so complicated a nature that British officers encountered great difficulty in discovering who were the true proprietors. How matters stood at Benares is already explained in Chapter IV. Coming to the Ceded and Conquered districts, shrewd suspicions were entertained that the big zamindars, local magnates who posed as owners of vast estates,

[6] 6|63 K of Act I of 1929.

[7] 6|63 L *Op. Cit.*

[8] *a.* Rules relating to the Settlement—Notification No. 855|IA—197A Revenue A Departmental, dated June 6, 1929.

b. Instructions to Settlement Officers—circulated under letter No. 2841C|IA, 197-A-1922, dated Naini Tal, June 17, 1929.

were not in reality lords of so many acres as they laid claims to. In 1808 the Governor in Council directed a Board of Commissioners to frame proposals separating petty zamindars from the authority of the persons through whom they have been accustomed to pay revenue, and in accordance with these instructions the Commissioners reported on the case of the powerful landowners of Aligarh, who appeared in fact to own a portion of land and to be farmers for the rest. As time went on it is abundantly clear that Government wanted to get rid of the farming system and enter into direct engagement with persons who were village proprietors. Thus we find Mr. Holt Mackenzie—Secretary to the Board of Revenue —writing in 1819 to the effect that "Government will on the expiry of the current leases be free from any obligation to the farmers of the public revenue and there is no longer any ground for compromising the authority of the Government or the rights of the village proprietors out of deference to the supposed influence and the ill-subjugated strength of the taluqdars." In 1820, however, leases were still granted to such zamindars, Independent taluqdars, mukaddams and other claimants. Mr. Moens[9] points out that in the majority of cases, mukaddams had by error been entered as proprietors and received rights accordingly. Sir H. M. Eliot[10] also admits that in some cases he formed the settlement with Mukaddams. Mr. Cruukshank[11] also mentions these tenures in his settlement report.

Sir J. E. Colebrook[12], in his minute of 12th July, 1820, mentions the parganas of Manda, Khyragarh, parganas of Powayan and Negohee among others the settlement of which was made with the rajas as zamindars and sole proprietors of the whole. As these leases were not always granted to rightful owners of land, discontent began; many dispossessed landowners appealed to the judicial courts, and in

[9] Settlement Report of Bareilly, 1874, p. 112.

[10] Settlement Report of the district of Meerut, 1835, para. 65, p. 196.

[11] Settlement Report of Gorakhpur, 1891, para. 194, p. 54 *seq.*

[12] See also Settlement Report of Bareilly, 1874, pp. 59 and 131 to 133.

some cases decisions of the revenue court were reversed, but at times their decrees were also "so irreconcilable with truth and justice that it was absolutely impossible to execute them."

Considerable confusion was undoubtedly occasioned by imperfect understanding of the nomenclature of tenure, revenue contractors being usually called *mustajirs* or farmers. Another column, intended for the name of the *malik*, or actual proprietor, was commonly left blank in the original record book. The farmer, on the period he had first contracted for coming to an end, suffered grievous injury from the apparently innocent entry forms. A subordinate official too often inserted some new name in the *malik* column and property passed to the latter, thus causing great discontent. In 1813 the Collector of Farrukhabad drew the attention of the Board to such cases of fraudulent transfer, only to meet with a *non-possumus* and advice to send the matter to a civil court: which was done without any result. Four years later Mr. Robertson, Judge of Cawnpore, detected several malpractices and took action accordingly, only to have his decision reversed by the august body, the *Sadar Diwani Adalat*, as it is styled in the official language of that date. However, by 1821 this evil custom had become a public scandal, so a special commission was appointed by Regulation No. I of 1821 whose duty consisted of investigating and deciding certain claims to recover possession of land illegally or wrongfully disposed of by public sale, or lost through private transfer affected by undue influences, and for the correction of errors or omissions of proceedings adopted by the revenue officers in regard to the record and recognition of proprietary rights, also the ascertainment of the tenure, interest, and privileges of the agricultural community. The Commissioners set to work and at the end of nine years the outcome of their labours was conveyed to Government in a long memorandum, penned by the indefatigable Mr. Holt[13] Mackenzie—covering the whole ground of the inquiry and suggesting an elaborate plan for

[13] Administration Report, 1901-02, p. 8.

guidance in the future. The result was Regulation No. VII of 1822. This regulation aimed at four principal objects:—(1) a complete record of all rights of every kind, in every field, in every village; (2) a complete valuation of the produce of every field in every village; (3) the establishment of revenue courts to decide claims as to title; (4) the maintenance of village records, after a survey by the revenue establishment. A lengthy resolution sought to explain this Regulation, a somewhat necessary piece of business, and to point out that it was not intended to originate new rights; merely to ensure that contract cultivators were to be left as tenant-at-will, but the resident ryots (by which term occupancy tenants were meant), were to be protected. The Governor-General in Council was strongly of opinion that no new security could be given to the ryots unless the principle of minutely ascertaining and reforming the rents paid by individual ryots was acted on, and the granting of regular *pattas* (leases) or, at least, registering a ryot's holding, and of maintaining the rent established at the time of settlement, formed an essential part of the assessment.

Still the discussion dragged on its weary way till a minute by Mr. Bird cleared up the matters to a great extent and focussed attention on the main principles contained in the document we have just described. This official insisted on the necessity of protecting tenants of every class, fixing their rents for the terms of the settlement, and fixing the land revenue on the basis of those rents. He admitted the fallacy of the notion that rents could be fixed on the estimated produce, and to proceed on assessment from the particular to the prevailing money rates. In short, Mr. Bird suggested giving tenant rights all round, to fix cash rent to the terms of settlement, and to proceed on assessment from the particular to the general. Lord Bentinck who had an unofficial look at the minutes of his subordinates, made some local inquiry, and with that sound common sense which was one of his marked characteristics, was convinced that simplicity should be aimed at in the task of assessment and, further, that caution must be

observed in dealing with proprietors and tenants' rights. He refused to accept the views that relation between taluqdars, village proprietors, and tenants were always and everywhere the same,—as they most certainly are not—and considered that each case should be decided on its own merits. In his minute his Lordship laid down certain propositions for modifying Regulation 7 of 1822 and for clearly defining a simple guide of conduct. Among other things, his Lordship[14] suggested clarifying the rights of all and simplifying the land system.

Some final discussion about tenures took place and was followed by a conference at Allahabad, the Governor-General presiding in person, which resulted in passing of Regulation 9 of 1833[15]. Thus the rights were threshed out and the main proprietary tenures[16] found were *zamindari, pattidari* and *bhaiyachara.*

In Garhwal the tenures were of the same kind,[17] and so also in Kumaun, but they are held by grants from the reigning prince and are called 'that' *kamirchari, negichari* when for service[18].

Since the intention of settling the rest of the United Provinces permanently—as was done in the case of Benares—was given up once and for all in 1885, the rather intricate task of revenue assessment is nowadays conducted in accordance with the following procedure.

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[14] Administration Report, 1901-02, p. 9.

[15] The first regular settlement was conducted between 1833 and 1849 under Mr. Bird with Mr. Thomason as his co-adjutor.

[16] Briefly *zamindari* is "where an estate is held in common, the Government revenue and other liabilities being paid out of the rents, after which the remainder is divided among several partners according to their respective shares.

Pattidari is where all the land of an estate is divided and each holder gets his *patti* or share separately. The individual liability of the pattidars is regulated by their respective shares.

Bhaiyachara is where all the land comprising an estate is divided and held in severalty, the liabilities of the co-sharers being assessed on their holdings.

Please also see Chapter VII of this book where we have explained these fully.

[17] See 129, Batten's report on Kumaun.

[18] Pages 32 and 33 of Batten's report.

After[19] a number of years the revenue which the landed proprietors of a district have to pay the Government on their land is recalculated. Recalculation is made by determining first the gross assets in the shape of rent, manorial dues, and valuation of the profits of proprietary cultivation, and next—in order to obtain net assets—by allowing deductions on proprietary cultivation, also for improvements effected on a holding. In calculating assets the pitch rents which the landlord receives is examined, since rents obviously fraudulent, or inaccurate, or unstable, cannot be accepted as the basis of the revenue assessment. The net assests having been determined as above, a percentage of them is fixed as the revenue which the proprietor will have to pay in future, for a declared number of years.

In the latest settlements the basis adopted for purposes of calculating the revenue demand has been the rent paid by the occupancy tenants of between 21 and 30 years standing. The lowering of the standard now in force is made on those paid twenty years previously. This moderate standard is that set forth in Act I of 1929.

Deductions are made, very properly, when a landlord has reclaimed waste land, constructed irrigation works, or effected other improvements, grazing grounds, etc. We fear that the amount of deductions under each head is not large, still the number of zamindars are increasing who have the sense to see that the more money spent on the land means a larger income derived from it. It would be gratifying to find the big zamindar increasing the area of his share in land and cultivating it in accordance with the best method, thus setting a good example to the cultivators in general. A Home farm, as seen on big estates in Great Britain, would be a welcome feature on an Indian *zamindari.*

[19] Those interested to know the method adopted by Settlement Officers for survey, assessment and the preparation of the first record of right are recommended to read an article by a writer evidently well versed in the method, which appeared in the Meerut Universal Journal, 1835, Vol. IV.

In the new[20] Act many salutary provisions find place, mainly the extension of the time of settlement from 30 to 40 years, submission of a forecast to the Government before Government's sanction of the settlement, and also affording the Council an opportunity to discuss the forecast, the assessment proposed, and the final settlement report. These and other provisions of the Act and the rules referred to above will undoubtedly give satisfaction to the people at large.

We have stated how assessments are made. In so far as they are concerned probably a record was required only of area, rent, and landholders, but to safeguard the interest of the proprietary and cultivatory tenure the Settlement Officer (now Record Officer) prepares, apart from the survey map, *khasra* (a field book), *khatauni* (paper concerning cultivators and showing all their interests) *khewat,* (showing proprietary interest), which will be described in detail in Chapter VIII.

Besides in old settlements a paper was prepared called *wajib-ul-arz* in which all traditional rights of the landlord and the tenantry were recorded. Changes in such traditions and customs are now noted in settlements in a paper called dastur dehi. These papers form the bedrock of revenue administration.

[20] Land Revenue Amendment Act (Act I) of 1929, Secs. 8|94(*a*), 9|95A, and 2|58B.

CHAPTER VI

Legal Position of the tenures in the Agra Province

In previous chapters we have shown the sovereign's share in the land and the method and policy of assessment. If the action and thoughts of the Government were limited to these alone, it would not need to consider other interests after securing that end. But the function of a State does not terminate so abruptly. It has to attend to the moral and material well-being of all its subjects, and in India any attention in these respects brings one to the cultivators of the soil, forming as they do the bulk of the population, being the mainstay of the rest and the main source of revenue. Sir John Shore in his minute of 1789 truly says "The rent of the land through whatever channel it passes into the public treasury is paid originally by the ryots or immediate cultivators of the soil. Their situation, not only on this score, but as being most helpless and exposed to oppression, ought naturally to attract the attention and engage the interest of the ruling power."[1] The State, therefore, as represented by the United Provinces Government from the earliest days busied itself with evolution of conditions among the tenantry, by legislation and other measures.

At the same time it evinced sincere regard for the holders of proprietary rights, for the interests of the landlords and the tenants are inseparably united.

This desirable end was effected by (1) defining the rights of the tenants and *sir* rights, (2) insisting on leases (*pattas*) for the tenant and also receipts of such leases for the landlord, (3) forbidding exactions, (4) preventing fragmentation, (5) regulating the law for recovery of rent, (6)

[1] Harrington's Analysis, Vol. III, p. 410.

regulating enhancements, (7) salutary rules governing determination of tenancy, (8) providing against illegal dispossession and also against trespassers, (9) facilitating economic developments, and (10) regulating the law as to free grants.

Defining the rights of the tenantry.—One leading principle of the British Government manifest from the beginning and maintained to the present time, is that all *bona fide* tenants must as far as possible preserve and retain such rights as they enjoyed when the Company first acquired the United Provinces, unless of course when the general interests of the public seem to demand a change, which alteration should be the subject of specific legislation. With this aim in view they set to work from the beginning and began to clarify the uncertain and indefinite rights of the ryots on which light was shed by Mr. Shore in his minute of 1789 and by the learned author of the "Sair-ul-Mota-akh-kharin."

Benares province being the first portion of the United Provinces to come under British rule, the attention of the Government was focussed on the nature of the land tenures that existed there. The following among others were recognised at the time of the Permanent Settlement, namely, permanent tenure holders and fixed-rate tenants.

Permanent tenure holders.—This was a class which has an interest midway between proprietors and cultivators resembling the dependent taluqdars in Bengal. If in possession of their holding for twelve years prior to the Permanent Settlement, they were permitted to retain it at a fixed rate, Mr. Thomason[2] when describing this class of tenants says, "It may happen and frequently does happen, specially in taluqas that a whole *mauza* may be held on under-tenure by the old proprietors who are responsible to the taluqdars and not to the Government and yet may manage the village concerns according to established custom as a proprietary body." These tenures by custom or contract were always

[2] Thomason's Azamgarh Settlement Report, 1837, p. 33.

heritable but the position was still a bit obscure which was made quite clear by subsequent rulings and some modifications in the law.[3]

Fixed rate tenants.—Similar to the above were tenants holding on like terms and whom one may describe as resident and hereditary cultivators, called *khudkasht kadimi* ryots and having a prescriptive right of occupancy. They were protected from enhancement upon sales for arrears of land revenue.

Their rights were not so secure till Act X of 1859 gave them the right of getting *patta* at the rate at which they held and thereby holders of twenty years' standing without change of rent were regarded as if they had so held from the time of the Permanent Settlement.

Prior to British[4] rule the immediate cultivator does not seem to have ever been dispossessed of his holding as long as he duly paid the rent. The fact is it was considered bad policy to evict a tenant. By his part of the agreement entered into by Government and the taluqdars, a landowner was bound to conciliate[5] his tenantry and to improve methods of agriculture, and it paid him to do so because he gained a percentage on the increased income of the estate which there was nothing to compel him to disgorge. The danger of eviction was then very slight indeed in old days. Mr. Shore[6] was the first person in high places to invite attention to the rights of the tenantry when in 1789 he wrote "It is generally understood that they (the tenants) obtain a right of possession by virtue of long occupancy and could not be removed. The privilege was not exactly a distinct right of property. Under a Government like the *Nawabi* this permission to hold

[3] Kunda Kalwar versus Rai Narain Das—Teyen's Rent Law Manual, p. 6 and Sec. 4 of Act XII, 1886 and Act II of 1901.

[4] Letter of Court of Directors, September 9, 1792, Harrington's Analysis, Vol. II, p. 189.

[5] See *sanad* of 1735—36 Harrington's Analysis, Vol. II, p. 379.

[6] Fifth Report, Vol. I, p. 101 *et sqq.*

land was too often precarious." Mr. Harrington[7] also thought that on the whole "Ryots could not claim any right of alienation of the land rented by them, by sale or other mode of transfer: nor had any right of holding at a fixed rent—except in the instance of *khudkasht* ryots." The right of the *khudkasht* tenant was affirmed as far as the permanently settled Benares[8] province was concerned and was later on extended to many parts of the Ceded and Conquered Provinces. After Regulation VII of 1822 was passed, inquiries were instituted as to the legality of landlords evicting a resident or *khudkasht* ryot who paid the rent punctually, simply to replace him by a man offering a higher amount. The result of this investigation[9] showed that landlords believed that they had authority to act in this way, still only availed themselves sparingly of such power. "The question," remarks Mr. Holt Mackenzie,[10] "had never come fairly to issue between the zamindar and the ryot." Land being more plentiful than labour, desertion by his tenants would be feared by a zamindar much more than the former dreaded expulsion from their holdings by the latter. A Civilian—name unknown but usually thought to have been a Mr. Halhed[11]—writing of hereditary and *paikasht* ryots in 1832 was evidently in favour of their obtaining occupancy rights. As he puts it "Uninterrupted succession and occupation for two or three generations confers a prescriptive right on the descendants of common ryot in the fields they till." 'The acts of tillage and occupancy convey, by ancient law and custom, a right to hold their field, provided always that they cultivate the crops which their land ought in reason to produce and pay their fixed quota of land tax, leviable from them according to the rent they hold in the agricultural community.' This

[7] Harrington's Analysis, Vol. III, p. 460.

[8] Regulation No. 8 of 1793, Section 52 and Regulation No. 2 of 1795, Section 10.

[9] Revenue Selections, Vol. I, pp. 251 to 253.

[10] Minute, para. 439.

[11] Land tenure in the Bengal Presidency. House's North-Western Provinces Rent Act, Act XII of 1881—Introduction, p. 30.

was subject, however, to a saving provision in favour of absent hereditary ryots, who on returning to their estate shall claim their interest in the land. Mr. H. M. Elliot in his Meerut Settlement Report[12] divides *maurus*i tenants into two kinds, those who have by long residence acquired a prescriptive title of occupancy, and those who connect themselves with some of the endless ramifications of the family tree. The former have only a heritable privilege, the right of ousting unquestionably remaining with the zamindars, while the latter a heritable and transferable property in the soil. There was, however, no regulation defining these rights till at the settlement of 1834-42 the *maurusi*, or hereditary tenure was very generally recognised and recorded.

In 1855 the attention of Government was invited by the *Sadar Diwani Adalat* to the unsatisfactory state of the law and the Board of Revenue was also asked for opinion on the subject. A general consensus of views was in favour of a *prima facie* prescriptive right being established by twelve years' occupancy and certain rules[13] were issued in the year following (1856). These rules defined the right of a zamindar for eviction and of the cultivator for recovery of possession after being illegally dispossessed. They clearly lay down that a zamindar will not be allowed to oust a cultivator who has himself, or by descent, held the lands for twelve years under certain conditions. In ordinary instances the tenant who broke the term of lease could be ejected, unless he agreed to refrain from violating established usage or the conditions of his lease. When a right to transfer or mortgage holdings existed, it was to be maintained. The condition of residence was abandoned, but the question of transferability was left untouched.

The Rent Act of 1859 affirmed the right of occupancy for those who held the land for twelve years and also the

[12] Meerut Settlement Report 1835, para. 67, p. 197.
[13] Notification No. 1678A of September 7, 1856.

elimination of the condition of residence[14]. Under the Act[15], however, the right of occupancy was not allowed on *khumar, nijjot,* or *sir* and certain other lands. It was also ruled that this right will not accrue to a lessee by continuance in occupancy for twelve years, inasmuch as the tenure of a lease was intermediate between landlord and ryot, and landlords in order to hinder their tenantry from obtaining occupancy rights did not scruple to resort to expedients, legal perhaps, but certainly opposed to the spirit of the law. In order to remove this drawback, Act II of 1901 made certain salutary changes[16] which made the creation of occupancy rights easier.

In the interval[17] between 1901 and 1926 several attempts to improve matters were made but without result. In fact the Government of Lord[18] (then Sir James) Meston was so keen that Mr. Hopkins, the Commissioner of the Benares division, was especially deputed in 1916 and 1917 to go into the whole question of what improvements in legislation seemed necessary, consulting non-official opinion in his inquiry. As a result of this investigation and of several conferences held about the same time, it was decided by the Government that no radical revision of the law in the direction of altering the present conditions of tenancy should be made. But a few improvements were suggested among which was conferring on landholders the power of bestowing the right of occupancy on tenants.

When Sir William Marris was Governor, the matter was again taken up, and in 1926 the Agra Tenancy Act was passed. In many respects the law was completely revolutionised. All persons recognised as occupancy tenants before

[14] See the opinion of Mr. Reade, Senior Member of the Board of Revenue and discussion on a bill which later on became Act X of 1859.

[15] Act X of 1859, Section 6.

[16] Report of the Select Committee on Act II of 1901.

[17] *United Provinces Gazette,* February 9, 1915, Part VIII, p. 83.

[18] Section 15 of the draft.

the passing of the Act continued to be so recognised, and zamindars and permanent tenure holders were allowed to confer[19] that privilege on tenants. At the same time all those who were tenants-at-will when the Act was introduced were granted statutory rights, under which they became life tenants with a right to the heirs to hold the land for five years or up to the expiry of the lease, whichever was later.

The idea of conferring the right of occupancy, as well as what are termed statutory rights, had found place in the draft of the Board of Revenue—mentioned above—and from there it was virtually transferred to the Oudh Rent Act of 1921 and thence into the Act III of 1926.[20]

Many were the arguments and the discussions that the Act gave rise to, and the views of two prominent members of the Legislative Council may be reproduced here. The first of these, Pandit Govind Ballabh Pant, declared that formerly occupancy rights were conferred as a prescriptive due, irrespective of the wishes of the zamindar, but that now they would be a "voluntary transfer of his limited interest by the proprietor." The other member Khan Bahadur Maulvi Fasihuddin, was confident that the interest of the tenants would be safe in the hands of the landlords. To the learned Pandit we would reply that while it might certainly be ideal to chalk out a clear way to the tenantry seeking complete security of tenure, the door of acquisition has not been closed altogether, and the present method is straightforward and likely to promote kindly feelings between the zamindars and the ryots. To the distinguished Maulvi we willingly admit that life tenancy does not give complete security, yet it gives more to a tenant than most landlords would be likely to grant. The tenor of his remarks show a dislike to giving life tenancy to tenants or granting them occupancy rights straightway. To entrust

[19] The Court of Wards could also do this but only in return for a handsome consideration.

[20] Sections 17, 19 and 20 of Act III of 1926.

the interest of the tenant to the hands of the zamindar would be a novel—and we fear a rash—venture and one which past history warns us against trying. The attitude of the landlords can be gauged from the fact that prior to the introduction of Act II of 1901, the number of ejectments was from seven to nine thousand, but since that date the number rose to[21] over 97,000[22]. It may be asked if zamindars have conferred right of occupancy as provided for under the new legislation. Inquiry at Azamgarh shows that there at least the zamindars have not been remiss in granting such right. This points conclusively to the beneficial nature of the change, although it does not go quite so far as some of us might desire.

To sum up, the occupancy tenants are now either those who already have obtained occupancy rights by continuous cultivation for 12 years in accordance with the old Act or tenants on whom the landlord confers the right. The accrual of the right by continuous cultivation is not allowed any longer.

Occupancy rights are heritable, but not transferable.

Sir—Under pre-British[23] rule the land called *sir*—from the Sanskrit for a plough—seems to have been held in free possession by a proprietor in return for his collection of the revenue demand, but now as the Government has assessed the land and given him a share of the rental assets, it cannot be regarded as retained exclusively for his maintenance. On the other hand, much more land is recognised as *sir* both by landlords and cultivators than is actually cultivated by the proprietors.

Sir land is commonly recognised as the peculiar property of the landlord held in severalty and with vast rights. *Sir* is actually the land in which the cultivatory right of the zamindar is protected even after the transfer of pro-

[21] Annual Administration Report 1898-99, p. 32.
[22] *Op. Cit.* 1923-24, p. 42.
[23] Statement of Objects and Reasons, *Gazette of India*, March 1, 1873, Part V, p. 82.

prietary rights. It is considered to be an ancient right and hence Act 1873 recognised all *sir* recorded as such at previous settlement. It is different from the *khudkasht*, which is simply such land as a zamindar may happen to be cultivating at any particular time. But the tendency of Legislature has been to give facilities for future acquisition of *sir* as well. The Act of 1873 recognised 12 years' own cultivation to give the rights of *sir*. In 1926 a more liberal view was taken in the matter and the term *sir* was extended to include not only *sir* proper but all *khudkasht* of at least twelve years' standing at the beginning of 1902; all land which was actually *khudkasht* in the year 1925, being the year before that in which the Act came into force. It also fixed a graded maximum which a landlord could possess as *sir*. In fixing up this maximum, small men were particularly favoured. The *sir* right is not transferable except by inheritance or gift.

Exproprietary tenants—Previous to 1873 there was no special provision for ex-proprietors. Under Act XVIII of 1873 occupancy rights were granted to proprietors who lost their proprietary rights or parted with them in their *sir* land, and they were entitled to hold it at four annas less than the rate of tenants-at-will. This right did not exist clearly under the former Act, but in a ruling it was recognised[24]. That ruling decided that a cultivating exproprietor who had continued in undisturbed possession of his former *sir* land for twelve years or more had acquired new possessive rights of occupancy. It may have been because of this ruling that they enacted this new section, but it is not clear from the proceedings. It is also not clear whether this was an old right; but writing in 1832 before such a question arose Mr. Ricardo[25] said "We sometimes find the real owners of estates reduced to become holders of its occupancy rights." This shows that the right existed before, but it was certainly recognised generally for the first time by this Act.

[24] May 20, 1864 Raja Teekam Singh versus Hira Lal, B.D.A. 1863, p. 465.
[25] History of India, Vol. II, p. 99.

Mortgage, even usufructuary, was not recognised[26] as a transfer, but Inder Sen *versus* Naubat,[27] overruling previous decisions decided that a usufructuary mortgage was a parting with proprietary right. The legistation of 1901 (Act II of 1901) made clear provision for that under that a usufructuary mortgage (mortgage with possession) was regarded as a transfer for the purpose of the creation of the right of occupancy and the loss of even a part of the share entitled one to a right of occupancy in that part.

In 1926 the rate at which the exproprietor may hold land was made still more favourable to him and it was provided in the law that the rate will be two annas below the rate of occupancy tenant instead of four annas below[28] that of non-occupancy tenants as was the former law. Besides the period of cultivation which gave such right was reduced from twelve to ten years.

An agreement, sale or device executed within six months before or after a transfer of proprietary right will be deemed to be null and void and ineffective to prevent the actual accrual of exproprietary rights.

If, however, any person who has attained such a right of occupancy desires within six months immediately preceding or succeeding such a transfer to enter into a transaction having the effect of a surrender or relinquishment of exproprietary rights, he can get it done by applying to his District Officer if the land is not such on which depends his livelihood or the land is self acquired within twelve years or if there are other satisfactory grounds[29].

Under section 125 of Act XIX of 1873 the proprietors got one more privilege for occupancy right. It provided that no *sir* land belonging to any co-sharer shall be included in the

[26] *a.* Bhagwan Singh versus Moti Singh, I.L.R. 1, Allahabad, p. 459.
b. Tarapat versus Kamal Narain, L.R.I.R. and R., p. 212.
c. Muhammed Husain versus Nasiruddin in 1B. R.S.D. 1883-84, p. 14.

[27] I.L.R. 7, Allahabad, p. 553.

[28] Section 15 of the Agra Tenancy Act, 1926.

[29] Section 15 of the Agra Tenancy Act, 1926.

mahal assigned on partition to another co-sharer unless with the consent of the co-sharer who cultivates it or unless the partition cannot otherwise be conveniently carried out. If such land be so included and after partition such co-sharer continues to cultivate it, he shall be an occupancy tenant of such land.

To sum up, the position is now this—that in permanently settled districts there are (besides permanent tenure holders) fixed rate tenants, and in the whole of the province, whether permanently settled or temporarily settled, there are—

(1) Occupancy tenants (who are those who have acquired right of occupancy under the former Acts, or to whom such may be conferred under the Act of 1926);

(2) Exproprietary tenants (who have lost proprietary rights otherwise than by gift or exchange;

(3) Statutory tenants, who constitute:

(*a*) Persons who were tenants when the Act of 1926 was enforced;

(*b*) Persons admitted as tenants without a right of occupancy after the above Act:

This type of tenants possesses a life tenancy which passes to his heir for a period of five years.

(4) Non-occupancy tenants who include tenants under long term and permanent leases.

In the cases of all these the personal law has been superseded by special provision in the statute.

The law of devolution relating to above tenants has been given on page 127.

(5) Sub-tenants—they enjoy no rights save that they are allowed to hold land for one complete agricultural year.

There are also grove-holders (persons to whom land has been let for planting groves, or persons who plant and hold

them as tenants with the permission of the landlord). These are presumed to be non-occupancy tenants whose term expires when the land ceases to be grove land. The interest of grove holders is transferable by voluntary transfer or in execution of a decree of a civil or revenue court or otherwise. Grove holders are not governed by the special[30] law of devolution, but by the personal laws[31]. The detailed provisions about this are contained in Chapter XII—196—198.

In the Kumaun division the land of the hills is held almost entirely by a body of peasant proprietors. Tenants are very simple, but the practice of sub-division at inheritance and the habit of buying, selling, lending and exchanging exiguous plots of land introduces many complications in actual practice. Mainly the tenures consist[32] of—

(1) *Hissadars*—proprietors;

(2) *Khaikar*—under-proprietors or occupancy tenants. Both classes of *khaikar* have a heritable but not transferable interest in land.

(3) Tenants-at-will—No length of tenure entitles them to occupancy rights.

Insistence on pattas—Complaints were general at the want of formal engagements between the renters and the ryots and this rendered it almost impossible to detect exactions. Moved by such considerations, the British Government insisted on the issue of leases by the zamindars for such engagements as they took from their tenantry. This was first recognised by the well-known Mr. Jonathan Duncan[33] and he laid great stress on the issue of leases throughout the Benares province, then his jurisdiction. Finding his orders not properly attended to—for example at Kantit, district Mirzapur, the zamindars were unwilling to grant *pattas*—he deputed a

[30] Sections 24 and 25 of the Agra Tenancy Act, 1926.

[31] *Op. Cit.*, section 196.

[32] Chapter XXIII, Report on Agriculture in the United Provinces for the Royal Commission on Agriculture, p. 99.

[33] Selection from Duncan Records, p. 13, Regulation I of 1795.

number of *amins* to grant *pattas* for which payment could be made on demand, but their labours were not successful, partly because in many cases landlord and ryot were mutually satisfied, and in others the *amins* themselves had departed from the spirit of the instructions. A further period was allowed for these officials to grant leases in a prescribed form; the chief point to be watched was the inclusion of all cesses in the lease and that beyond that no sum was to be levied. At the same time the powers[34] of zamindars for granting leases were limited and defined; no lease, except for building purposes, was to be given for more than ten years. In the year 1812 the ten years lease was abolished[35] and zamindars were declared competent to grant leases at any period, at any rent, even to perpetuity[36]: a measure described as "most convenient to themselves and the tenants and most conducive to the improvement of their estates."

Regulation V of 1812 had delivered the granter of a lease from restrictions of any kind, still it was determined to impose certain limitations, and by Act XVI of 1842 proprietors in the Ceded and Conquered Districts were declared only competent to grant leases and fix tenures on terms compatible with their engagements with Government.

No further fetters were put on. Act X of 1859 provided that every ryot was entitled to receive a *patta* from the person to whom the rent of the land held, or cultivated by him was payable, specifying the land, rent and other conditions of the lease[37] and for the enforcement of this provision section 23 was introduced. Occupancy tenants were entitled to hold leases at fair and equitable rates[38], non-occupancy tenants at the rates agreed upon[39], and fixed rate tenants at fixed rates[40].

[34] Regulation XII and XLII of 1795, also L. I. of 1795.
[35] Regulation VIII of 1812.
[36] Regulation VIII of 1812, section 2.
[37] Harrington's Analysis of Bengal Regulations, Vol. III, p. 476 and following.
[38] Section 5 of Act 10 of 1859.
[39] Section 8 of Act 10 of 1859.
[40] Section 3 of Act 10 of 1859.

In the subsequent Act of 1878 and 1881 the above principle of granting *pattas* was retained with minor changes. A salutary change was that if the revenue was enhanced by the Government, the lease was voidable at the option of the landholder, and if it was reduced, it was voidable at the option of the tenant[41].

In the Act of 1901 provisions for all classes of tenants except non-occupancy tenants, was omitted, and the points to be mentioned in the *pattas* were widened[42]. The Select Committee thought that it was necessary only for the protection of the interest of "non-occupancy" tenants. They truly said "occupancy[43] tenants are averse to accepting any form of lease, as such acceptance is regarded by them as suggesting that their rights are based on the lease and not on the Statute."

Similarly, the granting of receipts was insisted on. Under Bengal Regulation II, 1795, section 14, landholders, etc., were required to give a receipt for every payment of rent, and a receipt in full on complete discharge, under penalty of damage equal to double the amount of the payments for refusal to grant a receipt. When Act X of 1859 came in, it provided that if a receipt was withheld from a ryot for the payments made by him, he will be entitled to recover from the person receiving such rent damages not exceeding double the amount so exacted or paid[44]. The same provision was continued in the Rent Act of 1873 (Act XVIII) and again in Act XII of 1881 (N. W. P. Rent Act).

In 1901, though the principle was continued, in some respects there was a change for the better, for example, while the previous law applied only to payments made in money, this restriction was removed[45]. Besides a new provision was

[41] Section 29 of Act XII of 1881, and report printed in *North-Western Provinces and Oudh Gazette*, dated June 22, 1901, p. 71.

[42] Sections 95 and 96 of Act II of 1901.

[43] Report printed at p. 71 of the *North-Western Provinces and Oudh Gazette*, dated June 22, 1901.

[44] Section 10 of Act X of 1859.

[45] Section 107 of Act II of 1901.

made that when a tenant made a payment on account of rent and declared the instalment to which he wished the payment to be credited, it had to be credited accordingly. In case of non-declaration, the landholder was allowed to credit it to any instalment not barred by limitation[46].

In 1926, while the same law was retained, a very salutary provision was added which required[47] a landholder to prepare and retain a counterfoil or copy of the receipt. That the introduction of *pattas* and receipts has proved beneficial to the tenants while imposing no grievous burden on the landlords must be admitted, still the granting of receipts is too often evaded and the tenant does not feel himself in a position to go to court against a much wealthier and influential person like the zamindar.

By stopping exactions—When the British Government took over the territory, exactions from the ryots were very rife, and in so many names. The death of a zamindar, the birth of a son, or any increase by the Government upon the zamindar, were some amongst the many pretences for such impositions. A stipulation was sometimes exacted, to the effect that these impositions shall terminate with the year, but they were seldom given up without the substitution of others to an equivalent amount. Sir John Shore[48], while mentioning the abuses that existed then, laid particular emphasis on the arbitrary impositions of the zamindars, farmers and others to which the ryots were subject, which were generally measured by their supposed ability to pay them. The pretences for these impositions were various.

The Court of Directors of the East India Company when confirming the Permanent Settlement said, "We expressly reserve the right which clearly belongs to us as sovereigns, of interposing our authority in making, from time to time, all such regulations as may be necessary to prevent the ryots being

[46] Sections 107, 108 and 109, *Op. Cit.*
[47] Act III of 1926, section 140(2).
[48] Shore's minute, June 18, 1889, Fifth report, Appendix.

improperly disturbed in their possession, or loaded with unwarrantable exactions[49]."

It must be borne in mind that the cesses—to employ a more correct if less harsh term than exactions—differed greatly in nature and origin. Many of them have the sanction of antiquity[50], if less oppressive in amount than in modern times. Others might be regarded as legitimate dues, rendered by a tenant to his over-lord, while some were temporary devices for raising money and were often as fantastic as they were uncalled for. An increase of existing cesses and the creation of new and sometimes extraordinary ones took place, e.g., in an eastern district a big zamindar realised "gramophoning" when his son went round the villages with a musical instrument of the kind mentioned. In dealing with certain kinds of cess, Government adopted the prudent policy of *quieta non movere* and left those taxes alone since they occasioned no ill feeling and were generally paid by the tenants without demur. So long as no departure from the usual and long established rates of demand was made by landowners the tenantry, as a whole, did not object to pay sums which they regarded as the right of a landlord. The presentation of a *nazrana* on certain occasions, such as a tenant building a house, planting trees, and digging a well,—making him in fact pay for the privilege of improving his holding—will, we fancy, continue for some time, nor be objected to so long as confined to reasonable limits. Cesses on *bhusa,* sugarcane, *payal,* and *karbi* are objectionable in theory and—of late years still more so in practice,—the small quantities formerly levied from the individual cultivator having increased in size. While a trifling deduction from his harvest would not be felt by the ryot, when the demand is excessive he naturally feels aggrieved. Among the less legitimate exactions on the part of big zamindars we find that a tenant is expected to give his landlord a *kachcha* maund of wheat whenever a wedding takes place in

[49] Harrington's Analysis of Bengal Regulations, Vol. II and pp. 188-89.
[50] United Provinces Land Revenue Act 1901, sections 56 and 86.

the family of the latter, also to give one day's ploughing each season to the *sir* land of the zamindar. The non-cultivating residents of a village have likewise to add their quota to these unlicensed dues.

The Chamar gives two pairs of shoes annually, the shepherd a blanket, the Pasi—usually the village watchman—a goat, the Kahar one maund of *singhara* per tank on which that waternut grows, or must perform other services in lieu of the offerings named. The oilman (Teli), the grain-parcher (Bharbhuja), and the weaver (Jolaha) pay sums in cash varying from twelve annas to a rupee and a half. Considering that the majority of these people live from hand to mouth, such demands seem excessive and might well be reduced if not entirely done away with. The time has come when the zamindars should realise that demanding further amounts in addition to the rent charges has become an anachronism and should be dispensed with. From the beginning of the British rule in Bengal[51] the attention of the Government was directed to the existence of illegitimate and extravagant demands made by certain landowners at the expense of their tenants. In Benares[52] severe penalties were inflicted on persons levying dues of an unjust nature, who were also charged with damages on account of exactions or extortions from the ryot. Similar provisions were made in legislative[53] enactments passed since then, the details are unimportant, so need not be discussed.

By attempting to prevent fragmentation of holdings—In[54] the United Provinces a large number of tenants have

[51] Bengal Regulation, 1795, sections 4, 6 and 7.

[52] Ceded Provinces Regulations, XLVII, XXX and XI of 1803.

[53] Act X of 1859, section 11, Act XVIII of 1873, sections 48 and 49, Act XII of 1883, sections 48-49, Act II of 1901, section 36. Act III of 1926, section 4.

[54] Chapter II of Report of Agriculture in the United Provinces for the Royal Commission of Agriculture 1926, p. 8. Also table A of Chapter XXV, p. 106, which gives the result for each district of the province by dividing the estimated number of families according to census figures into the total holdings area in each district.

small areas in their possession. The average size of the holding is taken as 6½ acres in the west of the province and three to four acres in the east, though in the extreme north and west the holdings often attain ten acres or more. In Kumaun 95 per cent of *hissadari* or zamindari holdings are under 10 acres and 50 per cent under three acres. Exact condition is given in Part II, Chapter XI. The holdings in the province are dotted about over the whole of the lands of a village instead of being concentrated in the compact block in one particular quarter, and that too is often held not only by single farmers but often by joint families, and the system has become so stereotyped now that a change would not only involve a redistribution of the land, but would mean dislocation of the people and their property; still the state of things is not yet irremediable, Legislation never moved in that direction till in the Act II of 1901 some provisions were made to prevent fragmentation. The personal laws of Muslims and Hindus accentuate division of holdings. A special[55] law of devolution was therefore introduced under which right of devolution on the death of a tenant was limited primarily to male tenant descendant to avoid too many sharing and to the land going to other families. To some extent it helped compactness and tended to reduce fragmentation.

The other provision towards[56] the same end, if very indirectly, was one which allowed right of occupancy to a tenant in land which he received in exchange for the occupancy tenancy though some ruling had an adverse effect on this.

The Act of 1926 made hardly any notable change except that it added facilities for exchange[57] of land between the landlord and tenant and also between two tenants of the same landlord with his consent through which consolidation is likely to be facilitated if the landlord concurs in the exchange made

[55] Section 22 of Act II of 1901.

[56] Section 17 of Rent Act of 1901.

[57] Section 38, *Op. Cit.*

by the tenants for which written consent is necessary.[58] But it has made no direct provision for facilitating compactness. The drafters had made provision but that was dropped. "We consider", the Select Committee said as its ground for taking the course, "the time is not ripe for the introduction of any measure of compulsion in order to secure compactness in holdings." The objection[59] was that the problem is enormously difficult as tentative experiments have shown and it was not considered desirable to enact legislation till further experiments have been made. One provision in the new law, however, though made with a different view is actually accentuating fragmentation. Under the Act of 1926 tenants are allowed to divide their share in the holding among themselves. At Azamgarh in some cases decision was asked for in a small holding,—one or two biswa. We have shown the economic aspect of the question in Part II, Chapter XI

By attempting to stop unreasonable enhancement and giving reasonable abatements.

Under[60] the pre-British Government, the revenue was assessed by periodical measurements based upon an average of prices for a period of years. Therefore as prices went up, the rent automatically went up. But when *abwabs* were invented, the old easy system fell gradually into disuse.

But[61] it cannot be said that the enhancement was stopped. Early Regulations only show that certain fixed rate tenures were preserved and *khudkasht* tenants permitted to hold their land at the customary or local rate. Zamindars did not invest capital in improving their property, as some of the more enlightened are now doing, nor did they seek to

[58] Very few zamindars have allowed such exchange. The only zamindars who willingly created facilities in this direction in some of his villages in Saharanpur district is S. K. Maqsudali Khan, M.L.C.

[59] Page 13 of Report of the Agra Tenancy Act Committee of the United Provinces, 1926.

[60] Report of Rent Law Commission, 1880-81, p. 404, Mr. Fields' note dated January 13, 1886.

[61] Harrington's Analysis, Vol. II, p. 184 and minute of February 3, 1790.

establish commercial farms but chose rather to keep the old ryots and the old system and therefore they adopted dubious ways of enhancement. Sometimes grain rents were converted into cash by establishing rent for each produce, and by raising value of crops[62] in the hope of getting more. But when they did not gain their object even in this way, they devised even other means of getting enhancement.

There was thus no principle of enhancement till Act X of 1859 was enforced.[63] The judges in the great rent case of Thakurani Dosi *versus* Bisheshar Mukerji,[64] after tracing the history of enhancement from ancient times, declared that great doubt had been thrown on the subject by conflicting decisions, but as regards any rule of enhancement—save the standard of rents paid by the same class of ryots in adjacent places—there is nothing. No resistance was made by the law or courts of judicature when the customary rates were enhanced. In fact, rents have generally been enhanced.

The zamindars had great powers over their ryots; the interference of the law was but partial; the zamindars could do much without law; and the reliance of the ryots was much more on custom than on law. Besides, in this matter equity was on the side of the zamindars. There was no reason why when the value of produce had gone up and that of money gone down, the zamindars should continue to receive as representing their share of the produce a sum of money which actually represented smaller purchasing power. But as the country advanced, and as the cost of living increased, without a corresponding increase in income, the zamindar had, according to custom and ancient rule, a strong equitable claim to a

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[62] H. F. House's North-Western Provinces Rent Act, XII of 1881, para 57, p. 39.

[63] Report of Rent Law Commission, 1880-81, p. 404.

[64] B. L. R. F. B.-VI-234, Regulations Supplementary Volume, p. 262 and tract 629, I. O. L. It contains this case alone.

readjustment which should restore to him his own fair share of the produce.[65]

Act X of[66] 1859 gave the name of permanent tenure holders and fixed rate tenants while prohibiting enhancements where these were concerned. Under certain conditions a notice served in or before the month of *Chait* (May-June) made other ryots or under-tenants liable to enhancement. In the case of occupancy tenants enhancement was provided for only when the revenue paid was below the prevailing rate, the value of the holding was increased unaided by the labour or expenditure on the part of the tenant, and the quantity of the land was found more than was paid for.

These provisions of enhancement, though never made with intent to create any trouble to the tenants, in fact proved detrimental to them.

Mr. Moens[67] shed light on the unpopularity of the law in the following words: "Act X of 1859, which was meant to protect the cultivator in Bengal, is a curse to him here, by the power it gives to the landlords to enhance the rent. Mr. Colvin[68] condemned the law saying that the custom and prescription which hedged round the old revenue rate payer, and still protected him so long as he can manage to keep the slender defence of the rent law round him, was futile. The moment he was ousted from his holding, he became a tenant-at-will and thenceforth the old rates could be enhanced at pleasure. But this was not all. The facility with which the rents of tenants-at-will might be raised, reacted on the tenants with rights of occupancy.

In the subsequent Act of 1873 no material change worth mentioning was made except that this Act recognised for the first time a concession in the case of exproprietors to the effect

[65] Report on Rent Law Commission, 1880, p. 403 (Cal.) and Kunnuii Lal versus Ratan Lal 1863, 15D.A., p. 297.

[66] Rent Act X of 1859, sections 15A, 16.

[67] Bareilly settlement report of 1874, p. 54.

[68] Mr. Colvin's memo. for revision of settlements.

that in their case the rate of rent for enhancement would be four annas in the rupee less than the prevailing rate for tenants-at-will for land of a similar quality and with similar advantages.

Subsequent Acts also made no notable change, but in 1901 enhancements on the ground of increase in the value of produce due to a rise in prices was clearly recognised. The difficulty, however, of determining the average prices of food grain which existed before continued, for even when the increase in prices had been ascertained, the difficulty was in deciding what increase in rent should be decreed. Rents do not rise strictly in proportion to increase in prices. But in 1922, the Board of Revenue made rules which put things right. The rules laid down that the circumstances should also be considered and suggested that rises in rates of competition (sub-tenants and non-occupancy) should also be considered.[69]

In 1926 three important changes were made, namely:—

(1) Formerly the rent was liable to enhancement in ten years, but under this Act this period has been extended to twenty years.[70]

(2) The rent of fixed rate tenant,[71] exproprietary tenant, and occupancy tenant, or statutory tenant or his heir, was not to be enhanced by more than one-fourth of his existing rent subject to the condition that the rent fixed was in no case less than half the annual rental value at the circle or village rates.

(3) The rent of exproprietary tenant was made liable to enhancement only when it is two annas below the fair and equitable rate of occupancy

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[69] *North-Western Provinces and Oudh Gazette* for 1881, p. 60.
[70] *United Provinces Gazette*, Part I, p. 1329, dated December 9, 1922.
[71] For full particulars see section 67 of the Agra Tenancy Act, 1926.

tenants for land of the same class or classes of soil.[72]

Besides, a great change that this Act has made is in the system of enhancement. As in Oudh, a roster year system has been introduced. This was first proposed in the Board of Revenue draft of 1918, referred to on pages 111—111A of this Chapter. Roster year[73] has been defined as an agricultural year, fixed by the Local Government in respect of any district or local area for determination of fair and equitable rates of rent, for the purpose of suits for enhancement, and abatement of the rents of fixed rate tenants, exproprietary tenants, occupancy tenants, statutory tenants and heirs of statutory rights.

In every roster year the Local Government shall appoint one or more officers with powers not less than those of Assistant Collector of the first class as a special officer or officers to propose fair and equitable standard rates for occupancy tenants and if necessary, fair and equitable circle[74] rates for statutory tenants also. The rates proposed by the Special Officer for a statutory tenant shall be based on genuine, adequate, and stable rents which are paid by the substantial tenants who depend for their livelihood on the produce of their holdings and can be paid without hardship over a series of years, due regard being had to movements in prices and rents and the letting value of land. In proposing rates for occupancy tenants, the Special Officer shall have regard not only to the movement in prices and rents and the letting value of land, but also to the existing level of occupancy rates, distinguishing between holdings of old and those of recent standing.

In every case for determining the fair and equitable rate of rent payable by a tenant when there are no rates sanctioned, the rate shall be determined by that generally payable by the same class of tenant for land of the same type of soil.

[72] Section 53(a) of the Agra Tenancy Act, 1926.
[73] Section 55, Act III of 1926.
[74] Circle—a group of villages with generally similar soils and advantages.

Under Act X of 1859 an abatement of rent of an occupancy tenant could be claimed[75] (*a*) if the area of the holding had diminished by alluvion or otherwise or (*b*) the quantity of land was proved by measurement to be less than the quantity for which rent has been paid or (*c*) the value of the produce or the productive power of the land had decreased by any cause beyond the power of the ryot.

In Act XVIII[76] of 1873 grounds 1 and 3 mentioned above were retained but the second one was omitted. Under section 18, abatement was allowed in the case of fixed rate tenants, also if the land diminished by diluvian, a provision which did not exist before.

In subsequent legislation[77] no material change was made in the principle except that in 1926 the law with regard[78] to occupancy and exproprietary tenants was extended to statutory tenants also. But in that year a great change was made in the system by the creation of roster year which has been dealt with in detail under 'Enhancement.'

One more change likely to benefit the tenantry and affecting the enhancement and abatement is the introduction of the system of commutation,[79] which provides that an occupancy tenant or an exproprietary tenant, or a statutory tenant, or the heir of a statutory tenant, can sue for commutation of rent, if paid in kind, to a fixed money rent. Previously commutation could only be made by a Settlement Officer or with the consent of both landlord and tenant.

By regulating the law for recovery of arrears of rent:

The main methods of procedure were:—

(1) By suit;

[75] Section 18 of Act X of 1859.
[76] Sections 15 to 18 of Act XVIII of 1873.
[77] *a*. Sections 13 and 43 of Rent Act of 1881.
b. Sections 40 to 43 of Act II of 1901.
[78] Section 50 of the Rent Act 1926.
[79] Section 16 of Act III of 1926.

(2) By (*a*) distraint, (*b*) arrest of defaulter and summoning him before the landlord;

(3) Ejectment and cancellation of the lease.

1. The first practice was that suits for arrears of rent went to the civil[80] court. By Act X of 1859 such suits were to be decided by revenue courts only. In all subsequent laws it has been provided that such cases are to be decided by revenue courts and grades of courts are specified with limitations according as occasion permitted establishing them.[81]

2. (*a*) *By distraint*—By Regulation 45 of 1795 taluqdars, zamindars and other actual proprietors of land and farmers of land holding immediately from the Government were empowered without sending notice to any court of justice, or to any public office, to distrain crops, the products of the earth of every description, the grain, cattle, and all other personal property whether found in the house or on the premises of the defaulter or in the house or in the premises of any other person, within or without, the limits of the state or farm of the distrainer, wherever found, belonging to their ryots and the dependent zamindars and *pattidars* paying revenue through them for arrears of rent and revenue, and to cause the said property to be sold for the discharge of such arrears. The same powers were conferred on dependent zamindars and *pattidars,* for the recovery of arrears of rent from their under-farmers and ryots, and also on under-farmers to enforce payment of arrears of rent or revenue from their dependent zamindars, *pattidars,* under-farmers or ryots. The only properties not liable to distraint or sale were lands, houses or other goods, real property, and advances belonging to the Company, the loom thread, unwrought silk or materials of manufacture of any weaver or manufacturer and the tools of any tradesman or labourer, standing to the distrainer in the relation of under-farmer, ryot, or dependent zamindar or

[80] Regulations VII and IX of 1795, also see Duncan Records, I, 43.

[81] Section 3(16) of the Agra Tenancy Act, 1926. *See also* Chapter XV Jurisdiction.

pattidar. The attachment of any such property would destroy the claim and the distrainer would be liable to damages and costs as well. Nor if the arrear could be otherwise discharged, were ploughs and implements of husbandry, cattle actually trained to the plough, and seed grain, to be distrained. No one was to be treated as a defaulter until the arrears had been demanded from him and his surety, the latter being in no way absolved of his liability if attachment had to be proceeded with as the last resource. The attachment was to be withdrawn upon tender of amount due, made by the defaulter in the presence of two creditable witnesses. The person deputed by the distrainer to attach property had to be furnished by him with a writing signed by him specifying the date on which due. In 1800 in Benares it was found that the law was still insufficient to meet the demand, the law of recovery of withdrawn upon tender of amount due, made by the defaulter revenue being more expeditious than the law of the recovery of rent. The powers of zamindars for recovery of rent were extended, frivolous and vexatious complaints against them discouraged, if not suppressed.[82]

Among the powers given all sums were declared to be in arrears which were held beyond the day fixed for payment; and the forcing open of the doors was allowed, and also the searching of *zenanas* after notice given to withdraw.[83] These provisions were extended to Ceded and Conquered *parganas* also.[84]

But considerable abuses and oppressions having been committed by the zamindars, taluqdars and farmers of land in the exercise of the power vested in them, with respect to the distress and sale of the property of their tenants, for the recovery of arrears of rent, provision for staying the sale of distrained property, when the demand is contested,—similar to those originally made by Regulation 17, 1793,—were re-established by

[82] Bengal Regulation V of 1800, sections 1 and 10.
[83] Section 12, Regulation V of 1800.
[84] Regulation II of 1803 and Regulation VIII of 1805.

sections 15 and 16 of Regulation 5, 1812, which Regulation also contains some additional rules for the security of tenants against unjust demands of rent, for the exemption of implements of husbandry and tools of artisans, as well as cattle employed in agriculture, from distress and sale, and for the appraisement of distrained property before it is sold.

The main features of the changes were: No process for distress was to be held valid unless a notice had been first served upon the defaulter, together with an account showing the grounds on which the demand was made; and in no case were agricultural implements, cattle, or artisans' tools to be attached, even though the demand could not be otherwise realised. The attachment was to be withdrawn if a bond were entered into, to contest the justness of the demand. The property attached was appraised before sale, and a certificate of the appraisement furnished to the tenant. If at the auction there was no bid up to the estimated value, the sale was to be postponed until the next market day, and then knocked down at whatever price may be offered, not less than the amount bidden on the first day.

Then came the Act X of 1859, under which the law of distraint went a further change.

It provided,[85] *inter alia,* that the produce of the land was hypothecated for the rent payable in respect of that, that the distraint was not allowed for any arrear which was due for a longer term than one year, that standing and ungathered crops, and crops deposited in a threshing floor, could be distrained. But no such crops or products, other than the produce of the land in respect of which an arrear of rent is due or if land held under the same engagement, and no grain or other produce after it has been stored by the cultivator and no other property whatsoever, was liabel to be distrained. The cultivator[86] was allowed to continue his legitimate activities

[85] Sections CXII, CXIII, CXV of Act X of 1859.
[86] Section XVIII, *Op. Cit.*

with the crops, e.g., reaping and gathering, etc., but it was to be in the charge of a person appointed by the distrainer.

It was for the first time by this Act[87] that the right of distress was confined to the produce of the holding on account of which rent was due, and that it was lost as soon as the tenant had removed it from the field or threshing floor or had stored it. The fact that while not yet in store, it had passed into the possession of a purchaser from the tenant would not stay the landholder's hand in distraint.[88]

In the Act of 1873[89] the principles of distraint were retained, with minor changes according as experience necessitated.

In 1881 when a new North-Western Provinces Rent Act XII[90] was passed, some changes were made in the law again. The most important change was that no other claim on the produce was allowed to stand till the claim for rent was satisfied. The reason for this change was that the rent is not payable till one month before the instalment of Government revenue is due, while civil courts could proceed to attach and sell the crop at any time and thus defeat the object in view when the right to distrain was conferred on landlords. The intention of the Legislature was, however, annulled by the ruling of the High Court in the case of Naikram *versus* Murli Dhar.[91] In that case the landlord had attached the crops of an occupancy tenant in execution of a civil court decree early in April. On the application of the tenant, the lower court ordered the proceeds of the same to be credited first against the rent payable for the year and balanced towards the extinction of the judgment debt. The High Court in reversing the order remarked that the rule referred only

[87] Section CXV of Act X of 1859.
[88] Imam-un-Nissa versus Liakat Husain, 3 Allahabad 424.
[89] Chapter IX of Act XVII of 1873.
[90] Chapter IV of Act XII of 1881.
[91] 4 Allahabad 471.

to the rent at the time payable in respect of such land and does not necessarily imply a right in the tenant to insist on his landlord appropriating part of the value of a crop to the security of a possible future arrear of rent, rather than to the extinction of an existing debt due to the landlord in satisfaction of which the landlord had attached the produce. It may also be said here that a tenant-in-chief cannot by any contract which he may make with third parties deprive the landlord on the lien which the law gives him upon the crops, and an undertenant taking land on lease from a tenant-in-chief must be held to take it subject to that lien. The crops therefore cultivated by a *shikmi* (sub-tenant) are distrainable by the zamindar.[92]

No change was made in the law of 1881 except minor changes in wording.

In the Act of 1901, also hardly any change of importance was made except that the procedure was simplified, and the liability of the sub-tenant for the default of the tenant-in-chief was made clear and provision was made for a notice to the person whose crop has been distrained.[93]

The Tenancy Act of 1926 also made no change in this respect.

Arrest of the defaulter and summoning him before the landlord.—Under Regulation V of 1800, Sections 1-12, defaulter and surety could be arrested for failure to pay arrears due. The defaulter had to be brought before the judge, or other authorised tribunal, and after summary inquiry by the judge or on a report from the Collector—he was liable for detention in close custody. If arrears and the interest were paid, he was released by the order of the court. If

[92] 4 N.-W. P. 76; Geetun Singh versus Baldeo Kahar 3 L. R. 32, and Kheeda versus Shankar.

[93] Report of the Select Committee, dated June 6, 1901, p. 27, Revenue and Statistical Department 5|R and 3-25|76—1400.

payment was not duly made, a creditor could attach the farm of tenure and manage it till his claim was fully satisfied. Subsequently this power of arrest was cancelled. The same Regulation secured to landholders the power of summoning, and if necessary compelling, the attendance of tenants for the adjustment of rents, etc., but this was removed by Act X of 1859.[94]

Ejectment and Cancellation of the Lease.—Act X of 1859,[95] Sec. 22 provided cancellation of the lease and ejectment for arrears of rent in execution of a decree of rent, against a tenant who did not have a permanent and transferable interest. Act XVIII of 1873 also provided ejectment of an ordinary tenant if the arrears remained unpaid till the 13th day of June. Fixed rate tenants, exproprietary and occupancy tenants, holding under an unexpired lease, could only be ejected in execution of a decree of arrears of rent if such a decree remained unsatisfied.[96]

In the law of 1881 the above provisions were retained, but ejectment of ordinary tenants also was made subject to a decree.

