

AGRARIAN CONDITIONS IN THE NORTH-WEST PROVINCES
AND OUDH, 1860-1900: AN ENQUIRY INTO THE
EXTENT OF THEIR TRANSFORMATION UNDER BRITISH RULE

E. M. WHITCOMBE

(THESIS SUBMITTED FOR THE DEGREE OF
DOCTOR OF PHILOSOPHY, UNIVERSITY OF
LONDON, FEBRUARY, 1968)

ProQuest Number: 10731624

All rights reserved

INFORMATION TO ALL USERS

The quality of this reproduction is dependent upon the quality of the copy submitted.

In the unlikely event that the author did not send a complete manuscript and there are missing pages, these will be noted. Also, if material had to be removed, a note will indicate the deletion.



ProQuest 10731624

Published by ProQuest LLC (2017). Copyright of the Dissertation is held by the Author.

All rights reserved.

This work is protected against unauthorized copying under Title 17, United States Code
Microform Edition © ProQuest LLC.

ProQuest LLC.
789 East Eisenhower Parkway
P.O. Box 1346
Ann Arbor, MI 48106 – 1346

ABSTRACT

The period 1860-1900 was, for the North-Western Provinces and Oudh, one of intense activity on the part of Government, culminating in a range of visible achievements in a wide variety of fields: public works, export trading, a reformed judicial system, a modernized administration - incorporating the principles of enlightened, if despotic, rule approved in the abstract by leading theorists and considered applicable to India. India, however, was no tabula rasa. The Crown administration succeeded, in 1858, to an inheritance of precedent in most fields bequeathed to it by the East India Company. The reformed institutions which resulted from the new Government's drive for modernization were, moreover, superimposed on a country as large as Great Britain and more densely populated than any contemporary European state, with old-established and complex social forms, thriving political activity, and an agricultural pattern skilfully adapted to the variations in local conditions. The source of wealth was, almost exclusively, the land. The development of agricultural resources inspired by British enterprise and the need for land revenue implied no radical transformation of local farming techniques, but merely the superimposition of large-scale works on land long farmed in small, highly diversified holdings. The result was distortion in traditional patterns, which Government had not the means to relieve. Its action was ruled essentially by its revenue needs. This meant a rigid demand, calculated on the basis of abstract principles, was distributed among the revenue-paying 'proprietors', many of whom meanwhile had suffered a sudden and sizeable curtailment of income on the abrupt cessation of service with the Company and the Nawab of Oudh. The indirect pressures induced by the revenue demand within

3

local society, as the zamindars sought to increase their exactions or compelled by new commitments, exposed the most vulnerable elements. At the same time, the revenue demand, especially its timing, dictated the expansion of local credit systems - which were also stimulated to greater activity by developments in the trading pattern and the rise of an export market. Cultivators' indebtedness remained a pernicious condition, deplored by the administrators but accepted as inevitable. Zamindars' indebtedness, however, posed more complicated problems due to the reform of debt and alienation laws which were fundamentally inconsistent with the requirements of political expediency. The administration itself, from its position as overseer, could do little more than observe the situation. Its upper, European and incorruptible strata was poorly co-ordinated with its subordinate establishments, poorly paid and eminently corruptible, whilst the persistent lack of means made inefficiency inevitable. The costs of innovation were headed charges for administrative establishments; they included also, under a wider term of reference, the distortions which had arisen within society in its physical, economic and political environment.

CONTENTS

	<u>Pages</u>
INTRODUCTION	6 - 14
CHAPTER I : Points of Departure	15 - 71
CHAPTER II : The Development of Agricultural Resources	72 - 151
CHAPTER III : The Revised Revenue Settlements	152 - 207
CHAPTER IV : The Problem of Indebtedness	208 - 267
CHAPTER V : The Frustration of Legal Remedy	268 - 308
CHAPTER VI : The Dilemmas of Administration	309 - 359
CHAPTER VII : The Cost of Innovation	360 - 365
APPENDICES :	366 - 387
I The Fasli Year	
II NWP and Oudh. Staple Crops	
III NWP. Rainfall. Average Year/Scarcity Year (1860-61)	
IV Table of Official Standard Measures of Area, Weight and Capacity	
V Chronological Table of Principal Statutes relating to the NWP and Oudh, 1855-1901	
VI NWP. Consequences of Canal-Irrigation in Selected Typical Areas.	
VII NWP and Oudh. Railways. Sections of Line, with Dates when opened to Traffic, 1859-1900	
VIII NWP and Oudh. Tenancy Categories recognized by Statute, 1859-	
IX NWP and Oudh. Civil Judicial Appointments, High Court, Allahabad: Judges and Establishments, 1872.	
X NWP and Oudh. Abstract of Revenue Appointments, 1870-71.	
GLOSSARY	388 - 392
BIBLIOGRAPHY	393 - 399

MAPS:

(in end pocket)

NWP and Oudh. Administrative Districts

NWP and Oudh. Public Works, to 1904

CHARTS:

(in end pocket)

- I NWP and Oudh. State of the harvests, by Divisions, 1864-65 - 1884-85
- II NWP. Canal-Irrigated area: total; kharif; rabi; dofasli, 1868-69 - 1896-97
- III NWP. Canal-irrigated area: kharif - proportions under principal crops, 1868-69 - 1896-97
- IV NWP. Canal-irrigated area: rabi - proportions under principal crops, ~~1875-76~~ - 1896-97
- V NWP. Canals: revenue and charges, 1876-77 - 1899-1900
- VI NWP and Oudh. Takavi loans, ~~1871-72~~ - 1899-1900
- VII NWP. Land Revenue: demand, collections, balances, by Divisions, 1864-65 - 1884-85
- VIII Oudh. Land Revenue: demand, collections, balances, by Divisions, 1864-65 - 1884-85
- IX NWP and Oudh. Land Revenue: demand, collections, balances, ~~1885-86~~ - 1899-1900
- X NWP. The Collector's Business: letters issued and received, cases instituted and disposed of, by Divisions, 1864-65 - 1899-1900

INTRODUCTION

By way of a fitting prologue to his exposition of the complexities of public finance and the construction of public works in British India, Sir John Strachey drew the attention of his readers to the achievements of Government in transforming the condition of its Indian empire in a mere twenty-two years since the proclamation of Pax Britannica, in 1858.

The magnitude of the work that has been accomplished is extraordinary. The England of Queen Anne was hardly more different from the England of today, than the India of Lord Ellenborough from the India of Lord Ripon. The country has been covered with roads, her almost impassable rivers have been bridged, 9,000 miles of railway and 20,000 miles of telegraphs have been constructed, 8,000,000 acres of land have been irrigated, and we have spent on these works, in little more than twenty years, some 150,000,000 L. Our soldiers' barracks are beyond comparison the finest in the world ... The improvement in the jails and in the health of the prisoners has been hardly less remarkable. The cities and towns are totally different places from what they were.

Simultaneously with the progress of all these and a thousand other material improvements, with the increase of trade, the creation of new industries, and a vast development of wealth, there has gone on an equally remarkable change in every branch of the public administration. The laws have been codified, and improved, and simplified, until they have become the admiration of the world. The courts of justice and the police have been revolutionised, and, however far they may still be from perfection, India has obtained, to a degree unheard of and unthought of

before, protection for life and property, and an honest administration of justice ... It is needless to continue this catalogue of changes that have taken place; but it is not the least remarkable part of the story that the accomplishment of all this work, and the expenditure of all this money, which have increased to an extent absolutely incalculable the wealth and comfort of the people of India, have added nothing to the actual burden of taxation.¹

Few were better qualified to speak on Government's behalf than Sir John and General Sir Richard Strachey, whose joint contribution to the administration of India could not be described - except, as Sir John rightly observed, 'by a false affectation of humility' - as insignificant.

There is hardly a great office of the State, from that of Lieutenant-Governor or Member of Council downwards, which one or other of us has not held, and there is hardly a great department of the administration for the management of which, at some time, one or other of us has not been responsible. If we have not gained wisdom, we have at least had rare opportunities for obtaining knowledge and experience.²

The Stracheys' experience derived in the main - particularly in the case of Sir John - from the North-Western Provinces. Here, and in the sister province of Oudh, the vast range of activities promoted

¹ Strachey, J. and R., The Finances and Public Works of India, (London, 1882), pp. 7-8.

Lord Ellenborough - assumed office, 28th February 1842; resigned 15th June 1844

Lord Ripon - assumed office, 8th July 1880; resigned 13th December 1884

² ibid., Preface, p. vii.

under the modernized British administration in the later 19th century were clearly exemplified. Territorial acquisitions of the East India Company from the declining power of fragmentary Moghul kingdoms at the turn of the 18th and 19th centuries - first known as the Ceded and Conquered Provinces were recognized as a single administrative unit, the North-Western Provinces, in 1835.³ In 1856, Oudh was annexed. Then came the 'Mutiny' disturbances and the tightening of British political control which followed as a consequence of the suppression of uprisings in which these provinces, more than any other in British India, had been so intimately involved. Under the aegis of Pax Britannica, the administrations of the NWP and Oudh functioned separately, albeit with close connections one with another, until their amalgamation in 1877. In 1901, they became known as the United Provinces of Agra and Oudh - the modern Uttar Pradesh.

Their geographical situation, lying on the natural line of communication of northern India, from Calcutta westwards along the river valleys of the Ganges and Jumna to Delhi, the Punjab and the north-west frontier, laid them open to the development schemes of Government. Their natural resources, chiefly in the vast alluvial plains of the Doab and the grain lands of southern and central Oudh, invited exploitation by large-scale enterprise. The expiration of temporary measures of the Company administration as regards the all-important matter of land revenue settlements provided the opportunity for the introduction of modern institutions to safeguard the interests of public, and private, property in accordance with the ruling ethic of theory of the times: in the NWP, the zamindari system established soon after cession and conquest was subject to reinterpretation whilst similar principles as underlay this were

³ Benares Division, 1793: districts ceded by King of Oudh (N. Benares, Doab, Rohilkhand, 1801, conquered districts (Meerut Division), 1803; Rohilkhand conquered 1817.

imported into Oudh where Government made its revenue settlements with the dominant talukdars. The construction of public works, the revision or institution of intricately-calculated revenue assessments, the growth of the grain-trade, the modernization of the machinery of justice and of the structure of Government as a whole together dominated the scene in the provinces for more than two decades after the transfer of Government in 1858.

The zeal and urgency with which Government pursued its aims, a belief in the righteousness of abstract principles of equity and political economy and the awareness of great temporal power, matched in its force the greatest of contemporary enterprises of colonization. India however offered no real prospect for European colonies on the 'classical' pattern. Its vastness, and the density of its long-settled agricultural population stood as an irremovable barrier to that. The NWP alone ran to some 80,707 square miles of territory, with a total population estimated in 1865 at some 31,110,000 persons -

'nearly equal England, Wales and Ireland together, while in numbers they surpass Great Britain and Ireland, and approach within a few thousand of the population of the United States. This vast province, which would be an empire in Europe, is ruled by a Lieutenant-Governor, under the Governor-General of India.'

The source of wealth and of employment for the overwhelming majority of the population, directly or indirectly, was the land. Agricultural techniques, variously adapted to local conditions, had persisted over centuries. Rights over the use and the fruits of the

⁴ C.H.T. Crosthwaite, Notes on the NWP of India, by a District Officer, 2nd ed. (London, 1870), p. 2.

land supplied cultivators' needs, the maintenance of society and the stuff of local political power. By the mid-19th century, vestiges only remained of political relationships, defined on the basis of revenue administration, which had existed between dominant members of local communities and the higher reaches of Mughal government. The last days of the Oudh Nawabi showed one version of the pre-British situation: the tenuous links of a bureaucracy over-concentrated within the city walls of Lucknow.

The 'new' institutions of the British Crown administration, the culmination of a half-century of Company precedent, did not overthrow the existing structure. They brought no social revolution but were superimposed upon society. The fierce and complicated reaction of the 'Mutiny' represented a brief and inarticulated attempt to ward off the onrush of European modernity. After that, superimposition became more comprehensive and more determined, while the horror of the uprising warned Government against exerting direct power over its subjects beyond the extent appropriate to a supreme and benevolent superintendent of modernization.

In an extension of the pioneering works constructed under Company rule for the development of agricultural resources, great canals were built with the intention to bring about a wholesale expansion of agriculture by providing that need which the potentially rich soil of the provinces, in the Doab region, seemed to lack most: water. The consequences were far-reaching. Expansion certainly took place, but was confined almost exclusively to 'valuable' crops while the production of food-grains for the dense rural population drew little or no benefit from the canals. Lavish distribution of the water supply in conjunction with the traditional techniques of ploughing which canal-irrigation by itself could not change gave rise to the

distressing problem of salination of the soil, affecting thousands of acres and hundreds of thousands of livelihoods by a sharp reduction in productivity. In their haste, the engineers had on occasion neglected culverts to carry natural drainage lines through the new canal embankments. Swamping resulted, providing breeding-grounds for the mosquito and increasing the incidence of malarious fever amongst the rural population. This too was a consequence which followed in some cases from the building of road and railway communications throughout the provinces, to stimulate to a proper degree the 'natural' tendencies of a people to trade. Railways themselves made further depredations on their adopted environment: deforestation was aggravated through the supplying of wood-fuel, cheaper than Bengal coal, for locomotives.

Subsidiary measures to cater for agricultural welfare were helpless in the face of the widening circles of repercussions from the large-scale developments on the small-holding pattern of farming in the provinces. Their utility was further reduced by chronic lack of agency and means with which to implement even the marginal schemes proposed with decent caution by Government: a marked contrast to the almost indecent urgency which had fired the construction of public works.

Government, however, had necessarily to safeguard its position and its access to the sources on which it depended for its maintenance. The revenue assessments were scrupulously revised, to secure a just and equitable share to Government, the 'proprietor' and the 'cultivator'. Circumstances dictated that some adjustment should be made to relax the rigour with which it had been initially proposed that scientific principles should be applied, in favour of increased discretionary powers of the settlement officers and, above all, the admission of estimates in place of accurate measurement. Circumstances also suggested that some means might

be provided whereby the demand might be relaxed in response to seasonal shortfalls in the harvests, and that it might be distributed with some regard to the pressures which had built up within 'proprietary' groups due to the displacement of members of zamindari families from service with the Company, the British, Indian regiments or the Nawab's bureaucracy following on Annexation, the Mutiny and the accession of Crown government. Neither of these latter sets of circumstances could find accommodation with Government's needs. Indirectly, though not the less inevitably, conflicts grew within society: zamindars sought to increase their exactions to meet both new and old commitments; the credit business, flourishing under the stimulus of increased borrowing by both cultivators and zamindars on account of increased obligations in the form of charges and revenue liability, became intensely competitive.

The size of the creditor's profits - loans being the most lucrative business available for the investment of local capital - was matched by the extent to which the population of the provinces was indebted - not only for long-established needs of cultivation and occasional ceremonial expenditure, nor to meet the revenue demand. The expansion of agriculture, in 'valuable' crops, was controlled by creditors; the grain-trade, its pattern now dictated by the pull of export markets, contrary to former seasonal ebb-and-flow, was controlled by creditors. Competition became intense therefore, for the control of credit. The zamindar fought to obstruct the mahajan, and the mahajan to oust the zamindar - the combination of zamindari plus loans providing the most extensive source of income, and of local power, available.

New developments in the law, in recognizing a creditor's equitable right to realize his debt from valuable property belonging to his

debtor, raised new threats to zamindars indebted to mahajans, and theoretically provided for the transfer of zamindari rights from insolvent to solvent members of the rural community. Theoretically, there was a prospect of a genuine social revolution - should the transfer laws work to their appointed end. Not only was this frustrated, however, by persistent litigation by zamindars who manipulated the legal machinery to ward off attack from competitors; Government's political awareness dictated that it should set on foot operations to relieve the beleaguered 'landed classes', to the extent where revenue payments were secured, and thus amend its progressive laws in the more expedient cause of conservatism. Litigiousness, long and emphatically castigated by Government officers as an unmistakable sign of corruption, was not merely a creation of the imported system of the courts of civil judicature; in frustrating legal remedy, as far as debt and transfer was concerned, it worked in the political interests of Government.

The outward fabric of rural society was preserved, but the conditions in which the population of the provinces subsisted had in many cases been subject to serious dislocation. Government maintained its superintendent's stance above it all, the position of the provincial administration as a whole being faithfully reflected in the relation of the district Collectorate to its rural environment. Co-ordination between the upper, European, strata and the local, 'native'-manned levels of the district establishments was poor. The insistence that the principles of disinterested public service familiar to the well-salaried Collector and his Assistant must be extended to their 'native' subordinates was not accompanied by the provision of means, in terms of adequate pay-scales, without which little could be

achieved. The administration came however to rely increasingly on its lower echelons - unreformed and largely uncontrolled - for the execution of its self-appointed tasks and the provision of its information.

The charges imposed by Crown Government on its Indian possessions were formidable, and far from confined to monetary exactions. Public works left their mark on agriculture, often in the form of serious ecological imbalances. The revenue system brought a host of indirect pressures in its wake which distorted the relations between cultivator and zamindar and over-stimulated the credit system on which the realization of the revenue frequently depended. The development of trade aggravated the reliance on borrowing still further. The law could provide no remedy, nor the administration as a whole, for the acknowledged distress widely current in rural society.

By examining each major innovation of the period at the point of its contact with the local situation, an attempt is made in this thesis to analyse the nature of the change brought about - intentionally or unawares - under Imperial rule.

CHAPTER I : POINTS OF DEPARTURE

The first task of this enquiry is to reconstruct, in outline, the principal features of agriculture and agrarian society in the provinces in order to distinguish as far as possible indigenous institutions from innovations introduced under British rule, before or after the beginning of our period. The reconstruction which constitutes this first chapter is subject to initial qualification. Drawn from contemporary observations of British administrators, it is based on contrasts, explicit or implied, with British innovations rather than on a comprehensive account of local practices per se. As yet, a detailed study which would provide this by analysing the state of agriculture in the provinces in the first half of the nineteenth century remains to be done. For the present, therefore, we must rely on a provisional reconstruction to provide a starting-point from which to examine the problem of transformation with which this thesis is concerned.

Although agrarian conditions differed considerably from region to region, certain features were common to the provinces as a whole: the calendar of the agricultural year; the relation of crop-patterns to the range of soils and to irrigation facilities; distribution of rainfall; methods by which farmers sought to cope with persistent problems of seasonal disorder and the risk of soil-exhaustion; the use of irrigation as a supplement to rainfall. Such features may be defined as typical and we shall begin with a brief description of them. An account of differences in local practices follows, taking the various natural conditions and examining the question of local farmers' successful exploitation of their environment. This in turn leads to a consideration of the cultivator's needs and how they were

met, which introduces the second part of the chapter: a discussion of rights over land, the structure of agrarian society and its relation to Government.

In describing not merely the institutional framework of society but something also of its modus operandi, much reliance has been placed in the present account on evidence relating to the state of Oudh in the mid-nineteenth century and more especially on Colonel Sleeman's narrative of his tour through the Nawabi in 1849-50¹. No comparable picture exists for the NWP, which by this time had been subject to British administration for nearly fifty years. It must not be assumed a priori that what was true of Oudh in 1850 had been true already of the neighbouring districts of the NWP at the time of cession and conquest. All that can be said as yet is that such fragmentary accounts as are available of, for example, rights over land in the NWP - and more particularly within the zamindaris of Bundelkhand - show clear similarities with Oudh practices and allow therefore some basis for comparison. An account of the connections in the mid-nineteenth century between local rights and indigenous administration is, however, necessarily confined to the history of Oudh in the last years of the Nawabi. Comparable connections may have existed in the NWP prior to the institution of direct British rule but the matter remains to be explored in detail.

Throughout the provinces, the fasli (agricultural) year began, as it does now, with the month of Asarh (June-July)². On soil

¹ W. Sleeman, A Journey through the Kingdom of Oude in 1849-1850; by direction of the Rt. Hon. the Earl of Dalhousie, Governor-General, with private correspondence relative to the annexation of Oude to British India, etc., 2 vols. (London, 1858).
- hereafter, Sleeman, Journey.

² The official computation of time in fasli years (fasl: section, chapter, thence harvest), a form used for dating all public orders

moistened by the first falls of the annual monsoon rains, farmers sowed their kharif (autumn) crops: first, early rice, where the land was low-lying and the water-supply abundant, and on drier, more elevated tracts, small millets and maize.³ Later in the month, the longer-maturing staples were sown. These were chiefly the millets jowar and bajra, the pulses urd, mash and mung, and in 'wet' tracts, jarhan or transplanted rice. These later kharif crops provided the staple food supply for the bulk of the population. Later kharif sowings also included, in addition to these food-grains, the specialist crops of cotton and indigo, which required intensive cultivation. The harvesting of the kharif spread over the months of Bhadon, Kuar and Kartik (September-October). Where no serious climatic disorder disturbed the agricultural cycle, the timing of the harvest was set at the beginning of the season by the coming of the rains. Generally, harvests in eastern districts preceded those in the west by some three or even four weeks. Farmers in south-western districts harvested their crops before those to the north by approximately the same amount of time. Where the monsoon was delayed, or heavy falls of rain in late July or August hindered the ripening of the kharif, harvests were protracted in consequence. In eastern districts, for example, such climatic disorders could mean the delay of harvesting until early in Aghan (November).

2 (ctd.)

and regulations, originated with Akbar. Date of the fasli year † 649 gives the Samvat (Hindu luni-solar) year. Date of the fasli year + 592/93 gives the date of the Christian era (thus, 1272 Fasli = A.D. 1864/65); for details on the mode of calculation, H.H. Wilson, A Glossary of Judicial and Revenue Terms ..., 2nd edition, revised, with added case-notes, by Ganguly and Basu, (Calcutta, 1950), q.v. fasl. For the months of the fasli year, with their equivalents in the English calendar, see Appendix I.

³ For a list of the chief staple crops of the NWP and Oudh, see Appendix II.

Where soils were rich enough to stand intensive cultivation without becoming exhausted, the crops of the second harvest of the year - the rabi (spring) harvest - were sown on plots cleared of the previous kharif. Such rich dofasli (double-cropped) land was by its nature confined to a small proportion of the cultivated area of each district. Rabi crops were commonly sown on plots set aside for that harvest and prepared whilst the kharif ripened. The chief rabi staples - wheat, barley, peas and gram - were usually sown in mixtures of two to three crops per plot. They needed light rains during Kuar (September-October) for their germination and further showers during Aghan and Pus (December-January) brought them to maturity. The very best rabi was raised on irrigated land, watered two to three times during the season. Shelter for the growing kharif and rabi grains was commonly provided by the staple pulse arahar, which was sown together with the later kharif and harvested with the rabi, enriching the soil on which it grew by the leaves cast off during its maturity. Rabi harvesting lasted throughout the months of Chait, Baisakh and Jeth (March-May), the local timing again varying from east to west and south-west to north as for the kharif. The cultivation of sugar-cane stretched beyond the confines of a single fasli year. Early in the hot months, from Chait on, land on which the cane was to be planted was ploughed up repeatedly - up to seven times at least - and left fallow during the rains, after which it was ploughed once more. The canes were planted out on it the following Phagun and Chait (February-March). Irrigated frequently during the subsequent hot season, sugar-cane reached its maturity in the following cool months. The long operations of the cutting and crushing of the cane and the boiling of the extracted juice (ras) into molasses (gur) begin in Aghan and

lasted well into the following Chait.⁴

Cropping-patterns of staples followed the natural conditions of each locality. An observation reported from Muttra district in 1879 - which can be taken as representative in this respect of the provinces as a whole - shows how the variety of soils and the extent to which irrigation was readily available determined the basic pattern of agricultural production:

- (1) where water was far from the surface and irrigation consequently difficult, kharif crops outnumbered the rabi; a small area only was sown with wheat (which required extensive waterings); a (correspondingly) large area was sown with gram.
- (2) where the natural soil conditions were good, jowar (which required merely good soil and little attention) was grown extensively and bajra only nominally, of the staple kharif millets.
- (3) where no jhils (lakes formed by rainfall collecting in hollows in the ground) existed and the climate was generally dry, rice was not grown.
- (4) where water available for irrigation was frequently brackish, sugar-cane was rarely grown.⁵

For the successful exploitation of these various conditions, one fact was paramount: farmers depended on an adequate, and timely, rainfall to secure a full outturn on the season's sowings. Due to a failure in the rains scarcity could follow abundance within the space

⁴ The agricultural cycle of the fasli year:
 in eastern districts, Jaunpur Settlement Report, 1886, pp. 119-20.
 in Oudh, Partabgarh Settlement Report, 1877, pp. 47-49;
Unao Settlement Report, 1867, pp. 10-12.
 in western districts, see the rural calendar quoted in
 W. Crooke, A Rural and Agricultural Glossary for the NWP and
 Oudh, (Calcutta, 1888), q.v. Barahmasiya.

⁵ Muttra Settlement Report, 1879, p. 23.

of a season. The Officiating Collector of Aligarh noted a common phenomenon of the provinces when he reported in 1861 as to how three tahsils of his district were changed by the advent of a favourable rainy season from 'a barren, burnt-up desert ... to richly fertile and productive fields'.⁶

The average rainfall per annum of districts west of the Ganges was recorded as some 30-36 inches. In Rohilkhand, Oudh and the eastern districts - the second major meteorological division of the provinces - the annual fall was greater: on average, between 36 and 40 inches. To the south, the districts of the third region, Bundelkhand, exhibited the widest local variation: whilst the average rainfall for Jaloun was recorded as approximately 25 inches per annum, between 30 and 40 inches were registered as annual averages for neighbouring Jhansi district.⁷

Official figures merely aimed at showing the total rainfall of the fasli year, as recorded at the sadr station (the chief town of the district) and possibly two to three additional stations elsewhere in the district. More important, however, than the adequacy or otherwise of the aggregate annual fall was its precise distribution over the rain-months - a fact which the rainfall figures concealed. As the Board of Revenue, NWP, observed early in the 1880's:

⁶ tahsils Eglas, Khyr, Tappal. Offg Collector, Aligarh, to Government, NWP, 19th November, 1861, NWP Revenue Progs, 14th December 1861, Index No. 22, Progs No. 19.

⁷ regional incidence of rainfall: F. Henvey, A Narrative of the Drought and Famine in the NWP, 1868-69 and 1870, (Allahabad, 1871) pp. 10, 28, 59, 65, (quoting the observations of Col. Baird Smith, 1860-61). district rainfall: 'average year' contrasted with famine year 1860-61, see Appendix III. from meteorological observations later in the century: map of average rainfall and temperature, June-October: J.A. Voelcker, Report on the Improvement of Indian Agriculture, (London, 1893), frontispiece. maps of monthly distribution of rainfall, per annum: Sir J. Eliot, Climatological Atlas of India, (Edinburgh, 1906).

A small amount of light and frequent drizzle, which gently and safely permeates the soil and freshens crops, is far more useful than many times the amount coming down in heavy and rapid showers, in which the water runs away without doing any good. In many recent discussions it seems to be taken for granted that the agricultural prosperity of a tract or season is in exact proportion to the amount of rain which falls. This is a complete delusion. As a rule, the distribution of rain is more important than its amount.⁸

The consequences to the crops of imbalances in the seasonal distribution of rainfall were dramatic. Henvey tabulated them in 1871 as follows:

if the rains fail during July and August, the coarse grains composing the food of the poorer classes perish (drought preventing the farmers from sowing the kharif)

if there are no showers in September and October, the rabi cannot be down, except on lands irrigated by canals and wells

if there is no rain towards the end of December, only the irrigated portion of the rabi can be brought to maturity

if, as is often the case, there is heavy rain in March and April, the ripening rabi is exposed to destruction.⁹

The so-called 'irregularity' of seasonal imbalance was, however, the norm. Between the two extremes of severe floods and severe drought, climatic conditions fluctuated so considerably from season to season as to render statistics which claimed to represent an 'average'

⁸ NWP Revenue Administration Report, 1882-83, p. 2.
for a modern analysis of the concept of agriculturally relevant rainfall, see the definitive study by H.H. Mann, Rainfall and Famine: A Study of Rainfall in the Bombay Deccan, 1865-1938, (Bombay: Indian Society of Agricultural Economics, 1955), pp. 47.

⁹ Henvey, Narrative, p. 1.
for a summary of climatic problems, see Voelcker, Report, ch. IV, pp. 25-33;
for the extent of irrigation in 1860-61, see p. 30-1, inf.

year meaningless. A survey of the conditions of the harvests for each of the revenue divisions of the provinces from 1864/65 to 1884/85 shows the degree and frequency of 'disorder'.¹⁰ Further, within each division - an administrative agglomerate of widely disparate conditions - divergences were often extreme, not only between the districts which made up a division, but between the parganas (sub-divisions) of a district also, between mahals (revenue estates) within a pargana and even within the mauzas (villages) of a mahal. In 1884, the Assistant Collector of Muttra noted as a common feature the marked disparity in the circumstances of different 'properties' within a single village due to the extreme variation in rainfall over so small an area¹¹. Reid's comment à propos of the seasonal vagaries with which the Azamgarh cultivators had to deal may be quoted as typical for the provinces as a whole:

A favourable year all round is rare. Most seasons are as faulty in respect to some crops, and some seasons are as nearly altogether unfavourable for all produce, as others are altogether auspicious. Probably 25% of the estimated full produce would not be too much to set against the vicissitudes of season.¹²

How did farmers cope with the problems constantly posed by this degree of seasonal uncertainty, together with wide divergences, as noted, in productivity of soils and facilities for irrigation?

¹⁰For the condition of the harvests, 1864/65 - 1884/85, tabulated by divisions, see Chart I.

¹¹E.B. Alexander, Assistant Collector, Muttra, 10th December 1884. NWP, Oudh Revenue Progs, December 1885, Progs No. 19, File No. 18, Serial No. 21.

¹²Azamgarh Settlement Report, 1881, p. 141.

As their most comprehensive means of safeguarding against total loss, farmers commonly sowed two, three or even four crops each season together within a single plot. J.S. Porter noted the Benares cultivators' aversion 'to putting all their eggs, so to speak, in one basket. They think if one crop is injured or fails, they can fall back on the other'¹³ - an observation which applied to the provinces generally. A typical cultivating holding was composed of a number of plots of a few bighas each¹⁴, dotted over tracts of a variety of soils in areas adjacent to one or more mauzas. In his holding, a cultivator in the eastern districts might grow, by way of kharif crops, early (sown) or late (transplanted) rice, small millets (kakun, sawan, etc.) staple millets (jowar, bajra), a variety of pulses (urd, mung or mash) and oilseeds (til). In western districts, where little rice was grown, staple millets would occupy a larger proportion of a cultivator's kharif area. The varieties of staple rabi crops were again common to all regions; where good soils and good facilities for irrigation existed, a large area of a holding could be sown with wheat and barley, whilst a preponderance of gram indicated poorer soils and an absence of irrigation facilities. Sleeman remarked on the picture presented by the annual rabi cultivation near Biswa, in Oudh, in February 1850 - when the wheat was beginning to change colour as it approached maturity, and the fields were 'covered with mixed crops of peas, gram, alsi, teora, sarson (oilseeds), mustard - all in flower, glittering like so many rich parterres', and in amongst these, 'patches here and there of the dark-green arhar and yellow sugar-cane'.¹⁵

¹³Benares Settlement Report, 1887, p. 20.

¹⁴For indigenous measures of area and English equivalents, see Appendix IV.

¹⁵Sleeman, Journey, II, p. 220: February 16, 1850. Biswa 18 miles east. common rabi crops of Oudh: wheat, barley, arhar (2 kinds),

Investigations in selected districts for the official enquiry instituted by Lord Dufferin into the condition of the cultivating population¹⁶ provided detailed examples of cropping-patterns of family farms reported to be typical of their localities. Munna, a Jat cultivator of Muttra district with a family of three, farmed some 20 kachha bighas at the time of the enquiry. For his kharif crops, he sowed jowar and mung in ten of these, bajra in another four, and cotton in three. For his rabi that year, he sowed gram in three bighas only.¹⁷ Tunda, a cultivator who lived in another village in the same pargana with his family of five (their caste is not given), held fourteen pakka bighas that year. In the kharif, he sowed cotton in one bigha three biswas, chari in one bigha seventeen biswas, bajra in another patch of the same area, and jowar together with urd in a further two bighas sixteen biswas. The following rabi, he sowed two crops: barley in five bighas four biswas, and bejhar in one bigha eleven biswas.¹⁸ In the neighbouring

15 (ctd.)

masur, alsii (linseed), sarson (fine mustard), mung, peas (3 kinds), sugar-cane (6 kinds), kusum (safflower), opium, palma christi: ibid., II, pp. 63-4.

¹⁶ For the full text of the Dufferin Enquiry, see Reports on the Condition of the Lower Classes of the Population in India, India Revenue and Agricultural (Famine) Progs, December 1888, Progs Nos. 1-24. Reports on conditions in the NWP and Oudh: Enclosures to Director of Land Records and Agriculture, NWP and Oudh's, No. T-83A, 8th June 1888, forwarded with Government NWP and Oudh's No. 1040 S.- 16.I., Progs, cit. sup., Progs No. 13, Serial No. 32 : hereafter, Dufferin Enquiry, (Enclosures, NWP/Oudh), pagination refers to Enclosures. For districts covered by the Enquiry, see Map: Administrative Districts.

¹⁷ Muttra, pargana Kosi, mauza Kamar. Dufferin Enquiry, (Enclosures, NWP/Oudh), p. 9.

¹⁸ Muttra, pargana Kosi, mauza Gauhari: ibid., p. 12.

district of Etah, Crooke estimated from data collected on the Awa estate under the management of the Court of Wards that a typical crop-pattern within a 'small tenant holding' - a prosperous one, it is clear - of some ten pakka bighas would be as follows: in the kharif, cotton might occupy some one and a half bighas, maize and jowar a bigha each, and millet fodder a further half-bigha. Castor-oilseed would be planted round the sides of the kharif fields. In the following rabi season, wheat might occupy two and a half bighas and bejhar the same, both interspersed with mustard. A further bigha might be planted out with sugar-cane.¹⁹ A more extensive and at the same time obviously prosperous holding permitted not merely larger proportions of the finer crops to be grown but a greater uniformity of cropping-pattern overall. Ram Kishn, a Lodha (low-caste) cultivator of Pilibhit district with a family of six was reported to hold some thirty-eight bighas in one mauza and sixty more in another. In the first of these, the kharif crops occupied some eighteen bighas in all - ten under mung, eight under dhan - and the following rabi, twenty - all under wheat. In the second, sixty-bigha, tract, the kharif covered thirty-nine bighas - thirty under dhan, nine under kodon, and the rabi sixteen - again, all under wheat. Lastly, sixteen bighas were planted with sugar-cane.²⁰

The proportions of a single holding sown with kharif and with rabi fluctuated from year to year, as did the proportions of the

¹⁹ ibid., p. 21.

²⁰ Pilibhit, pargana Puranpur, mauza Mathena Zabti; tahsil Pilibhit, mauza Jangrauli: ibid., p. 110. for further examples of diverse crop-patterns in 'typical' holdings, see Report of the Indian Famine Commission, (1879), P.P., 1881, 71, Pt. III, Ch. I, Question 9, pp. 248-290, passim.; for districts covered by the Report, see Map: Administrative Districts.

types of crops within these categories, in accordance with current climatic conditions. At the beginning of each season, a farmer had to decide which crop as principal and which as secondary would provide him with a better overall yield.

The common practice of mixing crops in one plot was not merely to reduce risk; it also provided a means of crop-rotation, whereby the soil could be cultivated fairly constantly without being overburdened. District officers frequently ignored the practice in compiling their jinswar (distribution of crops) statements for the fasli year.²¹ In some cases they were also unaware of the essential relief to the land which it provided.²²

Rotation-cycles, in which seasons of heavy and lighter crops were interspersed with fallowing periods, were also common. Farmers tilled their ordinary harjins (food-grains) land in Azamgarh, for example, according to the following basic pattern. Beginning with a light kharif crop, cleared early in the harvest, the land would lie fallow through the subsequent rabi season, at the end of which it would be prepared for sugar-cane. The following spring, the canes would be planted out. Land cleared of the mature sugar-cane in the following cool season remained untouched until the monsoon. It would then be prepared for barley - sown in October and out and threshed the following March and April. In the next fasli year, a fallow period in the kharif followed by barley sowings in the rabi might be the pattern; alternatively, an early kharif crop could be followed by light rabi sowings - peas, for example, or mixed barley and peas (gojai), or even gram.²³

²¹ E.B. Alexander, Settlement Officer, Moradabad, Moradabad Settlement Report, 1881, pp. 54-5.

²² Voelcker, Report, p. 233.

²³ for Unao-representative of southern Oudh and central Doab conditions - the rule in the mid-1860's was as follows: 1 exhausting crop followed by 2 to 3 light crops; e.g. a field of ordinary soil sown in first year with wheat; next year with light kharif

Additional means of relieving the land by the application of vegetable manures, dung and even - but rarely, it seems - bones and wood- and stubble-ash, were known but mostly practised by gardener-cultivators (Kachhis and Malis) on small plots of highly productive soils.²⁴

In the northernmost districts of Oudh and in parts of Bundelkhand, a form of shifting agriculture was common as late as the last decades of the nineteenth century. Here, relief to the soil was guaranteed by the mobility of cultivation, farming communities moving their fields, and their villages, over the arable area of, say, a pargana when land-exhaustion demanded it. Redfern commented that in Kheri district in the 1870's 'the proper (sic) rotation of crops was not generally observed', but instead 'in parganas where culturable land was abundant, long fallows are the remedy for incipient exhaustion: whole hars (tracts) are abandoned after a few years of sowing for fresh soil in some other quarter. In such cases, merhs (raised boundaries between fields) are never constructed, except to arrest the ebb of water'. A comparison of maps drawn at the first settlement survey of the district with those of some ten years later showed the extent of this local mobility: 'scarcely anything remains the same except the village

23 (ctd)

(kakun, mendua), followed by light rabi (barley, peas); next year with late kharif (jowar); third year with wheat. Unao Settlement Report, 1867, pp. 12-13.

for further details of common rotation practices see Azamgarh Settlement Report, 1881, pp. 118-19; Voelcker, Report, pp. 233-36.

24 manuring practised where soil richest: Sleeman, Journey, II, pp. 329-30; Unao Settlement Report, 1867, pp. 12-13; remedial manuring with ashes practised in sandy tracts of pargana Sangrauli, Mirzapur district: NWP Revenue Progs, 2nd May 1868, Index No. 6, Progs No. 22.

on manuring generally, see Voelcker, Report, pp. 93-134.

Where the soil was heavy and rainfall so distributed over the hot season, in particular, as to avoid floods, these kachha wells might last many years. Elsewhere, lighter soils and the damaging effect on them of heavy rain required a frequent renewal of earthen wells. A seventeenth century Dutch observer noted that in the region round Agra, where light soils predominated, wells were commonly renewed each rabi season.²⁹ In the bhur (sandy) tracts of upland areas, where water lay deeper below the surface, kachha wells were largely impracticable.³⁰

Only the more substantial pakka wells, lined with burnt bricks or with bricks and cement and demanding a much larger outlay in time and materials, could be constructed. The distribution of wells per cultivated area was therefore far greater in low-lying lands, and greatest of all in the Doab regions. The majority of wells - both pakka and kachha - were worked by one, or less commonly two, pair of bullocks harnessed to charrus, or leather buckets drawing some fifteen to twenty gallons of water a time. Where water lay very close to the surface, and particularly in the khadir or river-valley lands, dekhliis or manually operated levers were used to draw the water. The amount of land a farmer could irrigate per day varied according to his source and his equipment. The following information from Unao district may be taken as typical of irrigated areas throughout the provinces:

²⁹ Pelsaert, Remonstrantie, (c.1626), cited by I. Habib, The Agrarian System of Mughal India, (London, 1963), p. 28, n.23. so also two centuries later in Shahjahanpur district: Shahjahanpur Settlement Report, 1874, pp. iv-v.