In 1901 and 1926 again the same provisions were retained except that in 1926 the privilege which was accorded to permanent tenure holders from the beginning was given to fixed rate tenants also.[97] But the method of ejectment was brought more in line with the Oudh procedure whereby landlords[98] have power to invoke the aid of the tahsildars for issue of notice to their tenants for summary ejectment notice. Should the tenant wish to contest such claim, the case assumes the character of an ordinary suit.

This section provides for an inexpensive and a speedy

[94] Also see Regulation VIII of 1819 and Regulation VII of 1822.
[95] Section 22 of Act X of 1859.
[96] Sections 34(*a*), (*d*) and 35 of Act XVIII of 1873.
[97] Section 79 of Act II of 1901.
[98] Section 81 of Act III of 1926.

remedy for recovery of arrears of rent and has an obvious economic value.[99]

By regulating the law as to the determination of the tenancy.—Before Act X of 1859, the law of determination of tenancy was not in order. Act X of 1859 provided that the tenancy would be determined in the following ways:—

(1) By surrender or abandonment or relinquishment;

(2) By lapse of time;

(3) By cancelment of lease or ejectment.

Surrender.—Abandonment or relinquishment—Act X of 1859 gave to ryot a right to relinquish the land held or cultivated by him on his giving a notice to the person entitled to rent of the land, or his authorised agent, in or before the month of *Chait* (June) of the year preceding that in which the relinquishment is to have effect.

Sir Barnes Peacock[100] seemed to have been opposed to this right. He thought that it was useless for landlords to grant a lease for a term of years if the tenant had a right to throw it up whenever he wished. But this view was not sound. When the courts decreed *kabuliats* for fixed terms, as they did in Thakurani[101] Dossi's case, it was equitable that the tenant should be allowed to surrender if found that he could not pay.

Under Act XVIII of 1873[102] and Act XII of 1881 sur-

[99] Apart from the above provisions, a special remedy for recovery of the arrears of rent has been granted to the Court of Wards for the property which is under their superintendence. Under certain circumstances of non-payments of arrears of rent, the collector is empowered to grant a certificate by virtue of which the amount is realised in the same way as revenue is realised (Sections 39-42 of Act IV of 1912).

Court of Wards Act (IV of 1912) is meant for proprietors who are disqualified owing to minority or disability or mismanagement or heavy debt etc., vide section 8 of United Provinces Act IV of 1912.

This Act is generally enforced against properties of traditional importance in a benevolent spirit.

[100] Sir Burnes Peacock's minute of March 31, 1864.

[101] B. & R. P. B. VI-234, Regulations, supplementary volume, p. 262 and tract 629, I. O. L.

[102] Section 31 of Act XVIII of 1873.

render or relinquishment (as the word used was) was retained. The latter also allowed a tenant to relinquish when an order for enhancement of rent was passed against a tenant and tenant within 15 days from the date of such order gave notice to the landholder in writing that he would relinquish it,

In 1901[103] the principle of surrender was continued with this addition that the provisions would not affect mutual arrangements between landlord and tenant.

Moreover, a provision[104] was added to meet cases of abandonment. It is to the effect that if a tenant ceased to cultivate and left the neighbourhood without making arrangements for its cultivation, the landholder could after 17th May enter on the holding and left it to another tenant.

In 1926 the principle was retained but a further facility was granted by allowing that the notice could not only be filed with the Tahsildar as was provided in previous acts, but could also be sent to the[105] landholder by post. The law of abandonment was also amplified allowing the sub-lessee of a land to succeed to the original tenant if the latter ceased to cultivate the land for five years without executing a written sub-ease, with the rights that the original tenant had.

Lapse of time.—This mode of terminating the tenancy applied to contract tenants holding[106] either for a term of years, or year by year, or at will. It does not affect occupancy right tenant nor those holding the land in perpetuity. What should be the weight of adverse possession occasioned much discussion and it was argued that the position of a tenant can never be adverse to that of his landlord, hence the law of limitation cannot be invoked to bar a landlord from claiming possession, an idea no longer held. The expiry of term continued to act as an extinction of tenancy running its usual course.

[103] Act II of 1901.
[104] *Op. Cit.*, section 87.
[105] Section 105 of Agra Tenancy Act, 1926.
[106] Act X of 1859, section 25.

Cancellation or ejectment.—Under Section[107] 22(2) of Act X of 1859 cancellation was sanctioned in execution of a decree for arrears of rent, but this process was abolished by later legislation.

Concerning ejectments, those for recovery of rent have already been discussed, so need not be referred to again. As to those on other grounds, under Act X of 1859 tenants-at-will could be ejected by the landowner *suo motu* or on application to the Collector. Occupancy right tenants could be ejected by a suit in the courts for breach of lease.[108]

Under Act XVIII of 1873 tenants-at-will could be ejected by a written notice from the landlord and the help of the Collector could be procured for the purpose. Under certain conditions the tenant was entitled to any growing crops or other growing, but ungathered products of the land belonged to that tenant.[109]

In the Act of 1881 the same principles were retained, also in Act II of 1901 with the exception of some altered wordings and a few changes in the law as previously laid down. For instance, to sub-let a part of a holding or make a transfer in contravention of the Act was deemed a ground for ejectment. Landlords had to file a suit in court, while under the preceding Act he had merely to make application and it became incumbent on a tenant—if he wished to contest the case—to sue. One section of this Act, No. 58, resulted in a great increase of litigation. In Gorakhpur district in a normal year (1919-20) the number of cases attained the huge figure of 20,237. We ourselves had to try over 4,000 of such cases in the Deoria sub-division of that district. This obnoxious section was altogether deleted from the Act of 1926 and when information of action intended in this respect reached the ears of the zamindar, they embarked on a course of reckless energy by bringing countless suits, no less

[107] Act X of 1859, section 22.
[108] Act X of 1859, sections 21, 23 and 25.
[109] Act XVIII of 1873, sections 42, 44 to 47.

than one lakh—under the section in question. About 70,000 of these were in Gorakhpur alone. To minimise the effect of such conduct the new Act gave discretion to a Collector to decide how many of these cases were genuine and figures of five preceding years were to be his guide in arriving at a conclusion on this point.[110]

Experience proved that the new procedure of suit which was a change from the preceding procedure was cumbersome and it was considered necessary to revert to a simpler method like the previous one. Fortunately a new line was already chalked out by the Oudh law. The Act of 1926 simplified the law on the same lines and provided that non-occupancy tenants, also the heirs of statutory tenants, may be ejected by a notice on behalf of the landlord and on a tenant wishing to contest the case, he will have to file a suit.

Coming to improvements, as long ago as 1856[111] the Board of Revenue remarked: "When it is known that the construction of a well by a cultivator confers upon him no greater rights than he before possessed (excepting that in estimating the increased rent which might otherwise be divisible from the increased value of the holding), due allowance will be made for the capital expended by him, the Board do not think that the proprietors could, in any case, reasonably object to licence of construction being freely conceded to all cultivators."

Still the Act of 1859 contained no provision respecting the execution of improvements or compensation for the same, and the courts were at first inclined to deal strictly with tenants. A Full Bench ruling of the Allahabad High Court[112] declared that digging even a *kachha* well by an occupancy right tenant would be a breach of contract giving ground for ejectment. This ruling was modified later on

[110] Section 276 of Act III of 1926.

[111] Circular order dated September 26, 1856.

[112] Kunj Behari Pathak versus Shiv Balak Singh, North-Western Provinces, High Court Reports, Agra F.B., p. 119.

when it was held that any rule prohibiting a tenant[113] from improving his holdings should, on grounds of public policy, be restrained by the court within restricted limits. Act XVIII of 1873[114] for the first time enumerated the following improvements:—

(*a*) Tanks, wells and other works for the distribution of water.

(*b*) Reclaiming, enclosing, and clearing land for cultivation.

(*c*) Works for drainage and protection against the floods.

(*d*) Renewal or reconstruction of any work like those named above—or any alterations or additions thereto.

It also provided that no tenant could be ejected for having carried out any improvement of the nature of those just mentioned. The same provisions were retained in Act XII of 1884[115] but a restriction was imposed on any improvement made without the consent of the landlord. Act III of 1926 still more widened the scope of the improvement and included in it the erecting of farms, digging of tanks with the written permission of the landholder, unless allowed to do so by local custom. It also allowed statutory tenants to construct and repair a well, also build temporary structures but forbade them from making other forms of improvement without an order from the court or a written consent of the landlord. No other tenant is permitted to make any improvements without the written permission of the landlord. Under this Act a tenant is allowed compensation for all improvements made by him of legitimate nature and be entitled to compensation with due regard to the letting value of the produce of the holding, condition of the improvement, pro-

[113] Sev Charan versus Busant Singh, also Ram Juhtan Singh versus Mehdi, F.B. North-Western Provinces 282, Agra F.B. 258.

[114] Act XVIII of 1873, section 44.

[115] Act XII of 1881, section 44.

bable duration of the effect, and the labour and capital expended.[116]

It may also be said here that, as in the old Acts, so in the new one of 1926 relief is supplied against illegal dispossession of the tenant.[117] The new Act also affords protection to the landlord against trespassers and those contumacious persons who have been ejected under a decree.[118]

By providing scope for economic development.—Over and above all, Act[119] III of 1926 gives a vast scope of economic development to a landholder. Under section 40 of the Act of 1926 a landholder is entitled[120] to acquire any land after paying due compensation from an exproprietary or occupancy tenant, and a landlord or permanent tenure holder can have land of statutory tenant in exchange, for various work of utility specified in section 41, including planting of groves, farming, poultry farm, dairy farm, etc.

The Collector has been given power to order for such acquisition on being satisfied that reasonable ground exists. These provisions give great scope for improved farming, planting of groves and for so many other works and are likely to be of great benefit to the zamindars if not misused, and they are not likely to create any hardship to the tenantry as well; for free relief has been provided for them under section 42 in such cases.[121] Some members of the Committee, who can hardly ever find any fault with the attitude of the landlord, suggested the deletion of the words "if reasonable grounds exist" and wanted in fact a *carte blanche* in favour of landlords in this respect. Khan Bahadur Maulvi Fasih-uddin, a distinguished member of the local Council, but himself a landlord, represented the view of the landlords as follows:—

"This clause is a safeguard against the rigidity of the

[116] Act III of 1926, sections 109 to 116.
[117] *Op. Cit.*, section 99.
[118] *Op. Cit.*, section 44.
[119] Act III of 1926, sections 40 and 41.
[120] Section 40 of Act III of 1926.
[121] Section 42 of Act III of 1926.

life tenancy scheme. It is intended to enable the landlord to acquire land for scientific farms, self cultivation, grove planting and the like. We propose to delete the words 'if satisfied that reasonable grounds exist' that occur in the first line of the clause. Similar words exist in the corresponding section 30(*a*) of the Oudh Rent Act. They have resulted in the dismissal of about ninety per cent applications filed under that section in that province. The Oudh Deputy Commissioners appear to entertain an innate hatred of that section. They seem to think that the landlord uses that section as a means of bullying the tenants into increasing the rents and paying the so-called *nazrana*. One Deputy Commissioner goes so far in justifying his action in the matter of the wholesale dismissal of such applications as to quote the story of an evidently quixotic landlord who expected to pay off his debt by raising Rs.1,500 or Rs.2,000 of *nazrana* by the simple device of merely threatening to acquire tenant's land if he were authorised to acquire 50 *bighas* for farm under section 30(*a*)."

With due defedence to the learned member, the fact cannot be denied that in Oudh till lately it was not infrequent that relief for acquisition of land for self-cultivation or farming, etc.[122] was asked for merely to exact *nazranas* from the too nervous and the too tenacious ryot or tenant. In Agra, however, relief under this section has not been demanded recklessly. The provision deserves welcome both in the interest of the tenant and of the harmony of relations between him and the landlord.

By regulating the rent-free grants and making rules as to their resumption.—The rent-free[123] grants were in a very chaotic condition when the British assumed charge. They vitally concerned the revenues of the State. Therefore very early after the obtaining of the *Diwani* right, the attention of

[122] Section 30 a of Act III of 1926.

[123] Field's Bengal Regulations, p. 470 sqq. and Meerut Universal Journal, 1836, Vol. II, p. 326, sqq.

the British authorities were directed to this matter and inquiries were made and regulations passed to thresh out the exact position. In 1769 when Supervisors or Collectors were appointed, rent-free grants were mentioned among the points on which they were asked to make inquiries.

Rent-free grants may be classified under three heads: Time being a decisive factor in each case, namely, those made before 1765, the year in which the Company became *Diwan* of Bengal; those made after that date and before the 1st of December, 1790, and those made subsequent to the latter date. At the time of the Decennial Settlement of 1790, it was decided that revenue might be assessed on grants, and if over a hundred rupees per annum, the sum was credited to the Company; if under that sum, it was handed over to the zamindar or farmer of the village; and if purchased after the 1st December, 1790, all property in the soil and share of the produce was taken by the buyer.

In 1793 two[124] Regulations were passed, the former relating to grants not *badshahi* and the latter re-enacting the rules passed on the 23rd April, 1788, and subsequent dates, for trying the validity of titles under *badshahi* grants. These were extended to Benares by Regulation XLI and XLII of 1795,[125] to the Ceded Provinces in 1803,[126] which were extended to the Conquered Provinces in 1805.[127] Subsequently[128] a uniform course of proceeding was established for the purpose of resuming revenue lands liable to assessment, so that the views of Government might be secured without infringement of the just rights of individuals.[129] Principles to be followed in determining on the force and validity of grants, made by persons exercising authority in different

[124] Regulations XIX and XXXVII of 1793.
[125] Regulations XL and XLII of 1795.
[126] Regulations XXXI and XXXIV of 1803.
[127] Sections 21 and 24 of Regulation VIII of 1805.
[128] Regulation II of 1819.
[129] Regulations IX and XIV of 1925.

quarters, previously to the acquisition of the country by the British, were defined and *'altamghah,' 'ayamah,'* and *'mudad-mash,'* were taken as hereditary tenures and transferable by gift or sale, *jagirs* as life tenures only and with all other life tenure to expire with the life of the grantee unless otherwise expressed in the grant.

Act X of 1859 made no appreciable change in the principle.

Act XVIII of 1873[130] while recognising the right of the grantee who held with the express agreement that it shall not be resumed, disallowed it for his representatives and gave rights of proprietary in case of such grants which were held for fifty years upwards and by at least two successors to the original grantee.

Act XII of 1881[131] also recognised the above principle and made only minor changes.

The law of 1901[132] gave to the court powers to assess rent or revenue in certain cases in respect of non-resumable grants. It also clearly set out conditions under which rent free grants could be resumed. For example, grants held for specific service under certain conditions or at the pleasure of the grantee.

Rent free grant, in lieu of service was not recognised before this Act.[133] The High Court in Waris Ali *versus* Mohammad Ismail[134] had decided that a person holding land free of rent in lieu of service was not a grantee as defined in section 30, Act XII of 1881. Mahmud Justice dissented.

The law has again been overhauled in 1926[135] Under Act III of 1926, rentfree grants have been defined as a grant

[130] Section 3 of Act 18 of 1873.

[131] Section 30 of Act XII of 1881, also p. 335, Appendix 1, of North-Western Provinces, Rent Act of 1881, by H. F. House.

[132] Chapter X, section 15, *sqq.* Act II of 1901.

[133] Report of the Select Committee on Act II of 1901.

[134] 8, Allahabad 552, 6 A. W. N. 221.

[135] Chapter XI of the Agra Tenancy Act, 1926, section 183 *sqq.*

of a right to hold land rent free by a landlord with or without consideration and it has been provided that future grants must be by the registered instrument. It is certainly a good provision as it minimises the chances of loopholes. Other provisions need not be mentioned here for they are of minor importance.[136]

[136] Section 185 of the Agra Tenancy Act of 1926.

CHAPTER VII

OUDH

Possessing[1] as it does certain distinctive features, the land revenue system in Oudh, from early times to the present day, calls for separate notice, hence we shall devote a chapter to that purpose. Down to the beginning of the first century of the Christian era the province seems to have been governed first by a kingly dynasty at Patna and later on by the Rathor sovereigns of Kanauj. After 1350 A.D. the waves of Muslim conquest steadily advanced, but the followers of Islam made no attempt to destroy entirely a vast congerie of Rajput States, some small, some great, then and still to be found, though changed, in all parts of Oudh. They varied in number and extent; being sometimes broken up by feuds and family quarrels—members of one family setting up their own estates and independence. In rare cases even a foreigner obtained a *raj* by conquest.

To give a detailed account of each successive ruler of Oudh would swell this work to undue proportions; so we must rest content with a brief resume of the leading features of *Nawabi* rule, as it is generally styled. Saadat Ali Khan, otherwise known as Burhan-ul-Mulk, came to Delhi from Nishapur, the birthplace of Omar Khayyam, and received charge of the *Subah* of Oudh in 1720 A.D., in return for helping to free Mohammad Shah from the power of the Barha Syeds. He was succeeded by his nephew Safdar Jung, who assumed the dual title of Nawab-Vazir: Nawab of Oudh, Wazir of the empire. He fomented quarrels between the Bangash Pathans of Farrukhabad and the Rohillas of Bareilly

[1] (*a*) Encyclopaedia Britannica, Vol. XVIII, p. 73, Edn. IX.
(*b*) Garden of India, by H. C. Irwin 1881, Chapters III and IV.
(*c*) History of the Sepoy War, by J. W. Kaye.
(*d*) Field's Code of Bengal Regulations, VIII—XI.

and Rampur, but the former eventually turned against him, routed his forces—commanded by Newal Rai, a Kayastha with martial proclivities—and temporarily seized Oudh and Allahabad. The Marhattas were called in by the Nawab-Wazir, and Ahmed Khan, the Bangash leader, was driven to the Kumaun hills, where he had to capitulate. Shujauddaulah next mounted the throne and took part in a rash invasion of Bengal, only to be defeated at Buxar by a British force (1764). This imprudent act on his part led to Allahabad and Karra being reserved for the Emperor Shah Alam and the strength of the *Nawab's* army being limited. During this reign the memorable fight with Hafiz Rahmat Khan and his Rohillas —in which a brigade lent by the Company played a prominent part—occurred. After an interview with Warren Hastings in 1773, Karra and Allahabad were taken from Shah Alam and bestowed on Shujauddaulah in return for the payment of 50 lakhs. With the accession of Asaf-ud-Daulah a great change came over the *Nawabi* policy. A fresh treaty was enacted between the Company and Asaf-ud-Daulah, by the conditions of which the districts of Benares, Jaunpur, Ghazipur and other possessions of Chait Singh were handed over to the Company. After the revolt of Wazir Ali—only a son of the late Nawab by repute—had been forcibly quelled, Saadat Ali, half-brother of Asaf-ud-Daulah, became *Nawab* and did a great deal towards remedying faults in the administration and improving the financial condition of the province. In order to effect that desirable object, he found it necessary to cede to the Company, in perpetuity, Rohilkhand, Mainpuri, Etawah, Cawnpore, Allahabad, Azamgarh, Basti and Gorakhpur. Farrukhabad had already been handed over by its Bangash ruler in 1801. So only the central and western districts of modern Oudh remained with the *Nawab*. The two next occupants of the *guddi* were amiable men but extravagant beyond measure, and too busy enjoying life to devote care and time to the administration of their possessions. It may be noted that in 1819 Lord Hastings persuaded Ghaziuddin Hyder to take the name of king: a title which never

became popular, though it was inended by the Governor-General to act as a counterpoise to the still lingering influence of the Delhi Emperor[2].

In 1827 Ghaziuddin Hyder died and was duly succeeded by his son Nasiruddin, and now the idea of annexing Oudh began to gain strength with the Governor-General and other exalted personages. In 1837 Nasiruddin Hyder died suddenly —poison was hinted at—and, after an abortive attempt to crown Munna Jan as king, the reins were placed in the hands of Muhammad Ali Shah, brother of Ghaziuddin Hyder, a man of simple tastes, who resolved to rule in stricter fashion than his two immediate predecessors. When he died in 1842, he was followed by a *roi faineant* in the person of Amjad Ali, a frivolous individual, who only ruled till 1847. The last of the dynasty Wajid Ali Shah erred by neglecting to see things for himself, trusting his officers without supervising their action, and promoting to high places at court persons quite unsuited to fill posts requiring dignity and strict probity of conduct. After repeated[3] warnings the Governor-General, Lord Dalhousie, felt obliged to issue the fatal order, and Oudh in 1856 was annexed to the dominions of the Company.

The questions arise as to what was the state of the land tenure at the time of annexation and what shape it has taken since then.

Land tenures in Oudh may be divided broadly into:—

(1) Proprietary . . . . . *Haq-i-ala*
(2) Under proprietary . . . . *Haq-i-mathat*
(3) Cultivating tenures . . . . *Haq-kashtkari*

Proprietary tenures may be divided into:—

(1) Taluqdari,
(2) Revenue-free-grants,
(3) Zamindari,
(4) *Bhaiyachara.*

[2] Papers relating to Oudh, 1856, para. 10, p. 223.
[3] Papers relating to Oudh, 1858. Draft of Proclamation, March 3, 1858 (East India Proclamation. Government Secretariat Library, Allahabad).

Taluqdari tenures—The word taluqa[4] is derived from the Arabic "alak" meaning to hang from, to become suspended, and also implies a leech, since that creature can remain in a state of suspension from the body to which it has been attached. The term has been used correctly in Bengal where taluqdari signifies the lesser, zamindari the major right. In Oudh, however, it was interpreted very differently since, though it always meant the chief right to the land—barring that of the crown—the existence of a superior and dependent tenure was not necessary to constitute a taluqa. In his letter No. 156, dated the 29th April, 1856, Mr. C. Currie, Offg. Secretary to the Chief Commissioner, wrote as follows to the Commissioner and Superintendent of Lucknow[5].

". . . . . But the Deputy Commissioner is mistaken in giving a restricted and technical meaning to the term taluqdar and in assuming that unless there are two distinct interests in an estate, there cannot be a taluqdar."

It is difficult to say when the word first came into general use. Its absence from the "Ain-i-Akbari", suggests that it was unknown to the framer of those Institutes, yet there is ample proof to show that as a title of tenure it was employed long before the days of British rule.

Taluqdars[6] have been divided into two classes, "pure" and "impure"; to the former belong the descendants of the ancestral proprietors, to the latter court favourites, bankers and speculators. It has frequently been asserted that, during a certain period of the history of the world, Upper India was peopled by Rajputs. "They are found", says Mr. Carnegy "everywhere, from the Indus to Behar, and are very much mixed." Later on they were ousted by other folk, Brahmans and Buddhists and are lost sight of for a term of years, having either sunk into social insignificance, becoming inter-

[4] "Qamus", by William Thomson Wartabet, 1892.

[5] "Papers relating to Underproprietary Rights of Cultivators in Oudh"—Military Orphan Press, Calcutta, 1865, p. 13.

[6] Imperial Gazetteer, Vol. II, Chap. VIII, p. 308.

mixed with indigenous races, or having migrated to some other part of the country where their superiority was not disputed.

In process of time, however, the Rajputs set to work re-establishing their influence and regaining in Oudh[7], so that by the middle of the 12th century the greater part of that province was governed from Kanauj, capital city of the Rathor clan. The aboriginal Bhars were kept in and each sect of the warrior caste multiplied so as to displace all other occupiers of the land or at least to be able to assume proprietary rights and privileges. There is no doubt that in many instances the modern taluqdar may fairly claim descent from the hereditary chiefs of important clans and his social dignity has become hallowed in popular estimation by memories of an extreme and renowned antiquity. Mr. Millet thus describes the origin of the taluqa: "There is evidence all over the district, that, as successors of the Bhars, the Hindus associated themselves firmly into families. This association may have been necessary to resist the attacks of aboriginal enemies; it may have been required to withstand the increasing supremacy of the Muslims; it may have been useful towards a successful colonisation of a wild country. But in all parts of the district, as, for example, among the Raghbansis of Aldemau, the Bais of Birhar, the Bais of Mangalsi, and the Chauhans of Jagdispur, we see the ancient proprietors not only aggregated into exclusive families, but acknowledging the guidance of a distinct head. As the families increased and grew confident of power, they divided off into branches, and the recognition of the original leadership varied according to circumstances. The variations took chiefly two forms, according to the manner in which the estate was formed, and the period at which the division took place. The expanded families we know as clans, and many of them have chiefs, who show in their line an unbroken seigniory from the earliest period to which the clan can refer its origin. The chiefships have been mostly

[7] (*a*) Mr. Benett's Rai Bareilly Clans, pp. 54 to 67.
(*b*) Baden-Powell's Land System of British India, Chap. V,
(*c*) Mr. Carnegy's Land Tenure in Upper India, p. 314.

retained in clans, the acquisition of whose property was unmistakably due to the character and presidency of a single number, as among the Rajkumars of the south, or in which the division took place at an early date, as among the Palwars of Birhar; where the clan settled without a struggle, and where the partitions occurred in more recent times when a more perfect civilisation and a firmer Government had removed in part the tendencies to combination under a patriarchal system, the detachments which parted from the main body habitually asserted independence as a proprietary community. Of this there are many instances, such as the Bisens of Pachhimrath or the Barwars of Amsin. These, I believe, were the principal conditions which determined the growth of the original property into a steadily expanding taluqa[8]."

Mr. Butts[9] also thinks that very few of them are of ancient date, according to him the most probable exception are the Janwars of Saindar in Dewn, in the Parihars of Ghugtir in Kursi, since driven back to Ahmamau, and in the Gautams of Sissendi in the Mohanlalganj *pargana*. Mr. Benett[10], however, thinks that to consider them to be in any way connected with the idea of clanship was a mistake.

Mr. Capper, the Commissioner of the Fyzabad division, has pointed out how the proprietors of petty states—if a *raj* can be considered so important a territorial division—were akin to the German barons of medieval Europe. He declares that a Brahman *raja* must be regarded as great an anomaly as a secular Levite Chief among the Israelites, though, on the other hand, the Thakurs—a generic name for a Rajput in the United Provinces—at times constituted himself a member of the priestly caste, even exercising the right of raising persons of inferior castes to the dignity of the Brahman[11].

'Mr. Kaye (afterwards Sir John, and author of a well known History of the Mutiny) expresses almost the same

[8] Settlement Report of Fyzabad 1880, pp. 66 and 67.
[9] Settlement Report of Lucknow 1873, Appendix II, p. 21.
[10] Settlement Report of Gonda by Mr. Benett, 1878, p. 37.
[11] Covering letter with Gonda Settlement Report 1878, p. 5.

view and ventures to criticize the founder of the Thomason school, which does not favour the idea of the landed aristocracy being an ancient institution by remarking, "Mr. Thomason was one of the chief teachers in the new school, and so strong was his faith in his doctrines that he regarded with a feeling akin to wondering compassion, as men whom God had given over to a strong delusion that they should believe a lie, all who still cherished the opinion which he had done so much to explode[12].

Mr. Charles (afterwards[13] Sir Charles) Elliot has fully discussed the subject in a clever essay on the nature of taluqdari tenure, and his opinion is worth consideration. He goes on in this fashion. It is incorrect to say that Raja Dayashanker, the Dikshit of Purenda, or Gulab Singh, the Purihar of Surosee, or Dost Ali, the Syed of Unao are descended from men previously unconnected with the spot to whom the Government dedicated their rights of collections. It would be equally inaccurate to say this of any other taluqdar not resident in Unao but mentioned in these Chronicles, such as the great Bais Chieftains, or the Bachgoties Rajas of Sultanpur and Fyzabad.

The true taluqdar, in his opinion, belongs to the most primitive form of society, where the clan is represented by their head, and all proprietorship is vested in him.

The task of ascertaining correctly and regulating the land system as it existed when Oudh was annexed was indeed a herculean labour. What was known as the Summary Settlement was started but had not achieved much when the Mutiny broke out and the power of the pen had to be temporarily replaced by that of the sword. Little wonder if Lord Canning and his advisers were influenced by the fact that holders of proprietary rights had, almost without exception, accepted their enemies, the big taluqdars, as deserving support. Thus denying the gratitude which British officials cer-

[12] Kaye's Sepoy War in India, 1875, p. 164.
[13] Chronicles of Unao, Allahabad, 1862, pp. 146-56.

tainly deserved for endeavouring, even if ineffectually, to preserve the rights of the zamindars and the tenantry in the soil. For many reasons it appeared expedient to the Governor-General that his Government should deal with a class of persons who—whatever might be their individual shortcomings —were acknowledged by the rural population as their natural leaders. The taluqdars, whether of the pure or impure class, were a body it was possible to deal with and to offer terms, which would be a very lengthy and complicated business had petty zamindars and village communities been the persons with whom negotiations were to be undertaken. Military consideration too had to be borne in mind and the loss of time, life, and money, in conducting a wearisome campaign against a series of mud forts and the scattered remains of the rebel army. The policy adopted by Lord Canning was therefore suited to the exigencies of the situation. He recognised the taluqdars as leaders and proceeded to deal with them accordingly. The first step was to declare the land in Oudh as confiscated[14], owing to the behaviour of the persons owning it, or the greater portion thereof, a measure condemned in England but perhaps justified by the happy results that followed. "Clemency Canning," as his Lordship was nicknamed by some European advocates of the sterner policy of repression, was not the man to introduce any unduly harsh measure, and Government servants in Oudh were instructed to let the taluqdars know that confiscation was not irrevocable, and that if they accepted, and loyally obeyed, certain orders, specified below, restoration of their lands and confirmation of their rights would follow in due course.

Those orders, which were also embodied in the terms on which *sanads* were granted to the taluqdars and their lands restored to them included loyalty to the British Government, regular payment of revenue, destruction of all forts, the prevention and reporting of crime, promoting the agricultural prosperity of an estate,

[14] Five estates were exempted owing to the loyalty of their owners. These were (1) Balrampur, (2) Padnaha, (3) Katyari (4) Sisindi, (5) Maurawan.

also securing tenants of every class full enjoyment of such subordinate rights as they had so far received. Subsequently, to allay all doubts among the landowners and to ennumerate certain matters referred to in Her Majesty's proclamation, also to regulate the cause of succession, an Act[15] was passed, under which six lists[16] were to be prepared, namely (*a*) of all persons who were considered to be taluqdars under the Act[17], (*b*) of all taluqdars whose estates, according to custom, would devolve upon a single heir, (*c*) of those taluqdars granted *sanads,* in accordance with which succession followed the rules of primogeniture[18], (*d*) those taluqdars whose succession was governed by ordinary laws of devolution, (*e*) grantees of (*c*) and (*d*) classes. The inclusion in the list given above carried with it the right to be considered a taluqdar. Under this Act a special law of succession, gift, and bequest was laid down for personal succession and also for intestate succession. Where they do not apply, the personal law of the members concerned applies. In some estates primogeniture is the rule, in others the personal law applies.

Free grants—So far as Oudh is concerned all, or nearly all, these grants are found in the two districts of Rai Bareli[19] and Bahraich and persons holding these lands are chiefly Punjabis, given estates—usually from the property confiscated from rebel leaders—for services rendered in the Mutiny. The grantees are not a numerous class and grants vary in size, from the 400 villages bestowed on the Maharaja of Kapurthala, to three or four villages owned by a Sikh grantee in Rae Bareli. The grantee[20] was admitted by virtue of his *sanad* to some of the privileges of a taluqdar, and no *sanad* was recognised unless it bore the seal of the British Government, of the King of Delhi, of the Nawab of Oudh, and when that was present, it meant that the land mentioned in the *sanad* was to be held

[15] Act X of 1869
[16] Section 8, Act X of 1869.
[17] Sections 19 and 20, Act X of 1869.
[18] Section 22 and 27 of the same Act.
[19] Irwin's Garden of India, Chap. I, p. 9.
[20] Millett's Sultanpur Settlement Report, para 149, p. 68.

rent free in perpetuity. If this information was wanting, possession for twenty years or three generations, gave a little for the life of the then incumbent. Rent-free lands granted for good service rendered were so held during the life of the person in possession and in special cases required the sanction of Government for more than one life. Religious or charitable grants were retained free so long as a religious institution was properly maintained or a charitable endowment was devoted to its original purpose. All other rent-free lands could be resumed at once or at a regular settlement. As far as rights and privileges are concerned, the grantee stood on the same legal plane as the taluqdar—Act I of 1869 being the statute by which his status and rights are clearly defined.

Jagir too is a term frequently used as descriptive of a village service tenure. The points in which a *jagir* differed from a *Muafi* were several. *Jagirs* vary considerably in size, and while the *Muafi* holder was deemed the proprietor before it could be resumed, a claimant had to fully establish his right, whereas in the case of a *jagir* the presumption was that it did not belong permanently to its owner. Sher Shah[21] in an argument he had with Muhammad Khan Sur of Jaunpur, declared that while family estates are divided among the surviving sons, no such distribution took place when districts were conferred for the support of troops, for the possession of which loyal grants were made out and given to those whom the king thought most fit to perform his service.

In cases of this sort the Settlement Officer takes engagements from those actually in possession, should the *jagirdar* fail to make out a satisfactory case for his version of the claim. The term *jagir* is often used to describe rent-free village tenure but incorrectly, for such holdings are better known as *chakrana*. With exceptions[22]—the famous case of the Oudh Begams is one in point—a *jagir* is a purely personal grant even when the holder is succeeded by a member of the same family, thus making it assume a hereditary tendency.

[21] Brigg's Ferishta II, p. 104.
[22] Sultanpur Settlement Report, 1873, para 162, p. 76.

Zamindari is where as estate is held in common the Government revenue and other liabilities being paid out of the rents, after which the remainder is divided among the several partners according to their respective shares. The institution of village zamindari dates back to a time of which there are no authentic records. Unlike rajas, whose states devolved by primogeniture, all the rights possessed by a zamindar admitted of division, and devolution was regulated by principles applicable to other property. The co-parcenary tenure sometime consists of an individual family. In such cases there is no division but all get maintenance and extraordinary family expenses are paid from a common fund administered by its head.

Pattidari is where all the land of an estate is divided and each holder gets his *patti*, or share, separately. The individual liability of the *pattidars* is regulated by their respective shares, as recorded, not as actually held. It is not now the custom to make them correspond with the holdings, or to redistribute the lands to make them correspond with the shares. In cases of partition some officers have tried to do this but it is contrary to established custom, also the rules laid down for settlement work. In *pattidari* each person manages his own land, paying his fixed share of the Government revenue, the whole being jointly responsible if anyone sharer fails to fulfil his engagement.

Imperfect partition tenures[23] are those in which part of the land is held in common, part in severalty, and the rents of the common land go first towards the revenue and other liabilities. In such tenures revenue is sometimes paid through lambardars. Should there be any surplus, it is divided in proportion to the individual shares, and if a deficit occurs, it is made good by a proportional contribution from the co-sharers.

Bhaiyachara is where all the land comprising an estate is divided and held in severalty, the liabilities of the co-sharers

[3] Sultanpur Settlement Report, 18, para. 150, p. 69.

being assessed on their holdings. Though such is the general practice, it is not always adhered to, for assessment may be levied on the homesteads, sometimes on the number of ploughs, or in any other way approved by the parties concerned. The constitution of the co-parcenary communities extends still further. In some cases *thoks* and *pattis* are found with internally different constitution. Infinite are the varieties of tenure springing up from causes which arise owing to the superior influence or industry of the individual partner in an estate, or to his extravagance, carelessness, alienation of land for a religious object, or a passion for planting groves. We may quote here the remarks made by Mr. Butts[24] on the co-parcenary tenure. "*Zamindari* villages—that is villages held in common—rapidly become divided. Though all were legally equal in the *Nawabi,* one man would be often found who would put himself, by consent, at the head of the community in order that the whole body might be better enabled to resist the oppression of an official or the greed of a neighbour. He became the head zamindar and was summoned to the Chàkladar's court to accept the revenue engagement. The machinery of government was not fitted in those days to cope with all the owners of an estate. Collection of Government revenue was the great matter, and while one or two looked after that, the rest had their *sir* lands for which they rated themselves at something less than cultivators' rent."

Sub-Proprietors

The sub-proprietors[25] were a fairly numerous class in Oudh, whose names had ceased to appear on the village register or to be mentioned elsewhere, once a village had been included in a taluqa. After re-occupation of the country, Government announced its intention of re-establishing and maintaining in subordination persons whose rights[26] undoubtedly exist-

[24] Settlement Report of Lucknow 1873, para 58, p. 89.

[25] Some of these tenures exist in the Agra Province too, *sanklap,* e.g., is common on all sides. (Settlement Report of Azamgarh, 1837, by J. Thomason, p. 42.)

[26] Sultanpur Settlement Report by Mr. Millet, 1873, para 72 *et Sqq.*

ed in 1855, also those of other persons whose connection with the soil was closer and more ancient than that of the majority of the taluqdars. That end could best be attained by the clear definition of such rights, recording them, and limiting any possible demand a taluqdar was likely to make[27]. Mainly[28] they were (1) pukhtadars and (2) matahatdars:

(I) *Pukhtadars*: Village communities with subordinate but transferable rights in the village. Generally they are founded upon full proprietary rights but the holdings of all under-proprietary rights under the *Nawabi* were sometimes given *pacca* lease and were called *pukhtadari*, a title invented by the settlement and court since sub-settlement was made with them. They succeeded in spite of their village being merged in a *taluqa*, in keeping their ancient proprietary rights. These[28] persons never pay more than 75 per cent of the gross rental to a taluqdar and the only condition imposed on them by their tenure is that such demand be met with regularity and promptitude. Their present position remains the same as it was—theoretically at all events—before annexation.

(II) *Matahatdars*: They were of two kinds:—(*a*) at the time of the annexation of Oudh it was found there were persons with subordinate but transferable rights in the village. They were held to be under-proprietors.

(*b*) Members of some community; usually one of the higher castes, though possessing no rights over the village as a whole, and possess a transferable right in the land which they cultivated. They were decreed to be under-proprietors.

The principal forms of *matahatdaris* may be divided into ten classes. (1) *didari*, (2) *sir*, (3) *nankar*, (4) *birt*, (5) *sankalp*, (6) *purwa*, (7) *Dar*, (8) *biswi*, (9) *marwat*, and

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[27] Sykes' Compendium of the Law relating to the Taluqdars of Oudh, 1886, Chap. III, pp. 113-96.

[28] (*a*) Benett's Settlement Report of Gonda, 1878, p. 85, etc.,

(*b*) Sultanpur Settlement Report by Mr. Millet, 1873, para 155, 73.

(*c*) Sykes' Compendium of the Law relating to the Taluqdars of Oudh, 1886, Chap. III, p. 158.

(10) *daswant*. The other sub-divisions are of minor importance.

Didari[29]—*Didari* is a certain amount of land rent-free and was based on former proprietorship. When pressed by the exactions of a *nazim* or other Indian functionary, a tenant would assign his land to the nearest taluqdar, who undertook its management and drew as much profit from it as he could, permitting the under-proprietor to retain a portion for his personal use. The size of this portion depended on the area and nature of the land so handed over. *Didari* tenures were generally confirmed in writing and under them a sub-proprietor enjoyed all village privileges and dues.

Sir—*Sir* might be defined as the land which a man held for his subsistence when he did not hold the lease of the village or estate. It is an important tenure. Taluqdars can not disturb its owners by legal action. This kind of *sir* was always held rent-free or at a favourable rate. The rent might or might not be determined on the basis of rent paid on them as part of an entire share, but that procedure was not always followed. Under some circumstances an arbitrarily fixed amount was given in satisfaction of the whole brotherhood of tenants and divided among them in accordance with their shares or *pattis*. *Sir* as found and decreed in Oudh is of two kinds, the exproprietary—based on former proprietary right—and that created by the act of a proprietor who *ipso facto* became the superior proprietor. Land cultivated by a holder with his own hands or by the labour of his servants is called khudkasht. If let to a tenant that person is called a *shikmi*, not an *asami*. In the Act of 1921[30] *sir* rights were also extended to such land as was cultivated by these persons when the aforesaid Act commenced, or who had been cultivating it for ten years previously.

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[29] Sykes' Compendium of the Law relating to the Taluqdars of Oudh, 1886, Chap. III, p. 158.

[30] Sykes' Compendium of the Law relating to the Taluqdars of Oudh, 1886, Chap. III, p. 167.

Nankar[31]—was originally a deduction allowed by Government for management of the land and is mentioned in the "Ain-i-Akbari." Later Muslim rulers claimed the whole amount known as *kachcha*[32] *nekasi* and from this deducted an amount known as *nankar*. This *nankar* was usually in the form of some revenue-free villages, but in a single village it was a cash deduction from the revenue demand. On the incorporation of his village with a *taluqa*, the small proprietor often retained this amount and it was reckoned as a deduction from his *sir* land[33]. Circular No. 34, of 1864 laid down that *nankar* allowances should be deducted from the amount payable for *sir* land when both are given together. *Nankar* was also applied in a very different case. When the Bangash Pathans of Farrukhabad defeated Newal Rai, the Nawabi General, and seized Allahabad with a large portion of Oudh, Safdar Jang to win the support of the landowners freely granted remissions of revenue to which the term *nankar* was given. During the reign of Asaf-ud-Daulah the State suffered heavy loss by remissions of rent and revenue free grants: a condition of things remedied to some extent by his successor Saadat Ali Khan who resumed many grants and further collected the revenue by his own staff instead of farming it out to *nazims* and other unscrupulous persons, but after his death Oudh was again farmed to *nazims* and when *nankars* again created trouble, only those sanctioned by Saadat Ali first time the expression *birt*, though the thing it stands for Khan were recognised.

Birt—In Circular No. 2, of 1861 we encounter for the was familiar to Indians for centuries back. *Birt* is of two kinds—purchased and un-purchased. Proprietary rights, either superior or subordinate, were sold or given on certain conditions of payment of rent having been agreed upon.

[31] *Nankar* is maintenance (Platt's S. V.); Blue Book, Oudh, 1859; paras 97 and 324.

[32] *Kachcha Nikasi* was not the gross rental of the village, but the rental as entered in the *jamabandi* (Sykes' Compendium, Chap. III, Sec. 5.)

[33] Fyzabad Settlement Report, 1878, para 229, p. 80.

Birt[34], in fact means a cession of any part of the taluqdars' rights with definite limits and takes many forms. These grants may be of a religious character—and similar grants made on behalf of relations and servants. A *birt* more commonly has a secular object, and the two most important kinds are known as *birt zamindari* and *birt jangal tarashi*, the former involving a more complete cession of rights than the latter.

Sankalp.—*Sankalp* means primarily a religious vow and, applied to tenures, indicates land devoted to religious purposes, resembling in some degree the grants made to the Church by pious warriors or statesmen in the Middle Ages.[35] When Brahmans grew avaricious and added the role of moneylender and usurer to their priestly functions, the original nature of the *sankalp* began to vanish. The contract became a secular transaction and a loan from the recipient of a grant of this sort was a necessary step in the proceedings. It only differed from other grants by executing a double interest in the land in question instead of transferring the entire right unbroken from one person to another. Many pensioners from the Indian Army were *sankalpdars*, as the frequent occurrence of the name "Subadar-ka-Purwa" plainly shows. Another object in the bestowal of a *sankalp* was to reclaim waste land and jungle. Brahmans were found with sufficient capital to pay a light rental and also meet the cost of clearance and tillage. The holders of *sankalps* of this sort combined the character of priest and lay tenant, since by birth they belonged to the sacred caste, while they earned credit among their neighbours for being shrewd and wealthy tenants, if less warlike than the Rajputs and other inferior members of the social order of Hinduism.

Purwas.—Differing[36] widely from the *sankalpdars* come the founders of *purwas*, or hamlets, who might hail from any class of the community. Proprietors of a village they could

[34] Settlement Report of Gonda by Benett, 1878, p. 49.
[35] Sultanpur Settlement Report, Millett, 1873, pp. 77 to 79.
[36] *Op. Cit.*, p. 79.

still be regarded as outcaste by the rest of the inhabitants. On one side their rights were undoubted, on the other they had to be protected at the outset by a clear agreement. To protect such persons, who too often relied on verbal permission to occupy the land, it has now been enacted that in return for founding a *purwa* if they have held within the period of limitation any *sir* or *nankar* land, they will be recognised as under-proprietors, after, of course, paying the amount due to the taluqdars.

Groves or baghat.—There are several kinds of grove tenures but the one we are directly concerned with is the case in which a grove was planted by an under-proprietor while he was in proprietary possession of the village and which still remains in his possession. The grove, along with land it was planted on, constituted part of the under-proprietary holding of the zamindar. He had full liberty to cut down and replant trees and to use the ground as he thought best, nor could a taluqdar interfere with his right to sell or mortgage the grove, which moreover he held rent free. Customs, however, vary in different places.

Dar.—Resembling the *birt*—this is only found in the Partabgarh district. It is a fractional tenure in a patch of land, or *chak,* tenable by all classes, yet which is never found to extend to entire village.

Daswant.—It is akin to *sir, birt* and *nankar,* obtained by clearing jungle land and bringing it under cultivation, often granted to old proprietors with the view of keeping them loyal and contented.

The districts of Fyzabad and Sultanpur supply yet another kind of subordinate tenure in the shape of the *biswi.* It arose out of a special class of mortgage by a proprietor to a cultivator or the latter holding for a sum of money down. Sometimes it is rent free.

Marwat.—We finally note the interesting form of grant called *marwat,*—the bestowal of a piece of land in the family of a man who has fallen in battle fighting for his liege-lord,

the taluqdar. It is usually rented at a very low rate and cannot be resumed.

CULTIVATING TENURES

"Cultivating tenures" were originally of two kinds.

First, with the right of occupancy; second, at will; and since 1886 a third sort was created as a statutory tenancy. Other phases or shades of tenancy rights are hardly of economic interest, therefore need not be dealt with here, but those who are interested in the matter are referred to Mata Prasad's "Commentary on the Oudh Rent Act," 1923, page 28.

Occupancy rights.[37]—In dealing with occupancy rights in Oudh it will probably be the simplest and shortest plan to relate—as briefly as possible—the stages of the protracted controversy that occurred in that province over the question of landlord and tenant, of the taluqdars on one side, zamindars and tenantry on the other. To quote from Sir Henry Maine,[38] the right to remain in occupation on due payment of a certain sum is "a right of property and not of contract."

The Chief Commissioner of Oudh, Mr. Wingfield, was zealous on behalf of the landlords, while Sir John Lawrence, who succeeded Lord Elgin as Viceroy, had been noted in the Punjab for the staunch support he gave to the cause of the tenantry. In January, 1861, Lord Canning approved in general terms of the instructions issued by Mr. Wingfield to Settlement Officers bidding them to[39] "make no distinction in the records between cultivators at fixed rates and cultivators-at-will." Very soon afterwards Sir George Campbell—then Mr. Campbell and Judicial Commissioner—adverted to the judicial powers of the taluqdars and wrote

[37] H. C. Irwin's Garden of India, London, 1880, p. 178, *Seq.*

[38] (*a*) Sykes' Compendium of Law relating to the Taluqdars, 1886, pp. 195 and 196.

(*b*) Minute 21, 22 and 24 O. C. 62 of 1865, pp. 174 and 175, O. P. Calcutta 1815, p. 710.

[39] O. P. 62, 1865, p. 38 and O. P. Cal. 1815, pp. 115 and 116.

that[40] "under all systems and all tenures, in every part of India, at the bottom of all, a strong tenant right exists, which has survived everything in Lower Bengal and most other provinces, and that very much indeed depends on the maintenance of these indigenous rights of the masses." Mr. Campbell further took the liberty of doubting whether Settlement Officers would discover in Oudh or in any part of India, that the rents of the cultivators were permanently fixed at a definite amount. Mr. Wingfield, it will be noted, did not wish any record to be made of the *maurusi* or ancestral cultivators. Lord Elgin drew the attention of the Chief Commissioner to the omission, from the records, of mention of this type of tenant, but failed to elicit a reply on the point. The attention of Sir Charles Wood, then Secretary of State, was drawn to the same matter and in 1863 he called for an early report upon it.[41]

The death of Lord Elgin in 1864 led to the assumption of the Viceroyalty by Sir John Lawrence who lost no time in inquiring about occupancy rights in Oudh and a decision of the Settlement Commissioner, Mr. Charles Currie, that "No[42] heriditary tenant rights whatever were to be recognised," was pronounced at variance with instructions from the Secretary of State as well as contrary to sound policy. In March of that year Mr. Wingfield furnished the Government of India with his views on occupancy rights, along with a minute on "Tenant right occupation," by Mr. Currie, who was of the same way of thinking as Mr. Wingfield himself. In April, 1864 the Viceroy, Mr. Maine, and Mr. Wingfield met at Cawnpore to discuss the question, and in May Mr. Wingfield, after consultations with the taluqdars, informed Government that those landed magnates most decidedly objected to the record of non-proprietary cultivators as possessed of right of occupancy. Sir John Lawrence lost no time in avowing his

[40] O. P. 62, 1865, p. 55.
[42] O. P. 62, 1865, p. 147; O. P. Cal. 1865, p. 591.

policy in the matter, and said,[43] "I do not myself consider that the admission of ancient tenants of land, the old hereditary cultivators and the broken-down, ill-treated descendants of former proprietors, to the right of occupancy and to fair, equitable rates will infringe in the least degree the pledge of Lord Canning. I feel sure myself that while he was desirous to maintain the just rights of the taluqdars, he had no intention of transferring to them the rights of others, with the single reservation that the taluqdar, however he may have acquired the land, should continue to be the head proprietor.

The reply of the Viceroy[44] led Mr. Wingfield to tender his resignation of the Chief Commissionership or, as an alternative he suggested a Financial Commissioner being appointed. In June 1864 Sir John Lawrence, while expressing his willingness to make the appointment in question, declared his intention of introducing[45] Regulation VII of 1822 and IX of 1833, also Act X of 1859, and Act XIV of 1863 into Oudh. Accordingly in September Mr. Davies was appointed Financial Commissioner with instructions[46] "To lose no time in revising the revenue circulars so as to bring them in accordance with Orders in Council for recognising and registering whatever rights of cultivators can be proved to exist and—to make provision for the impartial hearing of all such claims." In October the new Financial Commissioner issued a circular[47] repeating the wishes of the Viceroy that the rights of cultivators, other than tenants-at-will, should be carefully investigated and if judicially proved to exist, noted on the settlement record. Messrs. Maine, Taylor and Sir Charles Trevelyan agreed in dissenting from the views held by Mr. Wingfield which were stoutly defended by Mr. Grey. The Secretary of State, in a despatch dated February 10, 1865, seconded the action of Sir John

[43] O. P. 62, 1865, pp. 167-81; O. P. Cal. 1865, p. 207.
[44] Syke's Compendium of Law relating to Taluqdars, Chap. IV, p. 205.
[45] O. P. 62 of 1862, pp. 158 to 165; O. P. Cal. 1865, pp. 197 to 204.
[46] *Op. Cit.*
[47] *Op. Cit.*

Lawrence but also recommended caution not to do more than what was strictly necessary to satisfy justice, nor to take any measures likely to lower the dignity of the taluqdars. An inquiry was to begin in all the Oudh districts under settlement, that is to say in nine out of the twelve districts comprising that province, and information collected under four heads: (1) The *khasra* or field book, (2) whether occupancy of the same piece of land had been continuous, (3) duration of occupancy rights, (4) how occupancy arose, by breakage or waste, by grant, by agreement, or otherwise, (5) whether the proprietor has ever evicted, or could evict a claimant, (6) the mode in which rent had been paid, variation in its amount and in the terms claimed.

The taluqdars meanwhile did their best to meet the attacks which they considered an infringement of the conditions of their *sanads*. Careful inquiries were made by men like Colonel Macandrew, Captain Perkins, Mr. King, and other officers on settlement duty. The last mentioned recorded that[48] "The guarantee of the *sanad*, so far as it affects, or will in time be found to affect, the interests of other than the taluqdars or the Government, must be as if it did not exist and the question of tenant rights, like similar ones, must be debated on its own merits and the demands of policy."

Early in 1866 Mr. Wingfield Oudh[49],—his place as Chief Commissioner being taken by Sir John Strachey. Prior to his departure he made, however reluctantly, efforts to persuade the taluqdar body to agree to a reduction by one-eighth of the rent payable by hardly twenty per cent of cultivators, which would have only lowered the income of the taluqdars by one-fortieth, but which fifty of the leading landowners absolutely refused to accede to. Eventually matters[50] were compromised, sundry exproprietary rights

[48] Garden of India, Chap. VII, p. 256.

[49] Sykes' Compendium of Oudh Laws relating to Taluqdars, 1866, Chap. IV, p. 214.

[50] *Op. Cit.* Chapter IV, p. 296.

were recognised, and further privileges secured for cultivators; a proviso being that Government should accept the rules as to sub-settlement before the taluqdars agreed to the new orders regarding rights of occupancy.

The author of "the Garden of India" is amusingly sarcastic in his summing up of the end of this long controversy, so we may be pardoned for quoting his remarks on the occasion:[51] "The taluqdars were congratulated on having as their chief leader and adviser a man of such remarkable intelligence as Maharaja Man Singh." The Government of India warmly thanked Mr. Strachey for his services in getting such a complicated problem satisfactorily arranged and everybody was content—from the Secretary of State downwards—"except[51a] perhaps a few thousand under-proprietors, who lost control of their villages and a few million of cultivators whose fancied security of tenure was somewhat rudely disturbed."

From all this correspondence and exchange of conflicting opinions issued Act XXVI of 1866 and Act XIX of 1868, known together as the Oudh Compromise. The taluqdars made sundry concessions to their tenants which were embodied in the latter of the two Acts named. Some of the new privileges may be mentioned. Within 30 years of February 13, 1856, every tenant who by himself, or by some person from whom he has inherited, has held the position of proprietor in a village or estate, shall be deemed as possessing a heritable, but not transferable, right of occupancy in the land he held or which was cultivated by him on August 24, 1866. There were two kinds of occupancy right, firstly, in those cases which have been investigated and decreed, and, secondly, cases which had been created by sections 5 and 6 of Act XIX of 1868. There was yet a third kind of occupation. By a revenue circular issued by the Chief Commissioner, a right of occupancy, at rents fixed

[51] The Garden of India, Chap. VIII, p. 296.
[51a] *Op. Cit.*

for the term of the settlement, was created in villages given by the Government to persons who had no legal right to them, and the holder must have been a cultivator there since the reoccupation of the province in 1858, and the rents fixed for five years for tenants of not so long residence. This procedure was incorporated in Act XXI of 1866.

Another right of occupancy was recognised by the Oudh Laws Act No. XVIII of 1876 for under-proprietors, by which statute any proprietor or under-proprietor who held a *mahal*, or portion of a *mahal*, which was attached, transferred, held under direct management, or sold in accordance with the Civil Procedure Code, was to be considered an occupancy right tenant for so much of the land as the Deputy Commissioner might determine, and paying such rent as might be fixed by that officer.

In his "Commentary on the Rent Laws of Oudh" Mata Prasad points out that in order for an exproprietor to acquire occupancy rights under Act XVIII of 1876 the following conditions were necessary:—

(1) That the proprietary and under-proprietary *mahal* was attached in accordance with the Civil Procedure Code.

(2) That the land in question had been under cultivation by the judgment debtor at the date of the attachment order.

Section 25 of the Oudh Laws Act appears to deny right of occupancy in the case of *sir* land not held by the proprietor or under-proprietor at the time of attachment. By section 5 of Act XXII of 1886 holders of superior and of subordinate proprietary tenures obtained occupancy right on fulfilling three conditions:—

(1) A man must have been in possession of the village or estate between February 12, 1826 and February 28, 1856.

(2) That on August 24, 1866—the date on

which Sir John Strachey's rules regarding occupancy right were approved by the Viceroy in Council, the tenant could claim these rights with respect to land held or cultivated by him.

(3) The occupation of such land was to date from the day of annexation—February 13, 1856—but could not affect any written agreement between landlord and tenant made after the passing of the First Oudh Rent Act, i.e., after July 22, 1866.

An amending Act passed later[52] extended this provision by allowing the right of exproprietary tenants to accrue equally in case of voluntary and involuntary, alienation. Only in cases of transfer by gift, or by exchange, the right did not arise, while for the purposes of this Act, usufructuary mortgage was looked on as a transfer. It also gave occupancy rights in the case of *sir* land, whether it was cultivated by the proprietor or not, so long as continuous cultivation for 12 years from date of transfer would be established.

To sum up, the various kinds of occupancy tenants in Oudh are:

(1) At the first regular settlement of 1866 proprietors who had been dispossessed within the 30 years preceding the annexation in 1856 were given occupancy rights in the land that they cultivated, and are entitled to hold at a favoured rent which can be enhanced after five years.

(2) Certain other persons with superior claims given decrees allowing them to hold their land at reduced rents and to be free from enhancement except at settlement.

[2] Act IV of 1901.

(3) There are certain tenants holding heritable but non-transferable leases.

(4) Exproprietary tenants—Proprietors who lose proprietary right, get this right in the circumstances explained above.