³⁰ in Kheri for example, the ordinary lifting machinery of simple wells could not be supported on bhur soils, Kheri Settlement Report, 1879, pp. 19-22.

<u>Water</u> <u>lifted by</u>	<u>Area (in biswas) irrigated per diem by</u>	
	<u>pakka well</u>	<u>kachha well</u>
1. <u>manual labour</u> <u>(dekhlis)</u>	5 - 10	2 - 3
2. <u>1 pair bullocks</u>	8	8

Irrigation from streams and tanks, the water being lifted manually by shallow baskets swung on cords and conducted into the fields along open channels, was both inefficient and expensive: a relatively smaller area was irrigated at the cost of a greater amount of labour.³¹

Prior to the nineteenth century developments in public works, canal irrigation was a rarity even in the Doab region. The Western Jumna Canal, reported to have been dug by Firuz Shah and re-excavated in the mid-seventeenth century by Shahjahan, was said to have 'conferred benefit upon the cultivation of many parganas and irrigated gardens near the Capital (Dehli)',³² but the proportion of the area it may have irrigated relative to that served by wells, let alone the total cultivated area, can safely be regarded as minimal.³³ In 1860-61, Colonel Baird Smith estimated that of a total cultivated area throughout the NWP of some 24,000,000 acres (approximately one-half of the total area), probably not less than 3,000,000 to 4,000,000 acres

³¹ Unao Settlement Report, 1867, pp. 8-10. For similarly common methods of irrigation from wells, tanks, jhils and streams in other districts, see Fyzabad Settlement Report, 1880, pp. 54-9; Lucknow Settlement Report, 1873, pp. 63-5; Kheri Settlement Report, 1879, pp. 19-22; Muttra Settlement Report, 1879, pp. 16-8.

³² Habib, op.cit., p.32, n.46; the actual origin of the canal dates back many centuries before Firuz Shah - ibid., p.31, n. 41.

³³ for a summary of the state of irrigation prior to the nineteenth century, see I. Habib, An Examination of Wittfogel's Theory of "Oriental Despotism," Enquiry, No. 6, (Delhi, n.d. - 1963 ?). Techniques of large-scale canal irrigation were generally unfamiliar also in Oudh, as might be expected. King Nasr-ud-din Haider's canal in Unao district was notoriously useless due to its bad engineering: Unao Settlement Report, 1867, pp. 3-4.

were watered by wells. By that date, the canal system in the provinces, already vastly superior in extent to canals of the Mughal administration, irrigated an area of barely 1,000,000 acres.³⁴

Which crops required or benefited from irrigation? Not, it must be emphasized, the kharif food grains which supplied the staple foods of the majority of the population and which depended overwhelmingly on the rainfall for their cultivation. Of the kharif crops, it was cotton, tobacco, vegetables and indigo which needed such supplementary watering. Sugar-cane required extensive irrigation. Similarly, in the rabi season it was not the coarse, common gram but the finer grains wheat and barley which needed to be watered artificially, to supplement the insufficient supply of moisture from the light rains of the cooler months. When the rains failed, it is true that farmers could only look to irrigation to save something of their harvest, but generally that part of it was recoverable which customarily depended on irrigation and did not supply them with staple foods.

³⁴ R. Baird Smith, Report on the Famine of 1860-61 in the NWP of India, P.P., 1862, 40, p.81.

In an agricultural milieu composed of such disparate and fluctuating conditions, standards of cultivation were, predictably, far from uniform. The extent to which different areas could readily be brought under cultivation was matched by differences in the relative intensity with which local groups and castes of cultivators worked such land as was available to them. Foreign observers, impressed by the industriousness and opulent yields of cultivators in regions which were naturally highly productive, could on occasion mistake others' subtle if apparently crude skills in dealing with a harsher environment for simple backwardness. They assumed that the superior techniques practised in the most fertile areas were, a priori, universally applicable and only ignorance or refusal to progress prevented their being applied more commonly³⁵. Within the range of this restricted concept of efficiency, it was impossible for observers to distinguish which peasants in the provinces were truly inefficient. The scale of efficient cultivation as conventionally drawn by field officers of the British administration was simple: it ranged from those who produced most best - the contemporary criteria of what was 'good for agriculture' - to those who produced least in circumstances of visible discomfort. At the top of this scale came the prototype of the all-round proficient farmer, the Jat cultivator of the best-endowed Doab

³⁵ in defining areas where improvement in existing methods of cultivation could be envisaged (observations of 1891), Voelcker classified the disparities in practice as differences (1) inherent to the people themselves as cultivators (e.g. caste and race distinctions); (2) arising from purely external surroundings (e.g. climate, soil, varying facilities for water, manure, wood, grazing, etc.); (3) arising directly from want of knowledge (diversities in agricultural practice): Report, abstract to Ch.II, p.vi (Ch.II, pp. 10-19). It is probable that (1) and (3) are generally subsidiary to (2).

districts: most notably of parganas Mat and Noh Jhil of Muttra district³⁶, and the four parganas of Meerut (Kotanaah, Barote, Burnawa, Sirdhana) which, with pargana Burhanah of Muzaffarnagar district, had constituted the prize estate of the Begum Sumroo early in the century³⁷. The prosperous holdings of Jat farmers showed that such favourable conditions for intensive farming were readily exploited: irrigation was common; a sizeable area of land was double-cropped; much of each holding was sown with the finer varieties of cereals, with cotton, sugar-cane and indigo³⁸. The Jats maintained their reputation throughout the century. The frontispiece to Crooke's North-West Provinces, published in 1897³⁹, depicted a Jat cultivator and his plough, with the caption 'The Pillar of the State'.

If these Jats were pre-eminent as all-round farmers, it was the low-caste gardener-cultivators (Kachhis and Malis) who excelled in raising the specialist 'heavy' crops of tobacco, vegetables, opium, etc. The conditions under which such

³⁶ Muttra Settlement Report, 1879, p.244.

³⁷ The Begum Sumroo's estate was celebrated for its prosperity, and the amount of revenue it produced for its controller, but chiefly for its sugar-cane and cotton, marketed locally and in Delhi. For details on the estate, see the settlement reports of T.C. Plowden, NWP Revenue Progs, 24th May 1838, No. 170, Enclosure; NWP Revenue Progs, 22nd February 1841, No. 174, Enclosure, (more comprehensive).

³⁸ Muttra district: eastern parganas, where Jats predominated. Cf. parganas Muttra and Chhata, poor except for small pockets of Jat cultivation: Muttra Settlement Report, 1879, pp. 137-8.

³⁹ W. Crooke, The North-West Provinces of India. Their History, Ethnology and Administration, (London, 1897).

cultivation flourished were exemplified in the three trans-Gangetic parganas of Farukhabad - Imratpur, Khakatmau and Paramnagar. Water was never more than two to three feet below the surface, yet the low-lying position of the land did not in these areas entail constant danger of diluvion and floods so that farmers could take advantage of the richness of the soil without interruption. The proximity of water to the surface meant that irrigation was practicable only by means of manually operated dekhlis, which could irrigate land at the rate of approximately one acre only per month. Cultivation had therefore to be confined to very small plots. In these parganas, large numbers of Kachhis had - as Elliott remarked in 1870 - achieved great success with 'their peculiar system of cultivation': by occupying very small areas and manuring and watering them thoroughly, they had managed 'to turn out really wonderful crops of opium and market vegetables' which they carried for sale to Farukhabad city⁴⁰.

Judged by the standards of excellence persistently achieved by Doab Jats and Kachhis, Bundekhand cultivators - in Banda district for example - seemed the epitome of slovenliness. Their circumstances were certainly not propitious. Poor, light soils predominated, and consequently crops which were considered most valuable in districts to the north-west (sugar-cane, indigo, opium for example) were noticeably absent in Bundelkhand, whilst

40

Farukhabad Settlement Report, 1875, (rent-rate report, 1870), p. 145.

large areas there were sown with coarse crops little known in the Doab. There was next to no sign of uniformity in crop-patterns: mixed crops were universal. The harshness of a naturally dry climate was all the more apparent through the general absence of any irrigation to supplement the meagre supply of moisture. Population was sparse and clearly insufficient for more intensive cultivation. (The question was not asked whether, considering the sparseness of population, such was in fact needed in these areas). Given these conditions, it was hardly to be wondered at that settlements of the 'more industrious castes' were not as a rule to be found in Banda. These indices of 'poor agriculture' stood out sharply to the eye of a Settlement Officer experienced in assessing to revenue the developed and densely-populated canal-tract of Muzaffarnagar.⁴¹

In most districts, a mixture of 'standards' of cultivation was common. Whilst the Kachhis of the trans-Gangetic parganas of Farukhabad triumphed with their market-gardens in low-lying areas, the other principal cultivators, the high-caste Rajputs and Brahmans, farmed extensive upland tracts. Their 'larger area of occupancy', manured and irrigated little in the course of the agricultural year, made up, in Elliott's view, for the 'inferior style of their cultivation' as contrasted with the laborious practices of the Kachhis⁴². Those plots of a holding which lay close to the farmer's home and which were called his khudkasht land were invariably cultivated with greater care than his pahikasht land - fields which

⁴¹ Banda Settlement Report, 1881, pp. 48-9.

⁴² Farukhabad Settlement Report, 1875, cit. sup.

lay at some distance from his village. It was common practice in the provinces for farmers to enrich this khudkasht land with 'the sweepings, refuse and dung of the village', as Redfern observed in Kheri district⁴³, whilst the labour and cost of transporting manure to plots further afield left them necessarily less well cared for by comparison.

By the mid-nineteenth century, the areas of the most intensive cultivation were undoubtedly the western and north-western districts of the NWP, particularly the upper Doab. The frequency of such areas diminished on moving out of the great river valleys towards the east, the sparsest and most mobile patterns of settlement being found in the far north of Oudh and to the south of the provinces, in Bundelkhand. The contrast in intensity between the north-west of the British provinces and the neighbouring districts of the Nawabi of Oudh posed interesting questions, to contemporaries, of relative productivity. In 1850, Sleeman interviewed Brahmans of two villages of Mahamdi (North-west Oudh) on precisely this point, inter alia. The (Brahman) zamindars of the villages had had recent experience of life in the district of Shahjahanpur, to which they had fled, temporarily, from the rapacities of the local revenue-contractor appointed the previous year by the Nawab's administration. Nothing, they told Sleeman, could be better than the administration of Shahjahanput by its present collector and magistrate, who was loved and respected by all classes; the whole surface of the country was under cultivation; the poorest had as much protection as the highest: the whole district was indeed a garden. Then came the crucial question - 'But the returns, are they equal to those from your lands in Oudh?'

⁴³ Kheri Settlement Report, 1879, pp. 19-22.

'Nothing like it, sir; they are not half as good; nor can the cultivator afford to pay half the rate that we pay when left to till our lands in peace'. Why was this? Because the deprivations of the revenue administrators of Oudh drove cultivators and Zamindars into exile on occasion and the land was left waste in consequence to recover its powers⁴⁴. The British law and order which protected Shahjahanpur from the evils of such lawlessness deprived it of the benefits: the land was given no rest. By 1850, it was facing obvious deterioration from constant overcropping unaccompanied by adequate reliefs.

Whatever the precise nature of his environment, a farmer in the provinces worked his holding by means of a few common implements of the simplest description. He needed a hal, or light plough, which aired the soil by turning up a shallow furrow without digging so deeply that precious sub-soil moisture escaped. He needed a surraon, or harrow, to scratch up the surface of his field, and a dholna, or club, to break up obstinate clods. He needed a gainti,

⁴⁴= Sleeman, Journey, II, pp. 65-9. Cf. Sleeman's interview on the same question with Thakur (high-caste) farmers in Agra region, who attributed the acknowledged deterioration of the land in their district to their having to grow '(soil) exhausting crops' in order to feed their increasing numbers and pay the 'Government rents': W.H. Sleeman, Rambles and Recollections of an Indian Official, 2 vols., 2nd edition by V.A. Smith, (London, 1893), II, pp. 48-58: The Declining Fertility of the Soil - Popular Notion of the Cause.

or pick-axe, for digging ditches for irrigation and drainage. A kurpa or light spade was required for planting and a kudali - hoe - for weeding. To irrigate his fields, he needed a charrus (or pur), a bucket, for his well; if he drew the water manually from a ditch or stream, a behri, or shallow, dish-like water-basket sufficed⁴⁵. Implements had to be readily portable, for use on outlying plots as well as those nearer home. In addition, to his implements, a farmer needed a pair of bullocks to draw his plough, work the lifting gear of a well and pull his cart to and from the local markets. Most farmers kept draught beasts on their holdings, feeding them on chaff and fodder-crops and such grazing land as was available on nearby waste and fallow fields. The poorest farmers had to borrow or hire bullocks when required from more well-to-do neighbours.

As well as implements and a bullock team, farmers needed a regular supply of grain sufficient for both seed and food requirements. The general precariousness of their circumstances due to the frequency of climatic disorder, the small size of holdings and plots and the diversity of cropping-patterns within them left most farmers little opportunity to accumulate reserves from one harvest to the next. Their meagre stocks were further depleted by the demands of various members of the local community which, as we shall see, had to be met from the outturn of each harvest. A common resource, therefore, was to take bijkhad (literally, seed (and) food) loans from those who held sufficient stores of grain: from mahajans and banias, whose profession was dealing in produce

⁴⁵ list of common implements: Unao Settlement Report, 1867, p. 10. for further descriptions of implements with illustrations, see Azamgarh Settlement Report, 1881, Ch. II; Crooke, Glossary, under names given above of the various tools (Crooke gives local and dialectal variants for each).

and local wares; from farmers whose more promising holdings, greater efficiency or chance success with a season's bumper crop put them in a position to lend out a portion of their outturn for the next harvest; from the most powerful members of the community, in whose interest it was to increase their prestige locally by making numbers of small farmers regularly dependent on them for the satisfaction of basic needs.

These facilities provided for routine requirements, except where large-scale - particularly seasonal - disorders drained local stores of their supplies which the farmers could not replenish from the scorched or flooded land. Access to such facilities was open to the farmers as members of a local community, by no means necessarily restricted to a single village. They had certain haqs, or rights,⁴⁶ which established them as cultivators in a given area, the number and precise limits of the fields they cultivated changing from season to season in accordance with the local agricultural cycle, and with the individual's position in local society - particularly his relation to his superiors. In addition to this overall right of cultivating occupancy - haq-i-raiya - farmers had certain 'privileges' which enabled them to work their holdings: rights of way across land cultivated by other members of the community who might or might not reside in the same village; rights of access to such water-sources as could be used for irrigation; grazing rights for cattle.

By the mid-nineteenth century, rights of cultivating occupancy were largely hereditary in the majority of districts - excluding

⁴⁶ the term 'haq' covers all rights, fees, perquisites, etc. as held by members of any community by established custom of the family, clan, caste, community distinguished by religion (Hindu or Mahommedan, for example) or region, or by an official grant of Government. For the comprehensiveness of the term, ranging from family rights to perquisites of Government service, see

those areas to the far north of Oudh and in Bundelkhand newly reclaimed from jungle⁴⁷. It must not be supposed that these hereditary rights were equally distributed within a community. The outline which follows below of claims to shares in the outturn of the harvest shows the marked disparity between privileged and under-privileged farmers. The legal rights of the latter amounted in effect to an hereditary status of subordination to the former.

Rights over local groves were similarly differentiated: the dominant members of a local community granted subordinate rights of access to farmers beneath them on the social scale⁴⁸. Rights over groves were essential to every farmer, whatever his status, since the groves supplied him with the bulk of the materials required for implements and habitation. Furthermore, they guaranteed him in

46 (ctd.)

the examples listed in Wilson, Glossary², q.v. hakk. For a comparative description of common haqs of rural communities in northern areas of Central India, see W. Nassau Lees, Land and Labour in India, (London, 1867), pp. 99-105, citing the Memorandum of Observations on the Administration of India by Raja Dinker Rao of Gwalior, (Calcutta, 1862), p.8.

47

This suggests an answer to the problem which taxed British field officers as to whether an hereditary right of cultivating occupancy had existed, or had been recognized by Government, prior to British rule. It seems probable that such a right was known, but only where settlement had concentrated in an area over generations and not in areas where shifting cultivation was the norm, as, e.g., in parts of Fyzabad district in the 1860's and 1870's: see P. Carnegie, A Note on the Land Tenure and Revenue Assessments of Upper India, (London, 1874), Ch. III, On Tenant's Right of Occupancy. An Official Report, pp. 39-67.

48

Unao Settlement Report, 1867, pp. 75-6; Lucknow Settlement Report, 1873, p.95.

all but seasons of extreme drought a supplementary food-supply in the form of the fruits of mango and mahwah to cover the thin period preceding the kharif harvest when grain stocks were low⁴⁹. Together with rights of cultivating occupancy, rights of access to groves constituted a farmer's strongest local tie. They lapsed on his departure from the neighbourhood⁵⁰.

Each member of a local community who met the farmers' needs by providing certain services or by guaranteeing their rights over the land also had his specific haq, his right to share in his clients' or his dependants' produce. The following examples from Bareilly district⁵¹ show the range of local chungi haqs, or service-dues, which farmers in most parts of the provinces would be liable to pay. From materials which they themselves supplied - usually from the groves to which they had guaranteed rights of access - farmers had their implements built and kept in repair by a local barhai, or carpenter. His payment for this service ranged from some 7½ to 12 pakka seers⁵² of the coarser grains at each harvest for each plough. In addition, he claimed a few smaller perquisites - 2½ seers, or a sheaf of unthreshed grain - recognized by specific names (phiri, niboni, etc.) and again charged on each plough⁵³. For each kolhu (sugar-press) he constructed or repaired, a barhai was entitled to

⁴⁹ Sleeman, Journey, II, pp. 31-2; Partabgarh Settlement Report, 1877, p.9.

⁵⁰ Sleeman, Journey, I, pp. 169-71, 254-5.

⁵¹ Bareilly Settlement Report, 1874, pp. 79-80.

⁵² 1 pakka seer = c. 2½ kachha seers = c. 2 lb avoirdupois. For measures of weight and capacity, see Appendix IV.

⁵³ in Azamgarh, barhais took additional perquisites termed sali, lahna, barva, kharihani - of a total value estimated at some 5 annas only per plough: Azamgarh Settlement Report, 1881, p.145.

claim 2 sheaves of corn, 2 seers of gur (molasses) and a few canes from each field; he also shared in the juice parted out among the workers at each press during the cane-crushing season. A local lohar (blacksmith) had much the same chunggi haqs as a barhai: in small communities, a single craftsman performed both services, as was reported to be often the case in Azamgarh in the 1870's⁵⁴. Besides the barhai and lohar, farmers had also to pay fees to their nai (barber) and dhobi (washerman) - amounting to some 8 to 10 seers of grain per plough per harvest. The chaukidar, or watchman, took a further 5 pakka seers per plough for his services in guarding the crops. Chamars, or low-caste labouring men, might take a further 12½ seers on each 100 maunds of grain per harvest⁵⁵ - the same fee which a local weighing-man was entitled to claim. Whilst offerings to the local priests were usually of fixed proportions and constituted regular chunggi haqs, religious dues to gurus, pandits and itinerant holy men varied 'according to the giver's superstition or liberality' - or so Moens observed à propos of Bareilly practice.⁵⁶ A servant's clientele might be limited to all or part of a single local community, depending on its size and on the range of specific services he performed, or his work might take him on a regular circuit of several neighbouring hamlets. Outside the ordinary daily routine, certain servants - notably the nai and dhobi - performed special ritual services at local festivals and family ceremonies such as births and weddings. For these, they received presents from their clients in addition to their chunggi haqs.

⁵⁴ ibid.

⁵⁵ as in Baheri village: Bareilly Settlement Report, 1874, p.78.

⁵⁶ ibid., p.80. In Lucknow, the regular practice was for the local purahit (house-priest to high-castes) and fakir (holy man) to take each a double handful (an anjli, or offering) from the grain-heap of each cultivator: Lucknow Settlement Report, 1873, pp. 75-6.

Payment for services did not end with these chunggi haqs. Charges levied on bijkhad loans or on such cash sum as a farmer may have borrowed to marry a daughter or a son on occasion with appropriate ceremonial had also to be met from the season's out-turn. The amount of each charge was fixed by the lender at so many seers per maund or annas in the rupee in agreement - theoretically, at least - with each of his clients. Charges generally ranged between 25% and 37½%, but the amount of the charge per se was less significant than the principle on which lenders made their advances. It was not so much in their interest to try to regain their capital as to create a regular source of income by pitching the charge high enough to make repayment of the total loan difficult, if not impossible, for most borrowers particularly in view of the frequency of indifferent harvests: cumulative debts, therefore, would regularly be carried over from season to season and even from generation to generation⁵⁷. Though no example is known to the present writer of the use of the term in this context in the provinces - one instance is reported from the Bombay Deccan in 1822⁵⁸ - the claims of professional lenders (mahajans and banias) to this charge amounted virtually to a recognized service haq. The lien established thus by the numerous non-professional lenders over their debtors' produce was less formally recorded.

The heaviest obligation most farmers had to meet was the payment of dues in return for the recognition and maintenance of

57 a detailed account of 'rural credit' in the provinces in the later 19th century follows in Chapter IV: The Problem of Indebtedness.

58 W. Chaplin, A Report exhibiting a view of the fiscal and judicial system introduced into the conquered territory above the Ghauts under the authority of the Commissioner in the Dekhan, (Bombay, 1824), p. 22.

cultivating rights - collectively, haq kashtkari - levied on each harvest by their malik, or master⁵⁹. These maliks were the dominant members of a local community whose power derived from the sources of wealth and the degree of prestige they commanded, in terms ultimately of the numbers of their dependants. The greater proportion of arable land was also subject to such power as the Government wielded over the countryside from time to time: it was termed officially as khalsa, liable to revenue demands. In view of their interests in securing revenue and of the non-existence of any adequate bureaucratic agency separated from local revenue-paying communities which might collect it, Government enlisted the maliks who controlled local wealth as its servants by formally recognizing their haqs and adding grants of specific office-tenures graded according to the relative power of a malik and consequently the position he should be accorded in the official hierarchy. From the lowest to the highest, each office stood - formally - to guarantee the passage of revenue from the place of its production to the Government Treasury. The maliks themselves - or the representative appointed by the family or clan, where the dominant group was numerous - were familiar to contemporary observers by their additional, 'superimposed' status, by their official titles of mokuddam, zamindar, talukdar⁶⁰.

⁵⁹ a malik was, literally, one who possessed a 'milk', or 'milkiat', variously translated 'possession',² 'mastership', 'proprietary right', etc. see Wilson, Glossary, q.v. milk. The term is used by the present writer to cover the whole range of dominant members of local communities; specific distinctions follow.

⁶⁰ for a summary of these office-tenures, see Sir G. Campbell, The Privileges over Land, Wrongly called Property. A paper read before the British Association, Belfast, and reported in the Indian Economist, December 31, 1874, pp. 119-20, at p.120, col. 1.

The lowest in official ranking were the mokuddams, or local headmen who represented the powerful elements amongst the cultivating community, the first link in the chain which bound the rural communities - theoretically - to the superstructure of Government. Even within a single district their status in relation to their local superiors could vary. In Bahraich for example, some mokkudams held power amounting to little less than an unobstructed dominance over the community for which they stood surety. This seems to have been especially the case where the titular supervising agency of district Government officials - appointed by the Nawabi - had either lapsed or was subject to frequent change. Others, the majority, acted as agents for nearby superiors and were removable from office at his pleasure⁶¹ - provided he could summon up the force required to get rid of them. Mostly the mokuddams were privileged farmers: the 'most respectable' men of the community. In return for their service in guaranteeing the payment of a specified amount in charges due by cultivators subordinate to their authority as maliks, their own produce was made liable to less rigorous exaction⁶². Hence they appeared to settlement officers not only respectable but also 'thrifty and industrious'⁶³.

Above the mokuddams came the zamindars. By virtue of their position as the most powerful authority over a local community, they contracted for responsibility to supply Government with a stipulated amount of revenue and supplied the agency for its collection. The area which a zamindar's revenue assignment covered was termed officially as his mahal, or estate, and was

⁶¹ Bahraich Settlement Report, 1873, pp. 107-8.

⁶² ibid., p. 112

⁶³ ibid., p. 107

based on the nucleus of sir land over which he himself held unobstructed rights of cultivation⁶⁴. All farmers living or cultivating within the limits of his mahal were subordinate to the zamindar's authority in some degree and liable to his exactions. This authority of the zamindars was itself restricted where more powerful superiors existed who could control it. Whilst in the majority of NWP districts by the mid-nineteenth century it was the zamindars who tended to dominate local affairs, the situation was different in Oudh, where zamindars were largely subject to the supremacy of talukdars, whose talukas comprised several mahals. These talukas were assignments of Government. The Oudh talukdars were grantees, assigned certain authority over specified areas to perform a variety of services officially approved by Government. Some held grants to extend cultivation over waste-lands. Some held commissions to perform duties of administration; originally made coterminous with the lifetime of the grantee, such office and its accompanying privileges tended to become hereditary, especially in the distant and wild areas of northern Oudh where Government surveillance was least in evidence. Others held Government grants entitling them to specific percentages on the revenue collections of the taluka. Talukdars could be appointed from amongst the members of a local clan controlling a mahal or series of mahals, in which case the relation of the superior talukdar to his inferior zamindar(s) would be one of kinship. Elsewhere, talukdars were appointees superimposed - by force or agreement - over the existing local

⁶⁴ Bahraich Settlement Report, 1873, pp. 101-2. For a detailed discussion of the incidents of sir land, see the reports on the conference of Settlement Officers, 1867: NWP Revenue Progs, 21st December 1867, Index Nos. 17-22, Progs Nos 16-21.

authority as Government saw fit. The appointments were made in return for service to Government - military (as in the case of the warrior Rajput talukdars), financial (as in the case of bankers - Brahmans and Kayasths - who stood surety for large sums of revenue), and administrative.⁶⁵

Charges due by the cultivators to the 'mokuddam-maliks' amounted to a small commission on the payments of grain or cash - a few seers in the maund or annas in the rupee - for which the mokuddams stood surety to their superiors. It was those payments themselves, exacted regularly by these superiors under the officially recognized authority of a haq zamindari or haq talukdari, which constituted the heaviest charges on farmers' produce. As far as the bulk of the cultivating population was concerned, it made little difference whether zamindar or talukdar made the exactions. Broadly speaking, the difference was one of distinct regional authorities: a zamindar's haq in districts of the NWP covered a similar range of sources, though it need not have amassed the same amount, of wealth as a talukdar's local haq in Oudh excluding in both cases the additional perquisites of Government office. An analysis, therefore, of the charges a zamindar was entitled to levy by reason of his haq will exemplify the liabilities of subordinate farmers to a 'zamindar-' or 'talukdar-malik'.

A zamindar's exactions varied from locality to locality. His direct charges on the outturn of each harvest were realized in cash equivalents of the proportion due to him, or by an actual amount of grain taken by batai, or physical division on the threshing floor or by kankut, or estimate of the standing crops made during tours of inspection of the mahal by the zamindar or, more commonly,

⁶⁵ P. Carnegy, op. cit. sup., Ch. IV: On the Talukdari Tenure of Upper India.; Bahraich Settlement Report, 1873, pp. 86-91; C.W. McMinn, Introduction . . . , pp. 116 ff.; H.C. Irwin, The Garden of India . . . , (London, 1880), pp. 8-10.

by his karindas (agents). An example of batai from Bahraich, where this form of exaction was still common by the late nineteenth century, shows typical proportions claimed as zamindars' shares, translated in most other areas by this date into terms of cash valuation. The Settlement Officers recorded four different 'systems' of division within this district alone: where the terms were most favourable to the cultivator, a zamindar might take some 7/24; where less so, his share came to some 10/24; the most usual proportion was near to one-half or 19/40; finally, where terms were 'very stringent', he was entitled to some 21/40. This disposed of the threshed grain. The chaff, estimated at an additional 20% of the gross produce, was then haggled over by the zamindar, or his karindas, and the farmers. Ordinarily, the farmers did better in this round with the result that a zamindar seldom took more than 1/5 of the chaff. In all, his share would amount usually to some 21/50 of the gross produce⁶⁶. On top of this, however, came his claim to further charges recognized as part of his haq and known collectively as his sawai and his gaon kharch, or 'village expenses'. From these individual payments per cultivator of perhaps a tenth of a maund of grain or an anna in the rupee, a zamindar paid his servants. Of these, the patwari (accountant) was the most important. His service consisted of keeping records of transactions between his master, the zamindar, and the cultivators under his master's aegis - records, that is, of all claims, arrears, advances and debts in which the zamindar's interests were involved. The patwari's post was generally hereditary, leaving to the zamindar a titular right to dispense with his servant should he prove unsatisfactory. Effective supervision was ruled by the size of a zamindar's mahal and his energy in pursuing

⁶⁶ Bahraich Settlement Report, 1873, pp. 152-6; for details of the division of produce in each pargana, ibid., Appendix C.

his interests and by the distance of the patwari's place of residence from his master's. In addition to the patwaris, chaukidars or watchmen-cum-policemen held posts of comparable importance in guarding - physically - the zamindars' interests. They too depended on their master's collection of gaon kharch for their pay⁶⁷. The income of patwaris and chaukidars who performed such important local service for their zamindars was not necessarily limited to shares in the gaon kharch. Not infrequently, they were also assigned small jagirs, or plots of land, the produce of which was theirs free of charges. In Lucknow, for example, chaukidars (who were universally of the Pasi caste of professional watchmen) commonly held jagirs of some two to three acres each⁶⁸.

Zamindars' charges on the produce of cultivators were subject to some potential restrictions. A zamindar's ultimate resource for collecting his dues was to use force, but this was of limited usefulness where a wide margin of readily culturable land existed or a number of zamindars competed for cultivators and were able to hold out offers of protection to a farmer harassed by his malik. Excessive coercion by zamindars in these circumstances would merely drive cultivators to abscond, straightway diminishing the source of wealth at the zamindar's disposal. (We shall see how the growing political instability in Oudh towards the end of the Nawabi incited talukdars and zamindars to disregard these rational limits and take as much from the farmers as possible while their brief period of uncontested power lasted). In the majority of districts of the NWP that uncultivated margin had shrunk to negligible proportions and asylum was consequently not so readily

⁶⁸ Lucknow Settlement Report, 1873, pp. 55-6; Pasi chaukidars, with jagirs, near Durriabad: Sleeman, Journey, II, p.253.

available to farmers anxious to escape from maliks' extortions. The brake here, however, was applied by the zamindars' own interests. It suited a zamindar better to stop short of exacting the maximum in dues on the harvests, to allow cultivators a small margin to cover some basic needs and for the rest to keep them in a state of dependence on him for regular supply: this way, his income and prestige were assured.

Within a mahal, too, there were restrictions on a zamindar's unlimited exercise of power. Not all cultivators were equally liable to exactions. As Moens noted of Bareilly district - and his observation is valid for the provinces as a whole - the amount zamindars levied varied according to local custom. Fundamentally, 'local custom' was a trial of strength: a zamindar realized so much as it was in his interests to take where cultivators had not the power to oppose him. Charges in fact were regulated specifically according to the terms on which cultivators of the various strata of a community stood vis-a-vis their superiors⁶⁹. The top strata - the minority - were linked to the maliks by ties of kinship, religious duties (as in the case of Brahman priests who served Rajput households), and retainer service. In consideration of their position and as a return for their services, the total amount of charges payable by these upper-class farmers was reduced below that of the cultivators beneath them. In two parganas of Kheri district (Dhaurahra and Firozabad), privileged cultivators were especially noticeable and exemplify the power of privilege generally to withstand exactions by maliks. A community known as Amnaeks, who had been professional warriors to the Raja of Dhaurahra under native rule, held their cultivating rights at low charges and steadily refused to pay more when talukdars attempted

⁶⁹ Bareilly Settlement Report, 1874, pp. 78-9.

to enforce it. Their strength lay in the fact that they were high-caste cultivators of the same ilk - Brahmans and Kshatris (warriors) - as their superiors, and the relative ease with which arable land could still be broken in at will in Kheri district made their position even more unassailable⁷⁰. Further south, Butts drew attention to the way privileged cultivators of Lucknow district benefited from a certain relaxation of charges on their produce. The 'cesses' a zamindar charged in addition to his bulk share - i.e. his sawai and gaon kharch - were, says Butts, never taken from a Brahman or Thakur, from the bhala manas, the respectable man. His total payment was therefore always less than the 'common cultivator's'⁷¹. These examples refer to high-caste privileged cultivators which may disguise the important point: privilege of this kind derived not from the caste-ranking per se of these cultivators, but from their blood- or service-relationship with the maliks above them. Thus in Lucknow, as Butts noted, the charges to which a Brahman cultivator was liable might well be less overall than the majority of his neighbours but it varied nonetheless 'with the varying histories of, and the moral influence and status of the Brahmans in the different parganas'⁷².

The obstructions a zamindar might meet with in the form of opposition by the privileged strata of local cultivators to uniformly rigorous exactions were to some degree offset by the fact that a haq zamindari was not confined to the dues which the cultivators paid: it entitled its holder to claim income from every taxable source contained within his mahal. Every resident and every activity in the villages or small townships under a strong zamindar's 'protection' was subject to fiscal control. The

⁷⁰ Kheri Settlement Report, 1879, p.16.

⁷¹ Lucknow Settlement Report, 1873, pp. 74-5.

⁷² ibid.

confiscation of certain bazar-towns, or rather of the rights of zamindars over them, in Gorakhpur District as reported in 1867, revealed to the British administration of the provinces the extent of the yield from such a source. One such bazar, Captaingunge, brought in an annual income, for 1866-67, of Rs. 510, itemized as follows (in rupees and annas);

	Rs	as		Rs	as
from Salt sellers	38	8	from Duria (grain-weighers)	36	0
Tobacco-leaf sellers	38	8	Cotton sellers	5	0
Grain sellers	15	0	Putchra	5	0
Gur sellers	15	0	Shoe sellers	10	0
Haldi sellers	12	0	Tobacco sellers	5	0
Linseed sellers	13	0	Tumallee	5	0
Cloth sellers	15	0	Blacksmiths	2	0
Shroffs	10	0	Shovel sellers	10	0
Spice sellers	8	0	Confectioners	5	0
Thuthaia	10	0	Wholesale grain-dealers	125	0
Busati (Pedlars)	5	0	TOTAL:	429	0
Vegetable sellers	16	0	plus rent of houses	81	0
Oil sellers	10	0	GRAND TOTAL:	510	0 ⁷³
Brokers	15	0			

This was far from the highest yield: another in this small group of confiscated bazars brought in an estimated annual income, from a comparable range of dues, of some Rs 2,000⁷⁴. Nor was this a phenomenon confined to the wilder districts of the north. In Moradabad, for example, a survey of zamindars' takings from a few villages as recorded at the revision of revenue settlements in the 1870's showed them to run from some Rs 60 - 70 p.a. on a small village to Rs 250 - 300 p.a.; in one case - Bilari village - the income was

⁷³ Collector, Gorakhpur to Commissioner, Benares Division. 30th March, 1867. NWP Revenue Progs, 27th July 1867, Index Nos 40, 41 (Memorandum), Progs Nos 12, 13.

⁷⁴ Barhalganj, Gorakhpur district: NWP Revenue Progs 27th July 1867, Index Nos 37, 38 (Schedule), Progs Nos 9, 10.

stated to be measurable 'in 'hundreds if not thousands' of rupees.

In addition to these sums came perquisites in kind: blankets, hides, pairs of shoes, etc., supplied as dues by local craftsmen⁷⁵.

Residents were not merely taxed on account of their occupation of a house: on any materials used in building or in alterations a charge had to be paid to the zamindar⁷⁶. It was not uncommon for him also to claim his haq chaharam, or right to a quarter of the proceeds from the transfer of such occupancy⁷⁷. The fiscal power wielded by a powerful zamindar could, as in the case of the Raja of Powayn who regarded Powayn town as his 'private domain', effectively prevent it from growing into the 'larger, more flourishing' town which the Settlement Officer believed possible in the natural course of things⁷⁸.

Most of the inhabitants of these villages and townships were local farmers or tradesmen and craftsmen who cultivated small plots part-time. The range of charges which had to be met each season ate so deeply into such income as a family could raise as to leave little or nothing 'to carry over into the next season, even from holdings of a considerable size. Take the example of Dewan Singh, a Jat cultivator of Muzaffarnagar district, reported in 1878 to the Famine Commission. His family consisted of eleven persons, all

⁷⁵ Moradabad Settlement Report, 1881, p. 65.

⁷⁶ e.g., the chapparbandi or 'residence' charges levied by the zamindar of Agori Barhar estate, Mirzapur: NWP Revenue Progs, May 1875, Index No. 57, Progs May 15, 1875, No. 21.

⁷⁷ haq chaharan was exercised for example in Barhalganj, Gorakhpur district (see n. 74), and in Shahjehanpur district by the Raja of Powayn: Shahjehanpur Settlement Report, 1874, p. 99. For a discussion of this right in law, see Heera Ram v. Hon'ble Sir Raja Deo Narain Singh, (1867) NWP - Full Bench rulings, Jan.-June, 1867 63.

⁷⁸ Shahjehanpur Settlement Report, 1874, p. 99.

54

dependent on the family holding of 31 pakka bighas. His cultivation certainly was not of the poor class: 10 bighas for example were sown with wheat that season, yielding some 45 maunds at an estimated value of Rs 72, whilst his 3 bighas of sugar-cane, yielding 39 maunds 30 seers (presumably of gur), were reported to bring him in a further Rs 139 6 0. The total estimated value of his outturn for the fasli year 1877-78 came to Rs 269 14 0. From this, Rs 55 12 0 had to be deducted for the value of the fodder-crops he used for his cattle. From the apparently considerable sum remaining, he had to make over Rs 64 to the zamindar for his share in the outturn, bilmokta, in a lump sum. Then he had to meet the service charges of field-labourers and artisans such as the potter, blacksmith and carpenter, estimated at another Rs 56 13 6. Other charges for the purchase of necessities such as a water-bucket, bullocks, household utensils, cloth, salt and spices, came to Rs 46 8 0, leaving him with Rs 46 8 0. The sale of ghi, clarified butter made from the milk of his cattle, brought in another Rs 20, but this was cancelled out by the charge due to his mokuddam-malik of Rs 20. Even the Rs 46 or, more precisely, the grain valued at that amount, could not be kept by the family, since Dewan Singh had been in debt over the last seven or eight years. Originally, he had borrowed Rs 45 for the purchase of a cow, etc. By 1877-78, he owed Rs 400, of which Rs 250 had been borrowed in the previous and current years. As a result, the family kept back from the entire outturn of their sizeable holding sufficient grain for one or two months only, making over the rest to the 'village banker'. There were 164 cultivators in Dewan Singh's village: only one was not in debt⁷⁹. These circumstances were typical of the majority of cultivators unconnected by ties of service and privilege to their superiors

⁷⁹ Famine Commission (1879/81), III, Ch. I., pp. 248-9.

in both the NWP and Oudh⁸⁰. Supposing a small residue remained after all obligations were met and with it a cultivator attempted to make some small improvements to his house of holding: for these, he needed local materials, the use of which was conditional on paying zamindar's charges - which meant the contraction of fresh obligations. His residue would vanish in no time, a formidable 'disincentive' to expansion on the part of the bulk of the population. As against the regular drain on a family's resources through meeting seasonal and service charges, ceremonial expenditure could hardly account more than minimally for the often-observed inability of farmers to accumulate reserves. Occasions for such expense - 'extravagance' - arose comparatively seldom; in the case of marriages at least, the expenses paid represented an investment for the benefit of the bride or bridegroom. Irwin placed these realities of ceremonial expenditure by the majority of the rural population of Oudh firmly in perspective and quoted the findings of the Deccan Riots Commission of 1875 to emphasize the point that to attribute peasant indebtedness to the outlay local festivals cost him was nothing short of misrepresentation: "... probably in a course of years the total sum spent in this way by any ryot (farmer) is not larger than a man in his position is justified in spending on social and domestic pleasures". This remark is as applicable to the north as it is to the south of the Jamna'.⁸¹

Much of the cultivator's loss was the malik's, especially the zamindar's, gain. From stocks accumulated by the regular exercise of his haq, a zamindar could make regular loans

⁸⁰ for a summary of the circumstances of Oudh cultivators, see H.C. Irwin, Garden of India, pp. 38-9.