Tenants-at-will and Statutory Tenants.—The tenants who did not hold the right of occupancy were tenants-at-will, such tenants could not hold against the will of the landlord, provided the latter proceeded against them as laid down in the Rent Act. The landlord could not raise their rent without their consent, but he could eject them by a notice to quit at the proper season of the year. It was competent to the tenant to contest such a notice. Act XXII[53] of 1886, however, gave them security on a limited scale. It created statutory tenants who had the right of retaining their holding without disturbance or enhancement of rent for seven years from the date of ejectment from their holding or other variation in their rent. And all those who held land at the time of the passing of the Act, or were subsequently admitted and were not occupancy tenants or sub-tenants, were given the right of holding the land for seven years from the date of the passing of the Act or the date of the admission respectively. In other words, the bulk of the tenantry was, for the first time under this Act, granted security, if insignificant, for seven years.

Such was the condition of the law before 1921. When prices began to rise so unfavourably telling on the economic conditions of the tenantry, and the exactions of the landlords, which were hidden by reason of their influence with the Government, began to bear more seriously on the peasantry, there was an upheaval among the tenantry which became acute in the estates of those landlords where oppressions were flagrant. The peasants organised an *aika* movement[54] which

[53] Sections 36 and 37 of Act XXII of 1886.

[54] Colonel J. C. Faunthorpe's Report on the *Aika* Movement, dated April 8, 1922, published in the *United Provinces Gazette*, dated May 13, 1922, pp. 271 to 280.

attained serious proportions and was threatening the whole fabric of the traditional system of land tenure and land administration when the Government suppressed the movement, mainly because it had identified itself with a more subversive political movement, namely that of non-co-operation, having been "sedulously fanned by numerous perambulating non-co-operating agitators."[55]

But at the same time, as the Government had the fullest sympathy with the grievances of the tenantry, when the movement was put down, it looked into the whole question. At first Mr. D. M. Stewart, I.C.S., was appointed to make an investigation regarding cesses and *nazranas* in Oudh. He made a thorough investigation and submitted a report[56] which discusses the whole question from every point of view. Subsequently under the Oudh Rent Amendment Act of 1921 a great change was brought about in the position of the tenantry by making some notable alteration in the Tenancy Laws, mainly by making all tenants (not being occupancy or sub-tenants) who occupied the holding at the time of the passing of the Act admitted subsequently as life tenants, and their right in the holding continued for five years in favour of the successor. One obvious result of this is that the condition of eviction is altogether changed.

In 1921, e.g., the figures of ejectments were as follows:—

	No. of suits.	Area from which ejectment ordered.
1. Statutory tenants	18,343	58,655
2. Their heirs	10,801	32,705
3. Ordinary tenants	490	693
4. Other tenants	8,210	100,387
Total . .	37,844	192,440

[55] *Op. Cit.* para 4, p. 272.

[56] Report on Inquiry regarding Cesses in Oudh 1922, printed at Allahabad, 1923.

In 1924-25 there were no evictions of the above kind, nor could there be.

We have given above some of the peculiarities of Oudh. We need not detail the rules as to determination of tenancy, recovery of rent, ejectments, the roster system for making enhancements, the law of land acquisition by the zamindar, and sundry other matters, for they are almost identical with the standing law in Agra, the latest statute in that province having been borrowed from Oudh and in some cases both Agra and later Oudh Statutes borrowing from the Board's draft of 1918[57] as we have already shown in the previous chapter. Still a few differences and legal phenomena exist which deserve notice. (*a*) An enhancement order can be made after ten[58] years in Oudh, whereas in the Agra Province double that period must elapse. In the case of occupancy tenants, re-enhancement requires five years to elapse after the first decision. Minor differences exist on grounds of enhancement too. Enhancement in Oudh are usually limited to one-third of the existing rent,[59] but in Agra only one-fourth of the total rent can be demanded if sundry conditions are fulfilled. (*b*) In Oudh the Deputy Commissioner was not empowered—as is the Collector in Agra—to remit rent on occasions of drought, hail, storm, etc. This anomaly has now been removed. (*c*) As shown in Part II, *nazranas* have proved the chief bane of the social polity of Oudh land tenure. The new law[60] essays to reduce this evil by making it illegal for the applicant for a *paikasht* holding to pay any premium to the landlord, and for a tenant to prevent his threatened ejectment by disbursing an illegal gratification. (*d*) The law concerning improvements is now the same for both provinces, and it is gratifying to learn that a statutory

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[57] *United Provinces Gazette*, Part VIII of February 9, 1918.

[58] Sections 35A(*a*) and 37 Oudh Rent Act 1886 as amended by Act I of 1923, compare section 67 of Agra Tenancy Act III of 1926.

[59] Section 51A of the Oudh Rent (Amendment) Act, 1926, compare section 50 of Agra Tenancy Act, 1926.

[60] Section 17 and Section 108, Clause 9, Sub-clause (*a*) *Op. Cit.*

tenant in Oudh is no longer compelled to obtain written permission from his landlord before he proceeds to construct a well,[61] as was the case before the Act of 1921.

A careful perusal of the Digest of Land Laws passed in Oudh since it was annexed in 1856 shows in unmistakable fashion the steady, yet cautious, advance made by Government towards improving the relations between landlord and tenant. The position of all kinds of tenants has been made more secure; drastic steps have been taken to check exactions of various sorts; the whole system of enhancements has been carefully overhauled. Nor has legislation been of a one-sided character, since it has conferred benefits on landlords as well as on tenants, such as greater facilities for realising rent, opportunities for acquiring land on easy terms for the laudable purpose of creating a model farm and conducting cultivation on modern and scientific principles, a widened scope for *sir* lands. These advantages by themselves offer great possibilities for a landowner of intelligence and enterprise.

[61] Section 23 *Op. Cit.*

CHAPTER VIII

Administrative Machinery to Safeguard Tenures

We have dealt with the legal position of various tenures and the tenantry in the preceding chapters. It may be asked what administrative arrangements the Government has made to safeguard these interests. We have already stated in Chapter V the important records that are prepared at periodical settlements which form the main basis of such safeguards. We will now deal with the ordinary course of administration whereby the various interests in land are secured. To achieve that object there is a regular staff connected with land record, the chief of which is the *patwari*[1]. He represents the old village accountant and is in charge of one or more villages. From the settlement records he prepares annually a record of similar nature, the preparation of which was organised under Sections 12 and 13 of Regulation IX of 1833. He gets one of the settlement maps and then makes a field to field visitation every year and inserts on the map amendments according to variations and when it becomes unserviceable by wear and tear and numerous corrections, he draws a new one. After that he prepares his new *khasra* with the help of his map in the first year after the settlement, taking help from the settlement *khasra*, and in subsequent years from the *khasra* of the preceding year. In his own *khasra* he records the name and class of the tenants, with duration, the number of area of the plot in his cultivation, the nature of the land, the sources of irrigation, if any, and sundry other particulars. Similarly he prepares *khatauni* with which is also incorporated the *jamabandi*. In this he records the names of the cultivators with classes, in the columns assigned for

[1] Act III of 1901, section 32.

each, and against each name he writes the number of the *khasra,* the area in a tenant's cultivation, the annual rent payable, the rent paid, and the balance. He has also a *siaha* in which every collection of rent is recorded seriatim, and where available the signature of the payee is also taken. This is for cash payment, but rents are not always cash, sometimes they are in kind also and they are called *batai*[2] (division), or *kankut*[3] (appraisement of crop). For such rents he has another paper called *bahi khata jinsi* (grain rent ledger) in which he records the value of the crop given as rent, and it is this value which is brought on to the *khatauni* in the column for collections. For proprietary interest he has a paper called *khewat.* As usual the first *khewat* is prepared in the settlement and from that he prepares his own *khewat* making any necessary amendments in it. In this the name of every proprietor, with the extent of his share, is specified. Similarly there are in Oudh *khewats* for under-proprietors of the sub-settlement class and other under-proprietors whose rents are fixed in the settlement. An experiment is being made in some districts whereby the *khasra, khatauni,* and *khewat* will be made quadrennial papers. These papers are open to inspection and even copies of relevant matters are obtainable by the persons concerned.

Over the *patwari* there is *supervisor qanungo.*[4] He is also an old official. It is stated[5] that he was created to preserve the accounts necessary to Todar Mal's system, in whose custody all the records of the public accounts were kept. Under the standing system he has in his charge 35 to 50 *patwaris.* His duty is to attest a certain percentage of entries made by the *patwaris* by investigations made on the spot. Besides him other officers of the revenue department also make similar attestations every year and these checks constitute the essence of land administration. To

[2] *See* Glossary; also Chapter IX, Part II, p. 167 *seqq.*
[3] *Op. Cit.*
[4] Field's Code of Bengal Regulations, p. 67.
[5] Field's Bengal Regulations, p. 67.

supervise the work of the land records of the whole province the Government has got the Land Records Department of which the Director is the head.

Every change in the proprietary rights by succession or transfer is reported by the *patwari,* as well as by the successor in interest,[6] and after investigation by the proper courts—tahsildars when the case is not contested and sub-divisional officers when the case is contested—an entry is made in the *khewats.*[7] Till lately the changes in the tenancy rights were recorded by the *patwari suo motu,* but now he has to report all such changes to the *supervisor qanungo* who after summary inquiry on the spot gets changes recorded by the *patwari.* Unlike proprietors there is no compulsion on the successors-in-interest of the tenancy right to make a report, but when such reports are made by them, after summary inquiry legitimate changes are recorded in the papers.[8]

In theory the arrangement appears excellent, but unfortunately in practice it has not achieved the end desired and the public is not satisfied with it. It is supposed that the *patwari* is mainly responsible for a good deal of litigation which eats, like a poisonous canker, into the economic vitals of the agricultural population. The reason is not far to seek.

In earlier[9] days the *patwari* was more a servant of the zamindar than of the Government and received a wretched pittance, supplemented by a few perquisites. In 1860[10] the whole system was overhauled but no substantial improvement was made in the pay and prospects of the *patwari.* The principles of heredity and nomination by landowners were retained which militate considerably against improvements

[6] Act III of 1901, section 34.

[7] *Op. Cit.,* sections 35 and 40, also see Chapter XI, powers.

[8] *Op. Cit.,* section 33.

[9] Field's Bengal Regulations, p. 219 and Regulation VIII of 1793.

[10] Moreland's Revenue Administration in the United Provinces, pp. 74 and 75.

in the status of the *patwari* and his abandonment of sundry malpractices. Deprived of the prospect of a pension, and having to serve on what, after all, is meagre pay, besides the necessity of paying a *nazrana* to the zamindar in order to obtain his appointment, little wonder if he resorts to mutilation of papers and falsification of records. A glaring instance of such wilful alteration of papers occurred recently in some eastern districts of these provinces, Gorakhpur and Azamgarh for example, where advantage was taken of para. 73, Chapter 1, Land Records Manual, to show as *ghair kabiz* (not in possession) a good many persons who were actually on their holding and cultivating the same. About 2,00,000 cases on this account were instituted in Gorakhpur alone, and special officers had to be deputed in various districts to dispose of them. We have a few remedies to suggest whereby the evils in question might be lessened.

(1) (*a*) Abandonment of hereditary, and (*b*) nomination by zamindars, where appointments are concerned and (*c*) recruitment to be made according to the merits of the candidates, avoiding preponderance of anyone caste.

(2) The *patwari* should be granted a pension.

(3) His power for amending papers should be restricted.

(4) Non-reporting by people concerned in changes in the interest of land ought to become a penal offence.

PART II

CHAPTER I

THE VILLAGES AND VILLAGE COMMUNITIES

The village, as understood in India, consists of a cluster of houses and surrounding lands, cultivated and uncultivated with a name and a limit, and containing a body of men owning or cultivating the land thus circumscribed—becoming in some cases a community, more or less self-contained. The group thus formed is either contiguous or dispersed, according to and depending upon the density of population, and this grouping into villages is a very old custom and is probably due to a natural instinct. In early times, when Governments were in their infancy, and social order was precarious, it was necessary for tribes who became agriculturists to divide themselves into unions and families, living so near enough as to be able to combine at a moment's notice for the defence of their homesteads and crops, and it was thus that village communities arose. Sir[1] Henry Maine was of opinion that the village communities originated with the Aryans and that they were the first to establish them in India. Mr. Baden-Powell in criticising this theory says—"There can hardly be any doubt that the formation of village groups"—that is the aggregation of land-holdings in one place, and "with a certain degree of union among the cultivators"—is "not peculiar to Hindu races, either original or converted. "It is found in India among the great races which were "certainly antecedent to the Hindus and which still survive (with their institutions) in widely distant parts of the country."[2] Mr. Hewitt in his paper on village communities, has discussed the origin of the village communities thoroughly, and has come to the conclusion that the "Kolarian village is the original type from which

[1] Village Communities of the East and West by Sir Henry Maine, 3rd Edition, p. 125, London, 1876.

[2] B. H. Baden-Powell—Land System of British India, p. 106.

Indian villages descend . . . ." and as for the progress of the village after it was taken in hand by the Dravidian he believes that "everywhere in India the order of progression was Dravidians first, Aryans afterwards."[3]

There is absolutely no doubt that though Aryan genius functioned largely in determining the forms in which society finally crystalised, yet Northern Indian institutions did not grow from Aryan customs, but that the customs of Kolarian and Dravidian tribes who first occupied the country were appropriated and altered by the Aryans, and that all these races continued to contribute their share towards producing the final result. This point has been fully discussed in the first chapter of Part I of the book and it has also been shown there that the original form of the village was "severalty" or "Ryotwari" and that the more developed or main Hindu form, was the "joint village." Suffice it to say here that the villages of the severalty or original form are hardly found in the United Provinces except in Mirzapur and some hill tracts which are still inhabited mainly by non-Aryans. The commonest form prevailing in the United Provinces is the joint village. Mr. Hewitt says—"In the North-Western Provinces (now United Provinces of Agra and Oudh), where Aryan influence has long been more powerful than elsewhere, the special rights and privileges once enjoyed by Dravidian cultivators seem to have, to a great extent, disappeared, and the village seems to have become either of a semi-feudal tenure, in which single or joint proprietors govern the cultivating body or a proprietary brotherhood, in which the lands are held either in common or severalty by the cultivating families, each family paying its share either towards the total revenue paid by the villages or that portion of it due by the section to which it belonged."[4] Gleanings from the Settlement Records testify to this.

Mr. W. C. Benett, in his masterly Settlement Report of

[3] Journal of the Royal Society of Arts, Vol. XXXV, 1886-1887, pp. 613-625.
[4] Journal of the Royal Society of Arts, XXXV, 1886-1887, p. 623.

Gonda, referring to the Rajput village communities in that district says "... The *raj* rested on a purely territorial basis .... its possession was restricted to only one among the Hindu castes, the Kshatryas. Every *raj* was confined to a definite tract of country, enclosed in a ring-fence by recognised boundaries, whether it was cultivated field, or waste, or water, or forest. To suppose that it was in any way connected with the idea of clanship is a mistake which cannot fail to give rise to erroneous views as to the community. . . ."[5]

Mr. Evans, says[6]—"There were two epochs of Thakur colonization separated by a considerable interval of time, and affecting different portions of the district, the earlier colonization took place in the country south of *Kalinadi* .... Their ancestors came at the bidding of Jaichand, and at his direction proceeded to exterminate the Bhars, after which he founded one or more villages, and his descendants gradually added to their number."

Each village was almost self-contained having its blacksmith, goldsmith, potter, oilman, barber, accountant and others necessary for corporate life. The affairs of the village were under the control of the headman, who seems to be a pre-Aryan figure, but we find him coming down to the present time in some form or other. Later we find that each village had in addition many other officers. Their number varied, but generally there were 12 men including the headman, the accountant and the watchman.[7] All these officials were paid by a share of the produce.[8] Their share of the grain crop was taken from the threshing floor before that of either King or cultivator was removed. They also received money fees.[9] In some parts they are said to have had an allotment of land free of revenue, or at low rates, instead of

[5] Settlement Report of Gonda, 1878, p. 37.

[6] Settlement Report of Farrukhabad, 1872, p. 12.

[7] Fifth report, Vol. II, p. 577.

[8] Fifth report, Vol. II, pp. 13, 14, 75, 76, 91, 353 and 471, 575 and 698, and Vol. II, p. 14.

[9] Fifth report, Vol. II, pp. 59, 571.

other remuneration, or at least instead of the money payment. In a number of villages of the United Provinces the practice continues of allotting land to the priests or *jotshee* of the village, to the person who watches the crops, to barber, blacksmith, washerman, etc. This practice seems to date from old times. These village officers were mostly hereditary, but the holder could be dismissed by the community.[10] The headman bore various titles in different parts of the country. The old name was Mahto, and he is spoken of as Gramadhipat by Manu. His office was partly elected and partly hereditary.[11] It is difficult to say exactly what his original duties were, and to differentiate them from what they became in later times, but a general survey of pre-Muslim days shows that the headman's chief functions were to make assessments, to ascertain the extent of each holding in the village, to estimate the growing crop, to see the threshed corn weighed and to apportion the revenue accordingly, either by estimate or by actual output. Moreover, he had to collect the revenue. He also settled the share to be paid by each ryot towards the *dehkharcha,*[12] and each ryot's share for watching the crops. In addition, he was the village magistrate and superintended the village police.[13] He had the privilege of having a few bighas of land free of revenue and paid a favourable rate for the rest of his land. All this for a headman was as true for one place as for the other. Mr. Phillips, on the authority of Mr. De Laveleys, thinks that in ancient German villages which had an organisation something like that of Hindu villages, the chief had a larger or better allotment of land as his remuneration.[14]

Each village was reminiscent of the township of the

[10] Mr. Fortescue's evidence before the House of Commons Select Committee, pp. 1832, 2241 and 2245.

[11] Campbell's Cobden Club Essay, p. 263, fifth report, Vol. II, pp. 13, 157, Harrington's Analysis, Vol. II, p. 67.

[12] Village expenses.

[13] Harrington's Analysis, Vol. II, pp. 67, 68, fifth report, Vol. II, pp. 13, 352, 353.

[14] Tagore Lectures, 1875, p. 31.

Teutonic age. It conducted its own internal affairs, levied on its members the revenue due to the State and was collectively responsible for the payment of the full amount. It managed its own police and was answerable for any property plundered within its limits. It administered justice to its own members to the extent of punishing for small offences and deciding disputes in the first instance. It taxed itself to provide funds for its internal expenses. Though entirely subject to the Central Government, it was in many respects an organised commonwealth complete within itself. It contained, a nearly complete establishment of occupations and trades for enabling them to continue their collective life without assistance from any person or body external to them.

It contained[15] a village police which is now recognised and paid by the Government or some local bodies.

The old village communities, however, do not exist now. Political, social, economic changes and a cycle of diverse civilisations have all contributed to this effect, but the main causes were as follows:—

(1) The idea of tribal or clannish ownership is the index of the initial stage of soceity. With economic evolution people developed an idea of possession based on prescription and possession, and so developed and confirmed the idea of individualism or the idea of private property. This factor was sure to affect the communities, as it, in fact, did.

(2) In its early stage of evolution the community thought only of its limited circle, but when its outlook broadened, wider sympathies arose, making the individuals of the community think of a larger circle of humanity than their own. This is a natural course, and took place in this case too.

[15] Sir Henry Maine's "Village Communities in the East and West", pp. 125 *seq.*, 3rd Edition, London, 1876.

(3) With economic evolution the standard of life was raised and there was an intercourse with people of other parts and countries, better commercial centres also were developed, and as a result people looked outside the village to meet their wants.

(4) Microscopic divisions and sub-divisions created by the caste system brought disintegration in the family and the community.

(5) The vicissitudes of life sometimes compelled a family to transfer its land to another family, often of a different class, sometimes of a different religion, and therefore the combination was shattered.

(6) Last, but not least, the increasing peace and facility for litigation loosened the joint family system.

Some historians think that the Muslim rule in InIdia, *inter alia,* was responsible for the collapse of the village community. Mr. J. P. Mayne,[16] for example, in his book "The Hindu Law and Usage" says that "the wars and devastation of Muhammadans, Marhattas and Pindaris, swept away the village institutions as well as every form of ancient proprietary rights." It seems probable that the village communities grew up possessing the seeds of destruction within themselves, and, among other things, an analysis of the revenue system of the Aryans and especially the growth and genesis of the caste system, seem to bear this out. But, apart from this, so far as the Muslims were concerned, history tells a different tale. In Gujrat, for example, it was on the Nawab's territory that the Narwadars and other joint villages are best preserved. In Nimar, the part of the Central Provinces which had known a continuous Muslim rule, the headman's *watan* land and other such privileges likely to be the

[16] A Treatise on Hindu Law and Usage, VII Edition, 1906, para. 225, p. 296.

first to disappear, were observed to be most in evidence. Baden-Powell truly says, "when the Pathan Emperors had established their rule, they began to employ and encourage the Rajput Chiefs who were not thoroughly Hindus."[17] As a matter of fact the land revenue system of the Muslim Emperors was so uninterrupting that it conduced to the continuance of the village community in a cohessive and compact form. They adhered closely to the old practices, procedure and even traditions of villages. Sir Jadu Nath Sarkar, who is not a friend of Moghal administration, also admits that the State during the Moghal rule "did not interfere with the life of the villagers, so long as there was no violent crime or defiance of royal authority in the locality." "Every village was left free to continue the noiseless, even tenor of its life along the old groove, untroubled by Government, if it did not trouble the Government." Beni Prasad[18] writing of the Moghal administration and people's loyalty to it says.... "A third implicit condition of popular loyalty to the Moghal throne was respect for the immemorial village autonomy which formed the central feature of Indian social and economic organization down to the eighteenth century.[19]

[17] The origin and the growth of the village communities in India—p. 36, London, 1899.

[18] Sir Jadu Nath Sarkar—Moghal Administration, 1920, p. 23.

[19] Beni Prasad—History of Jahangir, p. 91.

CHAPTER II

Section A.—A General Outlook of Villages

A typical village in the United Provinces is now a cluster of houses which vary considerably in size and comfort according to the rank and position of the occupiers, but a striking feature in the United Provinces is the presence and absence of hamlets. In the north and west (Meerut division and parts of Agra and Rohilkhand), there in only one *abadi*. In the centre and east, hamlets are common. Probably fear of invasion or greater homogeniety is responsible for concentration. The villages are not planned and therefore not always built in regular lines. The main body of houses consists of the residences of all classes of people except the outcastes, such as sweepers, skin dressers, tramps, and often enough professional and professed thieves. Generally these latter are housed outside the village in a small cluster of hovels. Uncleanly sights are not infrequently to be seen where they live, for example, the skeletons of cattle, which have died in the village and been handed over to the skin dressers as their perquisite, lie about waiting to be cleaned. Stagnant water abounds, too often used for the twofold purposes of drinking and washing. Cattle are housed in courtyards, ideal breeding places for mosquitoes, and rendering a house not only unsightly but malodorous. Pigs too roam at large and consequently the village site is broken at places into gaping holes. Moreover heaps of dung are dotted about everywhere, and filthy pools add to the aspect of general desolation.

On the outskirts, the enceinte of the village consists of patches of waste land used as standing ground for cattle. These are interspersed with ponds or water filling the artificial hollows whence successive generations have excavated mud to build their houses. Outside these again are the best cultivated, because the only well manured, lands. Here are to be

found sugarcane, cotton, opium, the wheat fields, and scattered amongst them. are grove of mango and other trees planted in formal rows. More remote from the centre are generally the second best lands of the village; while quite on the outskirts there are occasional patches of waste and little copses of brushwood, amidst cultivated fields which are occupied by crops of the lowest value.

There are roads in the village but these are very much neglected. Sometimes they show deep ruts that are unfilled since the monsoon floods swept along breaking down the little embankments. Here and there will be a stagnant muddy filthy pool caused by the accumulation of rain water. Heaps of village rubbish are dumped by the wayside of which one becomes aware through more than one of the senses, and heaps of cow-dung are also found ready to be made into cakes. Other cakes are also already prepared, which when dry will be used as fuel.

The village contains one or more drinking wells. Those which have a special reputation for the good taste of their water are most frequented. The village well is a centre of social life. All through the morning hours it is thronged by crowds of merry girls in bright dresses, wearing bangles of glass, lac, or base metal, who laugh and chatter, flirt and gossip, while the boys sing to their oxen as they wearily ascend and descend the ramp, lifting the bucket while the rough pulley creaks, and the water splashes in the sunshine, and the pure stream trickles towards the thirsty fields, where a woman from time to time diverts the current from one tiny patch to another. Out of the noisy concourse of women, old and young, round the well, some may be polishing with sand and dust their brass and copper waterpots until they flash in the sunlight, others are drawing up vessels full of water, pulling hand over hand on the rope in a businesslike athletic manner. Others whose water pots are filled to overflowing, go off with quiet stateliness, carrying them poised upon the little pad of cloth or of plaited straw which they place on their heads. Tiny

tots may also be seen imitating their seniors, placing their toy vessels upon their heads, and walking off erect with an air of prowess. The well always presents an animated picture, and often the scene is a noisy one. Occasionally the interests of exceptionally quarrelsome women clash, and then the fluency with which they abuse and chide each other is remarkable.

Here comes the wandering beggar who tells the news of far distant lands. Here often the tired pedestrian quenches his thirst when in the hot summer he finds himself unable to move on; and here the Brahman and other Hindus take their bath, drawing a little water which, with a few flowers, forms their daily offering to the deities in connexion with their prayers.

In most of the villages there are a few shops too—unpretentious to the core; they have seldom any court at all. An open verandah is merely added to the side of the dwelling apartments fronting the lane. In this the seller squats amidst his goods—his tobacco or dirty sweatmeats, or brass or earthen pots and pans, while on a slightly raised platform in front, encroaching on the already narrow lane, are disposed the heaps of grain or the other bulkier commodities in which he deals. One regrets that milk and other articles of food are left exposed to the attacks of germs, and no precaution taken against those insidious foes. Humble as the shops are, there is more often an attempt at colour about them than about the simple residences of the agricultural inhabitants. The mud walls are often painted with brilliant streaks, and even variegated patterns in red and yellow ochre.

Schools are also to be found in some villages. In most parts of the Province within a radius of three or four miles there will now be found a school.

The average population of a village is about 400 or 500. In Shahjahanpur[1] it is 395 persons, in Pilibhit nearly the

[1] Gazetteer of Shahjahanpur, 1910, p. 71.

same, in Fyzabad[2] it is 451. In hilly tracts villages are smaller still. The Gazetteer of Almora states, "The villages in Almora district are usually small, the average population being about 22."

This much for a brief sketch of the general features of a village. Let us now examine the economic condition of the agricultural population. In order to clearly set forth their economic life, it seems necessary to divide them, proprietors as well as cultivators, into three broad classes, the big taluqdars or landlords are not being included among them, as they stand on a different footing.

(*a*) Those who take no personal share in the actual work of agriculture beyond superintendence of servants and hired labourers, and whose women generally do not appear in public.

(*b*) Those who themselves engage in agriculture, and whose women assist them; extra labour being engaged in times of pressure, and for the cultivation of so much of the holding as may be beyond their own capabilities.

(*c*) Those who depend solely on their own labour and that of their families for the cultivation of their lands.

[2] Gazetteer of Fyzabad, 1905.

Section B.—Standard of Living of Agriculturists

(*a*) *Habitation*

Before describing the habitation of each class, it may be said generally that in Oudh, and most parts of the province of Agra,[3] the houses have usually mud walls and thatched roofs. Flat roofs are common in the west where the rains are not very heavy, in the centre and east huts have sloping roofs, grass is used for walls in sub-montane tracts where it is cheap and suitable earth is not always available. Occasionally, but that is rare, a great pile of brick is seen towering above the pigmy huts at its feet. If this pile is spick and span it may be guessed that it belongs to one of the new rich; if on the contrary, it is in the last stage of dilapidation, with rank weeds and infant trees growing out of the numerous rents, one may feel pretty certain that it belongs to a family of the old proprietors of the village, who have not been able to keep pace with the march of the times.

But in some parts of the province the buildings are of a different nature. In the hilly tracts, for example Almora or Naini Tal, the houses are solidly built of stone and roofed with slate, or, in the wilder parts, with shingles of pine wood. "In the valley[4] of Dehra Dun the dwellings of the poor classes are chiefly grass huts, and mud huts are very rare. Higher up, on the slopes of the Himalayas, stone and mud are used to build the walls." Again, in the west and south-west of the district of Agra[5] the houses are commonly built of stone; owing to the vicinity of the hills and quarries, and at Fatehpur Sikri and Juganir, for example, hardly any mud built habitations are to be seen.

The reasons why houses are not made of masonry are

[3] Gazetteer of Shahjahanpur, 1910, p. 71.
[4] Memoirs of Dehra Dun by Mr. Williams, 1874, p. 42.
[5] Gazetteer of Agra District, 1905, p. 67.

mainly economic, but partly also due to custom and partly in some cases to some extraneous causes. For example, in Sitapur district we found a big town containing mostly mud houses, except some recent erections. We were told that the reason was that the ancestors of the present taluqdar did not allow the residents—ryots as they were called—to erect masonry buildings. No such restrictions, however, exist now under the present taluqdar. In Saidpur, district Ghazipur, Sir Richard Burn says, "There are hardly any pakka houses and there is said to be a curse on anybody who builds one." In Oudh under the Nawabi rule officials marked down the owner of any pretentious houses (e.g., tiled roofs) for special exactions.

We will now deal with habitations by classes:—

Class A.—The houses of class A which, as a rule, belong to small landowners are commonly made of mud, but occasionally with some parts of it of masonry. Attempts are made to make them somewhat pretentious. Such houses have a big quadrangular compound with a courtyard in the centre, always open to the air; here and there some flowers are planted, these are usually marigolds used for offerings, and Hindus often have a pot of sweet basil (*ocymum sanctum*). The rooms are arranged all round the courtyards. The houses are usually surrounded by a wall containing one door for entrance and exit which leads generally into the courtyard known as the "mardana" or men's apartment, and beyond this is often found a second enclosure intended for the "zanana," or portion of the house set apart for females. Each of these inner enclosures contains a courtyard with open sheds all round in which the servants stay and animals are kept or other property is usually stored. The wealthier people have often high houses with an ornamental gate and with a verandah. As a rule the arrangement within is very bad except in some houses. They have besides a summer room as annex to the house, or a summer house or arbour (called "chaupal") where they sit at all seasons, for relaxation and for chat with friends and to conduct their transac-

tions with tenants. Their homesteads have more than one cattle shed.

In the hilly tracts the houses of the better classes are usually surrounded with a paved courtyard or compound protected on the *khad* side by a low parapet wall and bordered with fruit trees. Houses of two stories are the rule, and of three not uncommon. The ground floor is called the "goth" and is usually tenanted by the cattle, though there is with the growth of more luxurious ideas a general tendency to build separate sheds for animals.

People of this class have separate rooms for sitting, the kitchen, or dining, sleeping, for using as godowns, etc., and have often a room for an idol unless the image is put in the courtyard.

Class B.—The houses of tenants of class B are generally made of mud. The number of huts of which their homestead is comprised depends upon their circumstances and status, but usually the homestead of an average tenant has one cow-shed, one kitchen (which is used exclusively as such), one ordinary dwelling, and one or two bedrooms according to the need. They have also a verandah or summer room annexed to the house for entertainment of guests. No friends or strangers are admitted to any of the other huts which are usually small. Some string beds are to be seen in the verandah and when visitors arrive, one is set out for them to sit upon and as a rule a clean sheet or quilt is spread over it to make it more comfortable and respectable looking. The compound is anything but a picture of neatness, for the straw, stacks, buffaloes, bullocks, and other cattle, and all sorts of odds and ends, lie about on every side. In most villages huts are raised on an earthen plinth one or two feet above the level of the courtyard. All the huts have doors of shutters which are closed at night.

Class C.—The houses of class C have all thatched roofs and in most cases even the walls are made of grass. Generally they contain only one room in which there is a bedstead or

a straw mat for sleeping; a corner of the house is utilised for cooking and dining purposes and another corner for keeping household effects.

Scores of ruined proprietors and their descendants, especially among the Muslims, live in houses which were once comfortable, and even pretentious, residences, but which are crumbling about the heads of the occupants for want of repair; and many other, having reached a still lower level, inhabit hovels under the shadows of the ruins of the ancient home of the family.

There is a general absence of furniture in the house, tenants of classes B and C have hardly anything to sit upon except bedsteads, in fact men of class C generally sit either on straw matting or on the bare ground. Tenants of class A also use bedsteads or *takht* (a plank of wood supported by four legs) for sitting on. Some of them have now one or two chairs also but these are kept in reserve for use of officers who may visit the village.

The wardrobe of tenants of classes B and C is kept generally on a bamboo hung by string from the roof, though some females of class C also keep their clothes in earthern jars. Tenants of class A have some wooden or tin boxes in which to keep their clothes. The absence of furniture is due partly to economic reasons and partly to want of taste. The wealthiest villager, who is untouched by modern influences, keeps as bare a house as the humblest, and eschews ceilings, painted walls, and furniture, as completely as his poor neighbours. The old type of Muslim has a religious antipathy to pictures; a Hindu sometimes does paste on his walls paper representations of his gods and deities.

(*b*) *Daily life*

In the busy season a cultivator wakes up at five o'clock in the morning, rising slowly, yawning, stretching himself, and if a Hindu saying "Ram Ram" or "Hari Hari" or "O Parbhu" calling to his gods, if a Muslim saying "La-ilah-

a-illallah; Muhammadur-Rasul-ullah (there is no God, but God the one, Muhammad is his messenger). On rising he smokes his *hukka* (hubble bubble) till he finds the sun peeping above the housetops which sends him forth at once to the field. He works there, smoking his *hukka* at intervals, up to midday. At noon he gets back to his house, takes a bath, generally close to the well erected near his house (unless he is one of those called untouchables who take a bath at some pond near the village). He then eats the meal which his womenfolk have prepared for him. After his meal he will take a short sleep, and will set out again to his field at about 2-30 p.m. In very busy seasons sometimes he gets his food in his field or he contents himself with some light nourishment such as sattu (parched barley) or charban (pop corn), which he will take there at noon and then continue to work. He will work in the field until dark, and sometimes even later, if the field be close to the house. Ordinarily, however, a superstitious cultivator will not work in the dark, for he fears that he may be attacked by Bhut Paret (demon or evil spirit). On return to the house he will wash again, and if the night is, as usual, fine and calm, sits in his courtyard and smokes the *hukka* while his neighbours drop in to have a chat about the crops. Sometimes he himself goes to the house of another cultivator in the village and recreates himself in similar fashion.

In the cold weather he lights a fire of straw or sticks upon the ground and sits close to it, wrapped up in his sheet, or blanket, or quilt, chatting and smoking. When the *hukka* is lit, the first smoker takes a few whiffs and passes it on to his neighbour, and so on till the circle is completed and everyone has got a chance.

But a low caste man is not allowed to smoke the pipe of one of higher caste. During the whole sitting the great topic of conversation is always the produce of the land, or, when the monsoon is nearing, wishes for good rain; but nowadays owing to increase of litigation one or two always go to

the city in connection with their cases, bringing back all sorts of gossip which is relished as one would enjoy a newspaper.

At 9 p.m. or so they go off to their evening meals and when that is fininshed they smoke for a short time and retire to rest.

The poor cultivator sleeps on a blanket, or a sheet, or a bare pack of straw stretched like a carpet, on the floor of his hut. The prosperous cultivator sleeps on a bedstead, with or without bedding. The small landowning class has always a bedstead and bedding. Mosquito curtains are not used, although the huts and the neighbourhood are full of these pests. Poverty may be the reason in the case of many but surely a number of them could use them only if they realised its importance and cared to employ some of the money now spent in buying ornaments for their womenfolk and little infants to this purpose. In winter they cover themselves with a blanket or a quilt (made of rags stitched together) or *lihaf* or *razai* (a double quilt stuffed with cotton wool), according to their means. Addeydown is not heard of even among the city people.

At off[6] seasons the cultivators rarely pay a visit to the field and spend their days in comparative idleness. Having little subsidiary work to engage in, they spend some of their time in reparing their houses and in thatching such as require it. For the rest of their time they either smoke or attend one of the markets and gossip there with their fellows. It is in such seasons generally that they go for pilgrimages to sacred places or visit their friends and relatives in other villages. Occasionally a villager goes to market to purchase his requirements and enjoy the change. He often smokes there but never eats. In the hot weather, of course, sometimes he purchases *gur* or sugar and will quench his thirst by making a syrup of it. At times during the season of melons and mangoes he may buy some. Some Hindus of

[6] The off season is about two months, from April to June, after gathering the spring crop before the land can be prepared for the autumn crop.

low caste drink alchol in such markets, but the temperance tendency is on the increase. There are no tea shops, no restaurants in the markets, nor can such be thought of in the present state of things. There are cattle fairs here and there, each with a radius of five to ten miles and generally cultivators obtain their cattle from such markets. On such occasions when friends meet, disputes between neighbours are discussed, canvassing goes on an advice is offered, sometimes to conciliate the parties and sometimes to embroil them further.

The women folk in the family have a much less varied time. They have no seasons of work and seasons of idleness, but must work throughout the year at duties which are always the same. They get up before the men, sweep the yard and then the floors of the houses, sprinkling them with water and brushing them with a wet brush.[7] The floors are always kept scrupulously clean and the brass jars and pans are always shining. The women of less affluence and of low caste grind grain to turn it into flour. There is always a stone mortar in which the grain is pounded with a heavy club with a ring of iron at one end. It would be surprising to see with what facility they throw up this pestle, and before it has fallen to the bottom make it rise again. They work with a good will and go on singing all the time. Those who do the grinding generally do it before sunrise, the first thing in the morning, and sweeping is done after that. The women next scrub all the cooking pots and pans. Then they collect the flour, pulse, vegetables, and condiments and prepare the ingredients for the midday meal. During the rest of the day they are employed in cooking meals for the family, keeping the house clean, washing the clothes, looking after the young children, and tending the sick. Generally the women folk do not take their meals until after the male members of the family have had theirs. They might do this

[7]In Hindustani it is called *Lipai* which tends to keep the floor clean. See Glossary.

but their delicate nature and affectionate tendencies do not allow them such action.

Generally women do not work in the fields, but women of some castes, for example, *Kachhis, Koris,* and *Kurmis* do some work of this kind and it is this co-ordination which has made these classes supreme in cultivation, but some co-ordination among other castes is also noticed in the cultivation of *jarhan* (transplatation of the paddy crop). Some Muslim cultivators keep their women in *pardah* and this custom is not uncommon even among the Hindus of high caste. It is a curse which requires the serious attention of social reformers, yet it should never be understood that a woman in *purdha* is less happy than others. The life of a woman is no doubt dull indeed, the bustle of the market place is not for her nor any other pleasures or amenities of life. Women do not take much part in the conversation; generally they gossip with female friends. The usual time for conversation is when they are washing pots or bathing in the pond or public stream, or at times after midday meals or in the evening before going to prepare the final repast of the day. Custom, however, is a kindly autocrat which softens every inconvenience, they do not grumble or rebel and are not discontented with their lot; they do not know and do not want the charms of a fuller or freer life. It is unfortunate, but the fact remains that it is so.

The children have a very easy life, but those of low caste or of ordinary cultivators of any caste, that is, tenants of classes B and C are generally ill clad and untidy. Meanly dressed and poorly-fed children, of unkept appearance with matted hair and neglected eyes and nose, playing in the dust and rubbish, is a common sight in almost every village.

When quite little these lads sometimes take out breakfast to their fathers in the field and prepare tobacco for occasional pulls at the *hukka;* when the morning work is done, they drive the cattle back; in the afternoon they take

the cattle to graze and look after them. This is not always an easy task as not all Indian villages have meadows or set pasturages, and where there are none, the cattle pick up what they can on the grassy balks between the fields and on the roadside. They scatter very much, and the little lads keep them from feeding on the crops of the neighbours, because it is only too easy, as there are no hedges to the fields, for the cows to stray from the grass into the fields of gram. The boys collect together while cattle tending and play country games. When any cattle stray into the fields of other tenants, such tenants generally send the cattle to the *pound* whence owners can get them back by paying a fine. If they do not reclaim the beast in a fortnight it is auctioned.

As the boys get older they help their fathers in the field and especially in weeding, and when they reach the age of fourteen they take their places as men in agricultural life. Boys and girls never mix or play together after a certain age—between eight and ten years. When there are schools in the village or in the vicinity, some children attend and the tendency to educate them is increasing.

Amongst the English working classes there is little display of open affection between father and son after the boy has reached the age of fourteen or sixteen years. In an Indian family the bond between father and son remains very close, even after the son has married and has a family of his own.

There is a lack of all those rough-and-tumble games which are so common amongst English boys, but there is some boisterous merriment and horseplay, as is noticeable among the latter. Cards and dice are rarely played and other indoor games are unknown. The games which are popular among village children and yokels are *kabaddi* (like the English game of Prisoner's Base) and *ankhmundaul* (blindman's buff) and also *goli danda* (tip-cat).

The little girls learn to help very early in the house-

work, brushing the floors, cleaning the pots and dishes, carrying water from the nearest river and keeping the infants asleep with simple lullabys and nursery rhymes. They play with dolls, made of clay or cloth, and in the "Guria," fair which is held once a year, they get very beautifully made dolls. They are generally very ignorant, as it is only lately that a desire has arisen to educate them.

The life of a landowner is of a different sort. Generally he spends an idle time in his village home, not only the father, but all the sons together. They only supervise the cultivation of their *sir*[8] land. The result is that idle men are found in many villages who have no possible means of spending their days profitably and who not unnaturally devote themselves to intrigue or to fomenting strife between their neighbours. But there are some very good landowners among agriculturists who are generally considered as peacemakers in the village. An agriculturist of a landowning class, who does not cultivate himself, generally passes his whole day on a large bedstead supported by a big cushion at his back. It is here that he carries out all his transactions with the tenant and it is here that he gossips with friends. It is here again that he forms himself into an informal court to hear disputes between his ryots which are brought to him. It is customary to make a presentation to him before putting grievances before him. The landowner generally settles these in a conciliatory mood, but it is not infrequent that he is more partial to a faithful tenant than another.

The ladies in a landowner's family do not have much to do. In a Hindu family they must cook food owing to various superstitious notions which do not allow them to take food prepared by menial class women, but in a Muslim family the ladies only supervise the kitchen and occasionally cook special dishes at their option. In parts of Oudh some ladies do *chikan* (needle) work but it is mostly confined to

[8] Defined in Chapter VI, Book I.

the towns. They lead generally a very contented life and the relations between husband and wife are generally cordial. It must, however, be said that there is no cause for gratification in a contentment which is backed by ignorance, and happiness which is supported by dependence and want of freedom. The life of a village woman in India is of a primitive character and must be deplored.

Section C.—Their Food

The dietary of the Indian agriculturist is of a very simple and we fear non-nutritious nature, sadly deficient in vitamin and other substance which modern medical science declares essential to help strength. The happy combination known to the ancient Romans as "mens sana in corpore sano" —a healthy mind in a healthy body—is not often found among the workers of an Indian village. If Hindus, they abstain from meat except Kshattriyas and Kayasthas and some other classes, yet such abstention does not appear to produce the good effect claimed by the vegetarian for his style of living. The food of the landowning classes or affluent tenants, specially of high class is of a superior kind to that enjoyed by their humbler brethern. The latter proceed to work at early dawn, only fortified by a drink of water and a few whiffs from their beloved *hukka*. If work is not pressing, they knock off at noon for a little rest but then only partake of parched grain and—if they are in season—some country mangoes, or perhaps a few slices of melon. Owing to their foolish neglect in not sowing vegetables for their own use, they have to fall back on *sag*, a sort of greens, found in the jungle; at its best resembling spinach, at its worst a collection of dry fibre and tough leafy matter.

The day's work finished, they return home to what is the one meal of the day consisting of a pile of cakes, made from barley or bajra (wheat is usually too dear[9]), eaten with *dal* and occasionally with a mess of herbs, prepared in oil or *ghee* (clarified butter) perhaps with a few chillies and other spices by way of seasoning. In the hot weather the field labourer may indulge in a rude form of *sherbat*, made

[9] At present it is very cheap—From 6 or 7 srs. for a rupee, it has come down to 15 to 20 srs. This is due to over-production in all major wheat producing countries and other economic causes.

of unrefined sugar and water, and when sugarcane is harvested he will enjoy some *gur,* and a drink of *ras*—juice from the cane—very sweet stuff yet liked by the most Indian villagers as a beverage. When the *tarbooz,* or water-melon, is in season, he may have one of these fruits—for his meal, cutting it into hunks for himself and his family; the children specially admiring the deep crimson colour of the interior of the melon in which are imbedded seeds of ebon hue. He sometimes has a few pumpkins, growing on the thatched roof of the humble hut in which he resides, by way of change in his daily fare. He could have fish from the neighbouring ponds or river, and also keep poultry to supply him with eggs did not the stern rules of caste forbid him from using food of that sort.

The Muslim villager is better off as regards food, since he can, and does, eat meat, procurable three or four times a week from the local butchers and usually the flesh of sheep or goats. His carnivorous habits renders him more virile* than his Hindu neighbour. Census returns show the birth rate among followers of Islam to be greater than among the Hindus, while the death returns are lighter, and the consumption of meat is popularly supposed to make him more immune from the attacks of plague and other epidemics. Of course on such festival occasions as a wedding or a birth in the family, the villager launches out in the direction of pounds of sweetmeats of different kinds—*laddoos, jalebis,* and *barfis* (kinds of sweetmeat)—from eating which he derives as much satisfaction as a British workman would feel on consuming a good beaf steak or a hearty repast of bread and cheese. Tea ought to become a popular drink in villages,

*A report of the Medical Council of England recently issued about diet and physique of two African tribes—the Masal, who are hunters and man-eaters, and the Kikuyu, who eat only cereals, roots and a little fruit: shows that the meat-eating Masal are on an average five-inches taller and twenty-three pounds heavier than the vegetarian Kikuyu—the average Kikuyu male is about equal in strength and size to the Masal woman. The Masal enjoy better health too. The Kikuyu are far more frequently the victims of pneumonia, bronchitis and other pulmonary complaints—though it is interesting to notice that the meat-eating Masal are more liable to rheumatic disorders.

but no properly organised attempt has been made to induce the agricultural population to use a healthy and comfortable beverage.

It is difficult to give an accurate estimate of daily expenditure on food. On an average, however, an adult takes 1½ seers of flour, 2 chhataks of *dal,* 1 chhatak of oil, 1 chhatak of gur, 1 chhatak of tobacco (smoking). A woman generally eats as much as a man except among the better classes where they perform less work. Children eat according to their age. Little children live on milk and sometimes on *dal* soup, those of from ten to twelve years of age need one-third of what a man consumes. It is estimated that the average cost of an adult's food per diem is four annas. Our budget in the Appendix gives the exact estimate.

System of Eating

The system of taking food by the Hindu tenantry, or for the matter of that all Hindus except those who are influenced by modernism, is unique.

They sit in a part of the floor of the kitchen which is called *chauka* and is meant as a place for taking food. Before eating they take off all their clothes except the *dhotees,* or the piece of cloth that goes round the waist and answers the place of trousers. In fact, other pieces are very seldom put on after bathing. The coat, the cap, and the turban, are all taken off, and a man eats with his body and head uncovered. Shoes are of course left at the door of the house. To woollen stuffs, they believe, there attaches no ceremonial uncleanliness and these they use while eating and worshipping, though they get them washed by bleachers, members of an inferior caste. In very cold weather, while eating, they generally throw a blanket over them.

The plates containing the food are put on the *chauka,* because placing the food anywhere else would pollute it and then it could not be eaten. All the food that is cooked is not placed in the *chauka* at once, but only the requisite quantity. The woman of the family who is the principal

cook at the time, or officiates in the kitchen, serves the food for the eater or eaters. She sits near the fireplace, where the *chauka* is situated. The man squats, in which case he has a small smooth board under him; his knees stick up close to his chest, the joint of the left arm and hand rest upon the left knee and it is thus the hand is supported while stretched out.

Both Hindus and Muslims eat with their fingers; knives and forks are unknown—the food is of such a kind that the fingers manage to carry it to the mouth, and thus they can eat very conveniently with one hand.

A Hindu at the time of eating must not be touched by one of inferior caste or by a non-Hindu for, if he were, he would immediately rise and not take another mouthful, even if he had to go without food the whole day; he would also throw out that which he might have in his mouth. He would never eat food prepared by a non-Hindu or even a Hindu of an inferior caste; and to some the shadow of a low caste man falling on their victuals renders them unfiit to eat. A Hindu's food is of two kinds, *kachcha khana* and *pakka khana*. All the above mentioned ceremonies are required for *kachcha khana*, i.e., the food which is not wholly dressed in *ghee* (clarified butter), e.g., ordinary *chapatis* (bread) or *dal* (pulse) or cakes or vegetables, but there is no ceremonial uncleanliness attached to food dressed in *ghee* (clarified butter) e.g., *pakka kachauries* (a kind of fried bread or cakes of wheat flour) with other sweet preparations of the same flour, and sugar, spices and vegetables. Such food can be taken anywhere. No ceremonial uncleanliness attaches to dry things, such as flour and grain, and none also to fruits. Such things a man of higher caste can receive from a man of lower degree.

It may be said that the two peculiarities of Indian cooking, or dishes, are that much *ghee* (clarified butter) and spices are used; continental cooking comes somewhat up to that, though the food of good class affluent Muslims in some parts of India, e.g., in Oudh, is much too rich.

Section D.—Their Clothing

The clothing of villagers is of a primitive description. In fact during the hot weather they dispense with garments as far as is compatible with decency, a habit however, which is gradually disappearing with the advance of education. They do not alter their mode of attire from generation to generation, failing to realise that change of mode and fashion are symbols of an advancing civilisation. Both sexes keep a superior style of apparel for wear on special occasions. We give below an average estimate of clothes. It may, however, be noted that in some families some weaving is done by women. When it is done, the cost is obviously less than usual.

An estimate of clothing per year is given below:—

Class A

For each male:—

	Rs.	a.
(1) Two cotton waist cloths (*Dhoti*) at Rs.2	4	0
(2) One short cotton coat (*mirzai*) at Rs.2	2	0
(3) One cotton sheet (*chadar*) lasts two years and costs Rs.2	1	0
(4) One short padded cotton coat for cold weather wear at Rs.2	2	0
(5) One pair of shoes	1	8
(6) One padded quilt (*razai*) lasts three years at least and costs Rs.6	2	0
(7) One piece of cloth used as turban (*phenta* or *angauchha*)	1	0
Total annual cost is equal to	13	8

For each female:—

	Rs.	a.
(1) Two cotton *saries* at Rs.3 each	6	0
(2) One cotton sheet (*chaddar*)	1	8
(3) One padded quilt (*razai*) for two years costs Rs.6	3	0
(4) Two kurtis (small skirts)	0	12
Total annual cost	11	4

Class B

For each male:—

(1) Two cotton waist cloths at Rs.2 each	4	0
(2) One single cotton coat	0	8
(3) One double cotton coat for cold wear	1	0
(4) One sheet at Rs.3 per sheet for two years	1	8
(5) One pair of shoes	0	12
(6) One piece of cloth used as turban (*angauchha*)	0	12
(7) One blanket for three years at Rs.3 per blanket	1	0
Total annual cost	9	8

For each female:—

(1) Two cotton *saris* at Rs.2 per one	4	0
(2) Two kurtis at As.4	0	8
(3) One blanket at Rs.3 for at least three years	1	8
Annual Total ..	6	0

Class C

For each male:—

	Rs.	a.
(1) Two coarse cotton waist cloths at As.12	1	8
(2) One blanket for Rs.2 for two years . .	1	0
(3) One double coat (cotton)	0	10
Annual Total . .	3	2

For each female:—

(1) Two coarse petticoats at Rs.1-8 . .	3	0
(2) Two kurtis	0	8
(3) One blanket for two years at Rs.2 .	1	0
Annual Total	4	8

A Muslim agriculturist, if he dresses in the Muslim style, wears a *dopalli* cap or *fez* or other round cap, shirt, and a long coat (*sherwani* or *achkan*), and trousers and he also keeps one *lungi* or bath towel. The cost of all these varies from Rs.25 for class A to Rs.10 for class C.

Muslim women, who dress themselves in Muslim style, wear blouse, veil, and *izar* (trousers).

Hindu children, of class C at least, remain generally naked up to four years or more, after this age the girls wear *ghangaria* or *pharia* (a short skirt or petticoat, the latter usually with striped border) and boys wear *dhotis* (a piece of cloth to cover their private parts) up to six or seven years, their annual cost of clothing is not more than Re.1 or at outside Rs.2. In the cold season they generally sleep with their mothers or other relatives, hence no extra charge is incurred for covering. Muslim boys and girls are dressed usually similarly to those of the other members of the family. Muslims generally dress their children with lavish taste but unfortunately above their economic position.

In villages hardly anybody, male or female, adult or child, wears socks or stockings.

It may, however, be said here that besides the articles mentioned above every family has a few things more, the details of which it is very difficult to give. For example, the members of class A may have some cotton carpets and their married women silk cloth which they get for weddings and which they use occasionally.

Section E—Their Jewels

Jewelry is considered to be the best means for utilizing savings, and the financial condition of a family is often judged by the jewelry that the women of the family possess. There are jewels for the nose, ears, neck, wrist, arms and feet, so many for each part. For example, on the wrist they wear bangles (*churis*), about six on each wrist, *pahunchis*, *karas*, etc., and so on the neck, but the whole stock is reserved for ceremonial occasions and ordinarily a few only are worn. The cost of jewelry possessed by members of each class differs very considerably, according to the taste of the family, their caste, and environment, but an ordinary woman of class A would have between Rs.100 to Rs.250 worth; class B, between Rs.50 to Rs.100 or Rs.150, and class C, between Rs.10 to Rs.25. Still in affluent families of agriculturists jewelry may go up to Rs.1,000. Jewelry of anything save gold and silver is worn only by class C or low caste labourers. It may be said here that there is a common practice of letting quite small children wear silver bangles which often leads to crime.

Section F—Household Implements

Classes A and B use metal dishes—brass for Hindus and copper-tinned for Muslims. A full set for one family comprises and costs as follows:—

	Rs.	As.
(*a*) For Hindus—		
(1) Brass *lota* or goblet	1	8
(2) One *thali* or plate	1	8
(3) One drinking glass	0	12
(4) One *batwa* or pipkin	2	8
(5) One iron *tawa* or baking plate for flat cakes	0	6
(6) One iron *karahi* or basin	0	12
(7) One stone for grinding spices	0	6
Total	9	12
(*b*) For Muslims—		
(1) One copper lota	1	8
(2) One katora, or drinking cup	0	8
(3) Two *rikabis*	1	0
(4) Two *katoras* for curry or pulse	1	0
(5) Two copper *patilis* at Rs.1-8 each	3	0
(6) One iron *tawa*	0	6
(7) One *karahi*	0	12
(8) One stone for grinding spices	0	6
Total	8	8

A Hindu usually keeps more than one *batwa* (brass vessel), which he requires if he has a cow for keeping milk. Besides, where there are more than one member, each member has a *thali* (big brass plate), for each Hindu eats separately. Additions are often made in favourable years when an agriculturist visits the fairs which are so common in India, especially on occasions of Hindu pilgrimages. Moreover, both A and B classes have many earthen vessels which they use for preparaing curd, keeping spices, flour, etc., and sometimes for cooking rice or pulse.

Class C.—Generally relies on earthen vessels and some wooden utensils which are very cheap, but all of them have at least one brass lota. The price of their whole equipment does not ordinarily exceed Rs.2. Better class Hindus, when giving a feast, serve food to their guests in earthen vessels, to be broken later. Other classes serve food in leaf plates (*patra*),—one for each individual guest to be destroyed afterwards.

Section G—Their Cattle

Cattle play an important part in household economy, but possession of them is not a reliable index to the position of their owner unless several other circumstances are taken into account. To high caste families, owing to the custom of drinking milk, a cow or a buffalo is a social necessity. They often will keep one although heavily in debt. On the other hand, with humbler castes, cattle are a sign of prosperity and a source of profit. They sell the milk, *ghee,* or butter—an act beneath the dignity of a needy Brahman. A certain number of bullocks are necessary for the proper cultivation of a holding, and therefore a man renting a large acreage must have several, whereas the possession of two, with a little land, indicates a certain degree of comfort. It is a common custom with the poorer cultivators to keep one bullock and borrow another at the ploughing season, the understanding being that the borrower will similarly lend his ox when occasion arises. The cost of a cow is between Rs.20 to Rs.50. It is usually covered at three years of age, and will give an average of two to three seers of milk a day for six months only, as it is customary to have it served again three to four months after parturition. It may be said that in some parts of the United Provinces (e.g., Meerut division, where the famous cattle come from the Punjab) better cows are available, which give seven or eight seers milk per day. A young female calf sells from about Rs.8 to Rs.10 and a bull calf Rs.10 to Rs.15. Milk fetches a rupee for four or five seers, but sometimes adulteration is practised. Half a *chhatak* of butter can be obtained from a seer of milk and the residue is generally kept for use; but where there is a confectioner in the village or the market is not far, it is sold. One seer in that case does not bring more than one anna, six pies, or two annas. A buffalo costs between Rs.40 to Rs.100. The cow will give between

three to four seers of milk daily for seven months. The buffalo will give seven to eight seers of milk daily for seven months, which is worth about three to four annas a seer in the village. In the city it sells at five annas per seer. A cow's milk will yield on an average ¾ *chataks* of *ghee* per seer, worth about one anna six pies or two annas, whereas buffalo's milk will yield 1¾ of a *chatak* of *ghee* per seer, or about twelve to fourteen *chataks* per day.