⁸¹ Irwin, ibid., pp. 6-7.

to cultivators - by which he ensured that a sizeable proportion of his debtors' produce passed at each season into his stores or, in the form of its cash equivalent, into his treasury. Sleeman somewhat euphemistically reported this as a practice of 'benevolent proprietors' in Oudh as exemplified by the powerful family of Darsan Singh, maliks of Shahganj district.⁸² In Jhansi, typical of Bundelkhand conditions generally, bikhad loans by local zamindars were commonplace.⁸³ Such loans by maliks were termed officially - in view of their official status in the revenue-collecting hierarchy - as takavi, or advances to cultivators from official funds. The finest example of the use of takavi loans to obtain maximum yields in cultivators' output and zamindar's income is provided by the history of the ilaqah, or estate, held in Meerut district by the Begam Sumroo. A remarkable lady by any mode of reckoning, the Begam was Mahomedan by birth and married to the soldier-adventurer, Walter Reinhard, nicknamed 'Sombre' (hence 'Sumroo'). Some three years after his death at Agra in 1778, his widow the Begam was baptized, under the name of Joanna, and received into the Roman Catholic church. During the rest of her by no means uneventful life⁸⁴, she ruled her Meerut ilaqah with consummate skill. T.C. Plowden, appointed to assess the ilaqah revenue when it lapsed to the British government of the provinces in 1836, two years after the Begam's death, managed to obtain accounts for the ilaqah for the last twenty years of her life: from 1221-1241 Fasli (1813/14 - 1833/34 A.D.). During those years, the five parganas which made

⁸² Sleeman, Journey, I, pp. 162-5; cf. II, pp. 77-8.

⁸³ Daniell to Lloyd, 31st March 1863. Jhansi Settlement Report, 1871, p. 33.

⁸⁴ for details of the career of the Begam Sumroo, see Sleeman, Rambles and Recollections ..., II, pp. 267-89.

up the ilaqah yielded the Begam net collections of Rs 567,211 p.a. on an average; the arrears as recorded for the entire period came to a mere Rs 19,439.⁸⁵ This, said Plowden, was the utmost that could be exacted 'and sustained by the fictitious aids with which it was propt up'.⁸⁶ These 'fictitious aids' were none other than takavi loans and forced labour which together, according to Plowden, prevented the ilaqah from breaking down and cultivation from diminishing. It was all very systematic:

The greater part of the sugar-cane which is a staple of these Pergunnahs, was cultivated on Tuccavee advances and if a man's bullock died or he required the usual implements of husbandry, Tuccavee was advanced to him with which he was compelled to supply his agricultural wants and to sow a quantity of land proportional to his means ... These Tuccavee advances were always recovered either at the close of the Fasl (harvest) or of the year, with 25% interest.⁸⁷

Meanwhile, the revenue demand was carefully adjusted each year according to specific crops and regular inspections were made by the Begam's agents. Under such effective control the ilaqah became a by-word for agricultural prosperity, although the enjoyment of its fruits was confined to the Begam and her circle. To Plowden, such prosperity based on such extortion could not be other than superficial: 'within was rottenness and misery', to be revealed when the commanding presence of the Begam was withdrawn. Her heir, whose avarice and impatience seem to have induced him to forego her ingenuity, abandoned the old system

⁸⁵ T.C. Plowden, Report on the settlement of the Begam Sumroo's estate, 16th March, 1840. NWP Revenue Progs 22nd February 1841, No. 174, Enclosure, para. 10.

⁸⁶ ibid., para. 12.

⁸⁷ ibid., paras 19-20.

of annual assessments linked to takavi advances. He fixed the demand for a three-year period at more than Rs 100,000 in excess of the average demand of the preceding twenty years, abandoning both takavi and the former practice of making allowances for bad seasons. This withdrawal of 'props' coinciding with the increase of the fiscal burden brought ruin - remedied only when the assessments were reduced under the summary British settlement to Rs 523,186 for the revenue year 1837.⁸⁸ The 'prop' of takavi, however, was not restored.

To suggest, however, that the stocks accumulated by the power of maliks' haqs were reserved for the enjoyment of the maliks themselves would be misleading. They too were liable to pay routine service-charges to local barbers, washermen, carpenters, blacksmiths and the rest, although the means available to them for doing so were appreciably greater than was the case for the majority of the servants' cultivator clients. However, zamindars and talukdars, particularly, among the maliks had also to cope with the claims for maintenance of near and often numerous relatives and of the dependants who supported them in their authority: their retainers. They had to pay their agents for inspecting mahals and talukas and assisting in collecting the payments of their subjects. Their prestigious position had to be kept up constantly by a conspicuous degree of expenditure on ceremonial and festivities. Above all, they had to meet such demands for revenue as Government could impose.

Broadly speaking, the position of zamindars prior to British rule was 'one of moderate comfort', as Benett remarked à propos of Gonda district, 'tempered by the liability to occasional ruinous

⁸⁸ ibid., para. 31; for the amount of the summary assessment, see Plowden's earlier (brief) report, NWP Revenue Progs, 24th May 1838, No. 170, Enclosure, para. 5. for a brief account of the Begam Sumroo's ilaqah, see Meerut Settlement Report, 1874, pp. 8-10, 15-17, 40.

exactions'. From the zamindars' point of view, pre-British revenue assessments had certain conspicuous advantages where they remained between formal limits and fell short of 'ruinous exactions': the demand varied with almost every year, accommodated, as Benett noted, by good Nazims (ministers of the Nawab of Oudh) to the state of the harvests⁸⁹. This apparently common feature of indigenous revenue assessments - their elasticity - was emphasized by officers in other districts: by Cadell in Banda, for example⁹⁰, and by Jenkinson in his notes on Jhansi district under the Mahrattas⁹¹. The contracts on which the demand was based were fixed locally between ministers and local maliks - usually zamindars and talukdars - who applied for specific engagements as revenue-farmers, or were appointed to that position by ministers of Government. A zamindar contracted to pay over a sum specifically itemized in the contract⁹² which would leave him sufficient of the actual collections made from his mahal. It was of no concern to Government as to what the zamindar did within his mahal to make ends meet. Provided his relations with Government were cordial - provided, that is, he paid in his revenue - or provided Government was too distant, or too weak, to make its authority felt in the case of defiance, a zamindar was subject only to the local restrictions we have examined above.

In adjusting their demand to local circumstances, it was the practice of Government ministers to give formal recognition to the haqs of local maliks on whom, after all, they depended

⁸⁹ Gonda Settlement Report, 1878, p. 36.

⁹⁰ Banda Settlement Report, 1881, p. 95; details of pre-British assessments, pp. 96 ff.

⁹¹ Jhansi Settlement Report, 1871, (Jenkinson's notes of 1867), pp. 81-2.

⁹² for characteristic details of local revenue contracts, specifying charges according to classes of land and types of crops, see Unao Settlement Report, 1867, pp. 57-8

for the realization of their revenue. The mode of this adjustment can be seen clearly in the case of a number of ubaridars of Lalitpur district. These ubaridars were minor, local chiefs, each with his specific haq. Their territory was fought over, in the early nineteenth century, by certain of the Rajas of Bundelkhand. Conflicts, at least in the armed version, were resolved in 1830 by the signing of the Treaty of Buttota, by which the superior rights over the ubaridars' region were parted up between the Raja of Gwalior and Raja Morperlad of Chanderi in the proportion of two to one. Our interest is in Raja Morperlad's acquisitions. Here, assignments of revenue now declared due to him were drawn up on the basis of the estimated yield of each chieftain's mahal. Where this yield did not exceed the amount of the haq recognized by the new ruler as due to each subordinate chieftain and listed in the treaty in terms of its cash valuation, that chieftain's tenure was confirmed as a jagir free of any superior charge. Where, on the other hand, the estimated yield of a mahal exceeded the limits of its chieftain's recognized haq, he was required to pay the difference to the Raja as ubari. Hence the official denomination of this group of chiefs as ubaridars.⁹³

Beneath the ubaridars, the ramifications of service tenures spread out as before, undisturbed by the adjustments of administration vis-a-vis the superior rights. Families of Chaudhuris continued to provide their chiefs with gomashtas, or stewards, who acted as kanungos, or record-keepers and accountants and conducted commercial transactions. These kanungos depended on the Chaudhuris for their pay, amounting to some Rs 58 per mensem for each kanungo - an aggregate charge of Rs 696 p.a. -

⁹³ Lloyd, Commissioner, Jhansi Division to Board of Revenue, NWP, 30th June 1864. Report on the Oobaree Tenures of Lullutpore, NWP Revenue Progs, 10th September 1864, Index No. 15, Progs No.13.

made over by the Chaudhuris from the assignment of the revenues of villages and numerous small parts of villages, held muafi or tax-free in return for their service.⁹⁴

At each level, the rights of maliks were recognized. All holders of official tenures were entitled to the produce of their sir land, i.e. that area over which they held direct rights of cultivation, free of revenue charges. They were granted rights to stipulated percentages on the revenue collections. These perquisites were commonly termed malikana, and varied in amount even within a single tahsil.⁹⁵ In Oudh, perquisites known as nankar which amounted to 10, 20 or even 100% on the revenue of a mahal, were recognized in the public accounts, the amount varying according 'as the holder (of the claim to nankar) happens to be an object of fear, or favour, or otherwise'.⁹⁶ In the north of Bundelkhand, a group of local maliks known as Mundlooes were entitled to a variety of perquisites of office: percentages on 'land rent' (revenue), on opium sales, on the 'rent' of ground where melons were grown, the jama (revenue) of so many measures of land, and the entire proceeds from charges due on a village.⁹⁷ This principle of maintenance and recognition by additional

⁹⁴ Tyler, Settlement Officer, Lalitpur to Commissioner, Jhansi Division, 13th August, 1864. NWP Revenue Progs, 3rd December 1864, Index No. 2, Progs No. 3.

⁹⁵ e.g. malikana villages in tahsil Roorkee, Saharunpur: Board of Revenue, NWP to Govt, NWP, 30th June 1863, NWP Revenue Progs, 14th November 1864, Index No. 26, Progs No. 54; for the whole correspondence on zamindars' malikana in Saharunpur, see NWP Revenue Progs, ibid., Index Nos 26-48, Progs Nos 54-74.

⁹⁶ Sleeman, Journey, II, pp. 23-6; recognized 'cesses' levied by talukdars and zamindars on regular revenue, Bahraich Settlement Report, 1873, pp. 183-4.

⁹⁷ NWP Revenue Progs, 27th July 1861, Index Nos 156-74, Progs Nos 88-93.

perquisites of existing local rights was not - in theory, at least - violated when grants over defined areas of land were made by the highest rank in the administration as, in the case of Oudh, by the Nawab: 'The bestowal of an estate in jagir (permanent grant of rights) or farm (temporary grant of rights of revenue collection) ought not to interfere with the right of the proprietors (maliks) of the lands comprised in it', commented Sleeman, 'as the sovereign merely transfers his own territorial rights, not theirs'.⁹⁸

The neat stratification of this formal structure of rights was subject to distortions in practice as the processes of subdivision went to work. To secure services or increase his income, a zamindar could use his extensive power of subdivision. He could divert to chosen servants a proportion of the produce due to himself by issuing pattis, or leases of cultivating rights and thoks entitling the holder access to revenues they were appointed to collect. He could lease out rights by zar-i-peshgi, which gave the zar-i-peshgidar in return for his assistance in lending money to the zamindar a local right of occupancy and usufruct somewhat similar in principle to a 'mortgage with possession'. Pattis, thoks and zar-i-peshgi leases did not disturb subordinate cultivating rights already established. By granting certain servants jagirs, or rights over plots of land, he attempted to secure their continued performance of important local functions - the patwari's keeping the records of a part of his mahal, for example, or the chaukidar's watching the crops of a specified number of fields. The wider the range of his authority and the greater his need for servants to maintain it and for increased

⁹⁸ Sleeman, Journey, I, pp. 151-3.

income to maintain them, the more necessary it became for him to multiply the number of his agents and, consequently, to make specific sub-divisions of his rights. This growing multiplicity increased necessarily the lack of co-ordination between the local maliks and their superiors, the officials of regional and central administrations. The picture was complicated still further by inheritance and partition, which gave rise to the celebrated 'mixed mahals'⁹⁹. The pattern of rights that could emerge after a generation or two is well illustrated by the following example, from Fyzabad district:

... say that A is a landowner, owning 44 villages (i.e., holding the dominant haqs therein), and he has four sons, B, C, D, and E. On A's death, each son takes, as his share of the paternal estate, an entire village and one-fourth of the remaining 40; as generation succeeds generation, the various off-shoots of each family increase in number, and subdivide the lands formerly the estate of B, C, D and E. We will say that B's family branches off into five families having independent estates; we shall then find the one village taken by B now divided into five, and each of the five families descended from B will own the whole, or a portion of each of the 40 villages which fell to B's share; in the same way C, D and E will have expanded into a fewer or larger number of families. The intricate subdivision of villages amongst different estates has been rendered more complicated by the disruption of some of the estates and their absorption by the remainder ...¹⁰⁰

Distortions in the structure of rights also came about

⁹⁹ examples of 'mixed mahals': NWP, Oudh Revenue Progs, February 1884, Progs No. 111, File No. 160, Serial Nos 6, 8, 9.

¹⁰⁰ C.W. McMinn, Introduction ..., pp. 112-3, quoting from a report by the Settlement Officer, Fyzabad. For further examples of complex mahals, see Sleeman, Journey, I, pp. 285-6, 293-4.

through violent disruptions of the formally-established patterns. The absence of homogeneity in agrarian society was matched by a conspicuous lack of harmony. From the complicated and often self-contradictory awards of grants and leases and the extent to which increasing multiplicity of rights, an ill-co-ordinated network of agencies grew up between grantor, grantee and the grant itself, made the use or threat of force indispensable in establishing any significant claim.

Subordinate rights were theoretically protected by the haq shufa, which gave clansmen the power of pre-emption, in the case of a transfer made by a member of the community, in order to prevent the control of their rights from passing out of their hands.¹⁰¹ Where both superior and inferior rights - of talukdar and zamindar, or zamindar and mokuddam - were held by fellow-clansmen, the lesser social connexions of the greater power were simply his dependants who held haqs amounting to no more than maintenance grants and thus intercepted, as their more powerful relative might will, a part of the income from the various sources which made up the talukdari estate. But where the talukdar was a 'foreigner', unrelated by kinship ties to the upper strata of local society, his relations with them 'depended on agreements which could be binding only so long as neither party had the power to infringe them' - the position of talukdar Maharajah Man Singh of Fyzabad district.¹⁰² Where the local, subordinate groups constituted an actual or potential threat to the authority of their superior, or too great an obstruction to the realization of revenue, and where means were available to unseat them, mere pre-emptive

¹⁰¹ for a statement of the haq shufa, see for example, Unao Settlement Report, 1867, p. 29. For the juridical history of the right, see Gobind Dayal v. Inayatullah, (1885) 7 All 775 (FB): judgment of Mahmood, J.

¹⁰² Fyzabad Settlement Report, 1880, pp. 449-53.

restriction or tenuous agreements deriving from a state of insecurity could offer little by way of substantial resistance to encroachments from above. Few overlords seem to have resisted opportunities to acquire 'by fraud, violence and collusion' local rights as vested in hereditary titles of access to the products of mahals. Usurpation was so common an occurrence in Oudh in the mid-nineteenth century that if lords were liable to moral condemnation on this account, scarcely any of good repute could be said to exist.¹⁰³ Meanwhile, across the border in the British districts of Upper India, the same sources of conflict persisted, but found their outlet less frequently in armed battles than in the systematic and ruinous exploitation of the amenities provided by the judicial procedure of the Civil Courts.¹⁰⁴ The politics of litigation, so dominant a feature of agrarian social history in the later 19th century, is the subject of a later chapter.¹⁰⁵

The spread of conflict amongs warring clansmen over their respective shares in the fruits of local power was checked by the 'safety-valve' provided by opportunities for service under the Nawabi, the neighbouring British administrative establishments, or in British-Indian regiments. Younger brothers and cousins enlisted, and left their families to the protection of an elder brother who managed the family estate and to whom they fed back the greater part of their pay. The size of these native-staffed establishments, and the consequent effectiveness of the drain on potential warriors from areas of local conflict,

¹⁰³ for an example of a typical voracious talukdar-malik, see Sleeman's account of Rana Beni Madho, Rae Bareilly: Sleeman, Journey, I, pp. 244-6.

¹⁰⁴ ibid., I, pp. 167-9.

¹⁰⁵ Ch. V: The Frustration of Legal Remedy.

55

should not be under-estimated. Thousands of courtiers alone thronged the seat of Government at Lucknow, hundreds more resided in the regional 'capitals', the qasbahs, all claiming their perquisites of office. From the single district of Baiswara in Oudh, Sleeman reported that some 16,000 men were said to be in service in the British army and other establishments, and another 15,000 from the adjacent district of Bunoda to the east. 106

Connections between the 'overgrown aristocracy' of Government officials concentrated in residence in Lucknow and the Mofussil areas which ultimately provided them with their incomes under the Government system of revenue-contracts were as insecure as they were tortuous. The city gentlemen of Lucknow, remote from the rural condition beyond its walls, knew nothing of matters of agriculture except how to screw money from those who practised it:

"One of these city gentlemen," Rajah Bukhtawar Singh of Shahabad told Sleeman, "when sent out as a revenue collector in Saadut Ali's time, was asked by his assistants what they were to do with a crop of sugar-cane which had been attached for balances and was becoming too ripe, replied, 'Cut it down, to be sure; and have it stacked!' He did not know that sugar-cane must, as soon as cut, be taken to the mill or it spoils". One and all, the gentlemen revenue-contractors were branded by the local lords as 'the aristocracy of towns and cities, ... learned enough in books and court ceremonies and intrigues, but utterly ignorant of country life, rural economy and agricultural industry'.¹⁰⁷

Unless the gentlemen from Lucknow specifically held offices

¹⁰⁶ ibid., I, pp. 169-70. Irwin estimates the military force of the Nawab at some 60,000 men: Garden of India ..., p. 159.

¹⁰⁷ Sleeman, Journey, II, pp. 49-50.

in the Mofussil, and, more important, were equipped with a powerful force of troops, residence outside the city was a dangerous impracticality. The situation led more and more to the deputation of authority by means of the creation of subordinate agencies for the (grossly inefficient) conduct of business beyond the sphere of the seat of Government. In Lucknow itself, towards the end of the Nawabi, the concentration of official aristocracy, their retainers, their expenditure, and their supreme frivolity, had become a byword for the splendour and impotence of the court of an oriental despot.¹⁰⁸

The incoherence of central and local authorities also made a system of regular financial accounts impossible. The central administration nominated, or estimated, according to specific localities, sums for the collection of which it offered contracts to selected servants: the kubz or revenue contract was usually offered for one to two years. It was up to the contractor to realize what he could. Meanwhile, the local powers themselves kept their own records. The narrowing of discrepancies in the complicated - tripartite - system of accounts in the form of the ascertainment of sums due or in arrears could never be achieved. Arrears were as arbitrary as the sums demanded, or the sums actually collected. Officials were unable to control the sources of their revenues and even to make assessments by measurement and enquiry within mahals due to local hostility which compelled them to employ a compromising agent.¹⁰⁹ In addition, the capriciousness of climatic conditions led to the inevitable seasonal fluctuations in the amount of revenue available,¹¹⁰ for revenue was overwhelmingly

¹⁰⁸ ibid., I, pp. 273-5. Sleeman frequently deplored the 'vitiating tastes of the overgrown metropolis' in the course of his narrative.

¹⁰⁹ Sleeman, Journey, II, pp. 1-2.