A she-buffalo calf is generally not sold, but a male calf is worth about Rs.10. The keep of a cow costs less than that of a buffalo. Ordinarily they are kept on straw and grass, but those owners who are fond of *ghee* and milk, and those who keep cows on productive principles, feed them with other nourishing food which increases the yield and renders it of good quality.

From *Chait* to *Sawan* the bullocks get five seers of *bhusa* (straw) a day, besides what stubble they can pick up in the fields. They also get a little *khali* or oil cake, about half a seer per day. During the rains there is ample grazing for them on the fresh grass, and they require nothing extra but a little salt about twice a month. At the middle of *Aghan* the grass begins to run short, and they get four *poolahs* (sheal) of *chari* a day till the end of *Aghan*, from that time till *Chait* they either get *chari* or rice straw while working at the sugar mills. They get into very good condition from the grass leaves of the cane, and the old bits they manage to pick up. In *Phagun*, besides the rice straw, they get all the *hurrai* (green weeds) which is weeded from the *rabi* fields and in the *khadar* they get *chauppa* (something like clove which grows in the wheat field) and is a most excellent fodder. Akra (a kind of vetch) is another weed which is carefully picked as fodder. At the end of the rain, some of the villagers send all their superfluous cattle to graze in the forests where there is such abundance of pasture.

Cattle are kept for agricultural purposes too, mainly bullocks and male buffaloes. They are used for ploughing

and also for carting. A bullock plays the largest part in agriculture.

Cattle are of great value to an agriculturist. They are in a way his capital and also a sure means of cultivation. But it is a pity that a villager does not keep his cattle in good condition. Owing to religious susceptibilities and notions of the sacredness of the cattle, specially the cow, he will not weed out useless beasts, but still this feeling does not go so far as to induce him at all to keep the cattle in good condition.

The indigenous cattle of the province have a low efficiency. The area cultivated by each hundred bullocks is only 388 acres; and the cows of some of the breeds yield almost no milk at all, while those of the best milking strains give only 2,000 seers per year, but the buffaloes, of course, give almost 5,000 seers per year. We have dwelt at length on the improvement of cattle in Chapter III, section B(2).

Section H—Customs and Manners

The social polity of the Hindus, and that of the bulk of the agriculturists who come from their ranks, revolves on the system of castes. To briefly describe that system: The main castes are:—Brahmans, Kshatryas, Vaish, Sudras. It is considered to be mainly an Aryan feature but Mr. Pargiter,[10] author of "The Ancient Indian Historical Tradition," was of opinion that Brahmanism was a pre-Aryan institution. Dr. Gilbert Slater,[11] author of "Dravidian Element in Indian Culture" also thinks that "the institution of caste was Dravidian and that its origin lay partly in occupation and partly in racial differences." Whatever may be the origin, there is no doubt that the shape that the institution of caste took was mainly Hindu. It may easily be surmised, as Tallboys Wheeler[12] does, that the first three castes were Aryans and the fourth non-Aryan, the conquered people. The author of the Imperial Gazetteer[13] of India says: "The transformation of these three main classes in castes or social strata, separated by the impassable barriers interposed by heredity and prohibition of inter-marriage and eating together doubtless originated in the attitude of the Aryan conquerors towards the aboriginies who formed an isolated servile class in their polity." This shows that the origin of caste was due to a tendency of exclusiveness not rare among conquerors, as also colour and racial distinction, for of the two races the invaders were of white, the aboriginies of dark complexion. Each of these castes, however, is sub-divided into scores of

[10] Ancient Indian Historical Tradition, 1922, Oxford University Press, London, pp. 304 to 306

[11] Dravidian Element in Indian Culture by Dr. Gilbert Slater, 1924, London, p. 150.

[12] History of India from the Earliest Ages, Vol. I, pp. 30-37, 1867-1881, by Tallboys Wheeler.

[13] Imperial Gazetteer, Vol. II, p. 204.

others, so that if all the divisions and sub-divisions were enumerated, they would amount to hundreds.

The *Brahman* is the highest and most exclusive. He has raised himself to a position of sanctity and inviolability which seems unparalleled in the history of the world. He was in ancient times responsible for learning the Shastras and explaining them to the people, but now in the social polity of Hindus he is indispensable at every step. Among them are priests, astrologers, and saints. A Brahman is consulted on all important functions and for all important business. He receives offerings and is invited to festivals, weddings and deaths. A number of them are zamindars and also cultivators. The male members of this caste are called Pandits.

Kshatryas.—Originally warriors, they form now the bulk of the landlord class—in most parts of these provinces —some of them are cultivators too. All the males of this caste have the title of *Singh,* which is added to their names and means a lion.

Vaish.—Merchants or money-lenders—This is the class which generally does business and money-lending. The cultivator usually goes for loans of cash and seed, etc. to him. A large number of them own land now. The people of this caste have no martial spirit.

The fourth class or Sudra consists of a number of subcastes which are "depressed" or "untouchables." From these are recruited menial servants, scavengers, sweepers, dhobis, blacksmiths, carpenters, etc., and it is this class which forms the bulk of the tenantry and the agricultural labourers. The three higher caste people do not touch them, would not take any eatable or drink water from their hands. Inter-marriage or inter-dinning is indeed a far off dream.

Worship and superstitions.—The bulk of the agriculturists are Hindus. Their primitive religion, which is embodied in the Upnishads or the devotional parts of the Vedas, teaches a belief of the Supreme God, but even in the Vedic

Age tney had begun to address the Deity by different appellations. The deities invoked in the Vedas are numerous. The chief popular gods of the Hindus are:—Brahma, Vishnu, and Shiva or Mahesh. The work of the first is creation, of the second preservation, and of the third destruction. A female principal is joined to each to show his active power; these are called, Saraswati, Lakshmi, and Parvati or Durga. But apart from these, the deities which the Hindus invoke are innumerable and each caste and sub-caste has its own distinctive godlings. With the lapse of time many animals and trees have attained sanctity, reaching the standard of a deity. A cow among animals and a banian or pipal tree are considered to be the most sacred. The popular gods mentioned above have nearly an equal number of worshippers from among Brahmans; the Vaish mostly worship Vishnu; and the Kshatryas and Kayasthas generally worship Shiva and the goddess Durga.

Belief in these deities is so great that almost every joy and sorrow are considered to be the result of their pleasure or wrath. Most of the village folk will not believe even now, that small-pox is a disease. They think that it is the symbol of the wrath of their goddess Mata. The transmigration of souls is an important doctrine in the Hindu religion. According to this doctrine if a man is virtuous in this life, his soul transmigrates into the body of some desirable being, while if he is vicious, his soul is sent into the body of a very inferior or disgusting member of the brute creation, and this may be only once or a thousand times, according to the virtues or sins of the man.

One of the most important parts of religion consists in inviting Brahmans and giving them dinners.

Pilgrimages form another most important part of the Hindu religion. The most celebrated places are Kashi (Benares), Prayag (Allahabad), Rameshwar, Gangasagar, Ajodhia, Badrinath, Mathura, Hardwar and Jagannath. Pilgrimages are undertaken professedly for the expiation of

sin, and their merit consists in fatigue, danger, inconvenience, and loss consequent upon the journey (hence travelling on foot conveys additional sanctity). Some extreme devotees will travel a hundred miles measuring every foot of the way by alternately raising and again prostrating themselves; a penance severe enough, one would imagine, to deliver a man performing it from all his sins, however heinous they may have been. By shavings and bathings at the shrine, in making presents to the officiating priests, and in the worship of the god to whom the shrine is dedicated, is merit obtained.

The lowest castes have scarcely any religion at all. They are considered by themselves, and by others, unfit to profess any religion. They are not allowed to enter the temples of high castes. Their religion consists of fantastic superstitions in which their whole life is enveloped.

A Hindu is very superstitious. If he, or anyone sitting by him, sneezes when he is going for any work, it will stop him from doing it, however emergent it may be. An empty jar similarly is a bad omen, while the sight of a full one or that of a dead body is considered to be very propitious.

The Muslim agriculturists believe in one God, like all other Muslims but, steeped in ignorance as they are, their superstitious environment has had an effect on some of them too. Like Christians they also believe in all the Prophets mentioned in the Bible which are also named in their *Qoran* as true Messengers of God and in the day of judgment, and they consider Muhammad as the last of the prophets, to whom was revealed the *Qoran* as a sacred book.

Festivals

The two main characteristics of Hindu festivals are:—

(1) *Puja* or some religious demonstration for the benefit of the soul.

(2) Rich and delicious dishes and amusement for the benefit of the body. In one or two of these

festivals, for example in *Holi* it is also a common practice to wear the best clothes.

The principal festivals are:—

(1) *Makar Sankrant.*—This takes place in January and is observed on account of the sun's entering the sign of Capricorn on that day.

(2) *Shri Panchmi.*—This is held in February or January and is instituted in honour of Spring, which is personified under the name of Basant, who is said to wait on Kama, the god of love.

(3) *Holi.*—It is held some time in March and is a day of rejoicing. Friends and relatives visit each other, just as Muslims do on *Id-ul-Fitr* or *Id-ul-Azha* and Christians on Christmas Day. It will not be out of interest to give its origin here. "A man named *Harin Kaship* had a sister called *Doonda,* who was an ogress, a destroyer of children, and people were much troubled by her. He also had a son, *Prahlad,* who was a great worshipper of Rama or the one Supreme Being, while his father was averse from this belief and wished his son to forsake this worship, and persecuted him for not doing so. His sister *Doonda,* the ogress, said to him one day, "You make a pile of wood and I will take Prahlad on my lap and sit on the pile; when I do so, you set fire to it. I will escape and Prahlad will be destroyed". Contrary, however, to her expectations, she was consumed and Prahlad saved. When the female monster was destroyed, people rejoiced and sang songs abusive of her. In course of time singing abusive sóngs in the streets became a practice, but high class Hindus always avoid it. Thanks to the efforts of social reformers. This abuse has mitigated to a great extent.

(4) *Ram Naumi.*—This is held sometime in March. It is observed in commemoration of the birth-day of Rama, the seventh incarnation of Vishnu.

(5) *Nag Panchmi.*—This is held about the middle of August. It is observed to secure people from the bite of snakes. *Puja* (prayer) ceremonies are performed for this purpose and a certain great serpent is worshipped.

(6) *Janam Ashtmi.*—It is held about September 5 and 6. It was instituted to celebrate the birth of Krishna, the eighth incarnation of Vishnu.

(7) *Dasehra.*—Tenth day in the new moon in *Jeth.* It is observed on account of a victory that *Devi,* the wife of *Shiva,* got over a demon. Another *Dasehra,* and much more important, is held sometime in October in commemoration of the victory of Rama over Ravan, the ten-headed king of Ceylon and withal a Brahman.

(8) *Diwali.*—The Festival of Lamps—held sometime in November. It is celebrated in honour of *Lakshmi,* wife of *Vishnu* and goddess of wealth and prosperity; and also in commemoration of a victory that Vishnu had over a great giant. It is customary to do the annual cleaning, repairing, and white-washing of the houses before this festival. On the evening of *Diwali* every Hindu illuminates his house as best he can. Gambling is the chief amusement of the festival and is a common feature with all, high and low. The Gambling Law is also relaxed for that night in view of the traditions in this respect.

(9) *Kartik Ekadasi.*—It takes place about November 20. This festival is observed in honour of

Vishnu, who wakes up in this month after a sleep of four months.

(10) *Puran Mashi.*—It is celebrated about November 23, in honour of a victory that *Shiva* had over a monster.

(11) *Salono.*—This is the day on which priests and Brahmans tie a piece of coloured silk round one of the wrists of males, females and children, all who are under their spiritual care. It is also called *Raksha Bandhan* from this practice, once highly venerated by Rajputs.

(12) *Deodasi.*—It is celebrated about September 22, in remembrance of the fifth incarnation of *Vishnu* created to prevent King Bali from obtaining dominion over the three worlds—Heaven, Earth, and the region below the earth—by his religious austerities and sacrifices.

(13) *Pittra Paksh.*—It is held sometime in September. On this day prayers are offered for the benefit of the departed.

(14) *Ganesh Chauth.*—It is observed in the middle of September in honour of the birth of Ganesh, the god of learning, prosperity and prudence. He is invoked by all students, authors, businessmen, etc., before they commence their respective labours. All Hindu[14] businessmen and money-lenders hold *Ganesh puja* before they open their yearly accounts, and make a mark of that *puja* in their account book. All genuine account books (and many are fictitious), have this mark.

Muslim agriculturists like all Muslims have two main festivals called *Id-ul-Fitr* and *Id-ul-Azha.* The common

[14] Income-Tax and how to assess it, or an introduction to assessment of Income-Tax, by S. N. A. Jafri, the writer of this book, Chapter III, pp. 10-11, Allahabad, 1917.

feature of both is congregational prayer and the visit to friends and relatives, just as Christians do at Christmas. The peculiarity of Id-ul-Fitr is that on this day they eat a sweet dish called "siwain" (vermicelli), which is offered to visitors as well, the practice is probably borrowed from the Hindus, and they furthermore bestow alms on the poor before joining in the public worship at the *idgah* (place for prayer). On *Id-ul-Azha* they sacrifice some animal in memory of the incident of Abraham being allowed to withdraw the sacrifice of his son Ishmael† by offering a substitute for him. It is regrettable that in India the Muslims sacrifice cows among other animals, which is the cause of so much friction between them and the Hindus, the cow being sacred* to the latter. There is also one festival of minor importance called *Shab-e-Barat,* on the night of which Muslims visit the graves of their relatives and offer prayers to the departed. On that night their tiny tots indulge in fireworks display. Greatest perhaps of all, but not a festival, since it was a day of mourning is the *Muharram,* a movable feast. It commemorates the death of *Husain* and many other descendants of *Ali;* and if it is held in special reverence by the *Shia* sect, is also observed by their *Sunni* brethren.

Social Intercourse

We have shown elsewhere how a villager passes his day and how he meets his friends. The common courtesy shown to friends and relatives in ordinary visits is that they are offered the *hukka* (hubble-bubble) and in summer a syrup made of sugar or *rab* and in some places even betel-leaves, which are commonly chewed by Indians. There are also various special occasions on which villagers meet their friends, e.g., at wedding, the birth of a child, and various other functions connected with children. On most of these there are

*It may be worth while investigating if the sanctity attached to a cow is not and that they did not exist in India before. Owing to the fact that Aryan conqueror had brought cows with them.

† According to Qoran, but according to the Bible Isaac.

generally dinners to which friends are invited. They are treated most courteously and fed lavishly.

A villager is generally very hospitable, civil, and obliging. Even a stranger will be shown civility and will be offered something to eat and drink according to the means of the person whom he meets. There is frequently a display of sincerity which in city folk is badly lacking.

The women folk also attend wedding and other functions when invited. Among them the ladies of high caste both of Hindu and Muslim families observe *purdah.* It is an ancient institution. *Kautalia*[15] in his "Artha Shastra," written about 300 B.C., mentions this when dealing with the method of contract with ladies in *purdah.* N. N.[16] Law also mentions this in his book "Ancient Hindu Polity." There is a clear indication of this in the "Mahabharat." In connexion[17] with the gambling contest between the Kauravas and Pandavas, *Draupadi,* Rani of the Pandavas, was also staked. When the game finished and the Kauravas thinking that they had won, tried to take *Draupadi,* she shrieked out as follows:—

> "Alas—nobody ever saw me except in Swayambar Sabha (wedding time) .... Alas that I whom even Sun and Air had not seen before, should be dragged out before a large gathering like this .... I had heard that the *Sanatan Dharma* did not allow the ladies to appear in public, what has become of our ancient religion now."

We find[18] a little suggestion about this even in the "Ramayan". When in the forest *Rama* got some ornaments

[15] "Artha Shastra," edited by Shama Shastri, 1919, p. 188 of English translation and p. 147 of original; edition 1909, 3rd Adhikaran, Dharm Shastriyam, pp. 147-48.

[16] Ancient Hindu Polity, by N. N. Law, London, 1914, p. 144.

[17] "Mahabharat," translated by R. B. Chintamani Vinayak, published monthly in Hindi Mahabharat at the Indian Press, Allahabad, p. 660, Vol. IV.

[18] "Ramayan," by Tulsi Dass—(Kishkindha Kand), translated by Jwala Prasad Misra, p. 616, Bankateshwar Press, Bombay, Edition Sambat, 1983.

of *Sita* from *Sugriva,* he asked his brother, *Lakshman,* if he could identify them as *Sita's,* the latter replied that he had never seen any portion of her body except at greetings when he saw her feet. This, however, is attributable to extreme veneration too.

When the Muslims came to India, they also brought with them some idea of *purdah* though less strict and very different from what it is now. With the intermixture of the two communities and the insecure condition of the country in the past, the observance took the present shape. But in the villages it is less observed than in the cities. Apart from its evil effects on the general outlook of womanhood, it is playing havoc with their health. Dr. A Souza[19], Assistant Director of Public Health, United Provinces, in his report on the hygiene and health of these provinces 1928, writes of its premier city Lucknow that an investigation as regards tuberculosis showed that 75 per cent of the "T.B." patients there were women who lived in the seclusion of purdah. The sooner therefore it is abolished, the better it would be in the general interest of India and its inhabitants. It is gratifying to learn that from the effect of modern education, there is a distinct tendency against it.

The figures given in various sections of this chapter are based on the average calculations according to the general conditions. But none of these may apply strictly to a particular case, peculiarities and circumstances of a family sometimes account for some change in the general method of living and cariation in expenditure. We have therefore given two budgets of two distinct families to show the exact conditions. These budgets have been prepared from actual investigation. They will be found in Appendix C.

[19] "Pioneer," Monday, June 10, 1929, p. 9.

CHAPTER III

SECTION A—AGRICULTURAL METHODS

Agriculture is the chief occupation of the tenantry. It is therefore necessary that the methods of agriculture and all that is connected with it should be dealt with at some length.

The Agricultural Year.—The agricultural year commences officially from July 1, from the standpoint of an agriculturist from *Asarh* 1. There is also another computation of time by which the tenants are a good deal governed in their agricultural operations. This is the *nachhatra,* or more familiarly *nakhat.* These three years do not correspond. The official, or English, year comprises twelve months, with a total of 365 days and one day extra every fourth year. The Fasli year is composed of twelve lunar months of twenty-nine to thirty days, and aggregating 355 days with one extra month, called *Laund* or *Malmas*, every third year. The *nachhatar* contains twentyseven *nakhats* of thirteen or fourteen days each.

The two principal seasons are autumn (*kharif*), and spring (*rabi*). There is also a third named zaid (extra) which refers to the cultivation of some vegetables and fruits, especially melons and water melons in riparian areas.

Division of the Fasli year

The arrangement of the Fasli year is exhibited in the following table with the names of the *nakhats.*

Names of months			Name of Zodiacal sign
Hindu	English	European	Hindu Nakhats
Kuar	October	Virgo	There are 2¼ *nakhats* in each month, i.e., in all there are 27 *nakhats*. They are:— (1) Asuni. (2) Bharani. (3) Kiritika, (4) Rohini, (5) Mirgishara. (6) Adra. (7) Punarbas. (8) Pukh. (9) Ashlekha. (10) Magha. (11) Purba Phalguni. (12) Utra Phalguni. (13) Hasta. (14) Chitra. (15) Swati. (16) Baisakha. (17) Anuradha. (18) Jeshta. (19) Mul. (20) Purbakhar. (21) Utra Khar. (22) Sharwana. (23) Dhanishta. (24) Shatbhikha. (25) Purba Bhadrapad. (26) Utra Bhadrapad. (27) Rewti.
Katik	November	Libra	
Aghan	December	Scorpio	
Pus	January	Sagittarius	
Magh	February	Carpricornus	
Phagun	March	Aquarius	
Chait	April	Pisces	
Baisakh	May	Aries	
Jeth	June	Taurus	
Asarh	July	Gemini	
Sawan	August	Cancer	
Bhadon	September	Leo	
12	12	12	

The first ploughings and the first sowings are both called *shagun* (an omen), and are festive occasions. First ploughings are made on Ajhtij, *Baisakh* 18. It is unpropitious to make the first sowings for good luck (called *muth*) on this day. Manuring is done in *Jeth*. If the Mirgsira *nakhat* (the first half of June) is very hot, plenteous rains are anticipated. The saying is:—

Rohin barse mrig tape, kuch kuch adra jai,
Kahen ghag ghagin se, swan bhat nahin khai.

In the cycle of Rohin if rain should beat,
In the two next cycles plenty heat,
The poet will exclaim with glee,
There's lots of paddy for you and me.

In the next *nakhat* (Adra), the later half of June, the rains ought to commence and the early *kharif* sowings are done. In the Punarbas, Pukh, Aslekha (Sawan and Bhadon)

paddy crops are sown. But the *jarhan* transplantation begins in July. The first sowings of paddy seeds however, must be done in May as:—

Behan bareh kahen, may ke kuchh bahen,
Asarh ropi tan bitan, sawan ropi kodo san,
Bhado ropi kakora ban, tinon kati aka san,
Purba me mat ropo bhaeeya, tin dhan aur terah paiya.

From small seeds grow great, please say,
Owing to work in month of May,
In Asarh transplant the rice,
In Sawan kodo, hear advice,
And kakora ban for Bhadon keep,
The three together you can reap,
If in Purba cycle the plants you move,
One grain in three results will prove.

Sathi howai sath dina, pani barse rat dina.

If for sixty days comes rain,
Sathi rice you will obtain.

In Asrekha, or the first half of August, the Aghani crops (*mash, mothi,* etc.), are sown. During this and the succeeding *nakhat* (*magha* or the last half of August) heavy rains are expected.

Magha mahino barse jhar, Hal dijo kothal me dhar,
Magha surekha lagi jor, urd mung til dhari barhore.

Of all the cycles Magha chief,
In it the rain will bring relief,
If break occurs prepare to plough,
And mung and til please sow them now.

Joyon purba purwaiya pawe, jhuri nadiya naw bahave,
Jai din jeth chale purwai, tai din sawan sukha lai.

If eastern wind begins to blow,
Dry rivers then will overflow,
So long as Jeth continues dry,
So long in Sawan rainless sky.

Hathiya puch dolawe, ghar baithe gehun awai,
Hathiya barsa chitra madrai, ghar batha kisan ririyai,
Hast barse tin hoi, shali, shakkar, mash,
Hast barse tin jai, til, kodo, rui kapas.

The hathiya showers they are a treat,
And mean a harvest rich in wheat,
Hathiya and chitra rain alike,
Bad luck the harvesting will strike,

Hathiya helps sugar, shali, mash,
But harms the *kodo, til, kapas.*

Soil

The agricultural operations begin with the preparation of soil. The soil may be described here first:—

The natural soil can be classified into—

(1) Sandy;
(2) Clay;
(3) Loam;
(4) Alluvial soils.

(1) *Sandy.*—Sand is merely finely ground stone (not reduced so far as to be impalpable powder), which is not coherent when moistened. Sand consists mainly of fine particles of silicious stones. Sandy soil contains more than 75 per cent of sand and is commonly known as *bhur.* It becomes parched during the hot weather, and being too porous to retain moisture, it is incapable of affording sufficient nourishment for the better crops. It generally produces coarser *kharif* crops, such as *bajra* and pulse, with occasionally barley or gram in the *rabi. Bhur* suffers also in very wet years.

(2) *Clay Soils.*—Argillaceous earths or, in common parlance, "clays," are plastic earths, generally soft, composed of alumine, silica, and water. What are known as "fatty clays" are chemical compounds of these substances, greasy to the touch. Clays are mainly the result of the detrition of

rocks containing aluminous mineral, e.g., granite, and it is to their aluminous ingredients that they owe their plasticity. Lime, magnesia, and oxide of iron, are also commonly present in clays.

They present many varieties, according to the amount of aluminium present. Where this exceeds 50 per cent, the land is only fit for brick-making. This is very unproductive soil, growing as a rule only the poorest kind of rice. It is hardly of more agricultural value than bad bhur. The bluish or blackish grey soil is the best.

This is what is usually called *matiyar* by the cultivators; it grows freely all crops, except the bajra and the *kharif* pulses. For cotton it is nearly as good as loam.

Wheat, oats, gram, linseed, musoor, sugarcane, and rice are the staple crops. In Azamgarh, they divide matiyar into true (1) matiyar, (2) kapsa-matiyar. True matiyar is a bluish clay and kapsa is a sort of dull grey colour.

(3) *Loams* are hybrids. They are nothing but a cross between clays and sands, in other words between argillaceous and silicious soils for the main part, and contain also oxide of iron, magnesia and various salts. Loamy soils present many varieties. It is moderately cohesive, less so than clay, and more so than sand.

Its tillage is easy and it does not require as much labour as clay. As a rule, a good loam is the most desirable of all soil, as it will grow all crops without exception, bears all the vicissitudes of season; and can be cultivated in almost any weather, except during, or immediately after, rain, and does not demand excessive care. A clayish loam is the best of all and grows very fine sugarcane, wheat and gram. A sandy loam is called *domat* and varies in quality and value according to the proportion of sand. Where it contains less sand than about 60 per cent, it is first class *domat*.

Where that proportion is exceeded, it is second class. This last grows all crops but rice, whose place in the rotation is taken by *bajra* and the pulses. The "domat" first or

second class which is near the village is called generally "goind" land, and is considered to be ultra superior since in view of the custom of collecting all rubbish and manure near the village, this becomes a rich soil, but in places where there is no such practice, such is not the case, e.g., in Bulandshahr or Muzaffarnagar where Jats are not slaves to this method.[1]

(4) *Alluvial Soils or 'Khadir'* are formed by inundations of rivers, or by streams that have taken new channels. The quality of alluvial deposits depends largely on the rapidity of a stream during inundation. Rapid floods deposit coarse sand while slow flowing streams give a layer of fine silt which is fertile. Soils of this latter kind require no manuring, their fertility is constantly renewed by the floods and the level is raised till at length it is only subject to flood when the river is unusually high.

Agricultural operations commence for the year in the beginning of *Asarh*. No real work is done till the *Dongira*, or first fall of rain, which takes place usually in that month between June 25 and end of 1st week of July. During the slack time immediately preceding this event, the cultivators occupy themselves in spreading manure over their land and in building and raising embankments (*merhs*) between the fields. Special care is taken to do this well for the fields selected for *rabi*, so that the rain water may be collected and sinking into the land keep it moist for the spring sowings. This done, an auspicious day, generally about *Jeth* 25 (*Jeth Sudi Dasmi*), is chosen, and one furrow is turned for luck, the cultivator then waits for rain.

Immediately after the *Dongira* in *Asarh* ploughing commences for *kharif*. The number of times the land is ploughed depends on the class of crop to be sown. Ploughing and sowing for the autumn crop are generally finished by the end of *Asarh*. The *kharif* sowings are usually broadcast. Only *Aghani*, or late rices, are first sown in nurseries, and then transplanted. After the crops have germinated and the

[1] Mr. Lane's Settlement Report of Muzaffarnagar, 1921, p. 8, para. 46.

young plants are about a span high, it is not a uncommon practice in the case of *bajra, juar,* and rice to plough the field over again. This after-ploughing is lighter than the first, and the furrows are made further apart, the object being merely to loosen the earth around the roots of the plants and give them room to strike deeper and stronger. In rice fields the *patela*[2] is also occasionally passed over the plants at this period, as the cultivators allege that the seed, if turned over, strikes a second root and sends forth a new shoot. In ordinary years no irrigation is required for the autumn crops, and the next operation is weeding. This is generally done once. The earlier *kharif* crops are reaped in the end of *Kuar* and beginning of *Kartik,* the later in *Aghan.* The out crops are collected on the *khalyan* or threshing floor, but the further operations of threshing, winnowing, and the storing are generally postponed till after the spring harvest has been sown.

Between the period of sowing and ripening the autumn crop—that is from the end of Asarh to the beginning of Kartik—the cultivator employs any time he can spare from weeding, etc., to the preparation of his fields for the *rabi* or spring crops. Those fields more especially which have been selected for wheat or sugar are ploughed up again and again. Between the ploughings the *patela* is continually passed over the land, so that the clods may be all well pulverised. The last ploughing for *rabi* is always cornerwise, and is called *kansi.* Sowings commence in Kartik, and are generally effected by means of *malabansa,* a bamboo funnel attached to the plough handle down which the seed is poured into the furrow. The depth of the furrow, both in ploughing and sowing, depends upon the class of the soil. It is generally deeper in stiff hard land than in light loose soil, and is regulated by the angle at which the beam of the plough is fixed. Next day after sowing the *patela* is again passed over any fields which it is intended to irrigate. This is done to level

[2] Also called *henga.* It is a log of wood and more like a roller (except that it does not turn) than a harrow which has teeth.

the surface, and allow of the preparation of the watering beds (*kiaris*) which are made by scraping small water channels at regular intervals. This is effected by means of a *karha* or *pharohi*, generally the former, the use of the *pharohi* being confined almost entirely to Kachhis. Ploughing and sowing finished, the cultivator has now a short interval of leisure till it is time to commence watering. Selecting as usual what he considers an auspicious day, within a fortnight of the completion of sowing, generally during the latter half of Bhadon, he holds a festival called the *Kumundan* or closed furrow. On this holiday he feasts his ploughmen and his lohar or ploughmaker, and worships his plough. Work again commences with irrigation in *Pus*. Weeding and watering continue till *Phagun*. The crops ripen and are cut in *Chait* and by the middle, or the furthest end of *Baisakh* they are threshed, winnowed and stored.

There is a very exceptional cultivation by the Kurmis at Fatehgarh. They cultivate maize in *kharif* and potato, and then tobacco in *rabi* and in *Zaid* vegetables or *chainna*.

The superstitious formality or turning a first furrow, alluded to in the *kharif* operations, extends itself to the sowing and reaping of the *rabi*, and in some cases even to the *Zaid* crops. In these instances a few handfuls are sown or cut or reaped, as the case may be, on some auspicious day, a short space before the proper time. Before the commencement of the *kharif* (first *Asarh*) and the end of *rabi* sowings in Aghan, there are only two days on which a Hindu considers ploughing unlawful. These are the *Nag Panchami* (*Sawan* 2) and the *Katik Amawas* (*Katik* 15). The Muslim cultivator generally does not believe in superstitions of this kind.

(1) Ploughing, tilling and manuring.
(2) Sowing.
(3) Watering and weeding.
(4) Cutting, carrying, threshing, winnowing and storing.
(5) Disposal of product.

(1) Ploughing, Tilling and Manuring

Ploughing, tilling.—The art of tillage consists in getting a proper seed bed, that is to say, in having the soil in the best condition for germination in respect of texture, warmth, and moisture. If the seed bed is much too cold or too hot, much too wet or too dry, the seed will not germinate at all, while even if the defect is only slight, the plant will start growing rather weaker than it should, and some of the seed may not even start, so that on the whole the crop will be poorer than if the seed bed were exactly right.

The implements used in ploughing are:—

(*a*) The Plough.

(*c*) Spade.

(*b*) Harrow.

(*a*) The Plough—*Hal* or *Har* is made of the following parts, bars or beam, a straight piece of wood, some 10 feet in length by three inches thick, forming the body of the plough and running from the yoke (*jua*) to the cross bar (*nagra* or *jhangra*). This last is at right angles to the bars. To the top of it is fixed the *mothia* (a handle) and to the bottom the foot (*bansi* or *chokri*) into which fits the iron share (*phar*). The *nagra* is attached to the bars by means of two pegs. The upper called *pat* and the lower *pichhari*. There are also two other pegs, the *pachhar* or *pachali*, fastening the *bansi* to the *nagra*, and the *hareli*, which with a leathern tongue (*nara*) attaches the bar to the *jua*. In the end of the bars three holes are bored, transferring the *hareli* from one hole to another and loosening or tightening the *nara*. The end of the bars is raised or depressed at pleasure, and the depth of the furrow regulated. The share is a wedge-shaped toothed implement which stirs the soil without turning it over. The *jua* or yoke is used also in the cart sugar mill, etc., and is of two kinds:—

(1) The simple *jua* consists of a bar with a hole at each end and two fixed pegs (*pachhari*), dividing it into three equal parts. This bar is placed on the oxen's neck, the *pachhari* keeping them equidistant. The strings (*jota*), attached to the *pichhari*, are then passed under the throats of the cattle at each end of the bar by means of movable pegs (*saila*).

(2) The double bar *jua* differs from the above in that it has two bars, one above and one below the oxens' necks; the lower bar is called *Traeth*.

The simple yoke is used principally for ploughs, the double for unruly cattle, also in sugar mills and for the leaders in carts.

(*b*) The harrow consists of a flat beam of wood with ropes passing from each end to the yoke on the ox's neck. In small holdings, or in the corners of fields, a small club of wood, *patoha*, is sometimes used instead of the harrow to pulverise the clods.

(*c*) The spade (*phurwa* or *phaura*) is sometimes used in place of the plough by Kachhis for turning up small patches of land. It is also generally used to supplement the plough in digging up the land in the angles of the fields where the plough cannot reach. It is also used for digging wells, making embankments, and constructing irrigation channels.

Other implements connected with the ploughs are:—

(*i*) Grubbers.

(*ii*) Rollers.

(*iii*) Hoes.

(*i*) *Grubbers.*—Or scarifiers are employed to stir the soil without inverting it; their action consequently resembles in this respect that of the country plough, which has been more properly called a scarifier than a plough in the European sense of the term. A grubber is composed of a number of

prongs fitted into a horizontal frame or body. It is calculated, therefore, to do the work of several country ploughs.

(*ii*) *Rollers.*—These are useful, first, for reducing clods of clay to a sufficiently fine condition, and secondly, for making a firm seed bed.

(*iii*) *Hoes.*—These are instruments for hewing or digging up wreeds and loosening the earth.

In the United Provinces efforts have been made to introduce improved ploughs. They are of four kinds, namely:—

(1) A plough which is provided with a broad curved iron piece called a mould board, which throws the furrow slice on one side of the furrow and meets it, that is, turns it almost upside down.

(2) The common English wheel plough.

(3) The American plough.

(4) The Meston plough.

The American plough resembles the English plough in all essential details, except in the shape of the mould board. The latter has a long gradually curved mould board, and the former has a short concave one, set nearly at right angles to the beam.

None of these ploughs have yet become popular. The Meston plough, however, invented by Baldeo,[3] a farm *mistri* when Mr. (now Lord) Meston was Director of Agriculture, United Provinces, strove hard to win the approval of cultivators, yet in spite of much official encouragement it is not highly esteemed. In India the popularity of any new appliance of this nature depends largely on numerous factors, its price, draught, working cost, mode of working and adjustment, durability, and facility for repairs. In a word, its advantages over implements hitherto used by the villagers must be established beyond power of contradiction. General aversion to a plough of this type may have been due to lack

[3] This *mistri* also invented a *balti* (water lift) which is in use in canal-irrigated areas.

of technical knowledge, but it was generally held that however useful such implements may be for the cultivation of the more valuable crops,—such as sugarcane, wheat, and potatoes—also in preparing the soil for crops having to be sown at greater depth,—such ploughs could not compete successfully with their more ordinary country-made rivals, to whose use the ploughman was accustomed.

But this idea was erroneous. The old system of tillage has many glaring disadvantages which may be summed up as follows:—

(1) It takes excessive time.

(2) When the weather is unfavourable, the number of ploughings required cannot be accomplished in the time available.

(3) The plough cannot make its way through dense growth of weeds—specially in *khadir* land.

(4) There is tendency in the country plough to heap up the soil at the corners of the fields, which gradually develops a saucerlike surface which grow badly.

All these defects can be removed by the use of an iron soil-inverting plough. But perhaps the iron plough is chiefly meant for early ploughing, while in later operations, where it is required only to stir up and not to turn over, the country plough will do much better.

In this connexion we might mention here some experiments carried out by Mr. T. R. Low, Deputy Director, Central Circle, United Provinces, which sheds light on the comparative value of the old and the modern plough.

"Experiments[4] were carried out with wheat from 1923 to 1928 on duplicate, and in some years triplicate, plots for each of the following treatments:—

[4] Report on the Administration of the Department of Agriculture for 1928, p. 53.

(1) Deep ploughing with inversion to a depth of 6-7 inches with the Punjab plough for heavy working bullocks.

(2) Shallow ploughing with inversion to a depth of 4-5 inches with the Meston plough, suitable for the light type of cattle usually owned by cultivators in the central circle.

(3) Deep ploughing, without inversion, to a depth of 6-7 inches with the country plough.

(4) Shallow ploughing, without inversion, to a depth of 4-5 inches with the country plough.

The number of ploughings given in each experiment varied from 5 to 8. Other operations, namely, the preparation of the seed bed, irrigation, harvesting and threshing, were carried out by the cultivator's methods.

The result obtained are given below:—

Yields in lbs. per acre

	With inversion				Without inversion			
	6"—7" deep ploughing		4"—5" shallow ploughing		6"—7" deep ploughing		4"—5" shallow ploughing	
	Grain	Straw	Grain	Straw	Grain	Straw	Grain	Straw
1923	1,337	2,960	1,430	2,810	1,187	2,230	1,100	3,067
1924	1,410	2,330	1,233	2,157	1,012	1,722	845	1,427
1925	1,837	4,175	1,932	3,475	1,593	2,611	1,638	2,479
1926	1,946	3,544	1,565	2,948	1,516	2,645	1,363	2,522
1927	1,720	2,840	1,635	2,601	1,301	1,972	1,110	1,738
1928	1,243	2,663	1,068	2,432	881	1,971	725	1,687
Average	1,582	3,085	1,477	2,737	1,248	2,192	1,130	2,153

The average increase in produce obtained by the use of Punjab and Meston soil-inverting ploughs, compared to shallow ploughing of 4-5 inches with the country plough, as ordinarily practised by the cultivator, is as follows:—

Punjab plough	. .	5.5	maunds	grain per acre
		11.3	„	bhusa „ „
Meston plough	. .	4.2	„	grain „ „
		7.1	„	bhusa „ „

This is equivalent to a gain of Rs.39 per acre by using the Punjab plough and Rs.28 per acre by using the Meston plough when wheat is Rs.5 per maund and bhusa Re.1 per maund.

A few proverbs are given below to show the cultivator's idea as to when and how the ploughing should be done:—

1. Asarh jotan karke bare, Sawan Bhadon men harwahi,
   Kuar me jota ghar ke beta, Tab unche honhare.
2. Uttam kheti ap set, madhyam kheti bhai seti,
   Naukar kheti bighar gaie, To balai seti.
3. Kachcha khet na jote koee, nahin bij na ankure koee,
   Katik mas rat har joti, tang pasar na ghar men suto.
4. Terah Katik tin Asarh, jo chuka to gaya bajar.

In Asarh young lads may plough,
Sawan and Bhadon men work now,
In Kuar yoke your son,
Kindly fate towards you will run.
Unto servants leave the plough,
Harvest will be poor I trow.
Fields not ready are no use,
Likely nothing to produce,
Thirteen in Katik, three Asarh,
Not likely then to seek bazar.

Manuring—Land need manure for the upkeep of vitality. —Manure is indispensable to good cultivation in all tracts,

whether furnished with means of irrigation or not. Mr. Benett says:[5]

> "A certain degree of exhaustion may be observed in places where the irrigation has outrun the manure supply. This is specially marked when canals are brought to villages in which the means of irrigation have previously been limited."

The main substances the cultivator has at his disposal for manure are:—

(1) Human excrement.
(2) Human urine.
(3) Excrement of cattle.
(4) Urine of cattle.
(5) Dead leaves, stalks, wool, hair and household refuses, etc.
(6) Bones.
(7) Saltpetre.
(8) Oil cakes.
(9) Green manure.

Nos. 1 *and* 2.—Human excrement and urine. The disposal of human excrement and urine depends upon the social habits of the people. Unfortunately for the villagers the social habits and the sanitary system under which they live are both obstacles to the conservation of human excrement or urine. They have no closets, no urinals, in villages. They generally attend to the calls of nature in the fields, where they can be hidden from view. Generally there are no lavatories even in the houses of ordinary landowners, except Muslims who commonly have one. In the towns, of course, there are arrangements to utilize the excrements. It is, therefore, obvious that so long as the Indian villager is not favoured with a satisfactory sanitary arrangement, it is useless to think of this material.

It is admittedly a rich store of manure with the help of which alone the Chinese and Japanese have developed their

[5] Report on Wheat Production and Trade in India, by Mr. Benett, p. 67.

agriculture so much that it is considered to be one of the best in the world. On the utility of this material, so long ago as 1877, the experiment of the Allahabad[6] farm had shown that the land manured with latrine filth brought without irrigation, Rs.20 an acre, and with irrigation about Rs.40 an acre, more than the ordinary rent on leases of not less than five years.

Nos. 3 *and* 4.—Cattle excrement and urine. Cattle dung is the manure in use throughout India. But the supply of cattle manure is, in the best of circumstances, limited, and is being daily reduced on account of the gradual disappearance of forest and pasture land, and the consequent falling off in number of cattle. Even what cattle dung is available is not fully utilised for the following reasons:—

(1) Cowdung is utilised considerably for fuel.
(2) Defective method of its conservation.

(1) The practice of burning cowdung as a fuel is a very old one, and may have been necessitated by the want of enough other fuel. That want still exists. To a certain extent also cowdung has a special advantage as fuel in that it keeps alight for a long time with little consumption, but we should reject use for this purpose, if for nothing else, at least for decency. The burning of cowdung entails a two-fold loss to the cultivator. In the first place it causes the dissipation of almost the whole amount of organic matter, and with it of combined nitrogen. It should be remembered that of the four important ingredients of plant food contained in manures, namely, nitrogen, phosphoric acid, potash and lime, the first possesses the greatest value. From some analysis made by Dr. Voelker, it appears that for every ton of cattle manure that is burnt to the state of ashes, over 91 per cent is altogether lost. In the second place, the value of organic manure, like cowdung, consists not only in its supplying the elements of plant food, but also in its mechanical effects on the soil. Among these it makes the soil more retentive of

[6] Report on Agriculture, dated May 3, 1879, p. 439.

moisture—an effect the value of which cannot be overrated in the hot parching climate of India.

(2) The method of conservation is very defective. The solid excrements are picked up, and either made up at once into cakes for burning, or else thrown pell-mell into a manure heap, occasionally in pits, but generally on plain ground, and are allowed to lie in a loose mass exposed to sun and rain. A large portion of the effective manure in the dung so kept is washed away. Even when the dung is kept in a pit, which is by far the better practice, great loss must ensue from the liquid matter sinking into the sides and bottom of the pit. To be properly conserved, cattle manure ought not to be allowed to get too dry or too wet; in either cases, loss of nitrogen, which is the ingredient most valued in the manure, takes place. But here in India it is exposed to the fierce sun in the hot and too heavy rain in the wet weather.

It is also a great pity that no effort is made to save urine. There is no prejudice against cow urine, just as there is no prejudice against cowdung, unlike human excrement and urine against which there is some sentimental objection. In fact, on the other hand, a Hindu attaches a sanctity to it inasmuch as the cow is a sacred animal to him, and he worships it. It is not known that the urine of an animal contains far more manurial matter than its dung. The former contains from three or four times the quantity of nitrogen held by the latter, and also the greater part of potash of the total voidings. We are sure if these advantages are brought home to the people in a simple way and they are practically shown some easy means of its utilisation, they will so employ it. Mr. Moreland thinks that "much of it can be saved very cheaply and effectively whenever the cattle are kept under a roof; the top layer of the floor should be dug out at intervals and the earth added to the manure heap, while fresh earth is put on the floor."[7]

[7] Agriculture in the United Provinces, 2nd Edition, p. 93.

As an alternative to this suggestion, were the construction of the English cowshed or the Scotch byre copied in some degree—especially as regards roof and flooring—conservation of cattle manure to much greater extent than now exists might, we imagine, be effected. A brick floor, slightly sloping covered at night by a loose layer of old grass or soft stalks, would secure absorption of excremental matter by the said layer. In the morning such refuse could be cleanly and quickly conveyed to a pit—corresponding to the British dung hill, or miden, for storage and future use.

As we have said above, even whatever dung is utilised, it is also not done in the best way. It is admitted that the best results are not obtained by putting dung on land while fresh; it is better to keep it together in a pit till the combined nitrogen has come into a state where it is available for plant food.

The pit should have a roof in order to save it from rains which wash out of it such portions of the combined nitrogen as have become ready for plant food. It should also have low walls to prevent surface water flowing into it. Dung swarms with beneficial and harmful bacteria which thrive under certain conditions of moisture, temperature and aeration. The dung, therefore, should be kept at such a heat and so supplied with air and moisture that beneficial bacteria may flourish and multiply and the harmful ones may be destroyed. If this is done, a good supply of valuable manure will be available.

But it is regrettable that it is altogether ignored and thus is lost to the village, partly through the ignorance, and partly through the conservatism of its inhabitants. The benefit of properly utilising and conserving manure of every kind cannot be too strongly impressed on the population of our villages. People should be made to realise that not only a considerable loss of potential wealth results from making a stack of cowdung called (*upla*) instead of conveying the same material to its true destination, the surrounding fields, but that this

causes insanitation. Mr. Brayne[8] very pertinently remarks, "Cattle dung, human excreta, and daily sweepings are provided by Providence to give bumper crops. You burn the first and use the second and third to poison the air and water and ruin the health, sight, and physique of yourselves and your children. In the village this stuff is poison, in the fields it is gold and silver. . . ."

When the task of village reconstruction is undertaken in earnest, it might be possible to establish public latrines, the urine and excremental matter from which could be conveyed to the fields by some cheap and convenient method.

(5) *Dead leaves, stalks, ashes, kitchen refuse, etc.* These also form useful manure, they are generally pitted along with the dung and are utilised accordingly.

(6) *Bones.*—Bones are valuable as manure for the phosphate of lime, and, secondly, for the nitrogen which they contain in the form of an organic substance called ossein. As a result of his analysis,[9] Dr. Voelcker, thinks that on the average bone dust contains, weight for weight, about three times as much nitrogen and about 50 times as much phosphoric acid as the dung of Indian cattle. But the use of bone as manure is extremely restricted in India, the Hindus have a prejudice against it, and the Muslims do not use it to avoid annoyance to their brother agriculturists. Moreover, a difficulty about bones is that they decay slowly unless dissolved in sulphuric acid, which is expensive as in India there is no sulphur. The bones are therefore exported in large quantities to other countries.

(7) *Saltpetre* is another useful manure, but is not available everywhere. Where it can be got, it is used as top dressing for valuable crops.

(8) *Oilcake.*—Remains when oil has been pressed from oil seeds. In most cases this is too valuable to be used as

[8] Village Uplift in India, by Mr. F. L. Brayne. M.C., I.C.S., p. 23.

[9] Report on the Improvement of Indian Agriculture, by Dr. J. A. Voelcker, London, 1893, Appendix L, p. 418.

manure, as it is excellent cattle food. It is, however, an admirable manure and it is specially good for crops like sugarcane.

(9) *Green manure.*—Chiefly *sanai*—It is sown at the beginning of the rains in the field in which it is to be used as manure. When the crop (*sanai*) is nearing to bed, it is ploughed in. *Sanai* having a pod family, it increases nitrogen, humous, etc. and is considered very good for wheat, sugarcane, and other precious crops. It puts down weeds also. *Sanai* turns heavy soil light and light soil heavy.

In some places *dhencha* is also used as green manure but it is not very common.

The following ancient rhyme gives the old idea of manuring:—

(1) Asarh men khad khet men jawai, tab bhar muthi dana pawai,
Khad Asarh khet men dare, tab phir khubahi dana pawai.

(2) Gobar maila nim ki khali, yase kheti duni phali,
Khad pare to khet, nahin to kura ret.

(3) Khadai kura no tarai, karam likha tar jai,
Rahiman kahai bujhai ke, deopans banai.

(4) Wahi kisani men hai pura, jo chorai haddi ka chura,
San ke danthai khet chitwai, tinte labha chauguna pawai.

In Asarh manure a field,
It will then full harvest yield.
In Asarh provide manure,
Sufficient corn you will procure.
Dung and refuse, cakes of *nim*,
Double crop will over teem.
If manure you do not give,
Nothing in that field will live.
Fate may change, and fortune drop,
But manure secures the crop.

Rahiman says supply the dung,
As I have said and also sung.
The cultivators need no loan,
Who sprinkle fields with powder bone,
Stalks of hemp, if scattered wide,
Fourfold harvest will provide.

(2) Sowing

The common method of sowing is to scatter seed by hand on the surface of the land, and then run a log of wood over the loosened soil with a view to cover the seed. In some places in cases of crops of intermediate value such as wheat, the seed is dropped by hand into a furrow or drill made by the plough. In this case the distance between the drills is regulated, as each successive drill is made by the same plough, working evenly, but the seed is dropped by hand in the drill in such a way that while each plant is assured of sufficient room on two sides, on the other side it may be crowded or an unnecessary space left.

The common method has the following defects:—

Owing to the irregular falling of the seed, it is impossible for the soil between the plants—once they begin to grow—to be duly cleansed from weeds and loosened without unnecessary toil. When plants spring up into close proximity to each other, they have first to compete for the small amount of nutritious soil and are apt to injure and overshadow one another. On the other hand, full use of the soil cannot be made when the seed has fallen too far apart. The produce must be small in either case. The task of covering the seed, spread broadcast, is difficult for some will be liable to be scorched by the sun, carried off by birds, field mice, and so forth, while some of the seed will be so deeply imbedded as not to germinate. Besides from broadcasting, considerable waste of seed will ensue.

The ideal[10] system of spacing is to plant each seed separately after measuring the distance apart. This course is more or less followed in a few cases where the seed is more expensive. Seed potatoes for instance, are very costly and these are sown in rows or drills separated by equal distances, while in each drill the potatoes are placed at equal distance apart; the distance are not actually measured with a rod but they are approximately equal. This system is practised in the case of melons, sugarcane, and some vegetables, for example, sweet potatoes, beetroot, onions, etc.

The following ancient Hindu sayings give the Hindu idea of the method of sowing and the quantity of seed per bigha:—

(1) Aghan bowe jouva, hoe to hoe nahin khawai kauwa.
(2) Age ki kheti age age, pachhe ki kheti karma bhage.
(3) Katik bowe Aghan bharai, take hakim phir ka karai.
(4) Pus na bowai pis khai.

In Aghan barley do not sow,
It will be eaten by the crow,
Early sown brings happy end,
If sown late on luck depend,
Month of Pus you must not sow,
Grind it up or let it go,
Sown in Kartik, watered in Aghan,
You need not fear official man.

* * * * *

(1) Jau gehun bowai panch paser, matar phi bigha tis ser.
Bowai chana paseri tin, ser tin ki jundhari kin.
Do ser mothi arhar mas, derh ser bigha bij kapas.
Panch paseri bigha dhan, tin paseri jarahan man.
Derh ser bajri, bajra, sawan-kodo kakun swaiya bawa.
Sawa ser bigha sawan jau, tilli sarson anjuri man.

[10] W. H. Moreland's Agriculture in United Provinces, 2nd Edition, p. 69.

Barre kodo ser bowai, derh ser bigha siti nao.
Yahi bidhi se jab bowai kisan, duna labh khet me jan.
Wheat and barley twenty five,
But thirty seers of peas to thrive,
Gram you sow by seers fifteen,
For jonhari three enough ween,
Two seers mothi, arhar, mash,
One and half for white *kapas*,
Twenty-five seers per bigha rice,
And jarahan fifteen will suffice,
If the farmer sows this way,
Then his field will richly pay.

(3) Weeding and Watering

Weeding.—Weeding is generally done by girls and small boys, the cultivator also does it when he finds that he has no other work on hand. It is done with a *khurpa* or a small hand hoe. This instrument is also used for loosening the earth round the roots of plants; for this last operation the *kudar*, a kind of sharp pointed axe, is generally employed. Most crops are cut with a sickle (*hansya*), *arhar* (pulse) only with a *garansa* or chopper.

Watering.—Watering varies according to the climatic conditions and the nature of the soil. In some parts of Rohilkhand for example, owing to the abundant rainfall, regularity of a fall of rain about Christmas time, and the nearness of water to the surface, irrigation is not necessary as in the Doab.

In the Doab, as a rule, they require three waterings for *rabi* crops and eight for sugarcane, but in Bareilly and some parts of Shahjahanpur, one for *rabi* and two or three for sugarcane are customary. In Gorakhpur and Basti there is a kind of soil called "bhat" which requires no irrigation in ordinary years, even for sugarcane. Conditions are different in the hilly tracts.

Irrigation is made from either ponds, tanks, *jhils*, rivers, or if available, from the canal. On the second or third day of sowing the field is divided into small *kiaries* with distributing channels at regular intervals. These *kiaries*, are made by wooden scrapers called *phaories* (having a semi-circular flat blade, with a long handle, generally of bamboo). By these scrapers the sides of the *kiaries* are enclosed, making a raised line of earth for the purpose of bringing enough water for irrigation before it is taken to the next *kiaries*. The abovementioned distributing water channels are connected with the main irrigation channel.

Irrigation from ponds, jhils, or tanks is generally carried on by a lift. A water channel is dug from the pond. At the end of this, a reservoir is constructed in which the water collects. Hence it is lifted by means of baskets (*dugla*) attached to strings and emptied into a catch basin (*mori*), some three to five feet above the reservoir. This *mori* is generally lined with grass matting, or bricks, to prevent scouring, and protected at the edge by a beam of wood. The lifters stand on platforms (*dhourhi*) on each side. From the upper receptacle the water runs through another small channel into the field where it is distributed. The distributer (*khutwar*) distributes the water usually by directing its course into and filling each of the *kiaries* in succession. Where the land is uneven, a large wooden spoon (*haterh*) is used to scoop the water up into the higher parts of the field. The number of reservoirs required depends on the distance of the land to be irrigated from, and its height above, the water supply. Sometimes three or four reservoirs are required, and sometimes many lifts. For each lift five men are required, two to work the baskets, two as a relief, and one to distribute the water. The merit of this system is that it involves little capital cost, while its defects are that the process is slow, it involves useless work on raising the basket and a good deal of water falls back each time the basket is raised.

In some places what is called the chain pump is also in

use. *It consists of a series of discs on an endless chain passing* over a wheel and through a pipe: as the wheel is turned, the disc rising through the pipe brings up a constant strain of water.

In case of wells for shallow percolation walls (say six to fifteen feet deep), there are two common lifts, the *charkhi* and *dhenkul* or *dhinkli*. These are simple arrangements for lifting a jar of water and counterposing the weight of the jar, and can be understood at a glance. For deeper wells, it is usual to raise the water in a leather bucket, drawn by cattle walking down an inclined plane. For a height over twenty feet, no cheap lift has yet been devised which can compete with this indigenous system. This method is worked in different ways in the east and west of the provinces; in the west two pair of bullocks are used to each lift: one pair coming to the well, while the other pair raise the bucket, in the east the work is done by a single pair.[11]

Canals are usually so planned that the lift does not exceed eight or nine feet, and this is the usual limit also with *jhils* and tanks, though in special cases water is raised from these sources by three, four or even five successive basket lifts. As regards irrigation charges it is very difficult to give an accurate estimate. Firstly, it differs in every part according to the depth of water and rate of labour. Secondly, often the tenants form themselves into mutual aid societies and help one another; in that case no expense is incurred for labour. The estimate of the cost of irrigation by well or by lift with hired labour, excluding the labour of the owner of the field, who is supposed to be engaged in distributing the water to the *kiaries*, may be estimated as follows:—

[11] In many districts Persian wheels are also used. In Azamgarh there are between two to three hundred of these. They consist of an endless chain, or an iron drum-like wheel attached to a tooth wheeled gear arrangement worked by a pair of bullocks. On the chain buckets are attached and every bucket can contain one gallon of water. There are five firms at Phulpur, Tahsil Ahraula, District Azamgarh, who manufacture and supply this for Rs.120 each.

I.—By *lao* and *churras* worked by men—

	Rs.	as.
Cost of sinking the well 20ft. deep, three men for six days at As.6 per day	6	12
Churras with making	7	0
One rope or birt	2	8
Charkhi	1	0
Bindi, two men for one day	0	12
Total	18	0
But the well and materials will last at least two years, so the annual charge is	9	0
Then for labour nine men at As.6 for 8½ days irrigating 6½ pakka bighas	28	11
Total	37	11

Therefore for one *pakka bigha* for one watering the cost is Rs.3-14-0.

For cane, which requires at most three waterings, the cost will be per *pakka bigha*, Rs.3-14-0×3=Rs.11-10-0.

II.—By *charkhi* or *dheki*—

Cost of sinking well 12 feet, three men for three days at As.6 per day each	3	6
Charkhi	1	0
Suns or *bail* for rope	0	8
Churras	0	2
Two men for one day for making *bindi*	0	12
Total	5	12
But the rope and *charkhi* will last two years, taking half their cost, the actual cost of the well is	5	0

Taking the amount per day as 12 *kachha biswas* which is about the average, and the *dhenki* well area as six *bighas kachcha*, the cost of irrigating is	
One man for ten days at As.6 per day	3 12
One man for ten days at As.6 per day	3 12
Cost of well	5 0
Total	8 12

Average per six *bigha kachcha* for one watering for *rabi*, Rs.1-7-4; that for three waterings for six *kachcha bighas* Rs.26-4-0.

Of course if the well has to be sunk for less than the full area of six *kachcha bighas*, the cost of irrigating falls heavier. In practice an average field is only about three *kachcha bighas*.

III—By lift from a natural stream or tank where no charge is made for the water. At each lift of 3½ feet eight men are employed, four at the baskets, two as a relief, and two to distribute the water, of whom one is *exhypothesi* the owner of the field. This party will irrigate on an average seven *kachcha bighas* per day, then the cost will be—

	Rs.	as.	ps.
Seven men at As.6 per day	2	10	0
Basket and ropes	0	8	0
Total	3	2	0
Average per *kachcha bigha* for one watering	0	7	1
Three waterings will cost per *kachcha bigha*	1	5	3

Where two lifts are employed, fourteen men are required,—twelve to work the baskets, and two for distribution—

	Rs.	as.	ps.
They will irrigate on an average six *bighas* per day			
Basket, etc	1	4	0
Wages for 13 men at As.6 per day	4	14	0
Total on six *kachcha bighas*	5	14	0
For one watering per *kachcha bigha*	0	15	8
And for three watering per *kachcha bigha*	2	15	0

IV—*By Canals*—This has been described under head "irrigation facilities" Section C of this Chapter.

(4) Threshing and Winnowing

All the cut crops are brought to the threshing floor on carts, cattle, or human heads. For carrying on a cattle, a kind of rope sling is used. Two of these slings are fitted with sheaves, and fastened one on each side. A *dabi* is ten handful of cut grain. Several *dabies* make a small sheaf (*lena*), several lenas a load (*bojh*), which one man can carry on his head to the threshing floor. On the threshing floor, the loads are collected into a stack (*saikha* or *palow*). A stack of juar or bajra is called *kondar*. The unbound sheaves are arranged in heaps. The winnowing is generally done during a west wind, as grain winnowed whilst an east wind in blowing is supposed to be liable to injury from weevils, etc. The following Hindi proverb is current about it and is to the same purport.

Pachhwan have usawe joi, kahen Ghag ghun kabhun na hoi,

Winnow when wind is from the west,
Ghag says from weevils you'll have rest.

The two main methods of harvesting are:—

(1) Where the ears of grain are comparatively few and conspicuous, it is usual to cut them off and get out the grain separate from the rest of the plant. This is done in the case of *juar*, *bajra*, and maize. At first the ears are placed on a bare piece of ground and cattle driven round and round over them; the feet of the cattle gradually knock the grain out of the ear, and in time all of it is separated. As soon as this point is reached, the grain is winnowed; this is done by lifting up the sheaf that has been trodden and letting it fall in a current of wind, the grain is heavy and falls to the ground, while the fragments of the heads are lighter; and are blown a little distance off. The grain accumulates in one heap, and the broken heads, or chaff, in another.

In the case of maize the cobs are not trodden out, as this would damage the bulky seed, but beaten with a stick till the grain falls off. This method of beating is also practised with some other crops; either the ripe plants are beaten with sticks or they are themselves struck against the ground till the grain falls out.

With most of the crops that produce large numbers of heads of grain, the whole crop, not the heads only, is put on the threshing floor and trodden out by cattle, and the grain is then winnowed out by the method described. This is done with wheat, barley, most pulses, and other crops. When the whole heap is winnowed, all the dressed corn is collected. The winnower, with his basket in his right hand, goes from the south towards the west and then towards the north, till he reaches the pole to which the treading-out cattle are fastened. He then returns the same way, goes to the east till he reaches the pole and back again to the south, then places his basket on the ground, and utters some pious

ejaculations. Then an iron sickle, a stick of *kusa* grass, *madar* flowers, and a cake of cowdung in a cleft stick, are placed on the heap and four *uplas* (cowdung cakes) at the four corners, and a line is traced around it with cowdung. A *homa* is then burnt and some *ghee* and *gur* offered in sacrifice. Water is then thrown round the *ras* (juice of sugarcane) and the remainder of the *gur* distributed to those present.

It may be said here that a Muslim cultivator does not believe in these superstitions.

(5) Disposal of Product

The more valuable crops—wheat, rice, cotton, sugarcane, barley—are as a rule first disposed of to pay the rent, enough being retained for seed by those who are not too deeply in debt.

Agriculturists of class A retain a sufficiency of the best crops for occasional use and entertainment. Those of class B rarely can do so. Class C never.

The surplus grain produce, that is, after payment of rent, is expended, firstly, on seed, secondly, on the household consumption, and for guests and entertainments; thirdly, on wages of labourers; fourthly, on grant to *parjas*, that is, barbers, carpenters, etc., who have been in the past a part and parcel of the village community, and who are still considered to be those interested in the family; fifthly, on purchase of necessaries; sixthly, on payment of debt.

The savings from all this are to some extent reserved for the next year, and where there is a good surplus, it is often utilised in purchasing ornaments.

Generally a cultivator has to dispose of most of his produce as soon as harvested for payment of rent.[12] The dates are fixed by statutory rules on which instalments of

[12] The rent falls due one month before revenue. Revenue instalments are November 15, February 15, May 15 and in some places also June 15.

rent and revenue are due. The zamindar hurries payment for, firstly, he is hurried by a vigilant staff of the Government for the payment of revenue in time; secondly, he is afraid of the thrifty nature of the cultivator, owing to which it is not unlikely that if he neglects collection of rent he may find himself unpaid. He has also to pay to the money lender directly the crop is harvested. But sugarcane and cotton are generally sold to *mahajans* when they are cultivated, and when *rab* is made of the sugarcane produce the *mahajans*, according to the terms settled between them get it weighed and receive at a cheaper rate and more than the weight. It is difficult[18] to give cost and profit of each crop, but we have made an attempt at that which is given below:—

Sugarcane, yields an average profit of about Rs.100 per acre for improved seed which is getting common. At the same time it requires far greater capital than any other crop; for not only is the rent higher, but the initial outlay in the shape of sowing and irrigation charges is very much greater. Sugarcane requires more labour than any other crop, except cotton and maize, the cost being estimated at about Rs.12 per acre. The introduction of iron mills has, however, reduced the cost of preparation very greatly, and at the same time the out-turn per acre amounts to fifty maunds, which is much higher than any other crop. Next to sugarcane comes cotton, which does not require so much irrigation nor does it have to pay so high a rent, while at the same time the sowing charges are very small indeed. The average profit per acre on an estimated average out-turn of fifteen maunds amounts to about Rs.40. Wheat is computed to yield twenty-four maunds per acre, giving the profit Rs.40. The average rent for wheat land is Rs.18, the same

[18] Chapter III of Settlement Report of Etawah for 1868 to 1874 gives an elaborate estimate and there is discussion on the point which is worth perusal.

as in the case of cotton, but the corp costs much less to produce. Among the other crops, the most important is gram, which yields Rs.50 profit per acre, requiring no Irrigation, and being capable of growing well on inferior land. Barley yields an average profit of about Rs.30, but this can only be obtained with irrigation. Rice yields Rs.25 and requires abundant irrigation, in fact, as much as is required for sugar-cane.

Section B—Advance made on the Old Method of Agriculture

The method just described has been current since times immemorial. Gleanings into the Vedic literature show that some of the methods now employed were in vogue in that age as well.

Models of ancient ploughs were exhibited at the great Exhibition of 1851, and a species of drill plough is attributed by Dr. Boyle to a pre-Christian century.[14] It also appears that ancient farmers were economical, not only of seed but of soil, sowing plants which required transplantation in the same field with rice plants, which mature in sixty days, and sowing *masha* etc. (probably a pulse) beneath a tall cereal, called in the code barley, but which in fact was a millet.[15] This plan is still practised. The tall grain rises quickly and by shade keeps the soil cool and moist for the smaller and slower growing grain, as for example gram. • Rotation of crops was also practised, and Dr. Roxburgh believes the western world is indebted to India for this system.[16] There used to be a ploughshare. *Phala* was the name of that. There is a prayer, "May the ploughshare break up the land happily",[17] it was worshipped and used to be called *Sita*. The prayer is "Auspicious Sita, present, we glorify thee that thou mayest yield us abundant fruit". The whole plough was known, as at present, as *langala*. The ploughs were drawn by oxen as they are nowadays. The dung was even then used for manuring.[18]

They used sickles for reaping the crop. The wish is expressed that "the grain may grow and fall ripe towards the sickle."[19] The corn was cut with the help of the sickle and

[14] Lecture on the results of Great Exhibition, p. 455.
[15] Code IX, pp. 38-39
[16] Roxburgh, Flora Indica, Vol. III, p. 225.
[17] IV. 57—8, 5. IV. 57, 4. Rig. Voda.
[18] I. 161, 10. Rig Veda.
[19] X. 101, 3. Rig Veda.

piled up in bundles.[20] The corn was separated in due order after it had been cut.[21] The corn after it had been cut, was put into bundles and then the sheaves were thrown on the threshing floor.[22] Thus separated from the chaff, the grain was called *saktu*. The next process was to winnow it and thus separate the chaff from the grain.[23] After the grain was separated from the straw and the chaff, it was stored up. The word used is *urdara*.[24]

Let us now examine the progress from the old state of things. It is difficult to trace the gradual improvement made since the Vedic era, but it is obvious that such improvements as were then made proceeded from the community as a native instinct. The State did not concern itself with that, nor was there any organisation about it before the advent of the British. During the British rule, it appears, that the first real attempt was made in April 1870, when a proposition was submitted by the Government of India to the Secretary of State for the establishment of a Special Department of Agriculture and Commerce. The scheme was generally approved by Her Majesty's Government, and a new Department designated "The Department of Revenue, Agriculture and Commerce" was created under the Government of India (1871)

The object which Lord Mayo, the then Viceroy, had in view were distinctly sketched in the despatch of April 6, 1870. The new Department was to take cognizance of all matters affecting the practical improvement and development of the agricultural resources of the country, but its operations were not confined solely to this object. The administration of the land revenue and cognate matters, the development of mineral resources, of manufacturing industries, and generally the commerce and trade of the country, were to come within its scope, while amongst its more im-

[20] I. 78, 10, *Op. Cit.*
[21] X. 131, 2, *Op. Cit.*
[22] X. 48, 7, *Op. Cit.*
[23] X. 131, 27, *Op. Cit.*
[24] 11, 14, 11. X. 63, 3, *Op. Cit.*

portant functions was to be the collection of agricultural statistics. The programme was accepted with little modification by the Secretary of State, and then some several agricultural operations were taken in hand, but in 1874 Sir John Strachey, then Lieutenant-Governor of the North-Western Provinces, now the United Provinces, realised that unless agriculture was made a separate department in the provinces, things could not improve. He therefore moved the Government of India on November 28, 1874 for the purpose and in 1875 a Department was created. The avowed object of this new branch of the public service was to establish agricultural farms and to inquire into the real conditions of life among the cultivators. Towards achieving this end, they showed varied activities, for example, the experiment of establishing farms which was already being tried for some years, was developed by starting a farm at Cawnpore in 1880 as will be mentioned later and it was followed by a college in the same station in 1893. In[25] the same year a conference was held at Simla to consider the report of Dr. Voecker which was out in that year. He was deputed in 1889 by the Secretary of State to inquire into the general improvement of Indian agriculture and the possibilities of development by scientific method. How far action was taken on his report it is difficult to say, but it is now realised that the report did not receive the attention which it deserved.

In these provinces, however, steps towards advancing the cause of agriculture began even as early as 1870: at first it was limited to the starting of botanical gardens. It appears that in 1870[26] there were Saharanpur, Chandwallah, Mussoorie, Chejouri and Unachangh Gardens of which one function was to produce seeds. They distributed during that year 35,649 fruit trees; 74,766 timber trees, flower

[25] Report on Agriculture in the United Provinces 1926, for presentation to the Royal Commission, p. 18.

[26] Report of 1870 of Agricultural Department. Selections from Government Records of 1874.

shrubs and 2,939 parcels of seed to the public and private institutions and other applicants.

In his letter dated September 29, 1880, the Lieutenant Governor said:

> ".... The endeavour to induce private persons and zamindars to plant trees and to provide for rearing them is one which must receive the most cordial support, and every encouragement should be given to those who are willing to come forward and aid in the good work."

This, however, concerned only the arboricultural side of agriculture, with which the general agriculturist was not concerned. The real first step, therefore, towards the improvement of agriculture was in the establishment of experimental farms. Bulandshahr farm was the first to be established. The report of 1872-73 which was the first report of that farm shows that it[27] made several experiments in that year on manure, ploughing and improved sowing, but the expenses were more than the income. The cost of working this farm is shown to be Rs.6,900-11-8 excluding costs of implements, tools, buildings, roads, etc., the cultivating cost only as Rs.6,087-6-8 and the value of the outturn as Rs.210-5-11. Looking to its educational value, however, the matter of cost was of no significance.

Subsequently farms were established at Cawnpore (already mentioned), and Allahabad. The object of these farms was, firstly, to obtain complete information based on actual facts as to the average productiveness of different crops in the different classes of soil on which they are ordinarily cultivated and the cost of cultivation. Secondly, to establish and prove to the agriculturist the advantages to be gained from small improvements such as they themselves carry out under existing conditions—deeper ploughing, economical use of canal water, selection of seeds, etc. Thirdly, to make

[27] Selection from Public Correspondence, N.-W. P., Second Series, Vol. VI, 1874, p. *662 set seq.*

experiments of industries which it may be possible to introduce if new, or improve if already existing in the country.

From the report of 1879 we learn that there were then a sewage farm at Allahabad, a tobacco farm at Ghazipur, and a seed and stalk farm in the Dun and some other places. From the same report it appears that improved ploughs and winnowing machines, etc., were also manufactured and tried. There is nothing to show whether these attracted the people at all, but the apparent result shows that it did not.

The report of 1880 shows that since 1879 some practical steps were taken to engage the friendship and co-operation of landowners and a campaign was started for educating the people in the advantages of improved methods of cultivation. The report of *Ilaqadar* of Indelpur, District Shahjahanpur, dated June 14, 1880 shows that it was believed in that circle that cauliflower would not succeed, and that he removed the prejudice against it by making practical demonstration of it in his garden.

In the same year a District Agriculture Association was established in Bijnor, with what results we do not know.

For propoganda the department concentrated mainly on demonstration and other sorts of farms till a few years back. But the demonstration farms being big organisations, did not appeal to the general agriculturists as much as might have been expected. It is a mistake to think that the system of propaganda work adopted in the West and which succeeds there, must succeed with the people of India who are in a crude state of society. Moreover till lately such farms were not self-supporting, and therefore obviously they could not be a good model for imitation. The reports show that till 1924 there was a loss and that it is since 1925 that things began to change and now in 1930 the working of all classes of

[28] Page 27 of the Report of 1880.

[29] The number of farms, instructional, research, experimental, seed, demonstration, demonstration plots, tube-wells and crushing plant—was 38 in the year ending June 30, 1930.

farms, instructional, research, experimental, seed and demonstration shows an excess of revenue over expenditure of Rs.61,832 as compared with a deficit of Rs.8,769 in 1927-28 and a profit of Rs.81,852 in 1928-29. When such was the state of the demonstration farms till lately, it is obvious that it could not attract private enterprise.

It may also be suggested that in order to popularise these farms and induce the agricultural classes, zamindars and tenantry, to take a general interest in the work performed on them, officers incharge of such places should strive to get into close and friendly contact with the general public. The spirit of aloofness which we have too often observed among the individuals in question must be discarded. In 1925-26 we noticed at Hardoi (Oudh) that due to the amiable nature and friendly contact of the then superintendent with leading zamindars of the district, genuine interest in the work of the department was created and a large number of private farms established which are running successfully. It might be profitable to allot funds for a monthly *conversazione* or a small "At Home" on a farm, to which landowners, their *karindas* and a small number of cultivators would be invited. Informal but careful discussion of the working of the farm and how this might be imitated on the countryside would naturally follow. Exchange of ideas is always beneficial in undertaking of this description. Lectures by means of magic lantern slides of manuring, improved crops, harmful insects, advanced methods of cultivation should be arranged and small leaflets in simple language on all such subjects should be widely distributed.

For propaganda among small agriculturists, big farms will have no value and we are glad to see that the department has realised it and has supplemented its activity in the

[30] In Chapter II of the Report on the Administration of the Department of Agriculture for the year ending in June, 1930 the financial position of all sorts of farms is fully dealt with.

direction by taking on lease small areas as demonstration[31] plots in localities where facilities for further work are required. Here agriculture with improved seeds and implements is conducted in such a way as to be of help to ordinary tenants. They certainly will prove of real value to the tenants.

Seed bureaus were started at several places. During the year 1929-30 the total quantity of improved seeds distributed was 6,38,874 maunds.[32] The distribution of seeds was made from 161 seed stores controlled and supervised by the staff of the Agriculture Department. Due to the department's activity in this direction and the increase in the number of private farms, the use of improved seeds is going up. The improved sugarcane seed is getting popularity with considerable rapidity.[33] In one district Hardoi—the increase has been from 808 acres in 1924 to 12,467 in 1930.

In the 19 chief cane producing districts, the rise has been from 140.216 acres in 1928-29 to 281.134 acres in 1929-30 and to 454.484 in 1930-31 total area of improved varieties of sugarcane in the United Provinces is 37.19 per cent. The use of improved cane has brought an additional profit of about Rs.567.

The department has been supplying improved implements as well. In[34] 1929-30 the number of various implements distributed comes to 17,782.

This has led to a beginning of the use of improved implements, but still their use is very insignificant. It may be suggested here that just as many firms arrange to leave a stock of sugar-pressing machines at different centres and villages for hire in the season by the sugar pressers, in the

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[31] Report of the Administration of the Department of Agriculture 1928, p. 18.

[32] Report on the Administration of Agriculture, U. P., for 1930, page 1(*a*) Appendix I.

[33] Report of the Administration of Agriculture, United Provinces, 1930, Chapter I, pages 1 and 2.

[34] Report on the Administration of Agriculture, United Provinces, for the year ending June 30, 1931, Appendix II, page 2(*a*).

same way arrangements should be made to stock at convenient centres improved implements of agriculture, which are not too costly and likely to be bought by tenants of average financial position. Such system of stocking will be an incentive to their use, as has been the case with sugar-pressing machines and might give tenants an opportunity to take on hire when their financial condition does not allow them to purchase.

The department took interest in distributing improved manure also. In[35] 1929-30 the quantity of such manure supplied was 31,622 maunds chiefly oil cake meal and sulphate of ammonia. "Fertiliser Propaganda of India Limited" have also been of some help in popularising the use of sulphate of ammonia by their propaganda in its favour which they have continued. Thirty-four depots have been established in twelve districts and a staff of one European and eleven Indian propagandists is working in the province. In 1927, 6,200 maunds were sold.

For some[36] time Government has started giving grants to private enterprises for the establishment of farms. In 1925, Rs.25,000 were given as grants-in-aid, in 1926-27 Rs.32,000 and in 1927-28, Rs.66,000, in 1928-29 a sum of Rs.74,300 were distributed among 28 farms in 18 districts. The Royal Commission of Agriculture was not in favour of such grants but on a perusal of the Director's report it will be clear that these grants are one of the useful agencies for producing improved seeds besides stimulating improved agriculture, and the scheme is so well devised that Government gets back indirectly[37] all the money granted.

As a result of all these activities the number of privately-

[35] Report on the Administration of the Department of Agriculture, United Provinces, for the year ending June, 1930,—Appendix XI, p. 2A.

[36] Report on the Administration of the Department of Agriculture, United Provinces,—1925, pp. 26, 26-27, 27-28.

[37] Report on the Administration of Agriculture, United Provinces, 1927-28, p. 11.

owned farm, worked with the advice of the Agricultural Department in 1929-30 was 1,118 as detailed below:—

100 acres and over	50 to 100 acres	25 to 50 acres	Under 23 acres
192	325	359	242

Construction of tube-wells is another thing for which the Engineering Branch of the Department is to be congratulated. It is assuming great importance and has been a chief factor in the success of big farms, private and departmental. The water supply from the tube-well built during the last six years has made possible the intensive cultivation of high-priced crops on one hundred thousand bighas.

The year 1929-30 has seen another remarkable organisation of the Government in eradicating the most injurious effects of the breeding of locusts. In that year a locust attack of unprecedented severity occurred and in more than 18 districts flying swarms of locusts laid eggs and bred. From these breeding grounds enormous swarms of hoppers emerged which began to cause great damage. Control measures were organised by Revenue and Agricultural Departments, Rs.60,000 was allotted for the purpose and special officers deputed to the task. A special scheme was devised for getting rid of the hoppers and the evil has been practically removed.

Cattle-breeding.—The condition of the cattle has been appalling. The main attention of the Government was directed towards it in 1909 when a cattle conference was held at Lucknow and questions relating to cattle breeding industry were discussed. As a result of that conference two farms, i.e., *Majhara* farm situated in district Kheri and the *Madhuri-Kund* farm in the Muttra district for the breeding of stud bulls, were opened under the charge of Civil Veterinary Department. In December 1921, the cattle breeding work was transferred to the Department of Agriculture. Since then the activities in this direction have advanced consider-

ably and efforts are being made to locate stud-bulls of recognised merit at all convenient centres wherefrom it may be easy for the villagers to utilise such sires for the improvement of the breed. From 1922-23 the distribution of bulls has gone up from [38] 46 to 568 in 1928-29. The total number of bulls distributed from 1922 to 1930 is 2,541.

The improvement of cattle is however very slow. In order to improve the condition of cattle a great want of the village is pasturage. It is necessary to devise scheme for assigning a portion of land in every village, or group of villages, as a common which may by and by become the recreation ground of the villagers and where grazing should be done. It may also be desirable to start insurance schemes.

The question of climate has also to be borne in mind, since it is well known that an animal coming from the western to the eastern districts of the provinces soon deteriorates, bulls in their generative powers and the cows in the quantity of milk they yield. To overcome this difficulty the experiment might be tried of crossing the Hissar and Kasi breeds with those of Dhaurahra and Khairigarh. Anybody interested in the cattle breeding industry should study a monograph on this subject written by Lord Willingdon when Governor of Bombay. His lordship makes it clear that if the three factors of good feeding, clean housing and care in mating suitable animals, are duly observed, cattle breeding in India is capable of becoming a sound and profitable investment. The recommendations[39] of the Royal Commission are also valuable.

Loans.—Besides all that has been set forth above, the great work of the Government has been to advance loans for purchase of seeds and bullocks, as well as for promoting construction of minor works of agricultural improvements, specially masonry wells, reservoirs, silos, etc.

[38] Report on the Administration of Agriculture, United Provinces, for the year ending June, 1930, p. 16, Chapter III.

[39] Report of the Royal Commission on Agriculture, 1928, Chapter VII, para. 213, pp. 250 *seqq.*

This step was taken in imitation of what used to be done, somewhat in a similar way, by some Muslim kings, for advances were given by Taimur, Sher Shah, Akbar, Aurangzeb, and some other monarchs. The first rules made on the point are contained in Regulation III, 1774 Section 8; Regulation VI, 1795 Section 46; Regulation XII 1795, Regulation XLIV 1803, Regulation XXVIII, 1823. These provided relief on limited scale. In 1871 it was found that these rules did not suit the circumstances and the Land Improvement Act, 1871 was passed. This Act provided relief in the shape of advances to be made for the following purposes:—

(1) Wells, tanks, and other works for the storage, supply, or distribution of water for agricultural purposes, or the preparation of land for irrigation.

(2) Works for the drainage of land.

(2*a*) Works for the reclaiming of land from rivers or from other waters.

(2*b*) For the protection of land from floods, or from erosion, or other drainage by water.

(3) The reclaiming, clearing and enclosing of waste lands for agricultural purposes.

(4) Clearing of the land from stones or other obstacles to cultivation, etc.

This Act underwent some minor changes in 1876 by Act XXI of that year, in 1883 both these Acts were repealed, and Act XIX was passed which improved the situation considerably.

Acts of 1871 and 1876 were not utilised much by the people, which led to the change. The reasons, as given by the Famine Commissioners in 1881[40] were that the sums which were advanced under the Act were extremely small, and

[40] Section III, Chapter IV of the Second Part of the Report of the Famine Commissioners.

bore no proportion whatever to the need which the country had of capital to carry out material improvements and therefore it failed to realise the intention of promoting improvements, and hence there was general reluctance to make use of its provisions.

The Act of 1883 simplifies some of the provisions of the former law. Under this Act advances could be made to any person who is entitled under the law for the time being in force, to make improvement on his land.

Of similar type there was another Act which must be dealt with.

In 1879, an Act was passed called 'Act X of 1879' with the object of creating provision for advances to be made to owners and occupiers of land, for the relief of distress, the purchase of seed and cattle, or other purpose not specified in the land Improvement Act, 1871, but connected with agricultural objects. This act was amended by Act XII of 1884. In this Act a provision was made in accordance with which advances could be made to members of a village community under joint responsibility. Such cases were not rare, in which a man unable to give sufficient security for the advance he required, was granted a loan when members were available who would share his indebtedness. The rules made by the Government under Act XIX of 1883, Act XII of 1884, are contained in Board Circular, Department I—VI. These loans are given at 6¼ per cent interest, but at times of distress on several occasions Government has remitted the interest. For example, under order No. 1652, dated September 13, 1882, a special grant of Rs.12,000 was sanctioned for advance without interest for the purpose of planting village sites, excavating tanks, etc., in the Banda District. In the year ending September[41] 30, 1925, Rs.34.45 lakhs were distributed free of interest in the flood-affected areas. In addition Rs.5.40 lakhs were given as irrecoverable relief. A sum of Rs.2.95 lakhs was distributed under Act XIX of 1883.

[41] Annual Administration Report, United Provinces, 1924-25, p. 7.

In 1907-08 in Gonda Rs.24,00,000 were distributed at *taqavi* during the famine, and similarly in other famine stricken areas.

We had ourselves to deal with such loans in several districts but more especially with distribution of loans in the flooded portion of Hardoi.

In[42] 1927 Rs.5,00,177 were advanced under Acts IX and XIX of 1883 and Rs.3,77,721 under Act XII of 1884. Government has always been liberal in giving advances. It is advances under Act XIX which have helped a great deal in construction of tube wells, which have proved so beneficial to the advance of improved farming. In fact few such wells would have been constructed without the help of such loans.

[42] Government Resolution on the Revenue Administration of United Provinces, 1928, Statements XIII, and XIV, p. 213A.

Section C—Irrigation Facilities in the United Provinces under the British Government

Early history.

Early record does not show if any big canals were built in the Hindu period. Wells and tanks have no doubt been in use from times immemorial, the practice of draining of the flood waters of the Indus and its tributories by means of small inundation canals has been followed from a very early date, and in the sub-montane districts of Northern India there are still to be found the remains of ancient irrigation channels which have been buried for centuries in the undergrowth of forests, but the large works which now exist as a protective weapon against famine or for the improvement of lands are of recent date.

The first work of importance which concerns these provinces was the construction of the Eastern Jamuna Canal. It was started during the reign of Shahjahan under the direction of Ali Mardan Khan, the celebrated engineer of Shahjahan, but after his death the work was stopped. It was again taken up in the reign of Mohammad Shah (1718-48) when the canal first ran down to Shamli in Muzaffarnagar, but appears to have been soon abandoned. In 1784 the work was partially restored by the Rohilla chief, who succeeded in bringing water to some short distance below Saharanpur.

Irrigation works under the British Government.

The modern irrigation works of the time of the British Government are divided mainly into three classes—(1) Canals, (2) Tanks and (3) Wells.

Under canals are classed all works of any considerable size for diverting the waters of streams or rivers and carrying them to the land; under tanks are works for the storage of water and all natural depressions, the water of which is used for irrigation, and under wells work for giving access to the

sub-soil supply, or to the waters of rivers which running deep below the general level of the ground, have to be lifted vertically before they can be made to flow on to the fields. Canals are of the "perennial" or "inundation type", according as they are designed to draw their supplies from the river at all seasons under of the year, or only when it is in flood.

In the United Provinces the State irrigation works, under the control of the Irrigation Department, are all of the perennial as opposed to the inundation type; that is, their supplies are taken in by means of permanent dams, constructed across the rivers from which they are drawn. There are five large canals, the Upper and Lower Ganges, Agra, Eastern Jumna and Sarda that are classed as productive, and several such as the Betwa, Ken, Dhasan, and other similar canals that are classed as protective. There are also a considerable number of minor works, some of which are grouped into separate systems known respectively as the Dun, Bijnor, and Rohilkhand canals, and the Jhansi and Hamirpur lakes. To this list may also be added the numerous small canals which have been constructed in the Government estates of the Naini Tal district and which are known collectively as the Tarai and Bhabar canals.

In 1928-29 the works irrigated over four million acres. Below are given the figures for the areas irrigated in 1928-29 from each canal.

Canals	Area irrigated during 1928-29	Mileage		
		Main canal branch and distributories	Escapes, drainage, cuts, etc.	Total
(1) Upper Ganges Canal	15,11,129	3,586	1,884	5,740
(2) Lower Ganges Canal	10,13,043	3,824	1,196	5,020
(3) Agra Canal	3,54,434	1,002	319	1,321
(4) Eastern Jumna Canal	3,95,294	925	484	1,409
(5) Dun Canal	19,958	91	..	91
(6) Bijnor Canal	28,977	78	4	82
(7) Garai Canal	19,069	37	2	39
(8) Rohilkhand Canal	1,08,780	444	21	465

(9) Sarda Canal	3,35,147	2,953	573	3,526
(10) Betwa Canal	1,62,973	735	61	796
(11) Ken Canal	82,879	335	23	358
(12) Dhasan Canal	37,588	294	18	312
(13) Pahuj and Garhmau Canal	6,771	65	4	69
(14) Ghori Canal	818	11	.	11
(15) Ghagar Canal	20,537	180	9	189
(16) Majhgawan tank	5,168	32	..	32
(17) Sukhra Canal	368	7	.	7
(18) Magarpur tank	289			
(19) Kulpahar tank	191	81	..	81
(20) Tanks	3,838			
(21) Lakes	6,396	125	3	128
(22) Sot Nadi	8,918			

Total area irrigated during the year was 41,22,565 acres (open canals) *Kharif*—15,77,821 and *Rabi*—22,09,597 acres.

The estimated value of the crops raised with the aid of State Canals, i.e., Sarda Canal with which we will deal further on, was—Rs.23,68,49,145.

The latest large canal is the Sarda Canal which is designed for the irrigation of parts of Oudh and Rohilkhand. The original scheme owed its inception to Captain Forbes, R.E.. in 1870 and its present shape to Sir Bernard Darley, Kt. C.I.E. This canal takes off from the right bank of the Sarda river at Banbassa in the Naini Tal district, United Provinces, about ten miles below the point at which the river emerges from the Himalayas. The canal, which consists of 4,500 miles of channels including distributory channels, commands an area of about eight million acres in the districts of the United Provinces and will irrigate 13,50,000 acres annually. The project was completed in 1930 at an approximate cost of 9½ crore of rupees. The canal was finally opened on December 11, 1928 by His Excellency Sir Malcolm Hailey, G.C.I.E., K.C.S.I. Governor of the United Provinces. During the *rabi* of 1928-29 irrigation from this canal was in full swing and more than 3,00,000 acres received water from the canal. The great majority of the distributing channels are now running, and almost all are now fininshed and opened.

expected that the tract irrigated by this canal will come the most important sugarcane centre in India.[48]

The above facts and figures show that the canal system has spread through almost all the important parts of these provinces.

Economical value of canals.

Irrigation by canals is much more economical than irrigation by wells or other old systems. Take the case of the sugarcane crop. On an average it requires four waterings. Generally in western districts two pairs of bullocks and four men are employed on a well for one bucket which can irrigate one pakka bigha or about two-thirds of an acre and thus the cost of one watering comes to Rs.7-8 and four waterings Rs.30. In the eastern districts one pair of bullocks and three men are required on a well for one bucket which irrigates one acre in four days; the cost of irrigating one acre of sugarcane therefore comes to Rs.7 for one watering and Rs.28 for four waterings. The charges of flow irrigation from canals for the full season are Rs.7-8 per acre for the Sarda Canal and Rs.10 for other canals.

For wheat generally two waterings are required; so the cost of irrigation from wells comes to about Rs.15 per acre, while for the Sarda Canal the cost is Rs.3-4 and for other canals is Rs.5.

Irrigation by canal, therefore, not only results in increased outturn of crops but a material saving in cost; and it is of special value in times of drought.

Several of the canals have also been utilised for the generation of electricity. There are now in the province a network of hydro-electric power stations which are intended chiefly for the supply of electricity for lighting the various towns and cities and are also of irrigational value. There has been a remarkable development, particularly within recent

[48] "Daily Telegraph," London, June 16, 1928.

years, of the hydro-electric resources of the province. A few of the most recent may be mentioned, to give an idea of the nature and value of such works. The Sumera-hydro-electric scheme which was approved in 1926-27, provides for the pumping of 100 tanks cusecs from the Kali Nadi in the Ganges Canal at Sumera in the Aligarh division by means of hydro-electric power to be developed from the Paira falls which connects Khurja, Aligarh, Hathras and Bulandshahr. The Bhola scheme provides for a power station at the Bhola falls which connects Moradabad, Muzaffarnagar, Ghaziabad and intermediate towns. A third scheme provides for a great extension of the power station at Bahadarabad, which enables power to be transmitted through Bijnor into Moradabad to supply the towns and certain rural areas with electricity and also provides for the pumping of 200 cusecs from the Ram-Ganga river in Bijnor district for the irrigation of parts of Bijnor and Moradabad districts.

CHAPTER IV

Recreation, Amusements and Sports

When dealing with the daily routine of the tenantry it has been said that their usual recreation is to chat in the evening at their own houses, or at the houses of their neighbours, in the winter sitting around the fire, and in summer in the open. Besides that, there are some occasional amusements and recreations which they enjoy. They may be mentioned briefly here:—

(1) From time to time some of them, or some professional bards, sing ballads which come down from old days and it interests them so much that some of them may be noticed going into ecstacies.

Macaulay says: "The Greek Rhapsodists, according to Plato, could scarce recite Homer without falling into convulsions. The Mohoek[1] hardly feels the scalping knife while he shouts his death song. The power which the ancient bards of Wales and Germany exercised over their auditors seems to modern readers almost miraculous." This very much expresses the feelings of a villager when bards sing old songs, especially ballads, to him.

As an instance one ballad may here be given:—

Bhanwara khelwari jake urjho kaune khari, thari johon phulwariya men as.

Khas phulwariya men as johon tori, pas na bhanwarwa awai chhati phate mori, kanchan phulwa phula hai chari ori, rasiya bhanwarwa gunjat hai khori khori —thari joho phulwariya men as.

Pas aùa bhanwarwa lehu hamari khabariya, kewala kai

[1] Obsolete form of Mohawk.

sor hamari nawala talariya, bital jat hai mor fasilai bahariya—thari johon phulwariya men as.

Kahain Bande Ali hali awe banmali, dali phulwa ki ho chali udas.

"THE LADY AND THE BEE"

Alone in the garden I wait upon thee,
Far off and entangled, thou wandering bee,
I pray you to come, you stay far apart,
I wait and I wonder, while breaking my heart.
In fulness of bloom, the golden flowers are,
They are yours to enjoy, why wander so far?
I visit the garden, and longing for thee,
Exclaim in my sorrow, "Come wandering bee",
Come quickly to me, my joy and my treasure,
Your true love awaits in the garden of pleasure,
Time passes by quickly, my spring will be spent,
In vain do I wait, bee kindly relent,
Bande Ali himself bids the gardener appear,
From sorrow and sadness my heart will be clear.

(2) Occasionally in prosperous years arcobats and jugglers from different parts visit villages. When they arrive the little urchins run to their mothers to tell the glad news and the well-to-do among the villagers arrange for their performance, and this is enjoyed by old and young—though mostly by the latter. These acrobats are generally a nomad class of people, who earn their livelihood by wandering around the country and exhibiting their feats. Their tricks and deceptions are interesting, and rather astonishing. They pretend to swallow swords and fire, to handle red hot burning chains, and also to produce a small mango tree from a seed in the course of an hour or two and do many other things. Some of these jugglers, who are called Nuts, among other feats, dance on ropes; walk on the same on the point of horns—the horns tied to their feet—run up poles thirty or forty feet high and there lie on their backs, slide on

on their heads, their feet being in the air, leap over hels from the ground, walk fast on their toes over a sheet stretched out at the four corners, without letting the weight of their bodies fall on the sheet and tear it, and throw up three iron spikes (with wooden handles) high in the air, lie down instantly on their backs, and receive the descending spikes (the iron part downwards) about their thighs—one between the thighs and the other two on each side, without hurting themselves, the spikes striking into the ground, stand upright.

(3) In days gone by snake charmers used to frequent villages and when they arrived the whole village used to be in a bustle. They go even now and show their feats, but there is not much attraction, probably because there is no novelty.

(4) We have also seen, but not often, bullocks and cows being trained in a peculiar way, and named Rama and Sita, respectively. People begin to put questions to these cows and bullocks and they shake their heads in reply, forwards to show "Yes" and from side to side to show "No." Hundreds of questions are put to them. We wonder if the villagers regard this seriously. We believe most of the superstitious questioners have faith in the correctness of the answers.

(5) There is a class of men called buffoons (*bhands*) who are called on to render diversion and to amuse the guests on occasions of a wedding or the birth of a child or other joyous occasion. Their performances are laughable and entertaining, but sometimes very gross and indecent.

(6) Some professional jugglers go about with bears and monkeys and visit villages and show their funny way of training them. If there are two bears, both wrestle with each other, but when there is only one, sometimes the man wrestles with the bear, and always pretends, or allows himself, to be thrown down. The monkeys are always in pairs and represent a discontented wife and an unhappy husband, and

the male monkey, as a man just setting out in search situation, etc. He also plays on the *khanjree* (an instrun like a tambourine) with a peculiar and expressive moti of the body, face, and eyes while playing.

(7) In some villages, once a year on the occasion of *Ram Naumi,* or *Holi,* or *Dasehra,* the villagers invite a band of people called *Nautanki* who play dramas in a crude way. These people generally come from Gujrat or Muttra, and their drama consists of old religious fables, especially the scenes from "Mahabharat" or stories of Ram and Sita from "Ramayan." The whole village raises a subscription to meet the cost of the performances.

(8) Music is not generally played by any class of people except professionals, but crude singing is current among village women. They sing with rapturous emotion specially at the *Jhula* fair. Some of the popular songs are:—

SONG SUNG AT JHULAS

Suni la ki saeyan hamara jogi bhaelan na—(twice)
Jogiya ki lali lali sarangiya re na—Suni la ki saeyan hamara jogi bhaelan na—(with drawing voice).

Jogini ki lambi lambi kesh jogia sanga heibai joginiyan ho na.

Mareyee man rahbai jogi ke sangwa ho na—jogiya ramawe la bhabhutiya ho na—jogini ramaiewalai bhabhutiya ho na.

"SWING SONG"

So thou art a hermit in desert place,
But I shall try your home to trace.
With matted locks, appearance rude,
Save for a girdle, body nude.
I too will take a hermit's oath,
The life of Yog will suit us both.

from garden you pray, but I shall be there,
Take of your alms a partner's share.
We shall build a hut and together live,
Then Sawan will its pleasures give.

SONG SUNG AT THE TIME OF GRINDING CORN

Kahawan bate bhauji dhali tarwariya,
Kahanwan hauwa pawan ki panahiyan hona,
Kao hoehain dera pawan ki panahiyan ho na,
Sitiyan barniyan ke bhauji panwan ki panhiyan ho na,
Harina marene ke dhali tarwarya ho na,
Ban ke to gaela dono bhaeya ho na,
Deura uhwan se kahe aela aksar ho na,
Tuhara balmua bhauji bare re aheriya ho na,
Bhauji ban biche khelat aherwa ho na,
Bhauji patri tiriyawa lobhaela ho na,
Kathuwa dubaile deura panwa ki panhihiyan ho na,
Deura kathua dubai le dhali tarwariya ho na,
Sitiya dubaila bhauji dhali tarwariya ho na,
Bhauji harina sawajawa rudhirwa tegwa ho na,
Kahwan deura marla kahwan othangwala ho na,
Deura kawane per othangawala ho na,
Unchewe bhauji marli khaleean girauli ho na,
Bhauji chana bich perwa othangwali ho na,
Tuhai chor deura an ka na hoebai ho na,
Deura tanika ek lasiya dekhaibe ho na,
Nathiya benchi deura doliya phanwale jhulani benchi deura behsai ghorwa ho na,
Age age chalain doliya ho na,
Pichhe se hinhinala ghorwa ho na,
Ankhiya chiri chiri chitwa ho na,
Hari ji ki lasiya sutauli ho na,
Tuhai chori deura an ke na hobai tanik agiya liawa ho na,
Deura hariji ki lasiya jariyaeb ho na,
Jab ghar deura ke gaelain ho na,
Ram anchara se agiya dhadhakli ho na.

The Song of the Mill

This song may be heard at early dawn,
Mid the sound of the whirling wheel.
When golden clouds tinge the eastern sky,
And shadows homewards steal.
'T is sung by matron and by maid,
As the heavy stone goes round,
The noise of crushing grinding corn,
By their voices almost drowned.

(1)

"Why takest thou forth thy sword and spear?"
"Lady, we hope to slay a deer",
"Why take the shoes you so seldom wear?"
"Lady, the path is rough and bare."

(2)

Alone he returns: "I beg thee say"
"My husband wherefore does he stay?"
"Has he fallen in love with some winsome dame",
"And been tempted into sin and shame?"
"Your husband will not be long away,"
"Love of shikar has made him stay."
"On your shoes are spots of dark red blood."
"My lady, those are sand and mud."
"There is blood on your sword and on your spear."
"Lady, that came from a gallant deer."
"The deer you slew I fain would see."
"Lady, it lies 'neath the greenwood tree."

(3)

She has sold her jewels so rich and rare,
And towards the forest proceed the pair.
Her beauty covered palki hides,
Close by the murderer grimly rides.
"Why stops your horse? What means his neigh.
"Here shall I search without delay."

(4)

By Fate directed, by Sorrow led,
On the ground she finds her husband dead.
She shed no tear at the gruesome sight,
But said "Perform we now each rite.
"Yours am I now, for weal and woe"
"But first to yonder village go,"
"While I meantime will raise a pyre"
"Ready for touch of burning fire"
"According to custom let all be done,"
"Fetch flame from the village—quickly run".
She laid the grass, she laid the wood,
Fashioning a pyre as best she could.
From the village back he brought a flame,
Aloud she cried "This deed of shame,"
"For me you did—but I expire"
"See Heaven sends the avenging fire."
The flame consumed her where she stood,
He was left alone in the gloomy wood.

Song Sung by Women when Filling Water at the Well

Char sakhi mili karati hain bayan re sanwaliya (twice)
Ek sakhi kahati hai ki piya mera tambaku pita hai,
Kam na kuch ghar ka para rahta sota hai,
Main phansi hun jal men re sanwaliya.
Dusari sakhi kahti hai ki piya hamara randibaz,
Gharka mal tal sab khokar rahai rat din randi sath,
Karo koee upaeeya re sanwaliya.
Tisar sakhi kahai ki hamra chota:—
Rat din khela karta hai awai sej na re sanwaliya.
Chauth sakhi kahati hai main nahin janu gawane ki khabariya re sanwaliya.
Nau awa bari awa, awa Piyawa hamar re sanwaliya,
Doli phanai piya le gaee gawanawa ae gaee Baraki Jethaniyan re sanwaliya,

Kothari men kari moko bahiyan pakri ke deedihlin
Janjiriya re sanwaliya,
Main to mari gaelo laj ke mare,
Are Piya Pyare.

SONG AT WELL

Four women sitting at the well,
Of their husband's conduct 'gan to tell.
Said the first: My lord he smokes and drinks,
From my loving embraces often shrinks.
Said the second: My spouse has far to roam,
Too poor, alas, to stay at home.
Said the third: For my husband there's no excuse,
He wanders about with females loose.
Spoke the fourth, who was but newly wed,
"Before my husband I hang my head",
Last night his aunt did so presume
As to lock us up in a single room.
I blushed with shame, with anger cried,
I thought I almost would have died.

The dancing girls are invited at weddings and on some other joyous occasions and their music, song, and dance are enjoyed. As usual their songs are accompanied by instruments, played by their musician attendants. They may best be described in Bishop[2] Heber's words as follows:—

"The dancing girls who perform at private entertainments adapt their movements to the taste and character of those before whom they exhibit. Here, as in public, they are accompained by musicians playing on instruments resembling the violin and guitar. Their dances require great attention from the dancer's feet, hung with small bells, which act in concert with the music. Two girls usually perform at the same time; their steps are not so mazy and active as ours but much more interesting, as the song, the music, and the motions of the dance combine to express love, hope,

[2] 'The Hindus' by Bishop Heber, Volume II, p. 91.

jealousy, despair, and the passions so well known to lovers, and very easy to be understood by those who are ignorant of other languages."

(9) The only other source of recreation are the fairs. Fairs have been held in the past and are held even now in many districts. In order to attract the villagers, there are many-side amusements there, and also shops where they can conveniently purchase cattle, utensils, and other necessaries. In such fairs generally there are dancers, singers, wrestling matches, acrobatic feats, entertaining performances. Villagers throng in large numbers to such fairs in good seasons.

Beyond this the life of a tenant is the life of monotony, hard labour, worries and dread of exactions from their master-landlord.

The recreations named above are rare incidents and not always very prominent in the process of his life. There is none of that eager enjoyment of festive occasions which is shown by the peasantry of southern Europe. Some decades back the manly sports of wrestling and quarter staff play (*lakri* and *binwat*) were commonly practised in villages, but now even more juvenile forms of amusement seem dying out. The question arises how to revive the old forms of sport and simultaneously to try and introduce the more virile of modern games so as to create a taste of amusement among the village people which may make them happy and develop a spirit of sporting life in their midst and may also be a means of improving the health and general conditions. A suggestion on this point is offered by Dr. Nehru,[3] Deputy Commissioner, Rai Bareli (Oudh) now Secretary, United Provinces, Government who has formed a District Physical Culture Committee and has started physical culture clubs at the station, tahsil headquarters, and other

[3] Letter No. 31A/77 from Dr. S. S. Nehru, I.C.S., Deputy Commissioner, Rai Bareliy (Oudh) to the Secretary to Government, Public Health Department, Naini Tal, dated July 30, 1928, and September 15, 1928.

rural centres. Sports material has been supplied by a District Physical Culture Committee to all clubs and some allotment has been made for the maintenance of their play grounds. This is supplemented by local subscription and an effort is always made to make all clubs self-supporting. Swimming clubs have also been constituted under the auspices of the Committee and it has organised its water boat carnival where prizes were also given. The Committee also organised various tournaments of *kabaddi,* swimming, etc. It is a good start and it is hoped that by and by the scope of the clubs may be widened and new avenues of recreation may be opened for village people.

CHAPTER V

EDUCATION

Illiteracy is a common feature of villages among all classes. During the Hindu, Muslim, and Marhatta periods the spreading of literacy was seldom supposed to come within the purview of State activities. The people were not also alive to the need of educating the masses. The initiation of the village boys into the mysteries of the three R's was not deemed to be a communal necessity. Village education was, therefore, left to private agency and enterprise.

In ancient days, a father, as of duty, initiated his son into the study of his religion and his caste-profession. Laterly, a class of people known as *gurus*, appeared, who began to impart education, gratis. They were supported by the philanthropy of the people; occasionally the State helped. The Hindu State had no department like the counterpart of our Public Instruction, even on a limited scale. But among High caste Hindus education had advanced appreciably. There were schools at centres containing high-caste population, wherein their Pandits gave instructions in Sanskrit Literature and Grammar, Logic, Philosophy and Law. There were village schools too scattered all over the country-side, where trading classes, petty landlords, and the well-to-do cultivators acquired a form of rudimentry education. The pre-British rulers supported mosques and temples, attached to whom were often maktabs and patshalas, respectively, where young boys learnt the elements of religion and other subjects. Persons in easy circumstances were wont to engage the services of tutors to instruct their children in reading, writing and arithmetic. But higher education was in the hands of men of learning, who devoted themselves to the instruction of youth. Besides the schools attached to

mosques and temples, individual instructors of merit were also aided by the State. Landholders and nobles vied with each other in supporting schools of repute. They taught advanced subjects.

We have no record how far, if ever, the girls profited by education. That is all, we hear of, the State had done at that time towards village education, but according to Farishta[1] and Daudi,[2] Sikandar Lodi gave great impetus to the study of *belles-lettres*. "Ain-e-Akbari"[3] sheds light on the genuine and practical interest Akbar took in the matter.

His *Firman* regarding education shows how keen Akbar was to see education spread among the masses within his kingdom and also that right type of education was given. He ordered that every schoolboy should first learn to write the alphabets and to trace their several forms, and turning to the method of instruction, he ordained that education may be imparted by degrees in books on morals, agriculture, mensuration, astronomy, physiognomy, domestic science, the rules of court, medicine, logic, mathematics, divinity, science and history.

Education in villages up to about 1843 was almost entirely religious, and, was given in Sanskrit or Persian, not in any of the present-day vernaculars.

The census of 1921 shows that in the United Provinces out of a population of 45,375,787, the rural area contains males 23,787,745 and females 19,417,308. Of this the numbers of literates and illiterates are as follows:—

	Males	Females
Literates	15,56,626	1,32,246
Illiterates	2,22,31,119	2,14,55,796

The percentage of scholars is 3.28. Of this that of male scholars to male population is 5.7 and that of females to female population is .65.

[1]Tarikh-i-Farishta, p. 187, the Newal Kishore Press, Lucknow.
[2]Elliot, History of India, Volume IV, p. 450.
[3]Ain-i-Akbari, Ain 25, p. 278 (Jarraett and Blockman).

"Literacy" generally connotes the ability to write a letter to a friend, but in common parlance a man who can sign his name and can read the alphabets of his vernacular is considered literate. As understood for census purpose, it is not necessary that one should be able to follow an ordinary newspaper.

The number shown as literate comprises large numbers of that sort. The figures are therefore sufficient to show in what state the education of the rural area is.

The advent of British rule in India brought a new language and a newer method of instructoin. It is beyond our province to state here the work done towards the cause of higher education during this time. The Britishers' interest in education can be gauged from what the Directors of the East India Company wrote, in a despatch to India as far back as 1824:—"We wish that you may be entirely penetrated with our zeal, with which we desire the education and training of the natives of India to be promoted, and rest assured that we are ready to make considerable sacrifices for this object." Captain Leopold Von Orlich in his travels in India[4] while giving some figures concerning the advance of education under the British Government for 1830, 1836, 1837 and 1843 remarks "Though it is only within the last twenty years that the British Government has begun to provide for the establishment of schools and public instruction, yet much has been effected within this short period. "Deeply impressed with the vast importance of the subject, the Government has prosecuted the undertaking on a truly noble scale." The fact that there are in the United Provinces at least one Government[5] school up to the standard of Matriculation or High School Examination in almost every district, and one up to

[4] Travels by Captain Leopold Von Orhih, Vol. II, published in 1845, p. 253.

[5] For English secondary education the number of institutions in 1929-30 was 963 and the number of enrolment 1,55,789—Report of Public Instruction in the United Provinces for the year ending March 31,1929 and 1930, p. 26.

The number of industrial colleges in 1928-29 was 29 with a total enrolment of 4,376.

the Intermediate[6] standard in almost every division, besides other important towns, and four teaching and residential universities namely Aligarh, Benares, Lucknow, and Allahabad, and one examining university of the old type established at Agra in 1927 speaks volumes for the great interest evinced by the Government in the matter. We have, however, to give a picture of the rural education only. In dealing with rural education, the authorities at first shrank before the magnitude and difficulty of the task and declared that education must be left to filter downwards to the masses.

In these Provinces, Mr. Thomason who was Lieutenant-Governor (1843-53) warmly supported by Lord Dalhousie, succeeded in inaugurating a system of general elementary instruction. A government school was established in every tehsil and from the centre, other neighbouring indigenous schools too were supervised. Though the people and teachers were furnished with advice, assistance, the improvement of the indigenous schools proved, then as ever, exceedingly difficult and the system was gradually succeeded by circle or *halkabandi* schools supported by a local cess. Since then a gradual increase in education has been maintained, but primary education which was the keystone of the whole superstructure did not make any strides. The first real step in this direction was taken by the appointment of a committee to inquire into the backwardness into this branch of education and to make recommendations for improvement. The scheme evolved from the proposals of the committee provided for a primary school within walking distance of every village, and for a sufficiency of preparatory feeder schools. But the feeder school did not function as such and on the whole progress was not significant.

In September 1918, when the Montague-Chelmsford Reforms were under consideration, the Government of India

[6] The total enrolment in the above five universities in the year 1929-30 was 7,081 and the total expenses of the universities excluding expenditure on buildings and equipment for the same year was Rs.41,28,309 (Chapter II, page 3 of the Report of Public Instruction United Provinces, for March ending 1930.)

addressed a letter emphasising the peculiar importance of primary education and suggested the preparation of detailed schemes of educational advance. They thought that the extension of franchise under that reform would furnish in itself a special incentive to an early expansion of elementary education. Fortunately Sir Harcourt Butler, was at the helm of affairs in these provinces at the time, Education was the keynote of his policy. In 1919-1920, a three years' programme of expansion aiming at a rapid extension of facilities for primary education was launched here at his instigation. He also inaugurated a wholesome systematic scheme dealing with the problem of educating depressed and backward classes, resulting in an increase of 4,956 schools, and 138,442 scholars.[8]

In April 1924, the Government again started a contract scheme with the District Boards, the main features of which were that (1) The Government prescribed for each Board the minimum amount which it was bound to provide in its budget towards education under the following heads:—

(*a*) Vernacular middle schools.
(*b*) Ordinary primary schools.
(*c*) Islamia schools and maktabs.
(*d*) Depressed classes education.
(*e*) Female education.

(2) Government would give a lump grant towards the total expenditure by the Boards under these heads. The contract system worked satisfactorily during the first three years and Government made a contribution of Rs.65,42,600 towards a total minimum expenditure by District Boards of Rs.95,86,000.

The contract expired on March 31, 1927, but the Government continued the general grants on the same terms.

[8] Page 104, Progress of Education of India, 1917-1922.

In 1924 the Government appointed an officer, Mr. Kichlu, on special duty to examine the possibilities of securing better results from the present expenditure on primary education in rural areas.

In 1926 the United Provinces District Board Primary Education Act was passed which extended to District Boards facilities for the introduction of compulsory primary education, similar to those granted to Municipalities by the United Provinces[9] Primary Act, 1919. Mr. Harrop,[10] another officer, was placed on special duty and some of his recommendations for speeding up primary education are being given effect to. The following statistics show the present position of literacy in the villages.

	Institutions	Enrolment
1927-28	19,624	1,099,307
1928-29	20,013	1,139,971
1929-30	20,068	1,155,142

Of these, District Board figures which stand exclusively for the rural area, are as follows:—

	Institutions	Enrolment
1927-28	14,438	8,70,796
1928-29	14,803	9,04,893
1929-30	14,793	9,13,029

Compulsion[11] in primary education was neglected too long, but now some steps are in progress which are likely to speed the pace of literacy.[12] Twenty-three out of forty-eight

[9] By the end of the year 1929-30 out of 85 municipalities 36 had introduced compulsory education in whole or part of their areas.

[10] Quinqueneal Report of Public Instruction United Provinces, ending 1927.

[11] D. O. No. 1016, dated March 7, 1929 from the Director of Public Instruction to ourselves shows that Tenants as such have not been given any special privileges in educational matters by Government nor has any District Board accorded to them any special privileges. Exemptions from fee payment may be given by District Boards under rule 85 and 86 of the District Board Education Rules.

[12] Report of the Director of Public Instruction, ending March 1929.

District Boards have received sanction of the Government for starting compulsory education in accordance with the provision of the Primary Education Act. Most of these have already started compulsion and some are on the way to start soon. The Government is liberal in sanctioning compulsion and advancing money to help the scheme. In 1928-29 fourteen schemes were sanctioned, the total cost of which was over nine lakhs, of which Government's share was about 6½ lakhs. The total grant which the Government gave in 1928-29 towards primary education came to over sixty-eight lakhs. The total expenditure on primary education from all sources in 1928-29 was Rs.8,415,810 and in 1929-30 Rs..85,69,399. Between 1917 and 1922 there was an increase of 47 per cent in the number of children enrolled; between 1922 and 1927 the percentages of increase were 21 and 32 respectively. The percentage is increasing with considerable strides.

But in order to further speed up the matter it may be worth while to make a survey of the condition like Japan did in 1871 and to fix a minimum speed which the District Boards should be compelled to accomplish every year.

The position of girls' education[18] is as follows:

	Number of institutions	Enrolment
1928-29	2,160	90,044
1929-30	2,155	97,380

There has been an increase of about 50 per cent between nine or ten years which shows that now the progress is rapid. But the progress among Muslim girls is very slow for which Purdah is responsible.

The above figures include municipal areas too. If the municipal areas are excluded, perhaps the figures of literacy among girls will be most insignificant.

In May 1927, however, the Government appointed a

[18] Report of the Director of Public Instruction, *op. cit.*

Committee to make recommendations for the expansion of girls' education. The Committee did so in 1927, action has been taken on some of the recommendations of the Committee and others are under the consideration of the Government.