¹¹⁰ Sleeman to Dalhousie, 8th May 1849: kharif deficiencies contribute to the reduced collections: Journey, I, Introduction: Private Correspondence, p. liv.

derived from the products of the peasantry.

Collections of current demands and outstanding balances depended on force. The maintenance of troops became an essential perquisite. No 'coercive process' by the administration against a recalcitrant contractor could be adopted other than physical force: the same means was all that lay open to a contractor against local maliks who obstructed him.¹¹¹

The troops, also, had to be paid. The common practice, since talukdars and contractors were unable to enforce payment in any other way, was for them to assign revenues due to themselves. The commander then settled in with his soldiers on the locality prescribed in the assignment and, disregarding local haqs, appropriated such produce as lay available, in addition to daily deprivations for forage and food-supply.¹¹²

Most of the great maliks of Oudh by 1849 were in open opposition to the fragments of Government which subsisted under the title of the Nawab's administration.¹¹³ If they chose to evade revenue payments outright, it was open for them to take up residence in neighbouring British districts. The absentee Oudh talukdars who resided in Gorakhpur and conducted their Oudh affairs through agents were to Sleeman a case of ironic and glaring abuse by mere tax-evaders of the privilege of sanctuary.¹¹⁴ Open resistance was, however, more common. For this to be effective, large bodies of retainers had to be kept in regular service: the retainers had both to ensure the collection of

¹¹¹ Sleeman, Journey, I, p. 194; II, pp. 225-6.

¹¹² assignment of revenues to troops: ibid., I, pp. 139-41; forage: I, pp. 196-7; II, pp. 13-4, 99-100.

¹¹³ ibid., I, Introduction: Private Correspondence, pp. lx-lxix.

¹¹⁴ ibid., I, p. 33.

69

income and prevent its disbursement to recipients other than their lord. The indispensable retainers (which could comprise an armed force of some 4,000 men)¹¹⁵ could be kept on by exactions from all available sources, often tantamount to plunder.

Given the uncertainties inherent in the conditions within which he operated, a malik could apply no systematic pressure on the cultivating body. For the extension of his income, he was compelled to range over a wider territorial area, or increase the demands within his immediate sphere of influence. A third source often was available: like the rest of rural society, he could resort to regular borrowing to maintain his costly establishment. The position of the lender, the so-called 'agricultural capitalist' - a banker usually resident in town (for purposes of security) but commonly the owner of rights in a number of mahals - who supplied their needs from the revenues of his office and income from trading transactions, was extremely lucrative. He was also, however, exposed to threats from desperate clients or rapacious ministers: Ramdut Pande, a Brahmin, and one of the most substantial - and hence respectable - of this class, made his money out of standing surety for lords' revenue payments, rating his risks and his percentages according to his estimation of their character and capability. Ultimately, his power courted the envy of the Nawab's Nazim, who had him murdered.¹¹⁶

Disorder and extortion turned the lives of the peasantry frequently into a nightmare of instability. The upper strata, allied necessarily to one party or other in the frequent struggles

¹¹⁵ ibid., I, p. 25: the example of Raja Gorbuksh's establishment, pp.24-5.

¹¹⁶ ibid., I, pp. 252-4. cf. the account of Chandan Lal, 'agricultural capitalist', indispensable to Government, landholders, cultivators, ibid., I, pp. 280-81, and of Subsukh Rai and his urban clientele of fanatical Pathans, II, pp. 46-7.

through their ties of kinship and obligatory service, received protection only as long as their superiors remained dominant and thus able to provide it. Subordinate cultivators were subject to continued and even increasing exactions, or were forced by oppression to flee from one malik to another. The ultimate asylum was the Oudh terai, resorted to only in desperation since few were known to return from its malaria-ridden jungles. But the constant violence brought relief to the land itself, by forcing the cultivators into exile and cultivation to come to a standstill for want of labour. At breaks in hostilities, the cultivators would return to their refreshed land and resume production without any need to intensify the efforts at fertilization of the soil.¹¹⁷ No law of abandonment and no boundary marks denoting fixity of possession existed in territory where such mobility had become an acknowledged way of life. Whilst specialist garden cultivation of Kachhis and Malis, requiring prolonged and intensive care, could make little headway in most districts, the benefits of this enforced fallowing were attested in yields of food-grains, believed superior to the intensely-cultivated, peaceful districts of neighbouring NWP where *pax Britannica* and the increase of population dependent on the land was bringing, by 1850, problems of over-cropping.¹¹⁸

This mobility guaranteed productivity without the need to improve techniques of production; but at the same time output fluctuated so violently that a stable trading pattern could not be widely built up. The establishment of permanent lines of communication was also hampered by climatic disorder and the roving presence of armed bands. In Sleeman's time, the only road to carry any appreciable traffic in Oudh was the newly constructed

¹¹⁷ Unao Settlement Report, 1867, p.13.

¹¹⁸ Sleeman, Journey, II, pp. 41-3, 45, and see above, pp 36-7.

71

(by a British military engineer) highway from Cawnpore to Lucknow, metalled throughout. The flow of the grain-trade was dictated primarily by the seasons. Whereas the usual current of grain was from North-east Oudh down to the already great grain mart of Cawnpore, from 1848 to 1850, the direction was completely reversed in response to shortfalls caused by bad harvests throughout Oudh - Sleeman reported vast quantities going up from Cawnpore by road and river.¹¹⁹ Similarly, the southern districts of the Doab, for example, where harvests ripened appreciably earlier than in those to the north, supplied their northern neighbours according to seasonal demands. Local violence could distort this seasonally-set pattern. As a result of the tyranny of Raghubar Singh, for example, who held a revenue contract for the districts of Gonda and Bahraich in the 1840's, these areas which had formerly supplied Lucknow were forced in their impoverishment to draw grain from it, and even from as far distant a source as Cawnpore.¹²⁰

Against this background of intense disparity in regional and social conditions and of barely-suppressed political conflicts, we can begin now to explore the effect of the innovations for which the period 1860-1900 was most conspicuous.

¹¹⁹ Sleeman, Journey, II, pp. 279, 315.

¹²⁰ ibid., I, p. 66.

CHAPTER II: THE DEVELOPMENT OF AGRICULTURAL RESOURCES

The cries of triumph which heralded, in British circles, the suppression of the 'Mutiny' disorders and the formal transfer in 1858 of the last vestiges of the East India Company's government to the British Crown might lead one at first to assume that these events in themselves brought a sudden and radical transformation in the British presence in India. The corrupt, lethargic and despotic rule of the Company in its last days was now to be replaced by an administration representing the greatest and most energetic industrial power in the world. Having tamed the native barbarism recently manifested during the disturbances of 1857-58, it was confidently expected that Government would, as a matter of course, lead its Indian subjects towards a civilized modernity, in whose undoubted benefits they, as well as their rulers, would ultimately participate.

There was nothing intrinsically new in this belief. It was merely the latest manifestation of a long-familiar spirit which accompanied the rise to supremacy of British industry and commerce. Public assertions by eminent promoters of Britain's trade abroad to the effect that prosperity must necessarily attend those of the hitherto backward peoples of the Orient fortunate enough to receive bounty in the form of British manufactures, were already familiar:

... What a satisfaction it is to every man going from the West to the East, when he clambers up Mount Lebanon to find one of the ancient Druses clothed in garments with which our industrious countrymen provided him! What a delight it is in going to the Holy City to stop with the caravan at Nazareth - to see, four thousand individuals, and

scarcely be able to fix upon one to whom your country has not presented some comfort or decoration! Peace and industry have been doing this and much more; for be assured that while this country is diffusing blessings, she is creating an interest, she is erecting in the minds of those she serves an affection towards her, and that commerce is a communication of good and a dispensing of (benefits) which were never enjoyed before ...

This was John Bowring of Manchester, speaking at the founding of that brotherhood par excellence of Free Trade, the Anti-Corn Law League.¹

What the events of 1857-58 did signify was that India was Britain's, at least for the foreseeable future. Meanwhile, old restraints on expansionist activity had now been removed. The Company, with the exclusive of its monopoly, had been increasingly regarded as a prime cause of India's retardment 'in her agricultural and commercial pursuits'.² Now it had gone, taking with it the last impediments placed by an outdated 'mercantilism' in the path of large-scale investment of British capital in India'.³ The establishment beyond a doubt of Pax Britannica completed the picture for the eager bystanders in London and the Midlands: the

¹ quoted in N. McCord, The Anti-Corn Law League, (London, 1958), p. 23. for further examples of entrepreneurial fervour, ibid., pp. 24-5; speeches quoted in full in A. Somerville, Free Trade and the League, 2 vols, (Manchester, 1852-3).

² C.N. Cooke, The Rise, Progress and Present Condition of Banking in India, (London, 1863), p. 69.

³ radicalism and laissez-faire 'demand the Company as a propitiatory sacrifice': L.H. Jenks, The Migration of British Capital to 1875, (1927, repr. London, 1963), p. 207.

opportunity for vigorous action by Government, entrepreneurs, bankers, and the technical army of engineers to achieve a degree of expansion hitherto unheard of had arisen. 'India has been given to Britain, that the blessings of Christianity may overspread the land,' Alderman Baynes of Blackburn announced, on behalf of the cotton interest; 'and our exigencies, sooner or later, will compel us to develop its resources'.⁴

The prospect of these resources can hardly be called uninspiring. The Bankers' Magazine, normally one amongst many hard-headed business journals, was moved to lyricism on account of the 'unexplored mine' that India represented, 'the wealth of which we have not yet even begun to enjoy'.⁵ That wealth was to be tapped by the application of European enterprise and science, 'to produce results which shall place the great Asiatic peninsula as high above the rest of the world for affluence in modern as it was in ancient times'.⁶

The attractiveness of the prospects of development was enhanced by the fact that India appeared to lack very nearly everything required, according to contemporary capitalist criteria, to tap her vast wealth - or alternatively, to progress to a state of civilization. After the troubles, of 1857, wrote Sir J. Strachey,

ten thousand things were demanded which India had not got, but which it was felt must be provided. The country must be covered with railways and telegraphs, and roads and bridges. Irrigation canals must be made to preserve the people from starvation.

⁴ Baynes, The Cotton Trade: Two Lectures, (Blackburn and London, 1857)

⁵ Bankers' Magazine, CLXXI, June 1858, pp. 430-1.

⁶ India's Financial Position, ibid., CLXXX, March 1859, pp. 145-8.

Barracks must be built for a great European army ... In fact the whole paraphernalia of a great civilized administration, according to the modern notions of what that means, had to be provided.⁷

The means were certainly to hand - in Britain. The international finance system could now provide for the ready movement of capital for large-scale development through the agency of the British successors to the crédit mobilier, the joint-stock discount houses.⁸ Engineers with considerable experience of railways and, to a lesser extent, of canals, were readily available. The whole question of investment in India was given unparalleled publicity: Parliament appointed a Select Committee, outstanding entrepreneurs with a sprinkling of distinguished administrators experienced in Indian affairs, to enquire exhaustively into the practicability of the 'colonization and settlement' of India.⁹ The Economist examined the problems confronting the British investor and found that, however formidable the obstacles dwelt upon by witnesses before the Select

⁷ J. and R. Strachey, The Finances and Public Works of India, p. 2; for a similar view of India's backwardness, Cooke, op.cit., pp. 66-7.

⁸ Jenks, op. cit., pp. 248 ff; on the 'financial revolution' of the early to mid-nineteenth century in Europe, see D.S. Landes, Vieille Banque et Banque Nouvelle, Revue d'Histoire moderne et contemporaine, N.S., III, 1956, pp. 204-22; for the elaborate linkage between European merchant banks and the Orient, see Landes, Bankers and Pashas: International Finance and Economic Imperialism in Egypt, (London, 1958), esp. p. 16.

⁹ Reports of the Select Committee appointed to inquire into the Progress and Prospects, and the best Means to be adopted for the Promotion of European Colonization and Settlement in India...: P.P., 1857-8, 7, 1, (261) First Report; P.P., 1857-8, 7, 1, (326) Second Report; P.P., 1857-8, 7, 1, (415) Third Report; P.P., 1857-8, 7, 2, (461) Fourth Report.

Committee might appear, they were largely confined - as far as experience showed - to indigo planting; the way seemed open for the investment of capital in public works. Nothing in fact looked more promising than the prospects of development in terms of mines, railways, canals, steam-boats, ...¹⁰

The post-'Mutiny' zeal, sufficient in its belief in the universal efficacy of 'Saxon energy and British capital' to reclaim not one but a number of deserts, disguised two points of considerable significance. First, whatever attempts might be made to avoid direct contact with 'Agriculture', warned by the unhappy experiences of indigo planters in Bengal, some entanglement was inevitable in an environment where the greatest source of wealth was none other than 'Agriculture': on this the people depended overwhelmingly for their livelihood, the Government for its revenue and now the investors - especially the promoters of public works - for their dividends. Second, as far as the major area for investment was concerned, i.e. the public works - roads, railways and canals - the activity after 1858 merely continued along lines laid down twenty to thirty years before. The post-'Mutiny' investors were not so much pioneers as heirs to an inheritance.

The NWP and Oudh were the areas most intensely involved in the 'Mutiny' struggles; (certain areas, notably the poorer parts of Jhansi and less opulent regions of Doab districts, had suffered severely from devastation). Their geographical features - particularly as regards the Doab - had rendered them liable to large-scale developments, to tap the resources of the river-valleys for increased production and increased distribution.

¹⁰ Why is not British Capital more largely invested in India?
Economist, October 9, 1858, pp. 1121-22.

through trade. With the pacification of the provinces, public works activity intensified.

This chapter outlines the consequences, for local agriculture, of the construction of canals and railways, and the extent of small-scale attempts at agricultural improvements.

Public Works and Agriculture

The great nineteenth century developments in canal-engineering concentrated largely in the Doab.¹¹ They began early, in the 1820's, with the building of the East Jumna Canals. This system, a radical re-development of an old Mughal canal-line, was opened in 1830. It irrigated tracts in the Saharunpur, Muzaffarnagar and Meerut districts. By 1878, its main and branch channels, together with distributaries, totalled 748 miles, irrigating 206,732 acres (as against the average of the preceding five years, 188,648). The cost of the works, excluding interest, came to £261,235. One of the most remunerative canals of British India, it paid nearly 23% on the capital expended on it by Government.¹²

Irrigation in the grand manner began, however, with the Ganges Canal, The works were begun under Government order of May, 1847, water admitted into the canal in 1854 and irrigation commenced the following year.¹³ In 1861-62, the area irrigated by the Canal was officially set at 372,000 acres; in 1864-65, at 350,000 (the area under canal irrigation contracting as a result of good seasons and adequate rainfall). By that date, the Canal works as completed comprised its main line (181 m.); Fategarh Branch (82½ m.); Bulandshahr Branch (45 m.); Cawnpore Branch

¹¹ for the areas and extent of canal construction in the provinces, see Map: public works - to 1904.

¹² R.B. Buckley, The Irrigation Works of India and their Financial Results, (London, 1880), pp. 93-95; Table, p. 92.

¹³ summary of the history of the construction of the Ganges Canal to 1854 - Buckley, op. cit., pp. 95-101.

(170 m.) and Etawah Branch (170 m.) - a total length of 648½ m. with 2,266 m. of distributaries. The total capital outlay thus far was £2,155,997¹⁴ - by 1866, capital expended on the Canal stood at more than 88% of the whole capital expenditure in the North-Western Provinces.¹⁵ So far, only Upper Doab districts were served by the Canal. In 1868, on the proposal of R. Strachey, the construction of a Lower Ganges Canal began, together with modifications in the completed channels. By 1877-78, the area actually irrigated by the whole complex was set at 1,045,013 acres (cf. the average of preceding five years: 906,036). Some 593 m. of main and branch lines had been completed by then in the Upper and Central Doab. With another 3,417 m. of distributaries, the total length of the channels constructed ran into 4,010 m. and the actual cost, excluding interest, stood at £3,055,015.¹⁶

In 1868, the first works - sanctioned for the purposes of famine relief - began on the Agra Canal. In March, 1874 the Canal was formally opened and irrigation began the following rabi season. By 1877-78, it commanded an area of 375,800 acres altogether - 114,200 acres in Muttra district and a further 113,100 acres in Agra made up the proportion irrigated in the North-Western Provinces.¹⁷ Smaller works in Bijnor, supplied by

¹⁴ Resolution relative to the Canals of the North-Western Provinces, P.P., 1865, 39, (343) pp. 1-2
branches constructed by 1854: Buckley, op. cit., p. 102.

¹⁵ Thornhill (Senior Member, Board of Revenue): Note on the connection between the water-rate and enhancement of land revenue, 3rd November 1866. - NWP Revenue Proceedings (Irrigation Department). 15th August 1868. Index No. 7. May 11, 1867, Progs No. 2.

¹⁶ alterations: Buckley, op. cit., pp. 105-112
Lower Ganges Canal: ibid., pp. 121-27.

¹⁷ Agra Canal: Buckley, op. cit., pp. 112-118.
- net profit over whole system estimated at £90,000.

a stream in Moradabad district, covered an area of 4,000 to 5,000 acres. On a capital cost of £6,996, the Bijnor canal paid 11-12%: 'it has always been a remunerative little work', was Buckley's comment.¹⁸ In Bareilly, a further group of some four channels totalling 256 m. in length and known collectively as the Rohilkhand Canals, irrigated a belt of country along the terai where rice was grown extensively. The capital cost was £148,207, on which only a small percentage had been realized by the end of '70's. A series of small watercourses in the Dun, and south in Bundelkhand, fed by tanks and streams, made up the total network of canals in the North-Western Provinces: some 5,601 m. of channels and distributaries, irrigating in 1877-78 an area of 1,459,938 acres, by which time the cost of their construction, excluding the payment of interest, came to £4,338,384 - all of it borrowed in England.¹⁹

Work continued on the modifications and extensions to the Ganges Canal, as projected and budgeted for. Further works, however, for the protection of unirrigated tracts specially liable to drought were thenceforward to be closely scrutinized by Government, 'in the light of the latest knowledge', with rigorous attention to the 'financial liabilities of the execution of works'. On these principles, R. Strachey, as President of the Famine Commission, 1878-79, recommended immediate and special enquiry into two schemes

¹⁸ *ibid.*, p. 120.

¹⁹ *ibid.*, pp. 120-21

which had not yet been implemented: the Sarda canal to be constructed in Oudh and Rohilkhand, an elaborate project first presented by J.G. Forbes in 1871, and a system of canals to be supplied from the rivers Betwa and Ken in Bundelkhand.²⁰ The Sarda scheme was shelved in the face of opposition by the talukdars of Oudh, and the Chief Commissioner. Work on the Betwa canal, however, under the pressure of providing relief for famine distress in the conventional form of temporary employment on public works, was begun early in the 1880's.²¹

Accurate statistics cannot be given of the overall increase in irrigated area due to the canals. Acreages fluctuated with the seasons, the irrigated area expanding vastly in the threat of drought to contract again in seasons of adequate rainfall.²² The question of payment of water-rates also affected the area under irrigation at each season. In tracts where the cultivators were dependent on the canals, times in the fasli year when measurements were taken varied from district to district, pargana to pargana, and even mauza to mauza, thwarting any attempt at the compilation of a comprehensive statistical record. The period over which the

²⁰ Minute by R. Strachey, 7th June, 1878. On the need for examining certain irrigation projects in the North-Western Provinces and Oudh. India Public Works (Famine) Proceedings, June 1878, Progs No. 35. The projects for immediate review also included a navigation canal, to connect the Jumna and Ganges Canals, and extend the Lower Ganges Canal to Allahabad.

²¹ Inspector-General of Irrigation: Note on works projected or in progress, North-Western Provinces and Oudh, Famine Commission Report (1879), P.P., 1881, Pt 3, Appendix V.: Irrigation as a Protection against Famine.