There is a scheme for the education of adults which is worth mentioning here. This is arranged under the aucpices of the Co-operative Societies. Co-operative Adult Education Societies have been formed for the purpose of maintaining regular schools for illiterate adults. The number of such schools is twenty-nine. They are still concentrated mostly in Benares, Partabgarh and Lucknow districts, but there are indications that the demand for such schools is increasing. The members of the society contribute twice a year, at harvest times, each according to his means, but not less than eight annas a head and the funds collected are used for the purchase of books for the society's library and for such other educational objects as the society may determine. The school meets at a convenient place at least twice a week except at harvest times, or other times when it may not be possible to hold such meetings.

While substantial strides have been made towards speeding up literacy during the last decade, the state of literacy is still unsatisfactory. This state of things is due to the mistaken policy of the past, coupled greatly with the conservatism of the people and the economic conditions of the country, specially with regard to female education, where, undoubtedly, conservative prejudices and social customs have been the greatest barriers to its advance. The opinion is, however, slowly but surely changing. Educated young men demand literate wives, and to one sex, the social complexion of the country must reach upon and retard political progress.

If our educated men had given a little time to this cause, things would have been much better, but unfortunately we have had no Sir Joseph Lancaster, who could pioneer a movement for popular elementary education in India as he did in England. On the Government side too it was probably not

realised that, after all, in times of disturbance and unrest it is to the educated community that one must look for sanity of word and deed and steady opposition to the forces of ignorance and disorder.

So much for primary education, but the rural education has been divided into primary and vernacular middle. We need not enter into details about the latter for that has been of no help to the agriculturist in his vocation. It has been mainly a feeder for the post of patwari, and vernacular teachers, but the supply has been enormously above the demand and as a result those who could not be absorbed as patwari, or teachers were compelled to run waste. There was nothing in their curriculum to cultivate in them a disposition for agricultural pursuits. In fact, having had some education, they began to consider themselves a bit above the mass of illiterate folk in the village and looked down upon cultivation. So far as primary education is concerned, it could well be confined to three R's. though it may be better to change the course of study to include subjects which may interest boys in their surroundings and create in them an attraction for the plough. But in the case of vernacular middle education, there appears to be no justification for the continuance of such education on a large scale. There is no objection to having as many schools as may be required for producing patwaris and teachers as needed, but beyond that the whole curriculum and the system of education must be overhauled so that students coming out of the school may take up their hereditary profession of agriculture and may be better equipped to pursue it on improved lines. It is gratifying to learn that some steps, though halting, are being taken in this direction. On the recommendation of a Committee appointed in 1922 a scheme has been devised in accordance with which agriculture is made a compulsory subject in schools where some arrangements have been made for teaching it on[14] practical lines. A number of Boards

[14] Chapter XV, paragraph 345, of the Report on Agriculture in the United Provinces, prepared for the Royal Commission on Agriculture, 1926.

deputed their teachers to get the necessary training at Bulandshahr Agriculture School and have this subject in their schools. The number of such schools is increasing. This is probably worked on lines being tried in the Punjab and which evidently found favour in the eyes of the Royal Commission on Agriculture[15] in preference to the system in vogue in Bombay. The latter is purely "vocational" instruction. For ourselves, we venture to pronounce in favour of the purely agricultural school—like those in Bombay—for we consider the ordinary type of education as wasted on the Indian villager. Some good may possibly ensue from the inclusion of agriculture as an optional subject, still it can neither impart zeal in the rising generations of rustics to conduct their work on modern lines nor endow them with the practical knowledge required for doing so.

We therefore hold that by and by surplus middle schools might be abolished and agricultural schools started in their stead, as also other vocational schools, where they may be needed.

In 1925 Government decided to introduce woodwork in vernacular middle schools as a form of manual training of educative value and possessing a vocational bias. Perhaps there is no objection to that for a little predisposition that it may create towards industrial pursuit and the knowledge it will give in woodwork will help a boy in adopting woodwork as a subsidiary industry along with agriculture.

[15] Report of the Royal Commission on Agriculture 1928. pp. 452-455.

CHAPTER VI

Village Sanitation

The condition of village sanitation is appalling.

During the Hindu rule it does not appear that there was any definite organisation for sanitation in the villages. The watchman was the village scavenger and when a carcase lying in the street was removed, he honestly thought that his duty was done.

Regular cleansing of the village streets was unknown. Each householder, however, it seems, was responsible for cleaning the street adjoining his house. "Sukra" says that at the back of village houses there should be by-lanes and places for committing nuisances. It does not appear that under any king any improvement was made in the matter. The Muslims did not concern themselves much with any affairs of the village, and therefore naturally they did not take any interest in sanitation.

The first step taken by the British Government, if of an insignificant character, was in connexion with Act XX of 1856 (or Bengal Chaukidars Act, 1856). In this the only provision for sanitation was that from the funds obtained by taxing the people where the Act applied, if any surplus was available after paying the wages of chaukidars and defraying some other expenses, the magistrate was allowed to appropriate that surplus, for the purpose of cleaning the city, town or place, or of lighting or otherwise improving the same.

This, however, does not appear to have done any good. After this in 1863, an investigation was made by a Royal Commission, but that concerned a limited area only, mainly military.

Some time before 1868 the United Provinces Government appointed a Sanitary Commissioner. He used to tour and make recommendations on which some steps were taken, but the general condition remained the same.

The Acts passed in 1883 and 1885 giving effect in rural areas to the local-self-government policy of Lord Ripon also had no effect. In 1887 and 1888 the Government of India declared that a more systematic effort must be made to deal with the problem. It suggested that a general sanitary survey should be entertained, and moreover that when a clear perception had been attained as to what ought to be done, effect should be given to the conclusion by enforcing the provisions of Local Board's Acts or Special Legislation.

In accordance with this scheme the North-Western Provinces and Oudh Sanitation Act, 1892 was passed in the United Provinces. This Act was mainly meant for villages having not less than 2,000 population.

In villages in which this Act was introduced, the Collector had power to make inquiries and to order wells to be cleaned, improved, protected from contamination, or condemned and new wells constructed, the cost being recovered from the persons using the wells, or from the landlords. There was provision in the Act for loans being granted for the purpose. It may be said here that in 1912 by Act No. 4 some amendments were made in the provisions of the Act, in accordance with which it was extended to any villages, without regard to their population, at the discretion of the Local Government, and the Collector was given power to make inquiries as to the general conditions on the above lines. We are not aware if any step was taken in any district of the province utilising the wider jurisdiction of the Act. Nor on that account are we prepared to criticise the actions of the District Officers for we attach no importance to this Act. To continue our description, in 1895 the Government of India effected a further improvement by the introduction of a system of sanitary note books. This book contains a perma-

nent record of the sanitary history of each village. This book is kept by the patwari of the village and remarks are recorded by the inspecting officers. The only effect of the Act in practice has been that when the District Officer, Sub-Divisional Officer, or Tahsildar inspects the villages he fines those who are found contravening the provisions of the Act. This fine is deposited with the headman or the lambardar of the village and when there is sufficient money for utilisation for some purposes in the village, it is so used. Generally it is used for repairing a well. In 1896 the Government of the United Provinces issued a Resolution laying down a system of rules for sanitation, each district was divided into small circles, the sanitary condition of which was investigated. The object was to induce the villagers to observe simple sanitary rules and to keep their tanks and wells clean and in good repair. That also proved a nullity.

In 1914 the United Provinces Government passed "The United Provinces Town Areas Act,' which aimed at a more elaborate arrangement of sanitation than was possible under the Village Sanitation Act, but they excluded therefrom the agricultural villages and the policy is to enforce that Act in villages having a population of over five thousands the number of which is hardly even one per cent. It is therefore useless for me to dwell on the provisions of that Act here.

In 1920, the Village Panchayat Act was passed, the constitution and functions of which will be stated when we are dealing with village autonomy. Suffice it to say here that this Act made it the duty of the panchayats whenever formed, to look, among other things, to the improvement of public health, and the supply of drinking water. It is also provided in the Act that the provisions of the Village Sanitation Act should be extended to any circle where a panchayat was established. Under the Act such village panchayats will have at their disposal a village fund which shall be administered by the panchayats for the improvement of the circle and for the well-being of the residents thereof. The village fund shall consist of:—

(1) "Fees levied for the institution of suits and cases under section 33."

(2) "Fines and compensation paid to the panchayat under section 60."

(3) "Sums contributed by the Government, local Bodies, or private persons."

The Government has a Board of Public Health, which is responsible for allotting money from the provincial revenues to different districts for sanitary measures, and this Board contributes every year some amount to each district for distribution to the panchayats formed in that district if such panchayats need money for sanitary improvement, on condition that they were prepared to spend a certain proportion towards the same improvement from their village fund. In 1926 the Board of Public Health sanctioned grants aggregating Rs.70,732 to District Officers, through the Commissioners of the division, for sanitary improvements through the agency of panchayats. We have had to deal with this personally and know the system is having some good effect. This scheme promises very well, and its success will very much depend on the conduct of the panchayats. Previous to 1922 the Civil Surgeon was nominally in charge of Public Health but had practically no time to do anything except during epidemic.

In that year, a District Health Scheme was introduced tentatively in Gorakhpur and Basti districts which extends to twenty-eight districts now. Under this a District Medical Officer of Health and one sanitary inspector to each tahsil together with various other officials in charge of public health, travelling dispensaries, etc., are appointed to look to the sanitation of the rural area. This staff works under the guidance of the Director of Public Health and in co-operation with local bodies. Their functions are numerous. Besides doing propaganda work for educating the rural population in the elementary principles of sanitation and hygiene, they supervise the sanitary arrangements of fairs, inspect the health of school children, carry out sanitary surveys of villages, ins-

pect factories and the health of factory workers, central epidemics, organise public health exhibitions and baby shows and are associated with all phases of work in the district concerning public health. Its activities are more marked in respect of the prevention and cure of epidemics, such as, malaria, cholera and also in small-pox.

To arrest the spread of malaria and minimise its effects, the chief preventive measures adopted are:—

(1) Quininisation of school children.

(2) Mass quininisation through hospitals, sanitary staff, revenue staff, Local Boards agencies and respectable non-official and other agencies.

Besides quinine is always available for sale at the Post Offices. Some Municipalities have adopted some other methods in addition, e.g., oiling of all breeding grounds and distribution of quinine by Public Health students. To quote the example of 1926, quinine worth Rs.9,007 was distributed in different parts of the provinces. Anti-malaria survey is also proceeding in various districts and arrangements are made to train doctors to meet the situation. In connexion with the anti-malarial[1] survey 1,150 blood slides of children were examined, out of which 260, or approximately twenty-three per cent showed malarial parasites. About four thousand children were examined during the survey.

The vaccination campaign has now made vast strides. When it was started in the eighties, there was a hue and cry against it from the illiterate classes who are always slow to accept a novelty, however beneficial; and in this case there was a particular reason where Hindus were concerned inasmuch as their belief was that small-pox was not a disease but due to the evil effects of the wrath of one of their deities called Mata. They thought that the deity gets displeased by resorting to medicine. But thanks to the efforts of the British pioneers of the movement in India, and the efficiacy of the

[1] Report of Director of Public Health for the year 1926-27.

system itself, all prejudices against it have subsided and it is now commonly restorted to as a preventive measure.

The organisation has not slackned its vigilance, and every child in every school is examined and if not vaccinated has to be so treated.

There is also a good organisation to combat the plague. Inoculation, evacuation, and anti-rat campaigns, also disinfection of houses are encouraged. When inoculation was first started, as usual there was a great prejudice against it, but now there is none. Inoculation is a success[2] but unfortunately its effects are too temporary to easily attract the people. It is satisfactory to note that in 1929 there were 449,802 inoculations performed in affected areas.

Vigorous anti-rat campaign is also carried on. In 1928 700,000 rats were destroyed in these provinces.

As far as evacuation and disinfection of houses are concerned, there seems to be little objection to them now. Economic reasons, however, sometimes hinder the former.

In 1926, the Government of the United Provinces placed Rs.15,670 at the disposal of the District Magistrates and local bodies, to assist people in evacuating their houses and in adopting other measures in connection with the plague.

It is painful to state that in the eastern part of the United Provinces, for instance the districts of Gorakhpur and Azamgarh, plague appears to have taken up its permanent abode and has so far defied the efforts of Government to eradicate this terrible scourge.

As regards the outbreak of cholera, there is an organised system under which the report of such an outbreak comes to the District Officer and to the Health or Medical Officer at

[2] NOTE.—Statement in Appendix C, Page 19A of the report of the Director of Public Health for 1930 showed that in 1929 in a population of 690,353, persons inoculated were 26,977 and un-inoculated 6,63,376, out of these only six inoculated persons died, whereas the number of death among uninoculated persons was 2,696.

once and prompt measures are always taken towards the disinfection of wells through the staff of the District Officer and, where available, those of the Medical or Health Officers. Injection is also restored to now as a preventive measure when the epidemic starts.

There are forty-two permanent travelling dispensaries in the province which are sent to affected areas on the outbreak of any epidemic, and in most emergencies the numbers are temporarily increased.

It is gratifying to learn from Dr. A. Sousa, Assistant Director of Public Health, United Provinces, that practical steps towards the improvement of village sanitation are now in progress. In several districts, Lucknow and Sitapur setting an example, villagers have been persuaded to stack manure outside of the village instead of in immediate proximity to their dwellings. A system of village aid has been established for helping people with simple, yet effective assistance, pending treatment by medical authority. The Co-operative Societies and the Departments of Police and Education are rendering good service in the matter of propaganda, nor have the Boy Scouts remained idle but are taught elementary hygienic rules and also help in the distribution of medicine. Such early lessons in well being ought to turn them out good citizens, endowed with public spirit of the proper kind.

It is regrettable to note the absence of public spirit in matters of hygiene and sanitation, even members of the District Board are generally indifferent to their responsibilities in this direction. The lamentable tale of their attitude may well be told in the words of the report on the workings of the District Boards for the year[3] 1925-26.

"The Boards displayed little interest in matters affecting public health, they spent only 5.7 lakhs out of a total expenditure of 191.41 lakhs, or less than 3 per cent on this important work .... It is regrettable that out of the grants made

[3] Report of Director of Public Health 1928, p. 40, para. 80.

by the Board of Public Health from time to time for the improvement for rural sanitation, the Boards had at the close of 1925 an unspent sum of Rs.69,700." Perhaps they have begun to realise their folly.

Notwithstanding the activities displayed by the Sanitation Department, the condition of most villages is the same now as it was centuries ago and there are general indications of neglect prevailing. The main reason for that is the apathy of the people and the tenacity with which a villager clings to social custom. We do not consider the leading educated people free from blame in this respect for they did nothing to advance the cause of sanitation in villages. Only a little sustained educative work in that direction on their part would have changed the situation. Unfortunately among the people of India we have had no Lord Shaftesbury, who on seeing an unclean, undressed, pale and unhealthy child of the village would feelingly exclaim "Sick, sick, sick, how little years of labour has done." Unfortunately we have had no Chadwick, who unmindful of favour or frown, undaunted by fears of opposition could shake the old edifice of "leave it alone" to its foundations.

CHAPTER VII

Medical Relief

While medical relief is not yet quite satisfactory, it must be admitted that much headway has been made. Before the advent of the British, the country relied on the indigenous Ayurvedic and Unani systems of medicine. The former was the system of the Hindus and the latter a system developed by the Muslims from Greek and Hindu systems. It is in evidence that the Muslims got works of Charaka[1] and Susruta, two great medical authorities, translated into Arabic at the close of the eighth century, from which they were translated into some European languages also. They also got translated Shahnaz,[2] from Sanskrit into Arabic, a translation of which is in the Berlin library. The Ayurvedic system has long been in decay and the Unani system also in a stagnant condition. There were no regular colleges or schools for the development of these systems, but in some of the old types of Arabic and Sanskrit schools, medicine has been one of the subjects taught, and people coming out of these schools have practised the medical profession here and there throughout these provinces as in other parts of India.

Some years ago one college on the old lines was opened by a distinguished physician of a famous family of doctors at Delhi. It is known as Tibbi College, Delhi. Some years after, in the United Provinces, Lucknow followed suit by opening a school there also, but we may be excused for saying that the latter at least and to some extent even the former are behind the times and in no way have they achieved any advance on scientific lines. The English brought with them the European system which is slowly but surely establishing

[1] Imperial Gazetteer, Vol. IV, p. 457.
[2] The writer has seen this in the Berlin Library.

itself. The Medical School at Agra, established for the recruitment of medical officers for subordinate Government service, which has been in existence for several decades, the Medical College at Lucknow, a very efficient institution, which supplies private practitioners and men for the Provincial Service, the Sanitorium at Bhawali for pulmanary tuberculosis, also the opening of a pathological laboratory at Lucknow to which all medical men of the Province can send matter have been of great incentive to the popularisation of the European system. Most of those and many hospitals in these Provinces owe their existence very much to the philanthropy of the people of these Provinces.

There are now in these provinces 563 hospitals and dispensaries scattered throughout these provinces. They treat nearly six millions of people. But looking to the population (45,375,787 leaving out the States) and the area (107,167 square miles) of the province, they are yet insufficient and they are situated at such distances that they cannot be utilised by the bulk of the people. Moreover, the system being costly, and the bulk of the people being generally poor, they are not in a position to utilise it to the extent that they should. That is why the indigenous systems with all their faults are still popular and are the main sources of relief. Yet even that does not make full amends for the deficiency and it is not unoften that for want of medical relief the lives of villagers depend upon the cruel or merciful tendencies of nature.

Government is no doubt anxious to improve conditions, and in 1927 in order to promote the expansion of medical relief, a scheme was introduced by which grants are made by Government to Boards for opening permanent dispensaries at suitable centres, and for subsidising registered medical practitioners on Rs.400 a year for an L.M.S., or Rs.600 for a medical graduate. The cost of medicine is borne by the Boards and the practitioners render free medical aid to the poor. The Boards are gradually taking some advantage of the scheme which, it may be hoped, will eventually bring a

permanent dispensary or a subsidised medical practitioner within a reasonable distance of almost every village in the province. Till 1929, twenty-seven rural dispensaries were so subsidised and fifteen rural practitioners settled in rural areas. That only so few medical practitioners should have settled since the introduction of the scheme shows an ominous lack of enterprise and want of charitable disposition and patriotic fervour among them.

Government is also giving some impetus to the indigenous systems. It has established a Provincial Medicine Board for the control of this system which has lately started the system of registration of Hakims and Vaids which is likely to eliminate inefficient and untrained men in their class. This will improve matters. Under its supervision two institutions have been set up namely the Tibbiyya College, Aligarh, and the Ayurvedic College, Benares, by the Aligarh Muslim University and the Benares Hindu University. These institutions show the fusion of the eastern and the western methods of medicine.

The Board also aids some private institutions of indigenous system some of them are doing good work. Of one of these the Commissioner of Benares writes:—

"This much is certain, that thousands of invalids who would not be able or willing to attend dispensaries, get comfort and relief, from the treatment of 'Asha Dhalyar'."

But what is required is that efforts should be concentrated to bring the relief on modern lines within easy reach of everybody. There seems to be a tendency in District Boards and Municipal Boards to replace practitioners of Western methods by Vaids and Hakims, which is to be deplored.

In one respect the province is hopelessly backward—the supply of trained midwives. Generally only *Dais*[3] of the old school, who have hardly a rudimentary knowledge of midwifery, are available, and it is their inefficiency which

[3] Report of Civil Hospitals and Dispensaries, United Provinces for the year 1930, p. 6.

accounts for such heavy mortality among children and women. During the viceroyalty of Lord Reading, Lady Reading started a scheme of Maternity and Child Welfare. It did not go far, but since then work is being done in this direction, and there are now forty-five centres in the province under the direction of Lady Chelmsford Maternity and Red Cross Society—Childwelfare League. Government grants to the League in 1929 amounted to Rs.1,31,000. It appears that now midwives are being trained in increasing number, but it is a pity that their dearth is yet so great that Colonel Nut thinks that it will not be possible to appoint fifty midwives sanctioned by the Government for rural work all at once. But it is not the question of this dearth alone that has to be solved. Affinity to the old *dais* and a spirit of tenacity to the traditions of the family makes people, specially village folk, to cling to the old *dais*. All indigenous *dais* should be registered and trained. No *Dai's* except so trained should be allowed to practise midwifery. They should be prohibited by law to carry on this profession.

CHAPTER VIII

INDEBTEDNESS

The position of landowners as regards indebtedness is not satisfactory. While the new rich to whom the land has passed by mortgage or sale are prosperous, the older families—Thakurs, Jats and Muslims—are in less affluent circumstances. The Famine Commissioners of 1880 thought about one-third of the land-owning class were deeply and inextricably in debt and that at least an equal proportion was in debt though not beyond the power of recovering themselves. Mr[1] Mudie, Settlement Officer of Agra in his note of the Karoli tehsil wrote—"that the Jats who were the largest landholders in the pargana at last settlement had lost about forty per cent of their property, while Vaishes had gained by sixty-six per cent. Mr[2] Lane, Settlement Commissioner, writing about Khairagarh tehsil of the same district expressed the view that Vaishes had increased their zamindari by 300 per cent at the expense chiefly of Thakur and Jats. Our own investigation in about twenty circles of patwaris in tehsil Muhammadabad, district Azamgarh, shows that no less than 75 per cent of the old zamindars are either heavily indebted or have transferred their property. This shows that the percentage of indebtedness among small zamindars is very high. But so far as the zamindars paying revenue of Rs.5,000 and over are concerned, certain inquiries of some significance show that over 60 per cent of them are free from debt and about half of the rest are indebted to a moderate extent.

[1] Notification No. 395-N, Settlement, dated Naini Tal, June 29, 1929, United Provinces Gazette, August 24, 1929, Part VIII, p. 953, para. 26 of the Report.

[2] Notification No. 395-N., Settlement, dated Naini Tal, June 29, 1929, United Provinces Gazette, August 24, 1929, Part VIII, p. 864, para. 4 of Mr. Lane's Note.

The indebtedness of the landowners needs no surprise. On the one hand they get money easily and naturally do not value it as much as one who gets it by the sweat of his brow would do. On the other, the land exercises a peculiar attraction over the man who has money to lend and therefore the money-lender devises means to tighten his hold on the landowner when once he is in his grip. The possession of land is invariably supposed to carry with it a certain dignity which is wanting in other possessions, land being *per se* desirable. Besides borrowing is generally made for unproductive purposes, which is a great factor in increasing indebtedness.

Indebtedness[3] among the tenants is economically excessive. In fact it is the common feature among cultivators. It is not often untruly said that a cultivator is born in debt, increases his debt throughout his life and dies more hopelessly in debt generally speaking. This feature is due to the immense rise in value of his ultimate security and the temptation caused by the enhancement of his security to plunge in necessary debt. It is also due to the fact that the increase in the value of the security has had little or no effect on the price of the capital supplied and the money-lender has utilised the commercial helpness of the uneducated tenantry and competition for loans to extract impossibly high rates of interest. But the main causes of indebtedness may be summarised as follows:—

(1) Extravagance in marriages, etc.

(2) Exactions of the zamindars.

(3) Litigation.

(4) The presence in the villages of a Bania.

[3] The position of indebtedness as existed in 1868 in Oudh, which will apply very much to the case of the Agra Province also of the same time, may be gathered very well from the papers about indebtedness of cultivators in Oudh, which contains a survey of each Oudh district by the District Officers and the Government's view on the point. From these papers it appears that the indebted cultivator formed the majority. This will describe the general present position as well. Selection from Revenue Records (Oudh Indebtedness), pp. 305, 39B.

(5) Want of a good law against usury.

(6) Drought, or scarcity or floods, or other calamities.

1. *Extravagance in marriages.*—This is a chronic disease of Hindu society, and it has infected the Muslims and others as well. In past times among the Hindus, the father of a girl had to incur such heavy expenses in her marriage that the very thought of it always was a dread to him and therefore the birth of a daughter was considered to be an ill omen for the family. This led to the barbarous practice of female infanticide[4]. But thanks to Mr. Jonathan Duncan—an officer well known at Benares at the close of the eighteenth century, who was the first to bring it to light and Mr. Raikes, Collector of Mainpuri, who in 1848 showed the existence of this practice among the Chauhan Thakurs of his district, the matter was taken up and in 1851 the Thakurs of the Agra Division met and combined to draw up a graded scheme for reducing marriages expenditure. Finally[5] in 1870, a meeting was held at Allahabad with His Honour the Lieutenant-Governor in the chair, at which extravagance on the occasion of marriage was strongly condemned, while legislation[6] was set to work to suppress this form of crime. It has succeeded, but a love for lavish expenses still remains.

2. *Exactions of the zamindars.*—It is an admitted fact that the tenantry has been the victim of exactions from the officials and zamindars from a very remote date. Such were rampant in some way or other under the Muslim kings, and we find many rulers paying attention to the evil, with or without success. The efforts of the British Government to eradicate the evil by successive legislative measures have been shown in Chapter VI of part I. In Agra there has been steady improvement, but in Oudh at least the law had no effect, and exactions used to be made on the slightest pretext.

[4] Selections from the Record of Government, N.-W. P., 1871, Vol. V.
[5] N.-W. P. Gazette, May 1870.
[6] N.-W. P. Gazette, June 1871.

The common way of squeezing the tenant was to threaten him for ejectment after every seventh year (statutory tenants were liable to ejectment under the law before 1921, after every seventh year), and after receiving an exorbitant amount from him as *nazrana* he was allowed to retain his holding. If any one was unable to pay the *nazrana* demanded, he was ejected. *Nazrana* was also taken on every enhancement. The limitation on enhancement of rent in Oudh (6¼ per cent in seventh years), was also the cause of illegal exaction. The tenants, like all primitive people, have so much affinity for their tenancy that they are always prepared to make any sacrifice to avoid its loss. In the majority of cases, therefore, they saved themselves from ejectment by paying the *nazrana*. But that was not all The tenantry being a feeble class and having no organisation of its own, had to satisfy every demand of the zamindar, and had to pay something to him on every ceremonious occasion. To our personal knowledge, one taluqdar in Sitapur district realised "hatiana" for purchasing an elephant for himself; in another district some realised "latana," that is, a present for the expenses incurred in giving a dinner to the Governor, and the climax was reached in 1919 and culminated in the *aika* movement which has been described in Chapter VII, part I, also the legislation which followed. As a result of the latter, even if the *nazrana*[7] is recovered amicably, the sum recovered would be considered as payment illegally enforced, and could be obtained back.[8] There is also a salutary ruling that in a suit for profits the *nazrana* realised from the tenants by certain co-sharers, should also be included in the account.[9] There were also cases in which *nazrana* was taken by the zamindar and still ejectment was proceeded with. Ruling IV. U. D. 561, 221, IV. U. D. 255, V. U. D. 62, restricted the zamindar in that way.

All this has no doubt improved matters, but exactions

[7] Act III of 1926, Section 17 (clause 3).
[8] 2 O. W. N. 439.
[9] 22. S. C., 264, VIII. R. C. L. J. 138.

have not yet disappeared nor, in our opinion, will they do so until the tenantry are imbued with keener consciousness, and realise the possibility of organisation.*

Litigation.—This is another cause of tenants' indebtedness. Litigation arises in several ways. In some cases a tenant has to contest the suit brought by his landlord against him, owing to the latter's denial of the former's legitimate position. For example, under the Agra Tenancy Act, 1901, the landlord sued the tenant under section 58, for ejectment, taking him to be a non-occupancy tenant, when he had in most cases already acquired the right of an occupancy tenant, as dealt with by us in Chapter VI, part I.

In some cases a tenant had to establish his occupancy right when he found that the landlord was manoeuvering in collusion with the patwari. The law of devolution under section 22 of the Agra Tenancy Act, 1901, respecting occupancy tenancy was also responsible for a lot of litigation among the heirs of tenants. There were many other sections in the old law which had increased litigation. But as we have shown in Chapter VI, Volume I new conditions of the law have gone a long way towards saving tenants from the exactions of the zamindars. Still owing to certain conditions prevailing in villages, also to certain phases of the Law and the fertile brain of lawyers, the love for litigations has not subsided to that extent as it should.

The modern machinery of justice has also been responsible for the tenants' plight in this respect. For every suit or case brought by him, or against him, the tenant had to run to the city, engage a writer to write his plaint or defence, engage a pleader, and summon witnesses and withal to be the victim of the postponements—which are not uncommon in Indian Courts—all of which involve heavy expenses in consequence of which the suit proves to be a disaster to him in every case, whether he succeeds or fails.

* The realisation of nazranas is practically out of question at present owing to economic depression and some political factor.

Moreover, owing to the complex law of evidence, all the true information available cannot be brought to light and often real justice cannot be done.

Lord Macaulay, truly said about such rules of evidence, "Those rules, it is well known, exclude much information which would be quite sufficient to determine the conduct of any reasonable man, in the most important transactions of private life. Those rules, at every Assizes, save scores of culprits whom judges, jury, and spectators firmly believe to be "guilty."[10] An attempt has, however, been made to remedy this evil, in so far as petty cases are concerned by a provision made for establishing panchayats for such matters. These panchayats do not have to follow the technicalities of the Evidence Act; on the other hand, it is their duty to ascertain the facts of every suit or case before them by every lawful means in their power, and thereafter to make such decree or order, with or without costs, as may seem just.

In so doing they are bound by no Laws of Evidence nor procedure, other than the procedure prescribed by or under the Panchayat Act.[11] The panchayat will be dealt with at length in the chapter on village autonomy.

Two other facts may be mentioned as aiding this ruinous taste for litigation among the villagers. These are the patwari purposely tampering with the records and giving bad advice to the ignorant villager, and the lawyer's tout, who in his zeal to provide clients for his employer, induces the tenant to take his case to the courts instead of having it compromised as might usually be done. The influence of the patwari is declining with legislative changes and a new system for keeping records, but only public opinion can do away with the tout.

(4) and (5) *The Bania and want of a good law against usury.*—The Bania is another and probably the greatest cause

[10] Macaulay's Essay on Warren Hastings.
[11] United Provinces Panchayat Act, I of 1920.

of a tenant's indebtedness. The tenant runs to him to get money for a supply of seed, to meet the demands of his master landlord, whether for rent or legal or illegal cesses, for the expenses of marriage or other ceremonies, even for taking a pilgrimage to a sacred place. The Bania pretends at first that he cannot advance the loan, only with a view to obtaining the borrower's consent to an exorbitant rate. Having obtained this consent, he will advance the money at once and will not show any haste or anger in getting money till he has entangled the debtor in a spider's web, making it hopeless for him to get free. As Tavernier, the famous traveller, has said "If anyone gets into the rage with them (Banias), they listen with patience without replying anything and they withdraw coldly not returning to see him for four or five days, when they believe his rage to be over."

Nominally the rate of interest is twenty-four per cent or thirty-six per cent, but in reality it is seventy-five per cent, or even sometimes double the capital, and even more. This is brought about by the way in which the interest is made up. It is reckoned on the whole sum for the whole time that the money has to be repaid. For instance, suppose a ryot wishes to borrow Rs.100, to be repaid by monthly instalments of Rs.10, interest being repaid at the rate of three per cent per mensem, or thirty-six per cent per annum. In ten months the money would have to be repaid back; the interest is reckoned on the whole sum for that time and it amounts to Rs.30. This is deducted from the principal and the balance, etc., seventy-nine, minus the fee of the man who writes the bond, (if there is one), and the value of the stamp is put into the hands of the borrower. The instance we have given is one where the borrower gets an easy bargain, but the ryot often fails to pay and the the sahukar (banker) threatens to take him into court, specially in a busy season, when the agriculturist cannot afford to lose even one day; thus bringing ruin upon him.

Tavernier, well said of Banias 250 years ago which is true even now, "the members of this caste are so subtle and

skilful in trade that they could give lessons to the most cunning Jews."[12]

Many debts are handed down from father to son with the land, and every year, instead of getting smaller, they become larger and larger, for the *sahukar* manages in some way or other to add something to the account. The tenant is, it must be acknowledged, a thriftless being, and that also accounts for the fact that he is pressed down by a load of debt, and has always to carry it about with him as long as he lives. Debt to him is the millstone round his neck, which must go on grinding him througout his life.

This class of moneylender has grown from the time of the Hindu rule. Narada says "A Vaisya is at liberty to get over a period of distresses by practising usury."[13] But there is plenty of evidence to show that the Hindu rulers also were against usury and tried to put a check upon it. The learned commentators of Hindu Law, such as Vasistha and others, explain that the proper rule as to the maximum amount recoverable as interest was that it should not be higher than the amount lent. According to the Smriti of Yajnavalkya the normal rate of interest should be fifteen per cent per annum or one eightieth part of the actual capital per mensem.[14] Kautilya's Arthashatra gives the same rate.[15] There was however, a difference as to the loan of corn, gold, silver and the like; this rule of limitation as to the maximum rates came to be known as *damdupat.* According to Narada generally it is 1¼ per cent monthly, or fifteen per cent per annum, and for the loans for which there is no security it is two per cent from Brahmans, three per cent from Kshatryas, four per cent from a Vaishya, and five per cent from a Sudra.

Dr. Radhakumad Mukerji[16] cites several instances which

[12] Mr. Dupernex's book, "The Peoples Bank in Northern India," p. 14.
[13] Max Muller's book of the East Indies, Vol. 33, p. 68.
[14] Smiriti, pp. 111, 36.
[15] Kautilya's Artha Shastra, p. 174.
[16] Local Government Ancient India by Dr. Radhakumad Mukerji, p. 118.

show that a maximum interest used to be fixed though in some cases the rates seem to be very high. For example when quoting instances of secular gifts in the south he states that the rate of[16a] interest allowed on these religious deposits was not uniform, in some cases 12½ per cent and in a few others as much as 50 per cent and when describing some public gifts he says that the rate of interest was 15 per cent per annum. The Muslims were bitterly opposed to usury, their *Qoran* (Religious book) definitely makes it illegal. In fact the common interpretation of the passage in the *Qoran* goes even so far as to absolutely forbid all interest, which was never meant.[17]

During the British rule, in the very beginning the legislature found that the rates of interest authorised by custom amounted to the most exorbitant usury.

It was therefore judged necessary[18] to prescribe a fixed and general rule for the limitation of interest to be received and paid in all cases of loans and debts, etc. The eighteenth article of the plan of administration of justice proposed by the Committee of Circuit, in the year 1772, established the following rates, as well as for past debts as on future loans of money, namely on sums not exceeding Rs.100, principal, interest of Rs.3-2 per cent per month, or ½ an anna in the rupee on sums above Rs.100 principal, an interest of Rs.2 per cent per month. The principal and interest to be discharged according to the conditions of the bond; and all compound interest, arising from intermediate adjustments of accounts to be deemed unlawful and prohibited. It was further provided by the eighteenth and nineteenth articles that when a debt was sued for upon a bond, which was found to specify a higher rate of interest than

[16a] Op. Cit. p. 123

[17] Those interested in this subject might read "Sood Mand" by Maulvi Tufail Ahmad, Ex-M.L.C., published at Aligarh.

[18] Harrington's Analysis to Bengal Regulations, Calcutta, Edition, 1805 to 1809, Vol. I, p. 182.

the established rates, the interest shall be wholly forfeited to the debtor and the principal only to be recoverable, and that all attempts to elude this law, by deductions from the original loan, under whatever denomination, shall be punished by a forfeiture of one moiety of the amount of bond to the Government and the other half to the debtor. The provisions were continued in the twenty-second and twenty-third articles of the Judicial regulations passed on March 28, 1780, with the following qualifications. In cases of future loans no higher interest to be allowed than 2 per cent per mensem or 24 per cent per annum, where the principal shall be under Rs.100, and 1 per cent per mensem or 12 per cent per annum, where the principal shall exceed Rs.100. It was left to the discretion of the superintendent of the Diwani Adalat in cases of past loans, on a review of the circumstances of the debt, and conditions of the debtor, to settle the payment of the debt according to a known and established custom of the country; namely where the interest has accumulated so as to exceed the principal to reduce it to half of the principal, or where the interest had exceeded one half of the principal to reduce it to a quarter. Similar provisions were included in the regulations of July 5, 1781. Regulation XV of 1793, a regulation for fixing the rates of interest on past and future loans, laid down 12 per cent per annum as the legal rate of interest for future money lent in transactions in Bengal, allowed higher rates, that is 24 and 37 per cent to be decreed on loans contracted anterior to the enactment. By regulation passed on December 23, 1822, a uniform rate of interest was fixed at 12 per cent interest, where the principal exceeded or was less than Rs.100. Usury laws continued to be passed from time to time in the years which followed, both in Bengal, and the other provinces.

The courts were directed by the Usury Laws Repeal Act of 1856 to award interest as might be settled by plaintiff and defendant, thus doing away with previous restrictions as to the rate charged. Great was the mischief caused by

so permitting interest of an exorbitant nature to be charged, though some amendments in the Contract Act of 1872 mitigated the evil. Relief might be granted to a borrower in cases where undue influence was proved; otherwise the court was powerless and could not reduce the highest rates of a greedy usurer. Another Act, however,—The Usurious Loans Act of 1918—has changed things for the better and the court is now empowered to grant relief to a debtor if excessive rate of interest has been charged and evident unfairness marks a transaction. Sundry considerations were to determine the action of a court, chief among these being the position of the contracting parties when the loan was granted, what sort of security was furnished, and similar details.

The most salutary provision in the Act is that it is applicable both to cash debts and debts in kind. It was truly said in the Statement of Objects and Reasons "Provision has been made to cover the case of the loans of grain as well as of money, as loans in kind are often made on very oppressive terms." Those who know the condition of loans, especially those to the tenantry, will endorse that in applying the Act to all sorts of loans, the Legislature did take a substantial step in keeping a grabbing money-lender at bay. But it is unfortunate that no maximum rate of interest was fixed, although it was apparent that the removal of restrictions by Repealing Act of 1856 had not proved satisfactory. We admit that it is not always possible to lay down a fixed rule that at a given point interest becomes usurious. No doubt with progress of trade and commerce and consideration of the law of supply and demand, a restraint on the flow of capital sometimes results in checking industry and commercial activity. But looking to the economic interests of India, and the general conditions obtaining here, we believe that a maximum rate would have been beneficial both economically and industrially. Probably it was omitted under the influence of the legislature or money-lending classes. It cannot be

imagined that the Government was opposed to it on principle. The principle was recognised before, and again recognised in several Acts, for example, in the matter of arrears of Profit and Rent in the Agra Tenancy Act, and Oudh Rent Acts, both old and new. Sections 131, 225(2) of Agra Tenancy Act and Section 141 of Oudh Act of 1886, are relevant.

It is also unfortunate that a clear distinct provision has not been made for disallowing compound interest on loans in which poor agriculturists are concerned. It is true that the Act is based on the English Act, and that if the Indian Judges follow the precedents of the English Judges, there will not be much difficulty but for this there is no guarantee. What is most regrettable is that the Act gives relief only in a suit brought by the lender; it does not allow the borrower to come to court on his own initiative to get relief. The denial of the right to the borrower to invoke the assistance of the court, independently of the lender's suit, has the effect of making this Act inapplicable to a mortgagor's suit for redemption, and probably to suits by managers or persons in similar positions, in connection with rendering of accounts.

Mr. Justice Walsh in the preface to his edition of the Usurious Loans Act, when dealing with this point says, "Those best acquainted with the nature of loan transactions in India will know how far this omission detracts from the value of the measure."

The Act, however, though tardy and halting, is a check on the usurious tendencies of the Bania.

Co-operation.—Co-operation is another effort made to safeguard the tenantry from the clutches of the Bania. Through co-operation an isolated and helpless individual can by association with others, by moral advancement and mutual support, obtain in his own degree material advantages available to wealthy persons and thereby develop himself to the fullest extent of his natural abilities. By the union of forces material advancement is secured, and by united action, self reliance is fostered, and it helps in the attainment of the realisation of

advanced and prosperous standard of life."

In the United Provinces in 1901, Lord MacDonnell (then Sir Antony MacDonnell), the then Lieutenant-Governor, following similar action in Madras, placed Mr. Dupernex (who had already written a book named "People's Banks of Northern India), on special duty for the purpose of discovering by local inquiries how best to establish Agricultural Banks in localities in the North-Western Provinces (now the United Provinces) and on his suggestion a few banks were started in 1901, but for some time they did not show any progress. Mr. (now Sir) J. Hope Simpson in his first report on Co-operative Societies, 1904 writes:—

"The Societies in existence when my appointment commenced were all village banks, and were of the Raiffeisen type. They numbered 223, and the majority had been founded in 1901. Of this number a large proportion has ceased active operations and of those which remained active, the majority were innocent of any co-operative principles, and were simply an agency for the distribution and collection of agricultural advances at a low rate of interest."

About 1904, it was realised everywhere that no advance could take place without special legislation to suit the requirements of the country. The Government of Lord Curzon then appointed a strong Committee with Sir Edward Law as President, to make proposals after considering the opinions of the Local Governments, and the experiences of officers who had already started Societies. The conclusions at which they arrived were that Co-operative Societies were worthy of every encouragement and of a prolonged trial. They drew up model schemes of management for both rural and urban Societies and discussed the form of legislation needed to secure to the Societies the privileges which they recommended, and to provide for their due working and supervision. Their recommendations proved the basis of the Bill which was passed into law in 1904, as the Co-operative Credit Societies Act. Sir Edward Law, in his speech on the Bill said:—

"Here we are initiating an independent but allied experiment, which is to make the cultivating classes themselves the borrowers, improving their credit, developing their thrift, and training them to utilise for their own benefit the great advantage the experience of other countries has shown to be in the principle of mutual co-operation."

And in the same sitting of the Council Mr. Adamson said;—

"Our Co-operative Credit Society is but a frail bark launched upon a treacherous ocean, but if it can escape from being wrecked by the opposition of the money-lenders, if it can avoid being stranded on the shores of mutual disruption among its members, if it can carry safe to port but a portion of its cargo of self-help and co-operation, it may be that some day yet this Bill will rank among the most important measures that have been passed by the Government of India for the amelioration of the agricultural and industrial classes.[19]

It was since then that the real work began. Provincial Registrars were appointed under this Act to take charge of the whole Co-operative Movement, and Co-operative Departments created. Mr. (now Sir) J. Hope Simpson, was appointed the first Registrar in the United Provinces. He put life into the movement, but still the progress was not marked. Further advance was made under the amended Act 1912, but the progress made was still small compared with the magnitude of the field to be covered. The Government appointed a Committee[20] in the year 1915 presided over by Sir Edward Maclagan. This Committee discussed the position of co-operation in each province, and suggested remedies. Their report is a remarkable document, and is still considered to be a classic on the point. On the suggestions made in their report, the provinces were asked to overhaul their Societies.

[19] Government of India Gazette of April 2, 1904, Part VII, p. 263 and Part VIII, p. 253.

[20] Report of the Committee on Co-operation in India, Government Press, 1915.

Each province considered the position in the light of those suggestions, but unfortunately the United Provinces did not improve substantially. It is true that the efficiency of steering a ship depends very much upon the personality of the captain, and for some time the position of co-operation in the United Provinces was such that it was felt by persons interested in the cause that there was something wrong. While the number of Societies went on increasing, they proved hardly effective in eradicating any of the evils which they were meant to cope with.

The Government of the United Provinces took timely action in appointing under their Resolution, No. 381-B. of September 1925, a Committee;

(1) To inquire and report the reasons why the Co-operative Societies in various localities have not succeeded better in gaining the confidence and support of the people; and

(2) To make proposals for improving the organisation, supervision, control, audit and financing of the movement in all its branches.

This Committee was presided over by Mr. (now Sir) Ralph Oakden, Kt., C.S.I., O.B.E., I.C.S.

This Committee went thoroughly into the question and made a report which has been published. The report is worth perusing, from which it is clear that while statistically the number of Societies had been going up, they have not had the desired effect. The Statistical progress was as follows:—

1904—5—Total number of Societies and Central Banks—159.

1924—5—Total number of Societies and Central Banks—6,000.

1904—5—Total number of Primary Societies —12,215.

1924—5—Total number of Primary Societies— 145,149.

1904—5—Total capital involved in the movement—Not known.

1924—5—Total capital involved in the movement—Rs.1,12,51,865.

1904—5—Total owned capital of Central Banks and Societies—Rs.47,018.

1904—5—Total owned capital of Central Banks and Societies—Rs.72,08,319.

On these figures, the Report remarks:—

"If figures prove progress, the Co-operative Movement might be called progressive .... but in judging the results of the movement, mere figures are not a safe guide ..... Co-operation after twenty years, is not spreading by its own momentum as it would if its benefits were felt to be more real and substantial. The money-lender is not alarmed, and the interest taken in Co-operative Societies is so little that very few people consider them to deserve serious attention ...."

In our opinion among the causes that have contributed to the failure of the movement in these provinces the chief cause is that there was want of the right spirit in the organisers of the village banks at the time they were started. The members forming the society had no idea of the benefits that could be derived from these unions. They took it only as an easy means of getting loans. Instead of liquidating the entire liabilities of members on their enlistment, thus freeing them from the clutches of village Skylocks, and impressing on them the principle of entirely depending on the village banks, they were left free to tap both resources as they liked. The result was that the members, when pressed for payment by the Bank's subordinates, who worked with the only idea of showing their energy in collections, had to resort to their *mahajans* or made *farzi* payments by fresh loans from the banks. Thus their indebtedness increased and they failed to derive any benefit from the Co-operative Movement. Owing to this increase, central banks withheld financing the requirements of

good members and thus the operations stopped and the village banks had been generally worked as money-lending concerns only.

One great source of ryots' trouble is the purchase of plough-bullocks. In order to avoid this unforeseen charge Mr. (now Sir) Selwyn Fremantle when he was Registrar introduced a system of cattle insurance, but this very beneficial move was not worked up owing to the lack of zeal in the organisers. No attempt has so far been made to arrange the marketing of members' produce, and saving to them the middlemen's profit, or introducing scientific methods of cultivation and use of improved implements on co-operative basis, viz., pooling together the resources of individual members for mutual and general benefit. It is not correct to say that villagers are devoid of this spirit. In their many processes especially in watering operations, mutual aid is generally resorted to. The Central Banks which are the financing agencies have a majority in their directorate of such men who come from money-lending class or are their sympathisers, and as such have little or no sympathy with the troubles and difficulties of the agriculturist. In fact they consider Co-operative Societies as rival institutions to their own business.

Notwithstanding this criticism it cannot be said that nothing has been done, and so far as the Government is concerned one must appreciate its endeavours. It is pleasant to learn that Mr. Khareghat, at present the Registrar of Co-operative Societies is putting forth his best exertions to reform the department and the societies; so new and beneficial action may be looked for in the near future.

Relief to taluqdars.—Another important step was to give relief to indebted taluqdars. After the first Settlement of Oudh, a number of taluqdars were found to be deeply involved in debt. This was brought to the notice of Lord Lawrence, then Viceroy of India, and at his instance, Sir John Strachey obtained leave to bring a Bill to relieve the estates of taluqdars from encumbrance and the Bill was

brought forward on the recommendation of the then Chief Commissioner, Mr. Davies, and at the request of the taluqdars themselves; the estimated amount of advances required being £146,000. On September 7, 1870, the Bill passed as Act XXIV of 1870; and estates assessed to an aggregate revenue of Rs.22,00,000 were in 1871 brought under management of six managers of encumbered estates. Subsequently in 1871 the special agency was abolished and the estates were managed by the Deputy Commissioners. In order to bring his estate within the operation of the Act, the taluqdar had to apply within twelve months after it has been passed.[21] This Act relieved them from arrest, or attachment of property, and they were debarred also from further mortgaging or alienating the property till it was under special management[22] and thus a large number of estates were saved. On similar lines the old estates both in Agra and Oudh Provinces, when encumbered, are still saved by being taken under the superintendence of the Court of Wards under the Act.

Relief to Bundelkhant Encumbered Estates—The other, but not an altogether unimportant effort of the Government was to mitigate the sufferings of indebtedness among the small land-owning classes of Bundelkhand, an incubus of debt. With a view to relieve the proprietors of their debts, and restrict their power of transfer, in 1882 the Government of India, on the recommendation of the Government of the United Provinces passed the Jhansi Encumbered Estates Act (Act XVI of 1882). In accordance with that, a special judge[23] was appointed to dispose of cases relating to the subject. It had a most wholesome effect upon the district. It succeeded in reducing a debt of Rs.4,64,487 to Rs.2,40,335, or in other words making debtors a present of Rs.2,24,132 and thus confering a substantial boon upon them.

This Act was modified in 1903, by Act No. I of that

[21] Section 3, Act XXIV of 1870.

[22] Section 4, *op. cit.*

[23] *Vide* Revenue Administration Report of 1883-84 and also Government Resolution on that.

year, which made still wider provision for achieving the object for which the first Act was enacted.

Under this Act again Special Judges were appointed to deal with all the debts. Altogether the Special Judges received[24] Rs.32,870 claims, representing three-fourths of a crore of principal and one-fourth crore of interest Of the crore of rupees thus claimed, about half was awarded by the Special Judges. In the result it is estimated that debtors by accepting the relief under this Act instead of awaiting costly and lengthy proceedings in the ordinary courts were saved 40 per cent of their liabilities.

Liquidation was also arranged for the relief-seeker and out of fifty-two lakhs of debts, forty-six lakhs were discharged, while in a total of 8,509 cases, 7,642 landowners were cleared of debts.

Under Section 19 of the Acts, the Government granted loans also at Rs.5 per cent, to be paid by easy instalments in ten years, for the purpose of paying such debts. Large sums were advanced liberally to mitigate the suffering.

It is obvious that this Act of the Government gave much relief to the agriculturists concerned in getting out of the mess in which *Banias* had placed them.

6. *Drought, Famine, Floods, etc.*—Drought, famine, floods and other calamities affecting the crops, are other great causes of indebtedness. Floods are beyond control and so are some other calamities, for example, the invasion of a swarm of locusts, or the outbreak of fire in the crops owing to negligence. Floods affect generally the riparian area alone, but it is a matter of common knowledge that India depends too much on the monsoon, and therefore its failure generally brings famine or scarcity.

The ancient Governments, Hindu or Muslim, did every little in the way of famine relief. From Vincent Smith we learn that the King of Kashmir in the tenth, and Hemu in

[24] Government Administration Report, 1906-07, para. 57.

the sixteenth century, both showed doubtless indifference to the difficulties of their people. Akbar, for the first time made a remarkable effort during 1595-8 but no particulars of this are recorded,[25] Jehangir[26] also organised relief works. Besides remissions of revenue, his Government distributed large sums of money, opened relief works, arranged recruitment to the army, and established free soup-kitchen, and alms houses. Some of his successors also had similar organisations, but still migration was always very threatening.

The British Government has an organisation for such disasters which is best of its kind for mitigating such sufferings and is unparalleled in the history of India.

Let us examine it in some detail. Take the case of famine first. In the forefront of all agencies which subserve the alleviation and prevention of famine, stand irrigation, and means of communication. In regard to communications, India is making satisfactory strides. Before the advent of the British there were hardly any metalled roads connecting one commercial centre with the other. Important tracks were from Mirzapur to the south (known as the Great Deccan Road), from Agra to Ajmer, and from Allahabad to Jubulpur. There were also two or three established trade routes from Delhi; one passing through Muttra to Agra, and thence via Etawah to Allahabad; another running via Garhmuktesar, Moradabad, Bareilly, Sandi, and Rai Bareli to Benares and on to Patna; and a third following the alignment of the present Grand Trunk Road from Delhi to Aligarh. The Moghal Emperors no doubt took the trouble to mark out and guard the routes most used by the caravans of traders and those carrying goods from one end of India to another.[27]

But since British rule great improvement has been made both in the number of roads, their quality, administration and

[25] Akbar, the Great Moghal, V. A. Smith, p. 399.
[26] History of Jehangir.
[27] Imperial Gazetter, Vol. III, p. 403.

the provision of security to life and property, and now we find roads to almost all centres, especially to big grain markets though a number of roads are unmetalled, and even metalled roads require better upkeep and supervision.*

We have besides railways which have only been working since the middle of the last century, and scanning the maps of the railways running from one corner of the province to the other, and their communications with the rest of India will show that most of the real requirements of the United Provinces have been met. No doubt there is a field yet for some additional railways and for tramways, light railways, etc., through certain tracts, and the need may increase with the advance in agriculture, but these will be distributive and remunerative lines, not so essential for protective measures, like the need for omnibuses and motor lorries which are also steadily coming on. The importance of railways as a protective measure cannot be exaggerated. It is through this means that we are enabled to end all sorts of relief to the affected area and thus save the population from starvation, decay, and also emigration, which was so rife on occasions of famine and drought before the means of communication facilitated the carrying of supplies to such areas. Famine is never universal throughout India; for when one area is suffering, another is likely to have an abundant harvest, and railways have made it possible for the deficiencies of the former to be supplied from the surplus of the latter. The word famine no longer means scarcity of food, it now means only scarcity of money to buy food with, which is always less difficult to meet.

As regards irrigation, vast strides have been made as already detailed when describing agricultural improvements.

We must not omit the telegraphs which serve a most useful purpose on such occasions. This was also unknown

* It is however regrettable that the roads are deteriorating under the present District Board administration.

before the advent of the British—in fact, it is only a late scientific discovery.

In all famines and serious floods the Government postpones, and also, where necessary, remits Government revenues, and the landlords also similarly have to remit the rents. In the famine of 1897-98, forty-seven lakhs of revenue was remitted, similarly in other famine times. Lately where there was flood in some districts Rs.53,661, was suspended and Rs.666 was remitted.

In some cases on serious occasions of famine or scarcity Government arranged to establish grain shops, fixing prices of grain on seeing that the grain dealers were raising the prices more than necessity demanded. The Government's enterprise, however, did not prove successful, the reason may well be explained in the words of a great economist, Mr. Mill, who said;—

"Though a Government can do more than a merchant, it cannot do nearly so much as all merchants." On this point the Famine Commissioners[28] thought that as a rule such intervention should be avoided, but that exceptional circumstances may justify or even require it." We may remind our readers how Allauddin Khilji had organised the fixing of prices of grain on a large scale, if in a queer way (as we explained in Part I, Chapter II), but that did not last after his reign, and though Tarikh-e-Feroz Shahi and Zubdat-ul-Tarikh, say that consequent upon that there was not famine in his time, still it is doubtful if this proved an efficient remedy.[29]

On this point we consider that the intervention of Government in such cases discourages the machinery of private trade without affording any adequate substitute.

Famine relief work is also started at once, when conditions are getting acute, and emigration is threatened. There is a complete organisation about it, and programmes are always ready to meet emergencies.

[28] Report of Famine Commissioner, Part I, para 150, p. 41.
[29] E. D. Bibl. Indica, p. 304, 1.4 from below to p. 305, 1.10.

Besides these from the very commencement of the British rule in India the Government has been giving advances called takawis[30] to the owners and occupiers of land as a relief at times of famines, as also on occasions when any portion of the country was subject to floods or any other wide spread calamity.

Relief is also given in many localised calamities in various forms, for example when the crops catch fire, an officer is sent to inspect and estimate the loss and then steps are taken to compensate the tenant.

There are in addition regular funds such as the Famine Relief Fund, and Famine Insurance Fund, which are utilised on such occasions in giving various sorts of relief to suffering people.

In short, the creation of the improvement of communication, augmenting the facilities of irrigation, granting takawis, remission of revenue and above all the creation of a famine code whose provisions arrange for relief work of every kind, for bringing supplies from other parts of the country, and for bestowing suitable doles on the weak of both sexes have removed the dread of famine altogether and there are no migrations now.

Over and above these some measures have been taken to improve the general condition of agriculture and to ameliorate the economic position of the tenantry, in fact removing the root cause.

"The ultimate check of indebtedness will be the spread of education."[31]

[30]For detailed description about that, see Chapter III, Section C.

[31] Mr. Quinton's letter dated October 1, 1868, Selections from Government Records—Oudh.

CHAPTER IX

Taxation

The bulk of agriculturists pay only one tax*. and that is rent. It is therefore necessary to show here, first, the nature of rent: secondly, the incidence of rent; thirdly influence of caste on rent; fourthly, influence of prices on rent; fifthly, other factors influencing rent.

1. *Nature.*—The main divisions are cash or kind. Cash rents vary in nature as follows:—

(*a*) Lump sum on the holding, or a *chukauta faisla,* irrespective of the crop grown, the cultivator taking the risk of seasons;

(*b*) By rate of so much per bigha all round, irrespective of the crop grown on the soil;

(*c*) By rates per bigha on soils, irrespective of crops;

(*d*) By rates per bigha varying with the crop grown, irrespective of soils;

(*e*) By combination of soils and crop rates;

In fixing the rent the kind of soil is always in the mind of the landlord.

The chief reason for basing the rent on soil is that some soil is fit for rich crops, while others are not, as has already been shown elsewhere.

The fixing of rent according to the crop is almost obsolete, except in the case of tobacco, sugarcane, and some vegetable crops, though in some parts it still exists. In a few villages, states the Gazetteer of Banda for 1909, "The system known as *dharbandi,* common in Lalitpur, of taking a diffe-

* Revenue is paid by landlords to Government. We have dealt with its system and incidence in Part I, Chapter V.

rent rent according to the crop still lingers, for example in Mau tahsil, Bandausa, and it is said to be a common practice in native states near the border." In some parts of the province some other old methods are still prevalent. In Basti[1], for example a system of *halbandi* exists which formerly existed in some parts of Gorakhpur too. Under this system a fixed sum is paid per plough, irrespective of the size of the holding; it continued in force till the last settlement, but was then commuted into a lump rent attested as the actual amount paid on the areas in the tenants' actual possession.

Rents in kind are either:—

(1) *Batai;* or

(2) *Kankut.*

1 *Batai* is the actual division on the threshing floor, of the dressed grain, all the expenses of the cultivation, cutting, carrying, threshing and winnowing, being borne by the cultivator.

The different rates are the following:—

Name of share	Zamindar's share per maund of grain
Nisfi	20 seers
Nauana	17½ ,,
Tiahara Siwara	16½ ,,
Puchhboo	16 ,, and 5 chhataks[2]
Tihara Panseri	14 ,, ,, 15 ,,
Tihara	13 ,, ,, 5 ,,
Sarh Chan Barn	12 ,, ,, 8 ,,
Chanbarn Panseri	11 ,, ,, 4 ,,
Chanbarn	10 ,,
Pachhara	8 ,,

In other words the landowner takes from one-fifth to one-half of the crop. But generally the rates are *nisfi* (half).

[1] Mr. Clow's Settlement Report of Basti, 1919.

[2] Sixteen chhataks make a seer, forty seers a maund, eighty-four lbs. make one maund.

2. *Kankut.*—This is estimating of gross produce of the standing crop, and on this estimate the amount of grain payable by the cultivator as the landlord's share is fixed. The estimate is made either by the landlord or his agent in concert with the tenant, or by a panchayat composed of three reliable men of the village. In case of dispute one *biswa* of the best portion of the field and one of the worst are cut, and the average of the two taken as the average produce. Sometimes the cultivator pays the rent in grain when it is ready, but more often a price is struck from three to four seers cheaper than the market rate, and the tenant pays the money value of the zamindars' share of the produce after he has cut and disposed of his crops.

Rents[3] in kind are very unpopular, although till lately when the Oudh zamindars were not compelled to remit rent along with the remission of revenue in their favour for drought or scarcity, this was the only kind of rent which exempted the tenants on failure of crops from all liability of rent.

The reasons for its unpopularity are:—

(1) It is considered that it prevents all agricultural improvements and throttles the industry of the tenants, who will not devote extra labour to tillage, irrigation, and the cultivation of the crop, when they are to share the proceeds of this extra labour with the landlord, who has contributed nothing.

(2) The tenantry being a weak race, the zamindars try to squeeze more than their share from them, and they have to acquiesce.

[3] This led the tenantry in Oudh join in the *Aika* movement to which we have referred on p. 191, Part I, Chapter VII. Vide para 15, p. 225 of Colonel Faunthorpe's Report, United Provinces Gazette, May 13, 1927. It must, however. be said that under present economic stress due to cheapness of grain tendencies of the tenantry are changing and if this state of things lasts long, perhaps they would prefer reverting to the old system of payment in kind.

(3) On big estates, where taluqdars and landlords do not and cannot supervise *batai* and it is done under supervision of the officials of the estate, the tenant has to pay something from his share to the officials of the estate over and above the share of the zamindar.

(4) Appraisement or *kankut* is generally partial to the landlords because of their influence.

(5) Sometimes the cultivators successfully endeavour to subtract some quantities of grain before it comes to division.

(6) The tenant[4] cannot cut his crop when it is ready. He must wait till the landlord is ready and able to supervise the operation, though he watches, and so with every process till the actual division. This not only compels heavy expense, but it creates incessant, weary, harassing intereference between landlord and tenant, making a constant sore and irritation, where good feeling is particularly requisite. If a landlord wishes to ruin a tenant, he has only to hold from dividing the crop till rain comes down and rots it, or the same effect may follow from his not being able to attend or depute an agent.

In old days rents in kind, if not the common feature, were very much in vogue.

In Banda[5] rents have been generally in cash there and rents in kind are in an infinitesimal proportion. In Naini Tal[6] the rents are everywhere paid in cash, having been gradually converted from kind rents. Gradually, however, the tendency has been to convert grain rents to cash rents. The Court of Wards, which manages estates under the supervision of the Government, has taken a lead in the matter.

[4] Settlement Report of Bareilly, 1830, and also 1874, p. 120.
[5] Gazetteer of Banda.
[6] Gazetteer of Naini Tal.

In Gorakhpur the number of cultivators paying cash rent increased from 10,647 in 1860, to 29,892 in 1890, and at the present time 235,934. In 1860, as many as 20,521 cultivators paid kind rents against 9,882 in 1901. In Muzaffarnagar[7] there is a constant tendency towards the increase in the cash paying system and the disappearance of the rent in kind. In the eastern districts of Oudh cash rents gradually prevail now. The present condition of each district, both in Oudh and Agra Province, is given in the statistical form in statements XXXIV-A and Statement XXXIV-B in the Revenue Administration Report of 1925. From that statement it appears that in Agra Province

the cash rented lands are	9,777,730
the grain rented lands are	847,561
In Oudh	
the cash rented lands are	7,542,943
the grain rented lands are	836,708

2. The incidence of rent differs in every part of the province. In Oudh where we spent eight years lately, it varied from Re.1 per bigha for *bhur* (Sandy) land, to Rs.12 per bigha for *goind* (land near the village). In Agra Province the variation is very great. In Azamgarh our personal investigation last year showed that the average rent varied from Rs.3 to Re.1. Here the land is inferior to what we noticed in Oudh. But some idea of variations in rent may be had from the conditions of a few districts which we note below.

In Muzaffarnagar at the last settlement the average rent paid by tenants-at-will throughout the district was Rs.5-12-1 per acre; in case of ex-proprietary[7a] tenants it was as much as Rs.6-3-3 and for occupancy tenants Rs.3-14-7. In Gorakhpur[7b] the highest rate was Rs.3.96 in pargana Hasanpur Malha

[7] Gazetteer of Muzaffarnagar, Page 100.

[7a] No explanation is forthcoming as to why the rent of exproprietory was so high.

[7b] *Gorakhpur Gazetteer page 131.*

and the lowest Rs.1.59 in Banayakpur.

The rate for tenants-at-will was Rs.3.05 and ranged Rs.2.47, in Mehrajganj, and Rs.3.92 in Deoria, the relation to the occupancy rental being much the same everywhere.

In Banda[8] generally speaking rents are customary Bigha soil rates varied to suit definite conditions, and vary from some Rs.6 per acre in the best *mar* of the first Banda circle through every state to the worst *rakar* patti, at ten or twelve annas per bigha. Each graded soil has its rate differing by one or two annas per bigha from that above or below. The rents of special soils such as *kachwarh, goind,* and alluvial soils, differ much more widely. The first pays often as much as Rs.8, per acre and the second anything from Rs.5 to Rs.8 per acre according to the soil.

In Agra[9] at the last settlement the average rent paid for each acre was Rs.3-14. Occupancy tenants, holding 52.1 per cent paid Rs.3-12-9 and tenants-at-will paid Rs.4-3-4, on 22.4 per cent of the land. Exceptionally high rents are paid in Fatehgarh. They reach fifty or more a bigha[10].

The above gives some idea, but it is so varied that it is difficult to give any general average rate, obviously because rent is caused in theory by difference of productive value.

3. *Influence of caste.*—Caste is often a great factor in fixation of rent. There are privileged castes in whose case the rate of rent is by custom lower than the ordinary rate, for example, Brahmans and Thakurs. The chief reasons for the privilege in their cases are:—

(1) They are often related to zamindars.

(2) They cannot plough themselves owing to caste prejudices and thus have higher costs of cultivation.

As long ago as 1868 the High[11] Court recognised that the custom of making allowances for caste existed in all parts

[8] Rents-Gazetteer of Banda, Allahabad, 1909, p. 117.

[9] Rental Incidence, Gazetteer of Agra, 1905, p. 97.

[10] Vide note on cultivation in Fatehgarh or Farrukhabad, Chapter III, Section A.

of India. In the same year Mr. (later Sir Charles A.) Elliot, then a member of the Indian Civil Service in the United Provinces, made investigation in the district of Farrukhabad where he was posted.[12] He divided the cultivators into five classes:—

(1) Brahmans,
(2) Thakurs,
(3) Muslims,

the three privileged classes.

(4) Kurmis, Kachhis and Kayasths,
(5) Others.

He has given a table with the result of his investigations, which shows that sometimes the caste which one should have expected to pay the highest, pays the lowest rates, and sometimes those which ought to pay the lowest, pay the highest rates, that is no one caste seems to be throughout exalted, while another throughout depressed.

From this Mr. Elliot opined that the influence of caste did not prevail in all parts. But his essay does not show whether he had found out if the rents were not concealed in any case. From our experience we can say that in order to avoid higher assessment at settlements the zamindars get the rent of members of weak communities under their influence under-recorded, but that they do not do so in the case of tenants of high caste who would not submit to such an arrangement There is no doubt that privileged castes had to pay low rents very generally in the past and that the practice is still extant to a great extent. A few instances may be quoted here as an authority to support the point. The situation about Rai Bareli has already been given in a table prepared by Major MacAndrew, quoted by Mr. Elliot in his essay referred to above, and Mr. Elliot admits that "there can be no uncertainty as to the question." That table gives the following figures;—

[11] Case No. 1668, Beni Pershad *versus* Mohammad Akbar Husain, decided on January 16, 1868.

[12] Selection from Public Correspondence United Provinces, Vol. II, 1869, p. 409.

Caste	Gaiwhan			Manjha Irrigated			Burhet Irrigated		
	Area	Rent	Rate	Area	Rent	Rate	Area	Rent	Rate
Brahmans ..	121	619	5 1 0	194	734	3 13 0	156	443	2 13 0
Rajputs ..	23	103	4 7 0	44	134	3 0 0	33	64	1 15 0
Kurmis ..	81	712	8 12 0	42	289	6 12 0	..	..	..
Other castes	122	566	4 10 0	235	811	3 7 0	92	255	2 12 0

Caste	Manjha Dry			Burhet Dry			Total		
	Area	Rent	Rate	Area	Rent	Rate	Area	Rent	Rate
Brahmans ..	23	58	2 8 0	153	281	1 13 0	649	2,138	3 5 0
Rajputs ..	2	5	2 8 0	32	46	1 6 0	137	354	2 9 0
Kurmis ..	2	6	3 0 0	3	6	1 14 0	130	1,014	7 13 0
Other castes	21	38	1 13 0	45	103	2 4 0	415	1,776	3 7 0

Mr. W. Porter[13] in his Settlement Report of Allahabad gives the following table showing the average rate paid by each caste—

Castes	Duale			Trans-Ganges			Trans-Jamuna			District		
	Occupancy rate per acre	Non-occupancy rate per acre	Average tenant rate per acre	Occupancy rate per acre	Non-occupancy rate per acre	Average tenant rate per acre	Occupancy rate per acre	Non-occupancy rate per acre	Average tenant rate per acre	Occupancy rate per acre	Non-occupancy rate per acre	Average tenant rate per acre
Brahmans ..	3 12 11	4 0 1	3 13 7	4 11 8	4 13 5	4 12 1	2 10 2	2 3 3	2 7 4	3 5 10	2 14 2	3 [illegible] 2
Chhatris ..	3 10 5	3 12 0	3 10 9	4 5 5	4 11 10	4 6 3	2 0 7	1 10 5	1 13 4	3 1 0	2 8 5	2 15 0
Kurmis and Kachhis ..	5 0 10	4 14 0	5 0 3	6 11 2	6 1 0	6 8 5	3 2 1	2 6 1	2 13 11	4 11 1	3 14 7	4 7 11
Kayehes ..	3 7 6	3 15 7	3 8 11	3 13 3	4 9 11	3 15 6	2 10 11	2 7 5	2 9 11	3 4 5	3 5 4	3 4 7
Baniyas ..	4 1 10	4 7 2	4 4 2	5 2 7	6 0 9	5 6 9	2 14 6	3 1 7	3 5 6	4 4 11	4 5 3	4 5 0
Mohammadans ..	4 10 6	4 10 .	4 4 0	4 11 0	5 3 2	4 14 1	3 7 7	3 2 2	3 5 4	4 2 11	4 8 2	4 4 7
Others ..	4 6 9	4 5 3	4 6 6	5 13 3	5 5 4	5 10 6	3 4 2	2 10 4	3 0 2	2 8 0	4 0 1	4 5 1
All tenants..	4 4 7	4 6 11	4 5 3	5 5 11	5 6 0	5 5 11	2 12 4	3 5 2	2 10 1	3 15 1	3 9 11	3 13 7

[13] Settlement Report of Allahabad, 1878, p. 70.

From this he has drawn two conclusions:—

First, that the high caste tenants and those connected in any way with the zamindars pay lower rents than the ordinary run of tenants. Second, that while among the low castes the rent paid by the tenants-at-will, is almost invariably lower than that paid by occupancy tenants, in the case of high castes, the exact reverse obtains.

In Fyzabad[14] while the low caste cultivators paid on an average Rs.5.60 per acre, the rental of those for high caste, chiefly Rajputs and Brahmans, was Rs.4.23 an acre.....

In Gorakhpur[15] a privilege of ten to twenty per cent in various parts of the tract is traceable.... The castes that enjoy the privilege are Brahmans, Kshatriyas, Bhuinhars and Kayasthas.

Our own investigation in tehsil Mahmudabad, district Azamgarh, the result of which is given below, shows that privileges still exist in favour of certain castes specially Brahmans and Thakurs and Kayasthas.

Village Sadatpur, pargana Mau

	Rs.	a.	p.		
Brahman	2	6	11	per	acre.
Kshattrya	2	3	0	,,	,,
Ahir	4	12	0	,,	,,
Koiri	2	1	3	,,	,,
Bhar	3	2	0	,,	,,
Chamar	3	10	0	,,	,,
Kayasth	2	1	6	,,	,,

Village Bhiti, pargana Mau

	Rs.	a.	p.		
Brahman	5	4	7	per	acre
Kshattrya	6	6	0	,,	,,

[14] Gazetteer of Fyzabad, 1905.
[15] Settlement Report of Gorakhpur by K. N. Knox..

Ahir	10	12	0	„	„
Koiri	18	12	11	„	„
Lohar	8	10	0	„	„
Kayastha	4	6	0	„	„
Banwara	8	14	10	„	„
Dhobi	16	0	0	„	„
Kahar	3	13	0	„	„
Hajjam	13	2	0	„	„

Village Khalsa Uttar Dakhin Tola, pargana Mau

	Rs.	a.	p.		
Brahman	2	12	0	per	acre
Kshattriya	6	4	0	„	„
Kayastha	2	1	4	„	„
Agrawala	97	15	4	„	„
Ahir	12	5	0	„	„
Kurmi	40	4	6	„	„
Lohar	5	14	0	„	„
Dhobi	13	10	0	„	„
Komhar	15	13	0	„	„
Bhar	7	10	0	„	„

Village Monawarpur, pargana Muhammadabad

	Rs.	a.	p.		
Brahman	5	1	3	per	acre
Rautara	6	0	8	„	„
Ahir	6	3	6	„	„
Kumhar	7	8	1	„	„
Gaderia	6	1	2	„	„
Bhar	6	14	4	„	„
Chamar	7	11	8	„	„

Village Wara, pargana Muhammadabad

	Rs.	a.	p.		
Kshattriya	5	5	10	per	acre
Rautara	6	7	5	„	„

Ahir	7	4	5	„	„
Koiri	7	14	1	„	„
Lonia	7	13	4	„	„
Dhobi	7	6	4	„	„
Chamar	7	1	3	„	„
Kashmiri	9	10	7	„	„
Fakir	7	6	4	„	„

Village Malo, pargana Muhammadabad

	Rs.	a.	p.		
Brahman	4	12	6	per	acre
Kshattriya	6	9	2	„	„
Kayastha	2	11	5	„	„
Koiri	8	13	3	„	„
Kumhar	8	8	0	„	„
Lohar	9	10	8	„	„
Dhobi	10	0	0	„	„
Kahar	8	13	0	„	„
Hajjam	10	0	0	„	„
Bhar	8	5	0	„	„
Pasi	6	13	8	„	„
Chamar	7	12	0	„	„
Jolaha	7	0	0	„	„
Sonar	2	3	0	„	„

The above examples show that there are castes who have the privilege of paying low rates. This privilege, though declining is almost universal and is presisted in among the zamindars who have lost their property right by sale, among the family priests of zamindars, and where the number and unity of high caste tenants enables them to resist attempts at forcible enhancements. It is however not always easy to find it out, for there is general tendency to conceal it, a fact which is endorsed by various settlement-officers notably by Messers Knox[16] and Clow.[17]

[16] Settlement Report of Gorakhpur, 1919.
[17] Settlement Report of Basti.

Similarly, there are castes which pay more because they make the land yield more. For example, Kurmis and Kachis, in the east, and Jats[18] in the west, are considered the best cultivators and therefore they have often to pay bigger rent. The zamindar is anxious to share these larger gains, so these unfortunates are penalised for their good work and their skilled labour brings them little profit.

Effect of prices on rent.—A primary factor in the matter of good harvest is timely and sufficient rainfall, whereas deficient rain means a rise in prices. Of course other causes, singly or in union, may lead to prices rising, namely a good or a poor harvest in the adjoining districts, facility of grain import, and depletion of stored grain, also a run of bad seasons. All these, however, may not lead towards the termination of rent, and effect of prices on rent can best be ascertained by taking two concrete cases—one of the perfectly solvent tenant, the other of a tenant working on a borrowed capital—in support of our views on this subject.

Suppose a man borrows a maund of wheat for sowing, the bazar rate being twenty seers for a rupee, which loan has to be repaid after the *rabi* on what is called the *deorhiya* system, in kind and at a rate of fifty per cent interest. Before the time for clearing off his loan arrives wheat becomes fifteen seers to the rupee, so the money-lender is quick to claim sixty seers in return for the forty lent, that is for borrowing grain to the value of two rupees, he must pay back to the lender just double that amount, Rs.4. It is not pertinent to point out that a possible rise in wheat will necessarily benefit the tenant and besides scarcity may attack his fields so that he will be unable to repay the loan at the time and hour appointed. This *deorhiya* is continued for another year while the wily creditor shifts the terms of the deal from kind to cash and *vice versa* until the borrower becomes hopelessly involved. If grain lender and landlord are one and the same

[18] Settlement Report of Bulandshahar by Mr. Lane, 1921, p. 8.

person, profits accruing from a loan transaction are larger and more easily realised on rent; which latter the crafty zamindar suffers to fall in arrears, nor hastens to increase the demand lest such step would utterly ruin a tenant and so deprive him (the zamindar) of a source of annual profit. Even when the grain lender is not identical with the landlord, trouble with a tenant's over payment of rent is to be avoided. Disputes between zamindar and tenant do not suit the book of the grain lender. He will even see that the borrower is kept free of arrears, so long as his own profitable dealings with him are not interrupted.

Accordingly a good-natured zamindar overlooks a rise of the price of grain and does not ask for a corresponding rise in rent. A long and general rise in prices must occur before rents go up and temporary scarcity will not mean an increase in local rent payments. One must determine the cause of prices rising before one can foretell their effect on rent payments. The demand for cultivated land may decrease when famine raises the deathroll and diminishes the food supply over a certain area but does not necessarily lead to augmentation of rent. In fact a series of lean years might result in the abolition of rent in many villages whose inhabitants have died or deserted the place for happier regions.

In the case of a solvent tenantry it seems but fair that their landlord should share when the produce of the land fetches enhanced prices, not, we would point out, a mere annual fluctuation.

It is only reasonable that when an increase in profits of a tenant are of a permanent nature—due to irrigation, better methods of cultivation, and so forth that a landlord should exact some increment in the form of increased rental.

Famine in other provinces, say in Bengal, may tend to increase the value of crops in the adjoining districts of the United Provinces.

In practice a general more or less rise in prices, where

staples of a district are concerned, leads to a rise in the rent of solvent or quasi-solvent tenant.

Frequently a zamindar will not raise the rent because of an impending settlement—since such action might result in enhancement of the Government demand.

Mr. Wright[19] gives a comparative statement of the rise of prices from 1814 to 1877 and proves therefrom that the rise in prices had little or no effect on rents.

Mr. Neale[20] in his Settlement Report for Etawah commenting on the situation as existed in the years 1868-1874, says that the prices of produce have risen largely; there are roads and railways to the markets; competition for land has increased; the supply of water enables the cultivator to sow the most profitable crops; but that the rent has not risen proportionately. He has appended to his report a statement showing all the enhancements, and says that "during the ten years preceding the revision, forty per cent of the cultivated area has been subjected to enhancement. In other words on the average the rent has been raised on only forty acres in every hundred in each year.[21] He thought that custom was a great check against rise in rent. Mr. Colvin[22] endorses this view but adds that it is also largely controlled by law to which we shall refer later.

From all this it is clear that generally the rise in prices does not tell on rent. Ordinarily it tells in some such sequence as this; first, the good prices of one year induce competition for seed land to sublet; this fetches high rent, and has the effect of raising to some degree the rents of all land held by tenants-at-will. Once the general standard is raised by ever so little, the landlord is encouraged to go into court

[19] Settlement Report of Cawnpore by Mr. Wright, pp. 58, 59, 60, para 301.

[20] Settlement Report of Etawah by Mr. Neale, 1868-1874.

[21] NOTE.—The tables appendix I (Prices between 1839 and 1870), and appendix III (Enhancement) of Mr. Neale's report shows that the rise of rent was not proportionate to the rise of price.

[22] Memorandum on the Revision of Land Revenue Settlement, published in 1872, p. 74, para 18.

against the tenant with right of occupancy, and by arbitration, as often as not, gets a compromise in the way of an enhancement, given probably by the arbitrations, just so much as to make one party satisfied without injuring the other. Thus at a long interval the rise in prices affects the rent rate of the whole tenantry. In the meantime, prices may have fallen and the temporary gain even have been lost to the landlords.

The foregoing remarks make it clear that connexion between rise in prices and a following rise in rent is decidedly vague, and the increase in the latter is never proportionate to the former.

Other factors influencing rent are, competition, pressure of revenue, agricultural improvements, and legislation.

As for competition, where little land is left to be reclaimed, and where the agricultural population exceeds the requirements of the soil, there the tendency will be for competition to take place;—other competitors being prepared to bid higher than the occupants for their fields. As a result of competition there will be decrease in privileged tenures and the sway of custom. In most parts of the provinces, especially in Oudh, competition is growing.

As for pressure of revenue the custom that the enhancement of revenue is followed everywhere by corresponding enhancement of rent is restricted by recent legislation, but still the margin enjoyed by the cultivator is susceptible of large enhancements, wherever the landlord is in a position to press his claim effectively. As for improvement in cultivation, in the modes of agricultural appliances, manure, irrigation, etc., all these obviously affect a great deal the productive value of the land and result in the increase in the quantity and rise, also in quality of the produce, and as such affect the rent.

CHAPTER X

Village Autonomy or Association of Village People with Administration and Government

The old village autonomy, as we have said elsewhere, has disappeared, may be, "owing to the establishment of local organisation, the increase of communication, and the growth of administration," as the Decentralisation Commission Report states, or withal some other causes, which we have given when dealing with the reasons for its disappearance. It has, however, been under contemplation, at least for some time, to train the village people to assosciate themselves with the administration and to create a village organisation which may co-ordinate them into a significant part of the bigger administrative machinery. The first touch of that may be gleaned in the Bengal Chawkidar's Act, 1856, which applied to the North-Western Provinces (now the United Provinces), also to the enforcement of the Village Sanitation Act. Under Section XIV of that Act, a panchayat was formed, where that Act applied, for assessment of rates or taxes on the persons liable to be assessed, and the panchayat consisted of three or five respectable persons residing or carrying on business in or near the village or town, etc. Then a halting step was taken by appointing (1) honorary Munsifs, and (2) village Munsifs, who were given powers to try civil cases of a certain value, generally upto Rs.20 within certain area—say, a radius of five to ten miles, but that lacked germs of common attraction and incentive for creation of common interest. They sat as a single court and decided the case. The selection was generally made from landowning classes. A great mistake in their case was to take a tehsil and attempt to put every village in jurisdiction of some village munsif.

The experiment did not prove a success in the United Provinces and they have largely been removed. For some time there was a lull till in 1909, the Decentralisation Commission considered the matter and while recognising that it was not possible, to restore the ancient village system, under which the community was responsible for each of its members, and in turn claimed the right to regulate his actions; thought it most desirable, alike in the interests of decentralisation and in order to associate the people with the local task of administration, that an attempt should be made to constitute and develope village panchayats for the administration of local affairs, a village being made the foundation of any staple edifice for the association of the people with administration. They suggested that a commencement should be made by giving certain limited powers to panchayats in those villages in which circumstances were most favourable by reason of homogeneity, natural intelligence, and freedom from internal feuds. In 1910 the Government of India in their Resolution No. *55-57*, dated April *28, 1915*, expressed concurrence with the general principles of the Commission's proposals, and indicated certain lines on which advance was likely to be successful. The whole question was then considered in these Provinces by a Special Committee consisting of Messrs. Phelps and Mosanna. This Committee after conducting the most searching inquiries and consulting every shade of local opinion throughout the United Provinces submitted an exhaustive report, recommending the establishment of panchayats on certain lines. The Committee recorded "In the numerous villages that we visited, in the course of our inquiries we found almost invariably one sentiment—that panchayats were sacrosanct; one opinion—that, if given powers, they should use them honestly; one desire;—to escape the worry and litigation in court."[1]

The report formed the classic on the subject, and in April

[1] Report of the Committee appointed to consider the possibility of introducing an elementary system of panchayats in the United Provinces, 1916, p. 21, para 71.

1920, a Bill was brought before the Legislative Council which subsequently became the United Provinces Village Panchayats Act of 1920. This aims at entrusting some judicial functions, both civil and criminal, to the village people, and also associating them with some work concerning the sanitation and health of the village. The constitution of the panchayats consists of "such number of panches not being less than three or more than seven." No person not residing within the circle for which a panchayat has been established is eligible for appointment as panch of that panchayat. In each panchayat, one panch is appointed by the Collector, in the prescribed manner, to preside over the panchayat. The panch so appointed is called "sarpanch."

The jurisdiction of the panchayat was limited to dealing with civil claims of a simple nature not exceeding Rs.25 and in criminal cases to such comparatively venial offences as simple hurt, mischief, assault, petty theft, and breaches of the Cattle Trespas Act. It could not inflict imprisonment but could award a fine not exceeding Rs.10 or twice the damage or less sustained. A panchayat was not empowered to try a public servant, or a man previously convicted of theft or a person previously fined by this tribunal. There were also enhanced powers with which a panchayat, under certain circumstances, might be vested. Under these they could deal with suits to the value of Rs.50 and also with thefts up to Rs.20. They had also power to decide offences under the Village Sanitation Act and fine up to Rs.2. It is also the duty of the panchayat to arrange for the improvement of education, public health, the supply of drinking water, and for the maintenance of village tracks and works of public utility.

In conjunction with the creation of panchayats a "Village Fund" was started to which fees and fines were alike credited. We have stated under heading "Village Sanitation" how the Village Fund is utilised, and what steps the panchayats take towards improvement of village sanitation.

Panchayats have been established in all the districts in such villages which were found suitable. From the reports of the District Officers for 1927 it appears that altogether there are 4,763. These panchayats disposed of 117,428 cases in that year, excluding Kumaun Division for which figures are not available. The number of cases pending and instituted during this year was 126,679.

The Government Administration Report of 1926-27[2] points out that panchayats have undoubtedly come to stay and are gradually growing in popularity and utility.

In four districts, namely Sitapur, Fyzabad, Hardoi and Azamgarh we were associated with the work and from our experience of their working, we should think that they are a success: only they will require very strict supervision for some years to come.

It is interesting to note that the system of panchayats met with approval in the earlier days of settlement work. Mr. H. M. Ellot[3] writes, "I had much reason to be pleased with the decisions of panchayats. They sift every question thoroughly, and generally give a true statement of the circumstances in every case. In no instance have I had occasion to dispute the point which they determined, and they have frequently given a clear exposition of some of the most complicated cases submitted to their judgment, which perhaps had been left undetermined for ten years, and deferred to the period of settlement."

This Act may therefore be considered a real step to teach village people the elements of local self-government.

It was no doubt a cautious step, but those who know the conditions obtaining in villages realise that the caution is wise in this direction as experience has shown, for these communities are still "composed of very ignorant, credulous persons who as a rule have the vaguest ideas on most things.

[2] General Administration Report, 1926-27, p. 35.
[3] Settlement Report of Meerut, 1835, p. 194, para 58.

Their members are divided into castes and classes which have small regard for each other, and even those who belong to the same caste are often at feud. . . . "[4]

Mr. Chintamani, then and now a prominent member of the Legislative Council, editor of "The Leader," and some time ago a Minister in the United Provinces, said as follows in the course of a debate in the Legislative Council on the Panchayat Bill:—

"I am satisfied that unless Government proceeds cautiously and only aims at gradual progress, the expériment may break down and the hopes that we all entertain of the success of this measure may be frustrated."

In 1922 in Sitapur, Mr. Dunn, Manager of the Court of Wards, originated the system of panchayats for collecting rents in the estates under his charge. They proved so successful that in 1923 they replaced the ziladars whose abolition was sanctioned by the Board that year. They are still going on successfully there though in some cases there have been marked lapses due to the natural temptations behind power. It has been experimented upon in some other Court of Wards Estates[5] also, but it would be premature to pronounce judgment upon them yet.

We find the panchayat system being extended gradually in other directions too. When loans are distributed on a large scale, during floods, scarcity, or drought, the Sub-divisional Officers who generally distribute such loans, are now to appoint under the rules, a panchayat in each village from among those who are eligible for a loan in order to see that the right man gets it.

The principle of panchayat was also recognised in the Town Area Act of 1914 which concerns the sanitation of village having over 5,000 population. Under this Act a pan-

[4] Sir Verney Lovett's evidence before the Decentralisation Commission, February 10, 1908, p. 4, of Minutes of Evidence for the United Provinces.

[5] Report of the Court of Wards, United Provinces, para 27, 1922, 1923, 1926, 1927.

chayat of three or more members used to be constituted which was partly elected, partly nominated. The New United Provinces Town Areas[6] (amendment) Act (III) of 1929, contains wide elective principles. Under this the panchayat shall consist of not less than five and not more than seven elected members and there is to be no nominated member except one in specified places for Christians, Parsis or Sikhs. There will also be a chairman to be elected by the electors, a vice-chairman to be elected from among the members.

Moreover, a great advance has been made in the matter since the introduction of the Government of India Act 1919.* Previous to that the District Boards which constitute the institution for local self-government of the rural area and which are responsible for the education, sanitation, medical relief, and other similar facilities for the rural people (as specified in section 42 of District Board Act 1906) were governed by the United Provinces District Boards Act 1906. Under Section IV of that Act, twelve elected members and one third of the nominated members, together with a chairman and a secretary, constituted that Board. The electors were chosen by District Officers and their number was only about hundred in each tehsil. Now the District Boards are governed by the Act X of 1922. Under that Act the franchise has been considerably extended and those having landed tenures have been given voting power on a large scale. Under Section 8 of that Act all permanent tenure holders, and fixed rate tenants and all under-proprietors or occupancy tenants in Oudh and all tenants paying rent over Rs.50 per annum as well as every owner of land paying revenue amounting to not less than Rs.25 per annum, have been made electors. In the hilly tracts of Kumaun every owner of a fee simple estate and every person who is assessed to the payment of land revenue

[6]Sections 5 and 10 of the G. A. Amendment Act of 1929.

*A Round Table Conference consisting of British and Indian statesmen and politicians is considering the liberalising of the constitution further and with it making franchise wider.

or cesses of any amount is also made an elector. The number of elected members has also been increased considerably, and varies between fifteen and forty as laid down under Section IV. Minorities have also been given due representation. Moreover, while formerly the chairman used to be invariably "The District Officer," now he is elected, and is as a rule a non-official. The Government of India Act also confers upon the landed tenure representation in the Provincial Legislative Council, Legislative Assembly, and the Council of State, that is both the Provincial and Central Legislatures.

The qualifications for election to the Provincial Legislature are almost the same as for the electors of the District Board..[7]

As for the Legislative Assembly, owners of land paying revenue amounting to not less than Rs.150 per annum, or having land free of land revenue, but the land revenue of which is assessed will be equal to Rs.150, as well as permanent tenure holders and fixed rate tenants, or under-proprietors or occupancy tenants in Oudh, paying the same amount as rent, have all been made electors to the Assembly. In the hill pattis of Kumaon persons paying revenue or rent amounting to not less than Rs.25, per annum, or the owner of the land which, though free of land revenue, but is liable to be assessed to not less than Rs.25, if assessed to revenue, as well as the owners of free simple estate, have been made electors.

The landholders paying revenue over Rs.5,000, or who hold land free of revenue but such as the revenue on that if fixed will be over Rs.5,000, have been given a constituency of their own.[8]

As regards the Council of State, all owners of land paying revenue amounting to not less than Rs.5,000 per annum,

[7]Pages 81 and 82, rules made under Government of India Act, 1919.

[8]Pages 172 and 173, rules made under Government of India Act, 1919 pp. 20, 81, 209, rules made under Government of India Act.

as well as persons holding land free of revenue but such as will be liable to be assessed thereon, are made electors.

It may be said here that there is no sex bar in any case.

It is obvious that this is a great advance and that the tenantry has now considerable power to press its cause successfully if only it could utilise it. Unfortunately their illiteracy and insecurity of position has been a great barrier against making them alive to a sense of their position, but, as we have said elsewhere, their education is being speeded up, and it is expected that it will not be long before things are transformed.

CHAPTER XI

Rural Economy

In an agricultural province like this, the study of rural economics is vital. "Rural life has been studied in Europe mainly from the point of view of an ethnologist and the constitutional historian. The history of farming, and village organisation, however, has been neglected, since characteristic types of land settlement have been studied chiefly with reference to the migration, and conquest of the people of Europe" says Professor Radhakamal Mukerji.[1] In India the study of rural economics differs from this fundamentally. It is an investigation into the primitive, and basic human arts, and exhibits man in his various stages of civilization, winning his livelihood from the soil by adapting himself to the physical conditions to the best of his abilities. It also becomes a connecting link between agriculture and manufactures. It makes the industrialist appreciate that sphere of the human activities that concentrate its power upon the production of raw material.

A glance at the early history of the natives of the world brings to light a very significant fact that agriculture in every country has been the origin of civilisation. Nay, it provided a strong foundation upon which the further superstructure of human advancement, and scientific discoveries has been securely based. There has grown up a very acute relation between plant life and the social life of man. In the course of his nomadic life the latter had to wander from one palce to another place and in his wanderings he came across all sorts of families and tribes. In event of his fixing his abode he became more isolated, busy day and night with agricultural pursuits which demanded his full and undivided attention.

[1] *Rural Economy of India, p. 1.*

Professor Mukerji in another place very aptly observes[2]:— "That the basic economic adjustments are co-extensive with civilisation. Hence rural economics is an adjunct of the comparative study of civilisation."

Agriculture: the chief industry in these province.— We have discussed at length elsewhere the system of agriculture followed in these provinces, but in these pages we would discuss the various problems, the solution of which at the present moment is necessary for the proper advancement of the basic industry of the country.

The early history of India tells us that the part of the country where any human being lived before the dawn of history was the fertile, and most luxuriously grown tract, now known as the Indo-Gangetic Plain. Immigrants like to settle where they can very easily get fruits, game and crops. These things will be found in abundance only in that tract where the soil is rich, and growth luxuriant. The Aryans who hailed from Central[3] Asia also settled down in the Indo-Gangetic Plain at the banks of the famous Indian rivers, whom they afterwards defied by ascribing to them the attributes of God. These rivers were not only a protection against enemies, which is of course very important for a settled life, but they also provided rich and luxuriantly grown meadows where they could rear their cattle, and obtain plenty of fodder.

[2] Rural Economy of India, by Dr. Radha Kamal Mukerji, p. 3.

[3] There are several theories about Aryan origin. Those interested in the subject are recommended:—

(1) Ancient Indian Historical Tradition by F. B. Pargiter.
(2) Elphinstone's History of India.
(3) Max Muller's Work.
(4) Rig Vedic India, by Abinas Chandra Dass, 1921.
(5) N. K. Dutt—Aryanization of India, 1925.
(6) R. P. Chandra—Indo-Aryan races, 1916.
(7) T. P. Srinivas Ayanager—Life in Ancient India in the Age of the Mantras, Madras 1912.
(8) A. C. Gungoly—History of the Origin and Expansion of the Aryans.
(9) S. N. Pradhan's Chronology of Ancient India, 1927.
(10) S. C. Gungoli—Ancient homes of the Aryans and their migration to India.

Mixing with the indigenous population, they followed agriculture as a means of livelihood. The rivers are an inestimable gift to these provinces from nature, for they not only provide facilities for irrigation but are great builders and recuperators of the soil. They bring along with them fine particles of the soil on their way down from the Himalayas, which they begin to deposit as soon as they enter the plains, and their current becomes slower. This fine layer is deposited year after year, and the process of renewing the soil has gone on for centuries. The most depleted and exhausted soils are recuperated without any human aid. This characteristic advantage, that Nature has conferred upon this tract, has destined it to be chiefly an agricultural province. Besides, the monsoon that brings rain plentifully helps a good deal in reducing the necessity for artificial irrigation. Again, the climate and the soil vary and hence are suited for the growth of different crops. This tract does not therefore confine to itself any particular kind of crop, but produces almost every variety of grain, and fibre.

The total area of the United Provinces according to the Census Report of 1921, was 112,440 sq. miles, and had in the same year a population of nearly forty-six and a half millions. These figures compare very closely with those of the whole of the British Isles, whose area is 120,000 sq. miles, and population 46 millions.

Classified on the basis of soils, the United Provinces fall into three agricultural divisions, each having its own distinctive and well marked features.

(1) The Himalaya or mountain tract.

(2) The wide area stretching from the foot of the Himalayas to the Jamna on the west and south, and extending beyond Allahabad, and to parts of the Benares division which lie north of the *Ganges.*

(3) The Trans-Jamna tract known as *Bundelkhand,* combined with Mirzapur.

If classified on the basis of rainfall, four divisions could be made.

The rainfall in the wide area, lying at the foot of Himalayas, is so heavy that it is generally divided into two sections; a sub-mountain one consisting of the districts bordering the foot of the hills from Saharanpur on the west to Gorakhpur on the east, and another known in Government and census reports as the Indo-Gangetic plain, which comprises chiefly the districts of the Ganges—Jamna Doab, also Rohilkhand, districts of Muttra and Agra, most of Oudh, south of the Ghagra, and the Benares division north of the Ganges.

The chief characterstics of these tracts

The first tract being principally mountainous is of least importance agriculturally. It extends far into the Himalayas and is covered with primeval forests producing very valuable timber. It is very sparsely populated, density in this tract being hundred persons per square mile. This figure is so high because of the inclusion of the Dehra Dun district where the density is 178 persons per square mile.

The submontane tract receives the heaviest rainfall. Almost all the rivers pass through it and render the need of irrigation unnecessary. It is generally damp, and marshy. It is also covered with forests, and has less cultivation. It abounds in wild animals, such as tigers, elephants, bears and monkeys, etc. Its climate is unhealthy and malarial. Considerable difficulty was encountered at the time of the construction of this portion of the Sarda Canal in these tracts. It was very difficult to induce labour from the plaints to go over there. These attracted by the high wage would return after a short stay, stricken with malaria. Construction therefore suffered because of the difficulty to keep labour for an appreciable length of time. The Bhabar portion of this tract is far from prosperous. The soil is very poor, and stony, and wells cannot be sunk. The population is of a migratory character, and the cultivation is carried on by the hillmen who

come down to the plains after sowing the crops and take up employment, and return at the time of harvesting. Very little cultivation is done, and even that in a most unsatisfactory manner. Most of this tract is very thickly populated, about four hundred persons to the square mile. Gorakhpur is the most densely populated district containing 728 persons to the square mile.

There seems to be very little prospect of improving cultivation in these districts because of the many difficulties, chief among them being unhealthy climate.

The third tract is most prosperous, and eminently suited to agriculture because of the richness of the soil. By some it is called "the garden" of the province. The climate is fairly damp, but healthier than that of the sub-montane tract. Under irrigation it grows excellent crops. Proceeding eastward, the districts of Oudh are fertile, while the clay soil beyond Allahabad north of Ganges, yields excellent rice crop. The Doab falls into three sections—upper, middle, and lower. The upper is the richest and stretches from Saharanpur to Aligarh. The middle Doab is not so productive, but is nevertheless prosperous, the lower or third section extends from Cawnpore to Allahabad and is the poorest. The soil is thin and sandy. This particular tract may be called representative of the whole province in agriculture. It is most thickly populated containing seven hundred persons to a square mile. In the Benares districts the density is the highest, rising to nine hundred persons to a square mile. The population is largely rural although it contains some of the biggest cities of the United Provinces.

The fourth tract comprises the Bundelkhand division. Agriculture here is uncertain, and precarious. The soil is not so bad and would yield satisfactorily if the rainfall were well-distributed. A little excess or deficiency leads to terrible disaster. Wells cannot always be constructed because of the river-level being low, but of late irrigation facilities for the crops are making their mark. The density of population is

two hundred persons to a square mile. A part of each district in this division is under forests. The total afforested area is about 300,000 acres.

The pressure of population upon the soil

A close examination of the statistics of population of different districts in the United Provinces, will show how population is unequally distributed. The hilly districts are very sparsely populated. The Tarai, owing to unhealthy climate, is unfit for habitation. If it were not for the thickly populated district of Dehra Dun density per square mile would have been much less. In an agricultural country the factors that govern the density of population are the configuration of the soil, rainfall, climate, and the state of civilization. It looks as though the pressure of population upon the soil is as great as in other countries in the West having similar conditions. For instance, in Belgium the density of population is 660 per square mile, whereas in the United Provinces, as a whole, it is 425. As already pointed out, the low figure is simply due to the inclusion of those tracts where the population is very thin and sparse. The most thickly populated part includes the districts of Agra, Aligarh, Saharanpur, Cawnpore, Allahabad, Lucknow, etc. The land in these districts has to support more than its productive capacity would warrant. The law of diminishing returns in these tracts is in full operation. The land has been under the plough now for many centuries and but for the natural means of irrigation, and a good system of canals recently established, people would have found it impossible to eke out their existence from the parcels of land that they hold. The system of irrigation and the presence of a number of rivers have enabled the people to carry on agriculture. But considering the state of the people and the income *per capita* one could hardly say that the population living in the richest and the most fertile tract of the country is raising enough to meet all their wants. A smaller population would mean an all round rise in the standard of living, would mitigate the present fierce competition

in all branches of commerce, trade and the public services, and would go a long way towards solving the problem of non-employment. How to obtain so desirable a result? The checks suggested are such as the development of the resources of wealth, as extension of industries and improved method of agriculture, more economic standardisation of wealth, migration from crowded centres to sparsely populated ones, and moral restraints. These are however possible, yet by no means certain, cures for the evil under discussion. Years of deficient rainfall entail, even with the present system of irrigation, endless misery, and trouble. The year 1928 was one of deficient rainfall and millions of rupees were distributed to the cultivators to alleviate their want and suffering. Population is growing, and no suitable checks are being employed to keep down the rate of growth except the still unfortunate natural checks as epidemics, wars exhausting the energy to an alarming degree.

Practical and Fragmentary Holdings

Agriculture is the chief occupation of three-fourths of the total population. The effects of the pressure of population are aggravated by the uneconomic character of the agricultural holdings. The holdings are getting smaller and smaller and far removed from one another through pressure of population, competition and laws of inheritance to which may be added a new factor in a provision made for allowing division of holdings between the tenants in the Agra Tenancy Act of 1926. We had to deal with such a case at Azamgarh in which six *biswas* of land was sought to be divided among three tenants. The Census Report of 1921 gives very interesting figures in regard to the average holding. It varies a good deal, in the trans-Jamna district it ranges between ten to twelve acres, but in the eastern districts from four to one acres.

The size of holding mentioned above is only average. There are many cultivators whose holdings are even less than two acres. For example: In Azamgarh district, tehsil

Muhamdabad, we investigated the matter at random in six villages with the following result—

	Average per acre	Area of smallest Khata
(1) Aldemau	1.029	0.029
(2) Sakhani	1.6007	0.016
(3) Sarauridih	0.294	...
(4) Arzanichak	0.254	0.008
(5) Shamsuddinpur	0.779	0.002
(6) Basawar	0.228	0.009

Moreover, patches of land owned by some cultivators and used for gardening are generally even less than one acre in size.

According to the size of the holding the province may be divided into five tracts as follows:

(1) Southern tract consisting of Banda, Hamirpur, Jalaun, Jhansi. The average holding in this is between 10½ and 12 acres.

(2) Western tract consisting of Saharanpur, Bijnor, Muzaffarnagar, Meerut, Bulandshahr, Aligarh, Muttra, and Agra. The average holding in this tract is between 8 and 10½ acres.

(3) North central tract consisting of Moradabad, Budaun, Pilibhit, Shahjahanpur, Sitapur, Hardoi, Bara Banki, Gonda, Bahraich, Kheri and Bareilly. The average holding is between six and seven acres except Bareilly, where it is 5½ acres.

(4) South central tract—consisting of Etah, Mainpuri, Farrukhabad, Etawah, Cawnpore, Fatehpur, Allahabad, Mirzapur, Lucknow, Unao, Rai Bareli and Sultanpur. The average holding is between 5 and 5½ acres.

(5) Eastern tract—consisting of Pratabgarh, Basti,

Gorakhpur, Jaunpur, Benares, Ghazipore, Ballia, Azamgarh and Fyzabad. The average holding in this is between 3½ and 4½ acres.

These do not include the five hilly Districts, namely: Naini Tal, Garhwal, Dehra Dun, Almora, Mirzapur.

No attempt has thus far been made to ascertain exactly the size of an economic holding. But by exercising a little common sense one should be able to arrive at a very fair notion of what is meant by the terms "economic holding." Perhaps one of the best definitions of the phrase is that given by Mr. Keatinge, "A holding which allows a man a chance of producing sufficient to support himself and his family in reasonable comfort, after paying his necessary expenses. On this standard in ancient times according to Baudhianas' Dharm-Sutra a portion of land measuring *nivartanas,* or approximately six acres was considered sufficient to support a family (which was kept free from tax). Obviously, with lapse of centuries and advance of civilization the needs have increased and the standard of living has risen. Moreover, a deterioration is going on in the land. The present economic holding must therefore, be about double as high as in the time of Baudhiana. Some economists, however, think that about five to six acres is the minimum economic holding. They make calculations on the basis of present actual standard of living, but they forget that hardly ten per cent of the tenantry lives up to standard either from the standpoint of food or cloth, or from that of other conveniences. It is therefore wrong to formulate a principle on the basis of the present state of things. While it is not easy to find out an exact economic holding, since it will vary according to the nature of the holding, skill of the cultivator, the amount of attention and labour which he gives to his cultivation and the standard of comfort to which the cultivator is accustomed—different castes having various standards of comfort, we can make an attempt to obtain results which may be satisfactory to the maximum number of people. In doing so we have to exclude

the extraordinary skill of a class of cultivator or unusually lower standard of any other. We have also to exclude from our mind the uncommon difference of standard of living at present obtaining in different classes for, firstly, the high caste does not live above the standard and secondly, the low caste cultivator is yet much below the standard from which he has to be raised. In fact, he is struggling to go up in spite of Mr. Moreland's *obiter dicta* that "an Indian peasant has no will to live better," and if there is any obstacle to that it is his ignorance for which he is not responsible.

Taking these things into consideration we consider that an *average* holding of from ten to twelve acres, with a good well and a house, might be termed an "economic holding." A holding of this size would not prove an excessive burden, either where capital or where labour is concerned for an average tenant. It ought besides to enable him to live up to a reasonable standard of comfort. From this it is clear that the majority of holding in these provinces is uneconomic.

Scattered holdings are censured from the economic standpoint. They involve wastage in many ways: The multiplication of fields results in the wastage of land. A great many paths and hedges are required. In this way a large area is wasted. The smaller the fields, the greater will be the area of wastage.

Fencing is impossible for the holdings are not only scattered but too small to allow the expenses of fencing to be borne.

It entails heavy expenses. Expenditure on cultivation of land increases by 5.3 per cent, for every 500 metres distance for manure, labour and ploughing, from twenty to thirty-five per cent for transport of crops. It is the distance from the village which leads to the decrease of the nett yield from every field. In Bansi, Domariyaganj, district Basti, the plots are found to be so small as from twenty to thirty square feet. Since the last Settlement of 1899 the number of *khatas* in Basti district has increased from 800,000

to a million, with about 500 agriculturists to the cultivated square mile. In the east the figure is close on one thousand. Such pressure on the land is an alarming sign. Moreover, generally speaking, all fixed costs bear a larger proportion to the value of the product with every diminution, after a certain point, of the size of the holding.

No adequate system of irrigation could be started. There is plenty of water under the surface of the soil that cannot be taken advantage of because of the disproportionate expenditure it would involve in digging wells. Considering the size of the average holding in the different districts, it is clear that nothing warrants such a heavy expenditure. Moreover, it does not admit of the introduction of improved methods of cultivation and other labour-saving devices. It makes large-scale farming difficult in India, and the small-scale farming unprofitable. Nearly all holdings in this province are scattered. The farmer loses a good deal of time and energy in moving from one field to another. Generally speaking, those fields that lie at a distance from the village receive less attention than those situated in the close vicinity "Fragmentation," says Dr. Harold Mann,[4] "has, in fact, all the evils of very small holdings in that it prevents the use of machinery and labour-saving method."

There are some who hold that the present size of holdings is not without its advantages. The small holding can boast of antiquity since in Dravidian[5] times it was a custom of village communities. In dividing their lands they did not in general give one compact portion to each landholder but assigned to him a share of every description of soil, so that he had a patch of fertile land in one place, of sterile in another, one of grazing ground in a third and so on, according to the variety of qualities to be found in the village. Small bits of land scattered all over the area belonging to the village, have cer-

[4] Life and Labour in a Deccan Village, by Dr. Mann.
[5] History of India by Elphinstone 1866, p. 72.

tainly this advantage for the cultivator that he enjoys the possession of a variety of soils. In a country like India, where the vagaries and the uncertainties of Nature are a prominent feature, it is some degree advantageous to the cultivator. But Professor Mukerji goes too far where he says that "the elaborate system of crop rotation which distinguishes Indian from Western farming has been possible chiefly because the holdings are dispersed." It is true that the cultivator often distributes crops according to the suitability of the soil, but neither the system of rotation of crops is based on that, nor does that fact counterbalance the many disadvantages arising from fragmentation.

Another point that is often raised in connection with this is that the small holdings create a large peasant class which are very strongly attached to the land, and because of their interest upon the soil, they would leave no efforts unemployed to farm the land as best as they can. It also helps to check the creation of a class of landowners, often known as absentee landlords, who live in towns and have no interest in the land, but this idea is also too far fetched.

There is not a shadow of doubt that this problem is growing to alarming proportion in India, particularly in our provinces. Almost three-fourths of the people are dependent upon agriculture, and if the basic industry of the province is devoured by the canker-worm of the sub-division of holdings, India would soon lose her premier position as an agricultural country. There have been some slow but steady changes in legislation[6] tending to prevent fragmentation but a lot is yet to be done to slove the problem.

A suggestion on the point came from the Punjab where Mr. Calvert[7] made interesting experiments on behalf of the consolidation of scattered holdings through co-operative societies, and sixty thousand acres have already been redistributed during the last five years. Unfortunately Co-operative

[6] Agra Tenancy Acts, 1901 and 1926, Chapter VI of Vol. 1.
[7] Wealth and Welfare, p. 82.

Societies are not in any direction a success in these provinces, so for a long time to come, little help can be expected from that quarter.[8]

The Bombay Government has recently taken a bold step in this direction. A Bill known as Small Holdings Bill was introduced in 1927 in the Bombay Legislative Council, which has become law now. The Bill aims at two things. Firstly it seeks to prevent further fractionalisation; secondly it seeks to consolidate the existing holding. An Act has also been passed in the Central Provinces on that point. The experience of Bombay and Central Provinces as to the result of this piece of legislation may prove to the help of these provinces.

It seems to us that sooner or later a legislation will be necessary here too on somewhat similar lines as was undertaken in Bombay and Central Provinces but as Provincial conditions differ, the appointment of a small committee would be wise precaution, in order to study the whole question and to visit localities where Acts for bringing about consolidation are in force. Such an Act when passed may be enforced at first over a limited area experimentally and if experiment justifies its extension, it may be introduced in the whole of the United Provinces. If the uplift of villages is undertaken on the lines suggested by us perhaps it may be advisable to start it with districts where such uplift work is undertaken. This Act may also provide for the formation of small Committees or Arbitration Courts for dealing with fragmentation and consolidation. There should at least be some legislation to prevent further fragmentation.

Labour

The figures of the population in these provinces show how densely certain parts are populated. The chief factors favouring the growth of population are climate, rainfall, con-

[8] It appears that so far only two villages in Saharanpur, one in Bijnor and one in Partabgarh have achieved substantial results in consolidation. We visited the Saharanpur villages. They belong to K. S. Maqsud Ali Khan, M.L.C. through whose help consolidation was achieved.

figuration of the surface of the soil, fertility of the soil, and the state of civilisation. In an agricultural province plenty of rainfall and fertility and a healthy climate makes for the density of population. In the hilly tracts we find that the population is sparse, an agriculture cannot be carried on very successfully and profitably. The level of the surface is so uneven, that erosion is the chief feature. At the foot of the Himalayas, especially in the Tarai, we find that the population is thin because of the climate being unhealthy and damp. The greater concentration of the population is to be found in the Doab, lying between the Jamna and the Ganges. The tract beyond the Jamna is not so fertile, and hence the density is very low. Density in the east of the provinces is seven hundred persons per square mile, and occasionally an even higher figure is attained, while in the west five hundred is reached. The chief occupation of the people is agriculture, as we have already said, and the most outstanding feature of this province is that the number of tenants is overwhelmingly large: proportion between the tenants and the labourers is seven to one. At the census of 1921 there were nearly thirty million tenants. Labour in the United Provinces plays a smaller part in agriculture than it does in other countries. There are, it is believed, 3,620 field labourers to every 1,000 farmers in England, and Wales, but in this province there are only 133 labourers to 1,000 farmers.

This is chiefly due to the fact that the holdings are so small that they can be looked after by the members of the family, and no outside labour is necessary. The Brahman or Thakur cultivator, who considers it sinful to handle the plough, would employ a ploughman. The other cultivators employ extra labour only when they think that it would be difficult to finish ploughing or reaping in time, for they do not like to do anything out of season. Besides very often the cultivators would certainly look to outside labour, and he hires it to do his work. The wages are determined by custom. Labourers are paid sometimes in cash, sometimes in kind, the value of the latter being four annas, in some cases

rising as high as six annas. The labourers belong to the lower strata of society and are not unfrequently—as a reward for good and long service—given a plot of land for their personal use.

Our investigation* in pargana Chiraiyakot, tehsil Mahmudabad, district Azamgarh, shows that a man who drives the bullocks gets four and a half annas per day, plus half a seer of *chabena* (parched grain), the labourer who pulls the *pur* (generally a woman) gets three and a half annas and the same quantity of *chabena;* for tilling the field one has to pay twelve annas per day, which include one *hal* and one labourer. The labourer who passes water from one *kiari* to another gets four annas per day, the weeder gets three annas in cash or two seers in kind per day. During the harvesting time men who cut the crops get from two to two and a half seers of grain.

We have given the rate of wages for contract labour, but each cultivator has to pay certain village servants—the barber, the washerman, and so forth—called *parjas* who are usually paid in kind at the time of harvest; as already explained in another part of this book. Skilled labour, such as that of a blacksmith, is nowadays usually paid in cash and of course at higher rates than the preceding. Our investigation in the same area as mentioned above shows that a carpenter gets twelve annas in cash or eight annas and two and one half seers of grain; a blacksmith gets eight annas in cash or six annas and two seers of grain. Other details need not be given here.

These figures vary in different parts of the province, but are similar where homogeneity exists, more or less. One common wage rate may cover a large area. Although during the past few years there has taken place a slight increase in wages, yet it does not still afford a bare subsistence to the

* The investigation was made in 1929 A.D. At present rates of labour are low owing to economic depression. This, however, cannot be considered as the average standard.

labourer. He is underfed, ill-clothed, and poorly housed. But it is hoped that with the awakening among the villagers and industrial development conditions will soon change,† and the surplus labour of the villages will migrate to places where there is demand for it. There is some migration but it is of a temporary character. Mr. W. H. Moreland[9] found out that a large number of labourers migrated from the Bareilly district to the coal mining districts of the Central Provinces. They were willing to go because a number of adventurous folk had already left and the others got a sort of encouragement, and when they went there they found the society as congenial as it was in the village. During the *kharif harvest* of 1928, when the crops had failed, persons who had left the Azamgarh district for Calcutta, Bombay and other cities, remitted large sum to assist their relatives over the hard times. We learnt this from personal inquiry at the treasury and post office and in some villages. Needless to say the money thus spent was a God sent to the lucky recipients.