²² for the official statistics of canal-irrigated area, 1868/69 to 1896/97, see Chart II.

increases in area were to be measured also posed a problem which was insoluble by the means of record available. Limits were fixed according to the dates of revenue records compiled under Regulation IX, 1833: the period therefore varied from district to district, in the order of their settlement. In many cases, no statistics of irrigated area existed prior to the revision of settlements from 1860. Further, both the earlier and revised settlements made no distinction between 'irrigable' and 'irrigated'. In 1884, W.C. Benett noted that in several Doab districts, an enquiry by the Director of Agriculture and Commerce 'showed that the settlement statistics are of no use in ascertaining the irrigated area, lands within irrigating distance of a well or tank being included in the actually irrigated area ...'²³ Lastly, the problem of inadequate statistics is complicated by discrepancies in the % increase in irrigated and in cultivated areas given in the various official sources.²⁴

The canal development was concentrated in those areas where facilities existed for it - i.e., the western districts of the NWP. Those districts had a long-established and sophisticated pattern of farming, in which well-irrigation particularly played a large part.²⁵ Colonel Baird Smith estimated that in 1848-49,

²³ Benett (Offg Secretary, Board of Revenue, NWP), to Government, NWP, Oudh, 4th December 1884, re proposal to exclude from canal irrigation all lands at present assessed as irrigated from wells or other sources, ref. to NWP Revenue Administration Report, 1880-81, p. 58. NWP, Oudh Revenue Proceedings, May 1885. File No. 380, Serial No.10, Progs No. 19.

²⁴ e.g., Settlement Reports: differences between figures given in (a) main report and (b) pargana (rent-rate) reports; A. Colvin, Memorandum on the Revision of Land Revenue Settlements in the N-W.P., 1860-1872, (Allahabad, 1872), Appendix III: differences between main settlement reports figures and a new set (origin undisclosed!)

²⁵ see Chapter I, pp. 30-1

the number of pakka (masonry) wells in the NWP came to some 137,337, of which 72,523 were in the Doab. Devastation during the 'Mutiny' had brought the number down to close on 70,000, each well having an irrigating capacity of approximately $4\frac{1}{2}$ acres per season. The corresponding average proportion of the more common kachha (temporary) wells was estimated at 280,000, each with an irrigating capacity of $1\frac{1}{2}$ acres per season. From this, Baird Smith concluded that some 1,470,000 acres in the Doab were irrigated by wells in 1860-61.²⁶ As the number of wells and their relatively low irrigating capacity would suggest, the Doab districts were densely populated by the latter part of the nineteenth century. The following table gives the density of population for selected canal-irrigated districts, for which figures are available from the Settlement Reports (dates in brackets):

<u>Canal</u>	<u>District</u>	<u>Population p. sq. m.</u> *
Ganges, East Jumna	Muzaffarnagar (1872)	415.9
Ganges	Bulandshahr (1865)	719.5
	Aligarh (1882)	548.0
	Etah (1872)	465.0
	Mainpuri (1872)	452.0
	Etawah (1872)	395.0
	Cawnpore (1872)	442.0**
	Fatehpur (1872)	419.0
	Farukhabad (1871)	534.0

* Census, 1872: average density of population, NWP : 381.24 p. sq.m.

** excluding Cawnpore city.

For its part in supplying this dense population, the well-irrigation of the Doab was not regarded by official observers trained in engineering like Baird Smith as wholly inefficient. He himself

²⁶ R. Baird Smith, Report on the Famine in the NWP, 1860-61, P.P., 1862, 40, paras 98-100.

noted, significantly, that the effects of wells were 'less open to doubt than those of canal-irrigation', whilst the labour required to work the wells ensured the maximum use of water drawn; it was clear, also, that 'the produce from land under well-irrigation is generally larger and better than that watered in any other way'.²⁷ The only trouble with the wells was that they did not produce enough; the land must be induced to produce more and to achieve that, the canal system must be expanded. Baird Smith confidently anticipated that in time canal-irrigation would show results comparable to the wells', and over the enormously increased area opened to irrigation by the canal-system, 'existing difficulties in relative value will disappear'.²⁸

In Meerut, the richest of the Doab districts, irrigation prior to the introduction of canals had 'naturally coincided very much with the character of the soils,' Buck noted in 1874, in reviewing the settlement report. As a general conclusion from the pargana reports, it was clear that wells could be dug more easily, and lasted longer, in proportion to their distance from the great natural drainage lines: 'the best well tracts were on watersheds'. It was these tracts precisely which the new canals covered most extensively - canals being 'only serviceable for irrigation along the watersheds of the district'. The East Jumna Canal, opened in 1830, supplied the 'rich Jat country between the Jumna and Hindun with a close network of distributary channels'. The main line of the Ganges Canal, opened in 1855, ran through the centre, level tract between the Hindun and the Kali Nadi, whilst its Anupshahr Branch, opened five years later, fed the comparatively narrow, but

²⁷ ibid., para. 85. F. Henvey, Narrative..., cites Baird Smith on these points, showing the situation in 1868-69 was little improved.

²⁸ Baird Smith, cit. sup., para. 85.

fertile, strip between the Kali Nadi and the Ganges.²⁹ The division between areas with high proportions of better soils and those with poorer, intensified: parganas Puth, Gurhmukhtesur, where widespread irrigation by wells was impracticable due to the predominance of sandy bhur ridges, also lay outside the range of canals, and remained unreclaimed, whilst the extension of irrigation through the naturally fertile areas - for example, the central tracts of parganas Jalalabad and Baghpat - was reported by the end of the 1860's to have produced immediate and extraordinary increases in production.³⁰ Where the soils were of the stiffest composition, well-construction remained at least theoretically possible alongside the introduction of canals. In pargana Kotanah, to the North-East of the district, channels of the East Jumna Canal covered almost the entire area, whilst good wells could still be readily constructed: 'In case of any accident to the canal, there could not possibly be any danger to the imperial revenue, for temporary wells could be dug in every field at trifling expense'. The supersession of wells by the canal, which commanded immediately a much greater area, were said to have saved this and neighbouring parganas - the core of the opulent estate of the Begum Sumroo - from the ravages of famine in 1860-61, and more: 'the proprietors' (chiefly Jats) made enormous profits from the grain trade. To the south, pargana Dasnah benefited similarly from the Ganges Canal.³¹

Elsewhere, however, disadvantages and even deleterious

²⁹ Meerut Settlement Report, 1874, Buck to Elliot, pp. 7-10.

³⁰ Meerut Settlement Report, 1874. Pargana reports: Pooth (Forbes, 1866) pp. 12-14; Gurhmukhtesur (Forbes, 1867), pp. 23-24; cf. Baghput (Forbes, 1868), pp. 60-62; Jalalabad (Forbes, 1867), pp. 37-38.

³¹ Meerut Settlement Report, 1874. Pargana reports: Kotanah (Forbes, 1867), pp. 20-21; Dasnah, pp. 27-28.

effects of the canals were already becoming noticeable by the end of the 1860's. The growing dependence on canal-irrigation brought its problems. In 1866, Forbes noted that in pargana Chaprauli, which, like Sir Henry Elliot thirty years before, he agreed to be the finest in the district, the inroad of canals had left most wells in disuse and well-sinking was 'almost entirely abandoned' in spite of the excellent capability for well-irrigation. 'It would be fortunate,' he cautioned, 'if the people would take further advantage of the natural facilities for well-irrigation, and thus guard against the uncertainties of canal-supply - a precaution some of the enterprising Jat proprietors in the neighbourhood have already begun to recognize.'³² Porter noted the advantage the canal brought to pargana Sirdhana in that it enabled 'sugar and other more valuable products doubtless to be grown in greater abundance'. But against this 'is to be placed the uncertainty of the water supply and the utter dependence on the canal to which the people are reduced by the ruin of their wells'. Several villages in the pargana had already sustained loss from the canal's (or its distributaries') interference with natural drainage: two had lost their entire kharif through flood-water which had swamped the fields through its outlet's being obstructed by the canal; a considerable area of another mauza just beneath the canal bank was so swamped by percolation as to be unfit for cultivation.³³ In other areas - parts of Baghpat, for instance - excessive irrigation was the inevitable consequence of the volume of water, and the method of distributing it by flush-

³² Forbes, 1866: Meerut Settlement Report, 1874, p. 8.

³³ ibid., pp. 40-41. Pargana Meerut showed similar effects of canal: immense impetus to sugar-growing, deleterious effect on wells, soil - ibid., (Porter), pp. 52-53. Pargana Kethore: swamps, due to canal water thrown into Barh Ganga - ibid., (Porter) pp. 50-51.

lift, which the canal made available: problems of soil-saturation were imminent. It was, however, Buck noted in 1874, 'entirely within the Government's power to alleviate or entirely remove these evils'.³⁴

Wherever canal-irrigation had been introduced, the same - or similar - benefits accrued, and the same problems. If the driving principle behind the construction of the canals was the achievement of Increase, without which no real prosperity could be envisaged, this aim was certainly satisfied, even if its measure remains out of reach of statistics. But in which products was this increase realized?

The overwhelming majority of the population - the peasantry - relied on the kharif millets, principally jowar and bajra, and the various pulses, for staple food-grains. These, and fodder for the cultivators' draught beasts were generally grown on the wider areas of middle- and even poor-quality soils dependent for their moisture on periodical rainfall: irrigated land, of better- and top-quality soils, was used for the heavier and more valuable crops which required careful attention and a number of waterings in addition to rainfall for good yields. The expansion of irrigated and irrigable areas through the introduction of canals resulted in the increase in production of these 'valuable' crops - principally cotton, indigo and sugar-cane in the kharif season, and wheat in the rabi.³⁵

In the trans-Jumna parganas of Muttra district before the building of the Agra Canal, the principal kharif crops were jowar, bajra and cotton, and the chief rabi staples barley, gram and bejhar (mixed barley and gram). The canal was confidently

³⁴ ibid., Buck to Elliot, pp. 7-10.

³⁵ for the overall proportions of kharif and rabi to the total canal-irrigated area, NWP, 1868/69 - 1896/97, see Chart II; for the proportions of chief crops to total canal-irrigated area in the kharif, see Chart III; for the proportions of chief crops to total canal-irrigated area in the rabi, see Chart IV.

expected to alter this, in favour of the 'richer' crops. Whilst the area under cotton would be little affected, the pattern of cereal cultivation would show significant changes - 'the substitution of irrigated wheat (encouraged by the relative richness of soils in these parganas), bejhar or barley for either jowar, bajra or unirrigated rabi crops'. The next stage would be the introduction of sugar-cane, indigo and opium - all hitherto almost unknown in the area - and an increase in kachhiyana (garden-produce); double-cropping would become prevalent. 'There will then be not only an improvement in the quantity but also in the quality of the produce', i.e., the balance of the crop-pattern would turn against the coarse staple food-grains.³⁶ These anticipations were realized. Two or three years later, Whiteway recorded in the Settlement Report that sugar-cane had in fact been planted extensively along the canal distributaries; the coarser kharif crops, such as jowar, had in fact been 'greatly superseded by the more valuable ones', including cotton, and even indigo had been sown in some villages.³⁷ Of the canal-irrigated area of the parganas, 69.4% was recorded under rabi crops in the year of revenue survey as against 26.4% under kharif: wheat occupied 26.2%, barley 12.3% and bejhar 21.0%, compared with kharif staples of jowar, now only 9.7% and bajra 4.1%.³⁸ Throughout, the valuable crops of cotton, wheat and barley alone accounted for some 39% of the canal-irrigated area; in the cis-Jumna parganas, untouched by the canal, these crops aggregated a mere 23% of the total cultivated area.³⁹ Math district, too, showed a crop-pattern

³⁶ M.A. McConaghey, Settlement Officer, Muttra, Memorandum on the proposed water and owner's rates to be adopted on the new Agra Canal: NWP Irrigation Revenue Report, 1873-74, p. civ.

³⁷ Muttra Settlement Report, 1879, pp. 12-15.

³⁸ ibid., pp. 21-2.

³⁹ ibid., p. 3.

generally characteristic of canal-irrigated areas, which were most extensive in the Meerut and Agra Divisions of the NWP: the best districts, supplied now by an abundance of canal water, went over to producing larger quantities of the most saleable crops. In Etah's kharif harvests sugar-cane, cotton and indigo predominated, in the rabi, wheat, barley and bejhar once again. In pargana Mahtehra - the best in the district - the Cawnpore Branch of the Ganges Canal had brought an immense stimulus to indigo growing: almost every village had its factory.⁴⁰

The distribution of wheat itself became one of the clearest indications of the direction in which the stimulus of canal-irrigation was applied. In 1876-77, the total area under wheat throughout the NWP and Oudh was officially estimated at 5,902,770 acres - 2,257,344 acres in the Ganges - Jumna Doab, as against 2,695,730 in the considerably larger area between the Ganges and Gogra which was barely watered by canals. That year, the acreage under wheat for the whole of Oudh was recorded as some 1,904,798 acres; in Meerut Division alone, of the great canal-irrigated regions of the NWP, wheat was said to be grown on no less than 1,371,103 acres.⁴¹ It was well known that wheat was

not the food of the masses. They live either on the millets of the autumn crops or the coarse mixed grains (barley, gram and peas) of the spring harvest. The urban population undoubtedly do consume a large proportion of wheat for their numbers; and the richer proprietors or tradesmen in the villages also use wheaten flour. But to the millions wheaten flour is a luxury, untasted perhaps from birth to death or only at high festivals and holidays.⁴²

⁴⁰ Etah Settlement Report, 1874, pp. 66-7.

⁴¹ F.N. Wright, Report on Wheat Cultivation in the NWP and Oudh, 28th June, 1878, paras 6-7: The Wheat Production and Trade of India, Government of India Selections, No. 160 (Simla, 1879), pp. 156-7.

⁴² ibid., para.25, p. 163.

Given these conditions, the question may be asked, What sort of protection the canals offered in the event of drought? When the summer rains failed, it was the staple kharif grains and fodder crops which suffered; where the winter rains were insufficient, the poorer rabi crops. Canals were used to redress the balance only in dire emergency - the growing of kharif food-grains on canal-irrigated lands was never sustained once the immediate pressure of severe scarcity had eased. The famine years of 1868-69 in the North-Western Provinces exhibited a pattern which was to reappear with the recurrence of drought throughout the period. At the beginning of the drought, Government issued a circular encouraging the sowing of grain- and fodder-crops in canal-irrigated areas. This resulted, according to Henvey, in a considerable increase in areas cultivated with miscellaneous grains, 'though cultivators at first were very reluctant to water food-crops at the expense of other more remunerative produce'. It was not until August, 1868, when the destruction of the kharif harvest was clearly imminent that a rush for water took place. 'The fact is, as has been stated in the Irrigation Report for the year 1868-69, that farmers will only take canal-water to save, not to improve, the coarser grain-crops.'⁴³

The disastrous failure of the summer rains of 1877 in most districts of Meerut, Agra, Rohilkhand, Sitapur and Lucknow Divisions

⁴³ F. Henvey, Narrative ..., pp. 113-14. canal-irrigated area, 1868-69: 1,441,898 acres (Cf. maximum of any preceding year: 983,390 acres). Of this, the total acreage under food and fodder crops was 1,189,925 acres (82%). Of this, the total acreage under food-grains was 1,178,558. Of this, the total acreage under wheat was 597,936 and under barley, 257,509: Henvey, cit. sup.

and in parts also of Allahabad, Jhansi and Rae Bareli districts, destroyed the kharif food and fodder crops. The enormous deficiencies in outturn could not be supplemented by canal-irrigation, even where such existed, since

at the sowing season, cultivators could not foresee the terrible drought that was to prevail, and did not avail themselves of canal-water for this class of crop, the canal-irrigated lands being principally devoted to sugar-cane, indigo, and cotton.⁴⁴

Burkitt saw how, in Etawah, sugar-cane and indigo were gradually ousting food-grains in the canal-tracts and why this should give cause for alarm rather than the enthusiasm for increase so commonly expressed amongst his colleagues in the service:

During the late drought (i.e. 1877), when I was out inspecting the condition of the country, it was to me a most melancholy sight to see acre upon acre of magnificent indigo and sugar-cane, while hardly a blade of any food-grain was to be seen. The same remarks apply, though in a very much less degree, to cotton.⁴⁵

Crop-patterns in canal-irrigated areas persisted with their preponderance of 'valuable' crops - and the consequent lack of any effective remedy for recurrent dry seasons. Again in 1880-81, official report noted that 'highly cultivated crops (sugar, wheat) suffered as might be expected least damage while the drought was felt most by peas and gram and the other pulses ... sown on inferior localities and out of reach of water.'⁴⁶ The fact was

⁴⁴ Report on the Scarcity and Relief Operations in the NWP and Oudh, 1877-78, 1879, (Allahabad, 1880), p. 10; see also the report on the Condition and Prospects of the NWP and Oudh, 4th October, 1877: India Public Works (Famine) Progs, October 1877, Progs No.14.

⁴⁵ Burkitt, Offg Collector, Etawah to Board of Revenue, NWP, 16th November 1877: NWP, Oudh Revenue Progs, February 1879, Index No. 65, June 29 1878, No. 140.

⁴⁶ NWP Revenue Administration Report, 1880-81, p. 2.

that, except for crops sown before the onset of the monsoon proper, irrigation in the kharif was practically inconsiderable and, as was clearly stated by the highest officers of government in the provinces, 'must always be more or less so'. When the rainfall failed entirely or almost entirely, canals and wells could not take its place'.⁴⁷

Only in those few areas where canal-irrigation combined with excellent soil conditions to make wheat the chief grain staple was the threat of scarcity least felt. In 1860-61, the Jat 'proprietors' of pargana Kotana, Meerut district - a by-word for fertility - were not only saved by the East Jumna canal, but made enormous profits from the supply of grain to stricken districts of the North-Western Provinces famine tract.⁴⁸ Such examples were rare throughout the period. Canal-irrigation did, and could do, little to decrease the ravages of scarcity in expanding the sources of staple food supply: its effect was the reverse, to contract them - a process which tended to worsen with the added stimulus of the export trade in grains, particularly wheat, from the late '70's.⁴⁹ Worse, the canals incited the cultivators to load the land with an unrelieved burden of crops year after year, disrupting the regular practices of fallowing. As we have seen, Sleeman reported double-cropping and consequent deterioration of the land through exhaustion to be conspicuous in certain Doab districts at least in 1850.⁵⁰ A sizeable

⁴⁷ Difficulties in the collection of land revenue in the NWP and Oudh, owing to the failure of crops, (Observations by the Lt-Governor and the Senior Member, Board of Revenue, NWP): India Public Works (Famine) Progs, October 1877, Progs No. 13.

⁴⁸ Meerut Settlement Report, 1874, p. 21.

⁴⁹ for details on the trade in food-grains and local agriculture, see Chapter IV: The Problem of Indebtedness.

⁵⁰ see Chapter I, pp. 36-7

area of dofasli, or double-cropped, land was generally taken by field-officers as a sign of local prosperity. A.B. Patterson however agreed with Sleeman and drew attention to the dangers of gross deterioration from the obvious overcropping in Fatehpur district, where, he warned, cultivation was increasing in area and intensity with a disregard for the necessary reliefs to the soil. He admitted further to hearing from 'men familiar with Oudh' that there the same distressing tendency was now evident also: 'the pox Britannica (as Patterson's report obligingly states) has worked its natural effect in inducing a dense population to keep as much land as possible constantly under cultivation, and ... the "Garden of India" has already lost some of its relative superiority in fertility'.⁵¹

This tendency was encouraged by the canals.⁵² Auckland Colvin noticed it as early as 1864, in pargana Thanna Bhawan in the canal tract of Muzaffarnagar district:

... the chief danger in the canal area is overcropping. The land is rarely allowed to rest. For example, cotton is sown in a field in autumn, and wheat follows as the next crop; chari will be sown the following autumn, succeeded by wheat, then cotton as before and so on. The only crop for which the land is rested is sugar cane, and not for more than one season. In ordinary villages, this system is kept within bounds, not more than 10% of the cultivated area being "do-fuslee" but on the canal, it is carried to excess. The cane is very much deteriorated.⁵³

According to Lt.-Col. Corbett, whose Climate and Resources of Upper India, published in 1874, was the first thorough-going criticism of the Government's zeal in promoting canal-irrigation

⁵¹ Fatehpur Settlement Report, 1878, p. 22.

⁵² for the proportion of dofasli land to total canal-irrigated area, NWP, 1868/69 - 1896/97, see Chart II.