Inefficiency of Indian labour plays an important part in the agricultural problem and can be traced to the following causes—bad climatic conditions, economic drawbacks, poor sanitation, liability to sickness, and lack of education. Amid favourable surroundings the Indian workman proves himself as cheerful and industrious as a man of the same class in other countries. Remedies to remove the above mentioned evils resemble those required for village reconstruction, so need not be enumerated in this place.

Capital

Capital for purposes of agriculture is of so limited an amount as to prevent its serious consideration. Capital of the fixed nature, such as money sunk in irrigation and other

†A Commission on labour with Mr. Whiteley, ex-speaker of the Parliament as President has investigated thoroughly the condition of all sorts of labour and has made a number of valuable recommendation, which when acted upon will go far to improve the lot of labour in India. (Vide Report of the Royal Commission on Labour in India, 1931.)

[9]Introduction to Economics by W. H. Moreland, I.C.S.

works is extremely small, while reserve capital in the shape of insurance is practically non-existent. As regards capital in circulation, it does not suffice to carry the agriculturists over a bad season, in fact, even in times of plenty, he has not sufficient food stuffs for the use of his family, after the demands of the greedy *mahajan* have been satisfied. An agriculturist's capital chiefly lies in his bullocks and implements. The implements are of the crudest nature and the bullocks weak and half starved. Partly a spirit of conservatism may hinder him from changing them, but lack of capital is the chief cause. The cultivator is deeply engrossed in poverty. He can hardly satisfy his bare necessities. Capital only accumulates when there is an excess of income over expenditure. But in case of the Indian cultivator there is hardly an excess. During the fat years or years of plenty, when Nature smiles bountifully, he may be able to save a few rupees, but during the lean years, or years of deficient rainfall we find that the whole of his savings, even more, is expended. The budget that we have given elsewhere explains the position fully.

CHAPTER XII

Village Uplift

Looking to the state of society in villages the work of reconstruction is of immense magnitude. It involves problems of such varied nature that it is difficult to make suggestions of an all-embracing kind. An attempt is however made in this chapter to sum up the position as regards the important phases which have been dealt with in the preceding chapters and to offer a few suggestions conducive to reconstruction based on personal experience gained during our connexion with the Administration, extending for over twenty years, as well as personal interest in land and the experience of others who are engaged in this task.

In the nineteenth century a great revolution took place in England, and the whole life of the people was transformed. John Ruskin in his Essays alludes to the evils that followed in the wake of the Industrial Revolution. He, among other things, complained of the undermining of the health and morals of the beautiful and coy maidens living in the most bracing climate of the rural areas. India, too, seems to be changing. The change does not seem to be as fast as it was in Europe, but it is true nevertheless that education is altering the outlook of those who are benefited by it. Those in the villages who receive education do not feel satisfied with a rural existence and at the earliest opporunity migrate to the town in quest of employment. This necessarily raises a question in an inquiring mind. Why should the educated leave the villages? Why is there a scramble for low paid jobs? The only answer to these questions is that those who wish to migrate from the villages do not feel satisfied with the life and conditions there. They are dissatisfied because amenities and elegance of life are to be found only in cities. Even

for religious practices, cities afford better facilities than villages. Further, the education they receive divorces them from any desire for a rural existence and the society of the educated becomes uncongenial to them. It is also unfortunate that the efforts of social workers, are mainly bestowed upon urban areas. The village is left to stagnation.

Any programme that aims at the transformation of the rural life and conditions, should consist of such means and measures that would remove the present defects of village life. Almost every aspect of the village life needs improvement. The improved villages should possess all those facilities and enjoyments that are a part and parcel of urban life. Facilities for bettering intellectual and social life should be created. Unless the whole aspect of affairs is changed, the village will remain as unattractive, and uninviting as ever.

Very little has been done in this direction and those who are engaged in a task of such public philanthrophy have not hitherto met with much recognition. South India was first in the field where it was inaugurated under the auspices of the Indian Y. M. C. A. It consisted chiefly of demonstration stations, in cottage industries, dyeing, weaving, poultry farming, night schools, lectures on hygiene, and sanitation. The members of the Royal Commission visited these centres, and spoke very highly of the work carried on there. The Y. M. C. A. has been a pioneer in this respect in India and the lead given by the association is well worth imitation. Their experiments have proved successful, and but for the lack of support probably they would have done better, and might have extended this beneficial work beyond the limits of the Madras Presidency. Next in importance may be mentioned, Mr. Brayne's work in Gurgaon. To persons interested in village reconstruction work the labours of this officer will be of the greatest utility. In many parts of these provinces conditions obtaining seem to be similar to what Mr. Brayne found in Gurgaon when he took up reconstruction work, so his efforts serve as a guide for the United Provinces. The scheme outlined by him is a very comprehensive one. In

thorough fashion, yet by simple practical measures, he has laid the foundation of a system for altering the village and the village people for the better.

Village reconstruction may be classed under six heads:—(1) Health, (2) Education, (3) Tenancy and Agriculture, (4) Arrangement for subsidiary industries, (5) Economics, (6) Character.

All these six are indispensable, for without the existence of these among the agricultural masses, no work of improvement can be taken up with success, and there is considerable danger of the manifold schemes devised coming to a sad end. Taking these seriatim:—

(1) *Health*—It would hardly be an exaggeration to say that health is a primary requirement for agriculture, where even the introduction of most modern appliances has not totally reduced the physical strain of the work. Mr. Weir has found out that one half of the time in the rainy season is lost in malaria, and thus one third of the labour available perishes. Disease not only reduces the labour force of a country but it enervates the energies of men. A large number of men who become unfit for work encumber the country for nothing. Thus in order to resist the inroads of disease the farmer must be healthy, and should possess ample powers of resistance. Healthy farmers are naturally far more efficient than unhealthy ones. Various methods have been suggested to improve the health of the farmer.

The composition of his food is far from satisfactory. He takes too much starch, and other elements that are necessary in a balanced diet are absent. So that both his physical and mental development are not well proportioned. In spite of the fact that he has his own land, he does not sow vegetables generally and so he uses much less vegetables than he should. Cultivation of vegetables is not considered important, and consequently no land is reserved for it. A recent experiment in connexion with food used in different provinces upon rats showed that food used in the Punjab,

Bengal, Madras, and Bombay Presidencies has a distinctive character. It influences the mental and physical development of the people that use it in accordance with its properties. If the farmer could enjoy a healthier diet he would have better health, and greater stamina for resistance. He should also have sufficient leisure, and be provided with healthy and wholesome means of enjoyment and sport that would be conducive to his improvement, health, and happiness as suggested in Chapter IV of this book.

Medical relief should always be forthcoming, not only in the shape of travelling dispensaries and the supply of quinine, permanganate of potash, and other useful medicines but also the establishment of more hospitals in order to bring medical relief within easy reach of the people. The villagers should be taught that light and air are necessary for good health and be persuaded to build their houses in accordance with that maxim. Pits for storing manure should be dug and heaping it up within the village *abadi* should be treated as an offence under the Sanitation Act. Tanks for storing water should be constructed at some little distance from the village and all the depressions near the dwellings of the villagers ought to be filled up. Child marriage and other social customs enimical to health should be gradually discontinued.

As regards child marriage, it is satisfactory to note that the Government of the United Provinces have ruled that no married student will be admitted to any school in future. This has discouraged child marriage to a great extent, but what is still more gratifying is that the Government of India have recently passed an Act forbidding marriages of boys less than eighteenth years and girls of less than fourteenth years. This is sure to check the evil provided undaunted by fanatic opinion, Government are strict in its enforcement.

As regards the Sanitation Act, it may be said at the outset that it is not advisable to leave the whole thing to the influence of social reformers or to the creation of sense of

consciousness by education. This will take a long time. There are some preliminary steps which can be taken by legislation without any fear of opposition. We propose that the Sanitation Act 1892, which is confined to villages of over 2,000 population, may be extended to all villages and the following provisions should be added in the Act:—

(1) The heaping of manure and refuse should be forbidden within certain distances from the habitation.

(2) The keeping of cattle in residential houses and their courtyards should be prohibited. We confess that this is rather a complicated problem.

(3) It should be made obligatory that every cesspool of the house should have a soakage[1] pit.

(4) Digging of further ponds within the *abadi* of the village should be prohibited.

(5) In every village there should be a small Sanitary Committee with certain powers which may enable the committee to enforce the above provisions and also to look to the general sanitary condition of the village. The committee should have some funds also at its disposal.

[1] Soakage pits are the cheapest and most effective measures of disposing of sullage water from small houses. Soakage pits should be constructed outside the houses or cattlesheds to which a small drain leads with a view of discharging this sullage into the soakage pit for disposal. These soakage pits should be about five feet and should be six feet deep. When dug, the earth taken out should be used to fill up any hollows and depressions close by. The pits should be filled with broken bricks, over one inch in diameter, and the sullage drain should lead into the centre of these pits. A basket containing a little grass should be put under the pipe to catch any greasy matter which might reduce the efficacy of the soakage. In this way the sullage will be disposed of in a cleanly manner. The surface of the soakage pit should be slightly raised above the surrounding surface so that rain may not wash earth into the surface of the pits and so clog them up with mud. These pits will function for years if thus constructed as they will be thoroughly washed yearly in the rains. (G. O. No. 332|XVI—61, dated Allahabad, May 28, 1929).

Some years ago Sanitary Committees were established under Resolution No. 246|IX-112, dated March 29, 1912, G. O. No. 717-IX-112, dated August 20, 1912, and G. O. No. 848-IX-112, dated September 25, 1914, but they did not succeed. The main reason for this failure was that they were given no powers.

These Sanitary Committees will be formed only in villages where panchayats have not been established. The panchayats have a wider jurisdiction, they have to try criminal and civil cases too. Obviously, therefore, they have to be extended with caution, as in a number of villages owing to factions panchayats cannot work successfully, but there is no reason why the proposed Sanitary Committees may not succeed if they are properly supervised.

(2) *Education*—We have chiefly described what has been done in the matter of education and what still awaits accomplishment. We shall not dwell on the obstacles caused by the absence of education as regards village reconstruction beyond asserting that a limited amount of knowledge is absolutely necessary to make villagers understand and assist in measures taken on their behalf. We do not recommend the Middle School curriculum but would insist an acquaintance with three R's. Such knowledge would be a powerful weapon for the destruction of silly superstitions and prejudices against much needed improvements of every description. Saligman in his Principles of Economics truly says, "Absence of widespread literacy and of a suitable system of education is largely responsible for many evils we deplore."

(3) *Tenancy and Agriculture*—The problem of the tenantry is very complicated. In these provinces their fate hangs between the monsoon and the zamindar. With good rains they manage somehow to live, but when there is excess or scarcity of rain they find themselves unable to cope with the situation. The zamindar, on the other hand, is most

apathetic to the interest of the tenant, in fact is often found only devising means whereby he could squeeze him.*

We have handled the problem of better cultivation and have described the legislation undertaken for the improvement of tenure. But fixity of tenure has not yet attained the desired stage and we might suggest that tenure of various kinds should be grouped under two distinct heads, for at present the system is very complicated and would be materially improved were it simplified. They might be divided into:—

(1) The *Khudkasht* or *sir*, where the land is directly cultivated by the owner or even by the under-proprietor and in permanently settled districts by the permanent tenure holder also.

(2) Other forms of tenancy which might with advantage have the term of agreement extended so as to synchronise with the duration of the periodical settlement. Even after that the tenant may not be ejected if he accepts enhancements at the rates and conditions that may be prescribed. Ejectment on the ground of not discharging decree for arrears of rent, for an act or omission detrimental to land, or illegal transfer, and similar other causes must of course continue.

It may be objected that such procedure would increase the difficulties experienced by a Settlement Officer in assessing the actual income, but assessments can be made with fair

*Things are changing fast now and it would be unfair to say that any serious complaint exists at present. Here and there we may still find high hand being used by the agent of the Land Lord in collections, enhancements made which are not brought on the record or even some illegal exactions being taken, but the complaint is not of much significance. On the other hand grievances of a trifling nature are being exploited by a class of people owing to which a deplorable spirit of indiscipline is noticeable among the tenantry which is prejudicial to their interest as well as the interest of India at large. Those interested in the present condition of rural area of these Provinces should study the masterly speech of H. E. Sir Malcolm Hailey delivered at a session of the Legislative Council held on July 20, 1931.

accuracy by considering additions to the cultivated area, condition of prices, and improvements of all kinds.

Coming to agriculture our chief want is to increase production. Lloyd George said "The interest of the State is paramount, and the interest of the State is increased production." But this is exactly the interest of the people as well. In order to increase production, and simultaneously develope agriculture, a widespread system of co-operation is essential. Mr. H. Calvert observes that "In every country there was almost feverish activity in introducing measures of agricultural co-operative societies, and since the signing of the armistic these societies have been entrusted with the reconstruction of agriculture and of rural industries in the regions most seriously affected by the operation of war. The continent of Europe has looked to co-operation as the best means of encouraging the revival of an industry which had been eclipsed by the amazing development of manufactures in the previous fifty years."[2] It must be clearly noted, if a country dependent on agriculture, is to aim at increasing prosperity, it must be organised on co-operative lines. Any work of rural reconstruction undertaken on these lines will be fruitful, and there will be no fear of the efforts of the social workers proving abortive. It is sometimes urged that the spread of co-operative organisations may throw the present system off its hinges, and may increase the numbers of the unemployed. The fear entertained is, to put in the words of Mr. Calvert, "That this increased wealth of the cultivators will be obtained at the expense of increased poverty for others."[3] The fear to our mind is groundless.

In a society or a group of people some work, where others by virtue of possessing some money are keeping those who work under their subjugation. They are not real pro ducers, but they subsist at the expense of the real toilers. Such a state of thing does not tend to increase the peace and

[2]Wealth and Welfare in the Punjab by Mr. H. Calvert, p. 188.
[3]Wealth and Welfare in the Punjab by Mr. H. Calvert, p. 193.

comfort of the majority.. There are others who work but their work is less productive than it should be, and these two classes of people are drones in the busy hive of labour.

(4) *Subsidiary Industries.*—The cultivator is not employed during all the months in the year. During some months he has practically nothing to do. This time varies between two to four months. He simply smokes away the time. In these provinces there are some tracts where cottage industries are combined with agriculture. In the districts of Mirzapur and Benares agriculture is combined with carpet weaving. People from the sub-urban villages work in the shellac and cotton factory at Mirzapur. In Azamgarh they combine it with weaving. To some extent the cultivators combine domestic service with agriculture. In educational centres like Allahabad, Lucknow, Aligarh, Agra all the servants working in the hostels and in homes come from the villages. There is sometimes a surplus of labour in the family and in these services they are absorbed. Emigration to industrial centres of waste labour is also resorted to. The cottage industries, basket-weaving, *newar*-making, etc. have begun to have some attraction.

Beginnings in poultry have already been made. Dr. Slater of the Presbyterian Mission has a very successful demonstration farm at Etah, and the cultivators living in the vicinity of that town have taken to poultry farming. But the chief centre of training for poultry farm is Mrs. Fawkes' institution. She is in charge of the Government farm at Lucknow and in 1929 she managed to export about 7,000 eggs to England as a sample. She hopes to have in England a market of about 75,000 eggs a week if she only gets the co-operation of the people in its supply. Sometime ago a demonstration train was sent round to the important towns for show. But still this industry has not achieved the measure of popularity that it should have. This is due to the prejudice against it among the Hindus and may also be due to ignorance of the people of the proper knowledge in connection with the care, and maintenance of fowls.

Dairy farming presents also a very hopeful field. The Agricultural Institute, Allahabad, has already made a start along this line. They purchase milk wholesale from the villagers residing within a radius of about ten miles, and by pasturising it, sell it as standard milk, five per cent butter-fat guaranteed. They also make butter out of it by means of a separator. Co-operative dairy farming will be a most useful organisation. Each cultivator should be asked to contribute one or two cows, and the requisite fodder for their maintenance, and the sale of the milk should be handled by the Co-operative Societies. It may be sold to one or more persons in the city for purposes of sweetmeats, or its distribution may be regulated by the society itself.

Vegetable gardening is another useful opening. This needs encouragement even from the standpoint that its extended cultivation will increase its use by the villagers for their own food which is one of the great desiderata for the improvement of their dietary condition and health.

The[4] Royal Commission of Agriculture in their report have given useful suggestions on the subject of subsidiary industries for agriculturists which will prove helpful in handling the problem.

(5) *Economics*—The diffusion of knowledge of Economics appears to be very important. Unless farmers can form a clear conception of the profit of an improved method, they would not accept it. Many a kind of improved plough has been refused by them simply because of their failure to appreciate its advantages and ignorance of how to use it. The younger generation should study this problem and educate the farmer along this line. The investigation of the condition of the farmer should be constantly carried on in order that we may get firsthand knowledge of the condition, and begin to appreciate the problem of the latter. The study of Economics will make the farmer realise his backwardness, unprogressive condition, and unprofitable character of his farming. He

[4]Report of Royal Commission Agriculture, 1928, Chapter XVI, pp. 566-587.

would be in a better position to apply the law substitution, and would learn to produce the maximum amount with the minimum of expenditure. The keeping of accounts would at once tell him whether he was producing at a profit, or at a loss. This knowledge will stimulate him to modify his methods of production, and substitute better tools and implements. He would have a clearer knowledge of profit. This would help considerably to improve the state of agricultural industry in India.

A little learning of Economics would enable those gaining it to comprehend the great benefits arising from the working of Co-operative Societies. In some villages of the Benares district people are beginning to understand and appreciate these societies, for we hear of the opening of an adult school, a large number of persons willingly inoculated against cholera, manure removed outside the villages and improved kind of cattle purchased.

To impart the desired knowledge of Economics, that subject might be included in the list of those to be taught in the agricultural schools, when these are established, as suggested by us. But the system of teaching should be very different from that which is in vague at present in villages. The present system is no help to the diffusion of knowledge. The subject should be studied as one will study a natural phenomenon.

(6) *Character*—Character is a great power. Moral courage, self-reliance, and other virtues are essential for progress. The Indian Cultivator is often very industrious but he does not have perseverance. He has no higher incentive than a man of self-sufficing stage. Dr. Rushbrook[5] Williams observes "The absence of that thrifty frugality which grudges no sacrifice inasmuch as land is concerned, is deplorable." The orthodox habits of a farmer, and his time-worn conservatism impede progress. Labour is considered undignified by

[5]Dr. Rushbrook Williams' Indian Series.

some of the cultivating classes. Petty quarrels often lead to litigation and murders. Patience, long suffering, forgiving, and forgetting are all divine virtues, which our farmer does not possess in a desirable degree. These virtues can only come hand in hand with an increase in knowledge and the influences of higher cultivation.

The above survey of the condition of villagers in general and agriculturists in particular shows that a huge task of reconstruction and uplift is before us. The village people have yet to be taught the elementary principles of living and keeping themselves and their environments neat, tidy and healthy. Superstitious notions which impede their acceptance of modern methods of hygiene and sanitation have to be swept away. Their habits of life have to be brought in line with such mode of life as may be conducive to decrease in the mortality and to the development of healthy, vigorous people. Illiteracy has to be removed, methods have to be devised for avoiding waste of labour and loss of valuable material available in the villages. Modern methods of agriculture have to be substituted for crude and antediluvian methods. All this requires constant, steady and vigorous work and a lot of propaganda. The question is how to do it. Of course, the various departments of Government, e.g., the Education, the Sanitation, the Industries, Co-operative and Agriculture are doing something to ameliorate conditions in their sphere of activities, but this is not enough. What is required is a definite staff of Reconstruction and Uplift which will co-ordinate the efforts of each department and will concentrate on the reconstruction work in all phases. We venture to make two suggestions in this respect:—

(1) A Village Uplift Board should be established for the whole province at the head-quarters of the Government. All scattered efforts of the various departments should be co-ordinated together and brought under the sway of this Board.

(2) A definite Village Uplift Scheme should be prepared by the Board and started, though cautiously. Perhaps it may be worth while to start reconstruction in three districts tentatively—two districts of the Agra Province—one in the west and one in the east; and the third in Oudh —and in each of these one officer possessing experience of executive and organisation work, preferably a member of the Imperial or United Provinces Civil Service may be deputed on Reconstruction Uplift Work only. He should be associated with the District Officer and, subject to the control of the Uplift Board, should work under his guidance. He should devote his whole time to the reconstruction work and devise means to popularise it in the district. He should have stiff of assistants. In matters of hygiene, sanitation and medicine, he will be assisted by sanitary and medical officers of the district.

The reason why a number of the Civil Service is recommended for this work in preference to a medical man is that it must be remembered that the former class of official possesses more prestige than the latter, and that is an essential qualification for dealing with village folk. There should be a committee of non-officials for his advice. He should also utilise the panchayats who are likely to prove very useful in this connexion. This experiment will take some time to succeed.

APPENDIX A

IMPORTANT TERRITORIAL ACQUISITIONS IN THE UNITED PROVINCES

1775. *Benares Districts.*—Ghazipur, Benares, Jaunpur, Ballia, and the northern part of Mirzapur were ceded by the Nawab of Oudh.

1798. The fortress of Allahabad was ceded by the Nawab of Oudh.

1801. *Ceded Districts.*—Gorakhpur, Basti, Azamgarh, the rest of Mirzapur, Allahabad, Fatehpur, Cawnpore, Etawah, Mainpuri, Etah, Shahjahanpur, Budaun, Bareilly, Pilibhit, Moradabad, Bijnor and the Tarai *parganas* of the Kumaun division were ceded by the Nawab of Oudh. Farrukhabad was ceded by the Nawab of that place in the same year.

1803. *Conquerred Districts.*—Agra, Muttra, Aligarh, Bulandshar, Meerut, Muzaffarnagar and Saharanpur, (also Delhi, Gurgaon, Rohtak, Hissar, Sirsa, Kurnal, i.e., the "Delhi districts" and Gohad and Gwalior), were surrendered by the Mahrattas, after their defeat by Lord Lake. The Delhi districts were put under a separate admnistration.

1803—1804. *Bundelkhand.*—Most of the present districts of Banda and Hamirpur and a small tract in Jalaun were acquired from the Marhattas, or by the lapse of Himmat Bahadur's grant.

1805. Gohad and Gwalior were restored to Scindia. Parts of the Agra district, made over by the British in 1803 to the Raja of Bharatpur, were resumed by treaty.

1816. *Hill Districts.*—Naini Tal, Garhwal, Almora, and Dehra Dun were acquired from the Nepalese. Part of the Nepalese Tarai was given to the Nawab of

Oudh. The Nawab of Oudh ceded tehsil Handia of the Allahabad district.

1817. The Peshwa ceded the sovereignty over the whole of Bundelkhand and the Saugor and Nerbudda territories. *Pargana* Khandeh in the Banda district was ceded by the Raja of Jalaun.

1818. The Saugor and Nerbudda districts (Saugor, Hoshangabad, Damoh, Jubbulpore, and Mandla), were made over entirely to the British by the Raja of Nagpur. They were at first under separate management. Ajmir was ceded by Scindia.

1819—22. Merwara was added to Ajmir.

1832. The Delhi districts were incorporated in the province.

1840. Jalaun lapsed to the British.

1842—44. Villages in the Jhansi district, Gwalior fort and part of Lalitpur were ceded by the Raja of Jhansi and Scindia.

1849. Lalitpur in Hamirpur lapsed.

1852. The Saugor and Nerbudda districts were incorporated in the province.

1853. Jhansi lapsed to the British.

1856. Oudh was annexed.

1858. Several small additions were made to Bundelkhand territory after the Muitiny. The Delhi districts were made over to the Punjab.

1859. Part of the *Tarai* north of Oudh was given to the Nepalese. Some villages in the Bareilly and Moradabad districts were given to the Nawab of Rampur.

1861. Jhansi fort and some villages were given to Scindia.

1862. The Saugor and Nerbudda districts were taken to form part of the Central Provinces.

1871. Ajmir-Merwara was made over to the Government of India. Some villages in Jhansi were given to Scindia.

1875. Some land north-east of Bahraich was given to Nepal.

1886. An exchange of territory was made between Scindia and the British: Gwalior fort and Morar Cantonment with 31½ villages were given to the former in exchange for Jhansi town and fort and 58 villages.

1911. The Benares State was constituted from parts of the districts of Benares and Mirzapur.

APPENDIX B

DISTRICTS AND DIVISIONS OF THE UNITED PROVINCES OF AGRA AND OUDH

I. AGRA PROVINCE:—

(1) Allahabad division: *Allahabad, Fatehpur, Cawnpore, Etawah and Farrukhabad.*

(2) Benares division: *Benares, Mirzapur, Ballia, Ghazipur and Jaunpur.*

(3) Agra division: *Agra, Mainpuri, Muttra, Aligarh, Etah.*

(4) Meerut division: *Meerut, Bulandshar, Muzaffarnagar, Saharanpur, Dehra Dun.*

(5) Kumaun division: *Naini Tal, Garhwal and Almora.*

(6) Rohilkhand division: *Bareilly, Moradabad, Shahjahanpur, Budaun, Bijnore and Pilibhit.*

(7) Jhansi division: *Jhansi, Banda, Hamirpur and Jalaun.*

(8) Gorakhpur division: *Gorakhpur, Azamgarh and Basti.*

II. OUDH PROVINCE:—

(1) Lucknow division: *Lucknow, Rai Bareilli, Kheri, Hardoi, Unao and Sitapur.*

(2) Fyzabad division: *Fyzabad, Sultanpur, Partabgarh, Barabanki, Gonda and Bahraich.*

APPENDIX C*

1(A). • Production Budget of a Cultivator

The name of the village in which the family of the cultivator Baijnath resides is Pandar. The village is situated in the tahsil of Karchhna, district Allahabad. The nearest thana and police station are at a distance of two miles from the village. The post office of the village is in the village Jasra at a distance of two miles, where is also the nearest railway station.

The village is a small one. The villagers are not educated and it was rather difficult to make inquiry into the condition of the cultivator's family.

The cultivator is a Brahmin by caste. His family consists of fifteen members out of which six are men, six women, and three children. All of them reside in the village except the eldest, who is in the service of the Raja of Shankergarh. He is not dependent upon the income of the family from agriculture but on the other hand contributes Rs.100 annually to their income.

The budget covers a period of one year, i.e., from Kartik, i.e., October, 1927 to November, 1928.

The cultivator is the zamindar of the village. He has eighty bighas of land under his own cultivation with occupancy rights and situated in the same village.

According to his statement he divides the land equally between the *rabi* and the *kharif* crops.

The family has five hals which are used both in *kharif* and *rabi*. One member of the family has been appointed to supervise all the agricultural work and labourers are engaged from time to time to assist. It must be noted that a Brahmin does not touch the plough himself, therefore none of the family members work in the field.

As stated above the cultivator sowed and harvested during the *kharif* and *rabi* forty bighas respectively. The *kharif* lasts in this part of the country from the month of Asarh to Aghan, i.e., from June to November, and *rabi* from Kartik to Baisakh, i.e.,

*These budgets were prepared before the present economic depression. Recent fall in prices has changed conditions to an extent but it is of a temporary nature, it was considered useless to revise the budgets on that account.

from October to March. The land under cultivation of each crop of the *rabi* and *kharif* was as follows:—

Rabi forty bighas		*Kharif* forty bighas	
Crops	Land under each crop	Crops	Land under each crop
Wheat ..	Five bighas	Dhan (rice) ..	Twenty bighas
Barley ..	Ten bighas	Jundhari ..	Sixteen bighas
Gram	Eight bighas	Bajri	Four bighas
Peas	Ten bighas		
Flax and Pulse ..	Seven bighas mixed	Kodo, Arhar, Mung and Urad ..	Mixed with Bajri and Jawar
Total ..	Forty bighas	Total ..	Forty bighas

For the purposes of cultivation he required a number of implements. They are all of old type. For the cultivation of eighty bighas of land the cultivator used the following implements and farm gear:—

Five hals,
Twelve bullocks,
Two spades,
One kudari,

Twelve juries and six nars, i.e., ropes.

These tools are used in *rabi* as well as *kharif*. Besides these there are other articles also which are exclusively used in *kharif*, namely, one leveller (*patoha*), twenty *khurpis* for weeding and twenty sickles used at the time of harvest which the *mazdurs* (labourers) bring with them.

Ploughs (*hals*) are used for the upturning of the soil. Bullocks are used both in *hals* and for leveller employed for the smoothing the soil. Spades and *kudari* used in irrigating purposes and to some extent in assisting the ploughs. Guiding ropes and wooden yokes are required for the bullocks.

The following table will give a clear idea of the value, length of life, depreciation, expenses on repairs of all tools of each kind used for the various processes of production:—

Process of production	Tools					
	No.	Implements	Value	Length of life	Depreciation	Expenses on repairs
			Rs. a. p.		Rs. a. p.	Rs. a. p.
Ploughing	5	Hals .	12 0 0	One year	12 8 0	8 0 0
„	2	Spades ..	2 0 0	Three years	0 10 0	..
Irrigation	1	*Kudari* .	1 0 0	Three years	0 5 4	..
	6 & 12	*Nar* and *Juries* ..	2 4 0	One year	2 4 0	..
Weeding	20	Khurpi ..	2 0 0	Two years	1 4 0	..
Ploughing and levelling .	12	Bullocks ..	480 0 0	Ten years	48 0 0	175 0 0
Levelling ..	1	Levelling slipper ..	1 0 0	Six years	0 2 8	..
	..	Total ..	500 4 0	..	65 2 0	183 0 0

Rs.175 were spent on the purchase of cattle. A detailed account will make it more clear.

We see here that Rs.65-2-0 is the total amount of depreciation on tools. Rs.8 worth of grain is given to the carpenter who repairs the tools.

The following table shows the various agricultural operations and the time taken by each:

Rabi			*Kharif*		
Process	Hindi months	Days or time taken	Process	Hindi months	Days or time taken
Ploughing & sowing	In Kartik	30 days	Manuring ..	Jeth to Asarh ..	30 days
Harvesting ..	Middle of Phagun to Chaitra	45 days	Ploughing ..	Asarh to Savan ..	30 days
Heaping & threshing	In the month of Chait ..	15 days	Weeding ..	Beginning of Sawan to middle of Bhadon ..	45 days
Winnowing & storing	In the month of Baisakh ..	15 days	Harvesting ..		15 days
			Heaping ..		5 days
			Threshing .	All this is done during the month of Aghan ..	5 days
			Winnowing ..		2 days
			Storing ..		1 day

To obtain good crops good seed is essential, and if a cultivator fails to use this then it is difficult for him to secure profitable results. The cultivator does not purchase any seed from the sowkar of the village on sawai. The seed which he uses for different crops in different seasons amounted to 1,230 seers for eighty bighas of land costing Rs.246 according to the market price. Out of 1,230 seers of seed used 2|3rd, i.e., 820 seers, was taken on sawai and the rest was home kept.

The following table will show how much seed was used per bigha and how much used for both the crops:—

SEED

Seed		Quantity		Seed		Quantity	
Kharif	Rate per bigha	Bighas	Sown	*Rabi*	Rate per bigha	Bighas	Sown
					Seers		Seers
Dhan ..	3 dhara or 15 seers..	300	20 seers	Wheat ..	30	5	150
Bajri & Jundhari ..	*1 seer ..	4	4 seers	Jao ..	30	10	300
Arhar ..	1½ seers.	..	Seers mixed	Chana .	15	8	120
Kodo ..	2 seers .	..	,,	Matar ..	30	10	300
Mung and Urad ..	2 seers .	..	,,	Arsi and Masuri ..	5	7	35
Total ..	..	40 bighas	325 seers	Total ..		40	905

Total cost of all seed is Rs.246. The cost of the amount borrowed from the sowkar amounted to Rs.144. He returned this seed on sawai, i.e., Rs.205 during a period of six months. The cost of his own seed was Rs.82 the quantity used was 410 seers only. Manuring is one of the most important factors in agriculture. He did not purchase manure from other villages. The manure used is home kept. Sometimes he employs ten men for collecting manure from the fields. He pays them in kind at the rate of one seer four chhataks per day. He kept them employed till forty bighas of land of *kharif* were manured and thus paid them 500 seers in all which amounted to Rs.100.

We have seen that the cultivator being a zamindar of the village does not like to work himself in the fields. One of the members of the family is especially appointed for the supervision of the crop. He employed twenty labourers in all. These labourers do all the work, i.e., manuring, ploughing, sowing, weeding, reaping, etc. He does not irrigate his fields, as no facilities for this are available. People of this tract are totally dependent upon the rainfall. Weeding was done thrice to the *kharif* crops.

The following table will show the outside labour engaged for different processes and the wages paid.

Labour engaged in cultivation

Permanently	Outsiders	Prevailing wages in the village
One man	Twenty people, i.e., ten men, five women, five children	Four paos a man.

Wages Paid for Rabi Crops

Process	People engaged for different processes					Wages paid to outsiders				Wages paid to himself
	Total people	Number of days	Men	Women	Children	Men	Women	Children	Total	
		Days				Rs. a. p.	Rs. a. p.	Rs. a. p.	Rs. a. p.	Rs. a. p.
Ploughing & Sowing.	5 men	30	5	..	..	37 8 0	.	..	37 0 0	
Reaping ..	20 people	45	10	5	5	90 0 0	45 0 0	45 0 0	180 0 0	
Heaping ..	20 people	15	10	5	5	30 0 0	15 0 0	15 0 0	60 0 0	
Threshing ..	5 men		5	..	..	15 0 0	..	..	15 0 0	
Winnowing & Storing.	5 men	15	5	..	..	15 0 0	..	..	15 0 0	
										45 0 0
					Total ..	187 8 0	60 0 0	60 0 0	307 0 0	45 0 0

Total wages paid to the labourers amount to Rs. 352-8.

Wages for kharif crop

Process	People engaged for different processes					Wages paid to outsiders									Self wages		
	Total people	Number of days	Men	Women	Children	Men			Women			Children			Total			
		Days				Rs.	a.	p.	Rs.	a.	p.	Rs.	a.	p.	Rs.	a.	p.	Rs. a. p.
Manuring ..	10 men	30	10	..	..	60	0	0	..			..			60	0	0	
Ploughing, Sowing & Levelling.	5 men	30	5	..	..	37	8	0	..			..			37	8	0	
Weeding ..	20 people	45	10	5	5	90	0	0	45	0	0	45	0	0	180	0	0	
Reaping ..	10 ,,	15	3	5	2	9	0	0	15	0	0	6	0	0	30	0	0	
Heaping ..	5 ,,	5	1	2	2	1	0	0	2	0	0	2	0	0	5	0	0	
Threshing ..	5 ,,	5	1	2	2	1	0	0	2	0	0	2	0	0	5	0	0	
Winnowing &	5 ,,	2	1	2	2	0	6	$4\frac{4}{5}$	0	12	$9\frac{3}{5}$	0	12	$9\frac{3}{5}$	2	0	0	
Storing		1	1	2	2	0	3	$2\frac{2}{5}$	0	6	$4\frac{4}{5}$	0	6	$4\frac{4}{5}$	1	0	0	
																		45 0 0
						199	1	$7\frac{1}{5}$	65	3	$2\frac{2}{5}$	56	3	$2\frac{2}{5}$	320	8	0	45 0 0

The total amount paid to labourers working on the fields during kharif amounted to Rs. 365-8. Total wages paid to the field labourers during both the crops amount to Rs. 718.

Of all the people engaged in agriculture only one belonged to the family. His wages too are shown in the table but not included in the amount actually paid.

The gross produce in kind both in the *rabi* and *kharif* crops was as follows:—

Rabi

	Mds.
Wheat	20
Barley	50
Gram	40
Peas	50
Alsi and masuri	80

Kharif

Because of the deficiency of rainfall the crop failed. He nevertheless got a yield of 15 maunds of jawar.

The total quantity paid to the labourers was 38 maunds 17 seers 8 chattaks in *kharif*, i.e., the total quantity paid to the labourer in entire year amounted to 78 maunds 20 seers. Total quantity paid to the menials was 265 seers or six maunds 25 seers. The total moiety value of the grain paid to the menials and artisans was Rs.53, that of the labourers Rs.480.

He did not sell any amount of grain in the year but he repaid the sowkar that quantity of grain which he borrowed at the time of sowing with interest of sawai which amounted to 25 maunds 25 seers, valued at Rs.205. This amount he did not pay in cash but in kind.

Besides this he had to keep in reserve 10 maunds or 410 seers for seed for the next season and the rest, i.e., 126 maunds 35 seers for his own consumption. Total product reserved was worth Rs.1,015. This he used throughout the season.

Our cultivator is the zamindar of the village and he has direct concern with the Government in the payment of revenue, etc. He had to pay this year Rs.160 on the 80 bighas of land.

In *rabi* the gross produce in karbi and bhusa was ten carts which brought him Rs.70, and in *kharif* only three carts of bhusa were obtained. As stated above this year the crop failed on account of the scarcity of rainfall and so the gross produce both in grain and bhusa was low. The total value of the gross produce of bhusa and karbi was Rs.100 and this he reserved for the maintenance of the cattle. He did not raise any special crop for fodder. He has 12 bullocks for purposes of cultivation and four cows and two she-buffaloes for milk. The milk is not sold to any one but is consumed at home. Neither any kind of *dana* nor salt, except some khali which he gets free from the Teli, or oilman; who lives in one of the houses belonging to him. Therefore the cost of the maintenance of the cattle was Rs.100 plus the khali, worth about Rs.8. The farmer also keeps a servant to look after the cattle. He has to spend Rs.75 annually on his clothing, etc. Thus the total expenditure on cattle is Rs.175.

The farmer did not borrow any capital except the seed, the account of which is given above.

The net income of the farmer is calculated by substracting expenditure from the gross produce.

The total produce as stated above was 255 maunds in all which brought him Rs.2,040. The expenditure on entire cultivation for the period under study is as follows:—

Payment to labourers in kind amounted to 78 maunds 20 seers; artizans one maund 20 seers. The total expenditure was 80 maunds. The total value of this was Rs.628.

The depreciation on tools and cost of feeding the cattle which are used in farming amounted to Rs.248-2-8. He also paid Rs.160 as Revenue of the Land.

Thus we see that his total expenditure on various proceeds of cultivation was Rs.1,376-2-8.

Calculation of income and expenditure of the work investigated

	Rs.	a.	p.		Rs.	a.	p.
By value of principal and bye-products ..	2,040	0	0	Repairs and depreciation ..	248	2	8
				Wage paid to outsiders ..	628	0	0
				Revenue paid ..	160	0	0
				Cost of seeds home kept and borrowed ..	287	0	0
				Expenses on menials	53	0	0
				..	1,376	2	8
				Net income ..	663	13	4
Total ..	2,040	0	0	Total ..	2,040	0	0

Total net income of the family was therefore Rs.663-13-4. The family has no other sources for income except that of the son who sends Rs.100 annually, being in the service of the Maharaja. The farmer did not sell milk or ghee or butter which he got from the milch cattle. All was consumed by the family. Bhusa and karbi were not sold at all. Therefore the total income derived from agriculture was Rs.663-13-4 and this was accordingly available for consumption.

1(B) Consumption Budget

The family consists of six men, six women and three children, the males daily consume about six seers, the females only 4½, and the children only 2½ seers. That is to say that there were 15 persons who take 13 seers daily. Annual consumption of food being 117 maunds in grain.

The following table will illustrate the expenditure of the family food.

Corn	Amount	Value
	Mds.	Rs. a. p
Flour of wheat	20	160 0 0
Barley	20	100 0 0
Gram	24	192 0 0
Arsi and masuri	30	150 0 0
Arhar	10	40 0 0
Jundhari	8	40 0 0
Rice	5	30 0 0
Ghee	25	50 0 0
Oil	38	28 8 0
Salt	45	3 8 0
Potatoes and bhaji . ..	.	28 0 0
Sugar	30	11 4 0
Gur	68	11 5 4
Milk	..	324 0 0

Each adult person daily uses one *pao* of milk while the children take half a seer.

The food of the villagers varies from time to time. This farmer does not use dal in the months of Jeth and Asarh. During this period mangoes come for their daily diet. These he gets from his own garden in plenty. It is difficult to calculate their cost.

Among farmers they are one of the most essential articles of food. Vegetables and *sag* are used in the months of Bhadon and Kuwar, i.e., August and September. In the months of February, salt and red peppers are mostly used. They instinctively know which grain should be used most profitably in which month, i.e., in the month of Chait and Baisakh they use jao, in Bhadon wheat and gram, and from Kuwaro Chat they use jundhri, bajri and dhan.

The farmer used cowdung and wood alike for fuel. The proportion in which he uses these two things was 2 : 1. This is used during a greater part of the year. He uses cowdung from the months of Asar to Magh, and wood during the remainder period, i.e., four months, procuring it from his own garden, so has no expense under that head.

Kerosine-oil is used by the cultivator for lighting purposes. He keeps one hurricane lamp and two to three *dias*, i.e., cressets.

Kerosine-oil he purchased from the market which cost Rs.12 annually. The total expenditure on fuel and light was Rs.12 because he had nothing to pay for cowdung and for wood which he gets from his own cattle and garden.

The following table would show how much he had to spend on his clothing:—

Persons	Clothes	Rate	Total
		Rs. a. p.	Rs. a. p.
Six males ..	One pair of *dhoti* each ..	4 0 0	24 0 0
Three children ..	Two pairs of *dhoti* each ..	2 0 0	12 0 0
Six Males ..	Two *kurta* each ..	3 0 0	36 0 0
Three children ..	Five *kurta* in all ..	1 8 0	7 8 0
Six Males ..	Two *bandi* each ..	1 8 0	18 0 0
	Five *safa* . ..	2 0 0	10 0 0
	Five shoes	3 0 0	15 0 0
Three children ..	Five pair of shoes .	1 4 0	5 8 0
Six females ..	Two *sari* each . ..	4 0 0	48 0 0
Six females ..	Two *kurti* each . .	1 0 0	6 0 0

Things for common use, as for example bedding, *charpais*, blankets, and utensils were bought in the *rabi* season but new clothes were bought as shown in the above table.

Village servants and artisans were also paid by the farmer. Different sorts of services are rendered by them in return. Barbers function is to cut the hair of the adult man and the children twice a month. He also serves at marriage ceremnoies but this year no ceremony was performed. The barber was paid 10 seers half yearly in kind, therefore the total expenditure on him was 20 seers.

Washerman attends to the clothes of the family. During this year he was paid 10 seers of grain.

Another servant is Kumhar, i.e., the potter, who supplies the farmer with earthen pots for storing water and corn. He is paid 10 seers annually.

Kahar is the man who cleans the pots and fetches water from wells. He is paid 240 seers annually.

Darzi is that class of servant who prepares clothes for the family. He was paid 10 seers annually.

Chowkidar, that is the watchman, is also paid though he is a Government servant, at a rate of 5 seers annually.

Prohits are also considered as one of the village helpers. He was paid Rs.1-4-0 only at the end of the year.

In this village there is a lower primary school under the auspices of the District Board of Allahabad. All of his three children get education there. No fee was charged but for these three Rs.10 nearly was spent for books and stationery, etc. All the festivals which are generally observed by the Hindus were observed. They have been explained in Chapter II, Book II. The chief among them were *Holi, Dasehra, Dewali* and *Ram Nawmi.* On these auspicious festivals special food is prepared, namely *puri, kachori,* etc. Out of the materials before mentioned he prepares these things. He did not have to purchase anything. This year no *katha* was performed in the family. This year the family attended the *Magh Mela* at Allahabad. They spent Rs.4 in giving *dan* at the Tribeni. His travelling expenses amounted to Rs.6. The total expenditure incurred at Allahabad, including travelling expenses was Rs.10.

No marriage or social ceremonies took place during this year. No birth, no death, and no *bidai,* took place during the entire period. No new building was built this year and on account of famine no repairs were done to the houses.

From this consumption budget we come to see that the expenditure on consumption was greater than the total production of the family. As stated in the production budget there was a total failure of rainfall during the period under investigation and that explains why consumption was more than the net income from agriculture. If irrigation had been done it would have been possible to produce more and better results. The cultivator being the zamindar of the village had something hoarded from previous years, and therefore made good the deficiency of this year. His family, therefore, did not suffer from famine as did that of others.

Total expenditure on consumption was Rs.1,442-13-4. The amount of deficit at the close of the year was Rs.779.

As noted above Rs.100 are received towards the family from the remittance of the son, who is in the Maharaja's service. So this reduces the burden of the family by Rs.100. So the actual deficit to be met from previous savings is Rs.679.

2. (A) Production Budget of Ram Din, Cultivator, Ahir by Caste (Mirzapur District)

The production budget of Ram Din, Ahir by caste, who lives in village Argaja Pandeypore, situated in the pargana of Kantit, tehsil Mirzapur, district Mirzapur. The police station, post office, hospital and railway station are all in Vindhyachal, a distance of about six miles from Argaja Pandeypore. There are five men, five women, and six children in the family. All the members reside in the village. The budget covers a period of one year from April 1, 1927 to March 31, 1928. The family cultivated twenty and a half bighas of land. Eight bighas are held on occupancy, and twelve and a half on non-occupancy tenancy. The whole of the land is in his own village. The family has two *hals*. Nine men generally work on agriculture. Ten bighas were sown and harvested during the *kharif*. In this locality *kharif* lasts from June to November.

The family sowed six bighas of jawar, four bighas of bajra and arhar was along with these a mixed crop.

The family used the following tools and labour aids implements:—

Hals	2
Wooden plank for levelling the ground	1
Tools for weednig	8
Sickles	8
Hoe	1
Axes	2
Yokes	2
Spades	4
Baskets	4
Rope	1
Cattle	4

Processes of Production—The process has been fully described in another place. Suffice it to say that this particular family devoted two months and five days to field work.

Value of Tools—In this village each family having one plough gives 36 and 32 seers, i.e., 68 seers, and that having two ploughs gives (36×2) plus 32 seers, i.e., 104 seers jawar and bajra to the carpenter who is also blacksmith. Total cost of the grain paid to him amounted to Rs.13. The carpenter makes all the implements which the family needs. He makes new agricultural implements as well as repair the old ones. For the plough the cultivator gives

him wood and iron, and in return gets a new implement. In practice the family gets a plough for As.8 a weeding knife for As.2 a spade for Re.1 a sickle for As.2, and axe for As.4, and a pickaxe for Re.1. He gets a wooden plank for levelling the ground, a yoke and a hoe free. A basket costs one anna and a rope As.12 only. The average length of life of each tool is:—

1.	*Hal*	2 years
2.	Seythe	3 ,,
3.	Spade	6 ,,
4	Yoke	3 ,,
5.	Weeding knife	3 ,,
6.	Hoe	10 ,,
7.	Pickaxe	10 ,,
8.	Axe	12 ,,
9.	Wooden plank for levelling the ground	5 ,,
10.	Basket	1 year
11.	Rope	2 years
12.	Bullocks	10 ,,

The annual depreciation of tools is Re.1-8 only.

The cultivator sowed one seer of bajra and two seers of arhar mixed in one bigha. He sowed six seers jawar and 12 seers arhar in six bighas, and four seers bajra and eight seers arhar in four bighas.

The cultivator applied 100 maunds of manure in each bigha. The manure used was home kept.

In the *kharif* crop the family ploughed each field ten times and levelled it six times.

Nine people were permanently engaged in *kharif*. Of the family five men and four women, and of outsiders four women, who worked for four days only. In this village men, women, and children get the same wage. They get two seers of jawar or bajra or any other coarse grain per day. These four women were paid 32 seers of jawar and bajra.

In *kharif* no watering was done to the fields. Weeding was done two or three times to each field. No extra hand was engaged in this work. It took ten days for reaping. Four outsiders were engaged for four days and were paid 32 seers of jawar and bajra.

Ten days were spent in threshing. No extra hand was required.

Gross produce of *kharif* crop in kind was 640 seers of jawar, 480 seers of bajra, and 400 seers of arhar.

Rabi crop—The family sowed wheat in two and a half bighas, barley and gram (mixed) in eight bighas. Number of *hals* and tools used have already been mentioned. For *rabi* one *mot* and one *nar* is more needed. The price of one *mot* (bucket) is Rs.3-8 and that of *nar* (yoke fastening) Rs.4. One *mot* lasts for three or four years and one *nar* for five years. The annual depreciation of *mot* and *nar* is Rs.2.

The cultivator sowed five seers seed in one bigha. He sowed 16 seers gram, 24 seers barley, and 12 seers wheat in ten and a half bighas. All the seed he got from the zamindar and paid back one and one-fourth of a seer for every seer of grain, i.e., in terms of sawai. He applied 100 maunds of manure to each bigha. The manure was home kept.

Each field was ploughed eight times and levelled six times.

Nine people were permanently engaged during the harvest (fasal). Of the family five men, and four women, outsiders four women. Outsiders were paid 32 seers of jawar and bajra.

Every field was irrigated ten times. No extra hand was engaged for irrigation.

Rabi crops do not require weeding. Reaping took ten days. Four women were employed for reaping for four days and were paid 32 seers of jawar and bajra (coarse grain).

Gross produce from *rabi* crop in kind was 800 seers of barley and gram, and 160 seers wheat. In the whole year the family paid 64 seers to the labourers, 80 seers to the washerman, 100 seers to the barber, 104 seers to the carpenter and 32 seers to the *Porohit*. He did not sell his grain. He paid 20 seers gram, 30 seers barley, and 12 seers of wheat to the zamindar from whom he took the seed. He did not give any quantity of grain to the sower. He kept 7 seers of jawar, 5 seers of bajra, and 32 seers of arhar for seed. The rest of the produce was reserved for him and his family's consumption. Total quantity reserved of different kinds was as follows:—

Jawar and bajra	123	seers
Arhar	378	,,
Gram and barley	750	,,
Wheat	148	,,

Total value of the above is Rs 269-10. Rs.91 was paid to the landlord as rent.

The family got 300 bundles karbi (grain stalks) from jawar. 250 bundles from bajra, 400 seers of bhusa from arhar, 800 seers bhusa from wheat. Not a single laod of karbi or bhusa was given to anybody. All was kept for the cattle. The value of 500 bundles. Karbi (at the rate of 100 bundles for Rs.4) amount to Rs.22. The value of 1,200 seers of bhusa (at the rate of 25 seers for a rupee) was about Rs.48. It was consumed for nine months, i.e., up to December, 1927.

Four oxen were used permanently in the fields and they were also used for carting. The cost of their maintenance for the whole year was Rs.100. The average milk yield was about two seers per cow daily. Price of each bullock is about Rs.60 and their average length of life about ten years. They were also used for carting . The income from which was Rs.1,000 this year. Spent on shoeing Rs.2.

The cultivator has also an income from milch cattle. He has got twenty cows. The average price of the cow is about Rs.40. Milk worth Rs.247-8 was obtained from these cows during the year. *Ghee* worth Rs.60 was also obtained from them. Dung is also secured from the cattle and is applied to the fields. The cost of their maintenance is Rs.100. Dung cakes worth Rs.67-8 were also obtained from them.

	Rs.	As.	*Expenditure*	Rs.	As.
Gross income from *kharif* and *rabi* grain	336	10	Repairs and depreciation of tools	16	8
Income from milk	247	8	Value of seed used in *kharif*	4	4
Income from *ghee*	60	0	Value of seed used in *rabi*	8	4
Income from cow-dung cakes	67	8	Wages of labour	8	0
Income from karbi	22	0	Cost of the manure	25	0
Income from bhusa	54	6	Paid to the zamindar for the rent	91	0
Income from carting	1,000	0	Cost of maintenance of the cows	100	0
Total income	1,788	0	Cost of maintenance of oxen	100	0
			Total expenses	353	0

Total amount available for consumption amounts to Rs.1,435.

2(B). Consumption Budget

Food—The cultivator spent Rs.768 for flour Rs.120 for dal, Rs.45 for oil, Rs.60 for *ghee*, Rs.36 for *mussalas*, Rs.12 for salt, Rs.30 for *gur*, Rs.90 for milk, Rs.15 for tobacco (smoking), Rs.36 for tobacco (to eat); a total expenditure of Rs.1,212.

In this family an adult man eats one and a half seer flour, two chhataks of dal, one chhatak oil, one chhatak *gur*, one chhatak tobacco (smoking) and half chhatak (eating) daily. A woman eats as much as a man eats. They do not smoke. His children are very small. Each child drinks half a seer of milk daily. Rice is not used at all. The food of the children on the average came to about one and half *pao* a day.

Milk is not used by any adult person. Dal is used throughout the year. The following days however were exceptions, *Shivratri*, *Deothan*, and the last Sunday of Bhadon.

In November, December and January vegetable and sag are largely used. In January and February salt and red peppers are generally used. From April to October peas, barley, wheat and gram were used by the family. From November to March jawar, bajra and arhar were used, as chief staples for consumption.

Fuel and Light—Fuel consisting of dung cakes was used throughout the year.

Firewood is used on marriage occasions only. Women made cakes from the dung. Firewood was secured from the hill side. Some men of the family went there and earned firewood by cutting trees. The prevailing rate of sale for cowdung cakes is four annas.

Kerosine oil is used for lighting purposes. *Dias* are used daily and hurricane lamps on special occasions.

Total expenditure on fuel is Rs.67-8 and for that of light Rs.4-8 annually.

Clothing—Two *dhotis* were purchased for each man. Each adult man keeps two *dhotis* which he used for full one year. The price of one *dhoti* is Rs.1-8. Ten *dhotis*, worth Rs.15, were purchased this year. Two *bandis* are bought every year for each adult man. One *bandi* costs Re.1. Ten *bandies*, worth Rs.10, were bought this year. Three pairs of shoes are bought every year for each man. The cost of one pair of shoes is Rs.2. Fifteen pairs worth Rs.30 were bought this year.

For females—Every woman needs four *dhotis* or *saris* in a year. One is bought after the other is torn. The price of one *dhoti* or *sari* is Rs.2-8. Twenty *saris* were bought for Rs.59. One *phariya* or headdress lasts for about five years and costs only Rs.1-8. One *phariya* was bought this year.

Each woman has got one *kurti*. The price of a *kurti* is Re.1 and it lasts for a year. Five *kurtis* worth Rs.5, were bought this year.

The family has got the following ornaments. One pair of *pairi* (anklet) made of bronze, price Rs.2-8 and lasts for two or three years.

One pair of bangles made of silver, price Rs.20 and they last for forty or fifty years.

One *haikal* (necklace) made of silver. It costs Rs.15 and lasts from forty to fifty years. One ring made of silver, which is worn round the neck. Its price is Rs.20 and it lasts for about forty or fifty years.

One pair of *bahunta* (bangle) made of silver. Women wear these round their hands. Their price is Rs.12 and lasts for forty or fifty years. One pair of *bazu* made of silver. It is used by women for wearing round their hands. The price is Rs.16 and they last forty or fifty-five years. No ornament was bought this year.

For children—*Dhotis* are bought annually for each child. Fourt *dhotis*, worth Rs.3, were bought this year. One *kurta* is bought annually for each child. The price of one *kurta* is eight annas and it lasts for a year. Three *kurtas*, worth Rs.1-8, were bought this year.

For common use—The members of the family use their *dhotis* for purposes of covering at night. Every man has got a blanket. It lasts for a year. The price of one blanket is Rs.3. Five blankets, worth Rs.15, were purchased this year. Every man has got a *charpai*. One *charpai* lasts for a year. The price of one *charpai* is Re.1. Five *charpais*, worth Rs.5, were bought this year.

Utensils—The family has got the following utensils:

Three dishes made of bronze worth Rs4 each, lasts for four years.

Two *batwas* or big pots worth Rs.3 each, lasts for ten years.

Three pots worth Rel each, lasts for ten years.
One bowl worth Re.1 each, lasts for six years.
One dish brass worth Rs.4 each, lasts for four years.
One *karahi* iron worth Re.1 each, lasts for ten years.
One *carchhul* iron worth As.10 each, lasts for ten years.
One *tawa* iron worth As.8 each, lasts for three years.
One *gagra* iron worth Rs.1-6 each, lasts for six years.

Rs.8 was spent in buying new utensils theis year.

Nothing was spent upon the repairs of utensils.

Payment to village servants—As the duties of village servants have already been distributed (vide *supra*) we need only note that a total cost of Rs.26-8 was incurred by this family under that head.

No member of the family is literate. The usual festivals observed in this family were *Holi, Sheoratri, Janamashtami, Desehra* and *Dewali.* We have given a description of these festivals in Chapter II, Book II. During this year Rs.20 were spent on celebrations of the festivals in question.

Social ceremonies—Four marriages took place in the family. About one hundred and fifty rupees would have been spent on each marriage, but since the four took place together, five hundred rupees were spent in all. Two births took place. Four rupees were spent on this account. No *bidai* or death took place in the family.

House—The members of the family repaired the house themselves. Nothing was spent on repairing or in the construction of any new building. Nobody fell ill during the year.

Total expenses amount to Rs.2,003-8. This year the expenditure was more than the previous years' because the cultivator spent Rs.500 on marriages. The excess of expenditure over income in this year was made good by the saving of the previous years. The cultivator is a sensible man, and is afraid of getting into the clutches of the money-lenders.

On the whole his condition is very satisfactory. He did not indulge in extravagant expenditure as do others at the time of marriages. When asked why he spent so parsimoniously, he replied that one should cut the coat according to the cloth, "Jitni chadar utn hi paon phailane chahiye."

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