⁵³ Muzaffarnagar Settlement Report, 1873, (pargana report, 1864) p.135.

at all costs, overcropping in itself was only a superficial explanation of the noticeable decline in productivity in canal tracts.⁵⁴ A more fundamental cause could be found in the increase or irrigated area under the stimulus of the canals. By irrigation, as Corbett explained,

... the whole surface-soil is brought into the condition of sun-dried bricks; the more water that has been applied to the land the harder the soil becomes, and while its powers of absorption and radiation are reduced, those of reflection and retention of heat are increased; and we find also that the power of capillary attraction possessed by the land is increased, and that the soil so compacted will sooner become dried up than soil left loose and open, partly from the fact of the interstices between its particles having been reduced in size, thus increasing its capillarity, and partly from the increased heat of the surface ...⁵⁵

This hardening of the upper soil by irrigation coincided with the consolidation of the 'pan' of layers of sub-soils

by the treading of cattle in ploughing ... This causes shallower ploughing, the roots of plants have less depth of soil in which to search for food, and cannot force their way into the hardened pan; and there is the alternate soaking and drying of the land, during which the natural salts of the earth are gradually brought nearer the surface by capillary attraction.

This process may go on for some years before the land shows any excessive amount of reh (saline efflorescence) on the surface; but the soil is steadily being poisoned by its accumulation in the upper soil, which accounts, together with the increased hardness of the soil, for the diminished fertility of lands some time under irrigation.⁵⁶

⁵⁴ A.F. Corbett, *op. cit.*, pp. 66-7.

⁵⁵ *ibid.*, p. 19.

⁵⁶ *ibid.*, p. 67; for a corroboration of Corbett's analysis of the origin of reh through increased capillary attraction, see Voelcker, Report, para. 74, pp. 56-8.

Why did this not happen with the large numbers of irrigation wells worked in the Doab districts? Crosthwaite explained the reason for the decline of canal- as against well-irrigated land as follows:

...wells require a large livestock and great labour. The soil reaps two benefits therefrom: more manure saved from burning, and the tendency to overfarm checked. If a farmer has to work his well, he cannot sow more sugar and wheat than he has time to irrigate but when he is relieved from all well duty he has nothing to keep him within bounds. He sows more of these crops, and has less manure ... The extraordinary large produce of the first years of canal irrigation calls forth all the powers of the soil but if not backed up by a due supply of other food, it leaves exhaustion behind it.⁵⁷

Meanwhile the over-watered, unmanured soil was still ploughed up with bullock-teams. Problems of "double hardening" inevitably followed, and with them an ominous increase in barren, reh-infected land known as usar.

Crosthwaite had reported the spread of reh in pargana Phapphand, Etawah district - irrigated by the Ganges Canal - with some alarm as early as 1871. Reh was as yet by no means widespread, as Ricketts, then Officiating Commissioner of Agra Division, was at pains to point out when commenting on Crosthwaite's report, but it was nonetheless an evil 'demanding an immediate remedy'.⁵⁸ Seven years later, and two years after Corbett's careful explanation of the reh problem, the condition had become far more obvious - sufficient now to cause serious, if somewhat academic, concern on the part of Government officers. A committee was appointed to investigate the problem thoroughly, on the basis of reports - chiefly by a Mr. Robarts, a substantial zamindar of pargana Sikandra Rao, Aligarh district - of

⁵⁷ Etawah Settlement Report, 1875, pp. 14-19.

⁵⁸ Offg Commissioner, Agra to Board of Revenue, NWP, 12th December 1871, NWP Revenue Progs, June 1872, Index No. 36, June 29 1872, No. 26.

the disastrous spread of reh in Aligarh, Meerut and throughout the Kali Nadi valley. In each case some hundreds of acres, which in these populous districts represented thousands of livelihoods, had been put out of cultivation; in each case, the damage was directly attributable to excessive irrigation by canal-water. In introducing the final report of the Reh Committee in 1878, E.C. Buck, then Director of Agriculture in the provinces, warned that these and similar cases noted elsewhere, brought to light at the last minute and even sometimes by accidental observation, were 'the first and earliest outcome of the introduction of a canal system' (it was now four years since the publication of Corbett's treatise) and that the same disturbing influences might be slowly at work in many areas.⁵⁹

The findings of the Reh Committee amounted, in substance, to little more than a corroboration of Corbett's assertions.⁶⁰ Their enquiry was far from adequate. No account, for instance, was given of the extent of usar tracts in the provinces: they were said to cover 'immense areas', without details as to acreage. No agricultural chemist was appointed to the Committee nor even consulted during the investigations.⁶¹ However, the Committee's final report made it clear that the chief cause of the increase in usar had not gone unnoticed: they condemned the 'vicious system' (in Buck's words) of swamping the fields for irrigation, which was the direct result of the accessibility of 'flush water'.⁶² The 'true remedy' was stated

⁵⁹ NWP, Oudh Revenue Progs, June 1879, Index No. 117, December 28, 1878, No. 55.; for an account of the reh problem in Aligarh (the focal area for official enquiry), see NWP, Oudh Revenue Progs, May 1880, Index Nos. 100-106, May 22 1880, Nos. 17-23.

⁶⁰ for a concise summary of the Committee's findings, see Voelcker, Report, para. 74, pp. 56-7.

⁶¹ ibid., para. 78, p. 62.

⁶² Review of the Proceedings of the Reh Committee by the President, H.S. Reid, para. 16: NWP, Oudh Revenue Progs, June 1879, Index No. 112, December 28 1878, No. 50.

equally categorically: a greater economy in the distribution of water, to be achieved by the raising of rates charged by Government on flush irrigation. This was more than the Canal Department could provide. Since flush-rates were already high, it would deter farmers altogether with disastrous results for the revenue accruing from canal charges. The Committee itself realized that a remedy which it acknowledged to be inferior would have to be applied and recommended accordingly that lift-irrigation should be substituted for flush-irrigation as far as possible - 'a waste of labour for a waste of water', sighed the President. He was encouraged solely by the realization that waste of water was by far the more serious evil, leading as it so clearly had done to swamping, thence to deterioration of the soil and of the health of the people, thence to a diminution of their income - and ultimately, it was certain, to a reduction of the land revenue.⁶³ For the rest, the Committee recommended that experiments in reclaiming usar tracts which had begun in 1874 under the supervision of the newly-created Department of Agriculture should be continued.⁶⁴ These consistently showed that usar could only be brought back into cultivation by careful watering accompanied by intensive manuring.⁶⁵ Nothing however was done on any significant scale to increase the local supply of manure near these tracts, to keep pace with the increase in irrigation from the canal. When Dr. Voelcker toured India in 1891, the first agricultural chemist to be appointed by Government to report on Indian agrarian conditions, it is hardly surprising that he found 'enormous tracts, especially in

63 ibid.

64 on the Department of Agriculture, see below, pp. 125-27

65 for a summary of experiments on usar tracts to 1891, see Voelcker, Report, paras 75-6, pp. 58-61.

the plains of Northern India' affected by reh. In the NWP alone it covered between 4,000 and 5,000 square miles. In the midst of this desolated usar land, patches of 'valuable' crops - opium, sugar-cane, wheat, castor-oil plant, cotton - stood out, 'like oases in the salt-covered desert around them'.⁶⁶

The contrast between the benefits and drawbacks of canal-irrigation were not always so clear to the eye. In Etawah, for example, the indices of prosperity in the form of extensive cultivation of 'valuable' crops dominated the scene. The drought of 1868-69 had brought a stimulus to irrigation from the Ganges Canal. The falling-off in the use of the canal water after these dry months was however 'chiefly confined to cotton and ordinary kharif crops which would not benefit by irrigation' whilst the area under indigo began rapidly to increase, as did canal-irrigated sugar-cane.⁶⁷ The rest of the picture was filled in from the complaints of local farmers, recorded in this instance by Crosthwaite, the Settlement Officer. They complained of corruption by the authorities administering the canal (standards seemed to vary with the characters of successive district canal-officers). They complained of uncertainty in the supply of canal water and of its inferiority as a fertilizing agent. They complained, as might be expected, of the deposits of silt and reh and the consequent deterioration of the soil. Kachhis, the skilled gardener-cultivators, and even the officers of the Government Opium Department were reported to have a marked preference for wells. But the real disadvantage of the canal was, as 'universally asserted in Etawah', that 'after the first two to three years, the crops do fall off'.⁶⁸ Along with all this, the canal disrupted the farmer's former pattern of work. Far from firing him with the much-heralded

⁶⁶ ibid., para. 73, p. 55.

⁶⁷ Etawah Settlement Report, 1875, pp. 14-19.

⁶⁸ ibid.

spirit of industriousness which Increase was assumed to bring, canal-irrigation required less by way of labour than his well had demanded.

As Crosthwaite went on to note,

... the great relief from labour given by the canal probably goes as far as anything else with an ordinary peasant in directing his choice when it is possible for him to choose (between canal and well). When a man has no sons or male relatives to help him, or when he has to keep more bullocks for irrigation than he wants for his plough, he may realize that he actually saves money by employing the canal. But ordinarily it strikes him the other way. The expenses of well-irrigation disbursed by degrees consists largely of the consumption of the cultivator's own produce. The canal rate has to be paid in cash, and in a lump sum, and by a stated time, its collection attended by all the annoyance of a tax. To the average cultivator the canal appears an expensive business more costly than his well, but ... he is swayed by his being saved an infinity of toil, and his ability to irrigate a much larger area of land ...⁶⁹

It was not always a matter of choice for the farmer. He had to use canal water where the canal had put local wells out of use, or worse still made well-digging impracticable by the rise in the water-table which it caused. Whiteway made enquiries as to the situation in Muttra in the hot weather of 1878 - a difficult season - and discovered that all kachha wells in villages through which the main (Agra) canal passed and from which more than 5,000 acres had previously been irrigated were now useless, due precisely to the rise in the water level.⁷⁰ He suggested that therefore canals were, very possibly, a failure as an insurance against famine due to their indirect effect

⁶⁹ ibid.

⁷⁰ Muttra Settlement Report, 1879, pp. 12-15.

thus on indigenous methods of cultivation. The Secretariat noted the following year that Whiteway's remarks were 'deserving of attention'.⁷¹

Deleterious effects of canals on wells were by now widely noted. Saturation of the sub-soil was especially common in bhur or sandy tracts irrigated by the canals, which caused the sides of kachha wells to fall in and made the continued construction of them to any depth out of the question. In Bulandshahr, according to Currie, a general rise of some six feet in the water level all over the canal area had resulted in the kachha wells being almost entirely superseded.⁷² A similar situation was reported from Mainpuri.⁷³ Moreland later collected further examples of this destruction of kachha wells in canal-tracts from Aligarh and Agra.⁷⁴ The only remedy was to construct a pakka (masonry) well. Its cost in materials and labour, however, made it inconceivable as a viable alternative for the majority of small farmers.

The problems that canals caused or, more often, aggravated were not restricted to overcropping, salination and the destruction of wells. Percolation from main channels or rajbahas (distributaries) could create swamps. In the Barh Ganga valley area of Etah district, the entire sugar-cane crop of 1878-79 was ruined by this. The Canal Department provided the sum of Rs 4,150 in compensation, but no undertaking to drain the swamp.⁷⁵ More widespread and serious swamping arose meanwhile from the canals' obstruction of natural

⁷¹ Muttra Settlement Report, 1879 (Mackintosh to Robertson, 1880), p.3.

⁷² Bulandshahr Settlement Report, 1865, p. 10.

⁷³ Mainpuri Settlement Report, 1875, p. 9.

⁷⁴ see I. Habib, The Agrarian System of Mughal India, (London, 1963), p. 28, n. 3.

⁷⁵ NWP Revenue Administration Report, 1878-79, p. 3.

drainage lines where an insufficient number of culverts had been built to convey these natural water-courses through the canal embankments. The worst consequence of this was the aggravation of malaria. During the 1870's, the incidence of the disease increased alarmingly throughout the canal-irrigated districts where the saturation from flush-irrigation coincided with the obstruction of natural drainage lines.⁷⁶ In spite of a series of minor drainage operations begun by the Irrigation Department, the fever continued to be a frequent cause of death and worse still for a larger number of cultivators, debilitation, especially in districts with large irrigated areas.⁷⁷ According to Cadell, even the climate in Muzaffarnagar had grown worse, in terms of an increasingly unhealthy humidity, 'than it was before irrigation from the canal became so general and the cultivation of rice (an export staple) so much extended'.⁷⁸

A farmer in a canal-irrigated area might therefore have had to face a number of setbacks with which he was hardly equipped to deal. His fields might become salinized. If they lay close to an irrigating channel, he might have had the (doubtful) benefit of easy access to the water supply or the prospect, alternatively, of swamping from drainage obstructions. Such drainage channels as were built to take excess water off the land ran into the same problem with the natural lines; a farmer might therefore oppose their construction, with reason. The obstruction or inadequacy of drainage facilities increased the dangers from seasonal flooding. Excessive

⁷⁶ Saharanpur: NWP Revenue Administration Report, 1870-71, pp. 6-7; Meerut: ibid., 1871-72, p. 8; Meerut, Bulandshahr: ibid., 1873-74, p. 8; Meerut, Bulandshahr, Aligarh, Etawah: ibid., 1874-75, p. 5.

⁷⁷ NWP Revenue Administration Report, 1875-76, p. 3.

⁷⁸ Muzaffarnagar Settlement Report, 1873 (Canal Tract, 1878), pp. 4-5, 6.

rain in the early kharif would turn his irrigated fields into a lake and drown his 'valuable' crops.⁷⁹ Meanwhile, his well might have fallen into disuse, leaving him no alternative but the canal for his irrigation. With the expansion of cultivation of 'valuable' crops, into land formerly partly occupied by staple cereals and the increase in population his food-supply became more precarious. Not only food, but fuel and fodder were also threatened: 'Since the introduction of canal-irrigation on an immense scale in this part of the country, the conditions of agriculture have been almost revolutionized,' Crooke, then manager of the Awa estate in Muttra district, declared in reviewing the situation in the Central Doab towards the end of 1881. 'A great part of the culturable waste lands has been broken up, and the supply of firewood and grass seriously diminished. The consequences would have been more serious had not the use of canal-water enabled the cultivators to dispense with a large number of their plough cattle.' This, however, as Crooke went on to show, was of little genuine assistance for the farmer in dealing with this sudden 'revolution' in his environment, especially since his techniques remained unadapted to the changed circumstances. 'The number of cattle now maintained is, in comparison with the area under cultivation, inadequate. This has led to a slovenly system of cultivation, and has greatly reduced the manure supply.'⁸⁰

Early in the century, dhak jungle (forests of butea frondosa, a fine timber tree providing excellent charcoal also when burned) had covered much of the Doab. With the extension of agricultural settlement, the jungle had been largely stripped away, leaving bare usar plains for the most part by the time when Crooke was writing.

⁷⁹ this inundation reported as the 'usual occurrence' with such rains early in the kharif: NWP Revenue Administration Report, 1876-77, pp. 1-2.

⁸⁰ W. Crooke, Note on fuel and fodder reserves in the Central Ganges-Jumna Doab, 2nd November 1881: NWP, Oudh Revenue Progs, April 1883, Index No. 31, April 8 1882, No. 63.

As a result, forage and firewood for the cultivator had already become scarce and costly - a condition which was now aggravated by the contraction of 'waste' areas due to the expansion stimulated by the canals. Firewood, according to Crooke, cost a rupee for four maunds, assuming it could be bought, and dry grass for cattle was sold at from two to four maunds the rupee.⁸¹ The condition of cattle, especially during the 'thin' period prior to the rains when no fresh fodder was available, was 'miserable in the extreme'.⁸² Cattle starvation and concomitant diseases (rinderpest, foot-and-mouth disease, fever) became regular occurrences which were aggravated by, rather than originating in, years of severe drought. The reports of the Board of Revenue included a section each year headed 'Cattle Disease'.

Could this be remedied? Crooke himself advocated a scheme which would combine the reclamation of usar tracts in the Central Doab with the establishment of fuel and fodder reserves. Exhaustive discussions over the next three years by the Revenue Department, however, revealed, the 'material difficulties' which prevented the implementation of this project and other proposals to buy up 'waste' land and enclose it for emergency reserves: the cost was too great for Government.⁸³ These same schemes went forward for discussion by the Revenue and Agricultural Department of the Government of India, and were wrecked on the same rocks:

The expense of taking up as reserves even a small proportion of waste lands now used as

⁸¹ ibid.

⁸² as observed, e.g. in pargana Firozabad, Kheri district; NWP, Oudh Revenue Progs, May 1880, Index No. 77, May 15 1880, No. 16.

⁸³ Government, NWP, Oudh to Board of Revenue, NWP, 11th January 1884, re. proposals for experimental fuel and fodder reserves in certain localities in the NWP: NWP, Oudh Revenue Progs, January 1884, Index No. 31, January 12 1884, No. 41.

103

pastures would be enormous. For example, a reserve of some 6% of the grazing grounds of Bareilly would cost for acquisition alone Rs 1½ lakhs (Rs 150,000). The experiment of acquiring and enclosing 954 acres of usar land in Aligarh is to cost Government more than Rs 10,000. Without multiplying illustrations, it may be briefly said that in those fully-settled districts, where pressure on the available pasturage is felt, no reserves could, by fencing, planting, and re-foresting waste and usar land, be created which would have an appreciable effect, except at an outlay so enormous as to place the measure at present beyond the means of the Government' to undertake ...

... a small experiment in reclaiming and planting usar has been in progress in Cawnpore since 1882. The results so far demonstrate the necessity of great caution in undertaking any large expenditure on the formation of grass preserves in such soil ...⁸⁴

Meanwhile, the contraction of fodder areas in the Doab had a direct effect on the pastoralists who supplied cattle to the agricultural communities. In pargana Lonee, Meerut district, the expansion of cultivation was rapidly converting the traditionally pastoral Gujars into settled agriculturists: a stimulus described by the settlement officer, Forbes, as the 'spirit of industry'.⁸⁵ The same thing was happening to them in pargana Dadri, Bulandshahr district. Here the settlement officer ascribed it to the Gujars'

⁸⁴ Government, NWP, Oudh (Revenue Dept.) to Government, India, 3rd October 1885, re. fuel and fodder reserves: India Revenue and Agricultural (Famine) Progs, May 1891, No. 91; for details of enquiries and experiments in NWP, see NWP, Oudh Revenue Progs, April 1883, Serial No. 74, p. 76; ibid., January 1884, Serial Nos 28-31, pp. 51-77; ibid., March 1885, Serial Nos. 78-86, pp. 86-101.

⁸⁵ Meerut Settlement Report, 1874 (Forbes, 1866-67) pp. 31-3.

beginning to 'recognize the value of property': they 'have benefited considerably', Currie wrote, 'by greatly increasing their cotton cultivation in the last two years'.⁸⁶ But here too there were problems. Most Gujar settlements were situated in the low-lying khadir areas - the river valleys - where the constant threat of inundation meant little regular kharif cultivation could be hazarded whilst pasture-lands were extensive - long grass flourishing in the moist soil conditions. Gujars therefore derived their regular livelihood from grazing and from the sale of thatching grass, and their food-supply from rabi grains since these were sown when there was no threat of flood. When conditions prevented cultivation, they could resort to cattle-thieving. On the expansion of cultivation into the khadir, rabi cultivation benefited the Gujars, though the kharif crops were still precarious. But with the conversion of the Gujars into agriculturists, the supply of cattle to the cultivators necessarily contracted: for this reason too, cultivators had to rely on their own, often deteriorating, stock. Meanwhile, Gujars in areas outside the range of the canal developments, remained obstinately unmoved by the 'spirit of industry'. In Muzaffarnagar, Auckland Colvin noted in 1864 how the Gujars of pargana Bedauli derived their chief support from cattle. 'This,' he wrote, 'supplies them with a motive for maintaining large tracts of uncultivated land, and materially diminishes their necessity for cultivating land.' This regrettable situation could only change by the realization of enormous gains to be made in that conventional manner, increase in cultivation. 'Nothing, I believe, will outweigh this motive but some agent not only bringing greater profits than cattle-stealing and cattle-breeding, but profits sufficiently great to supplant the old pleasant habits of indolence and theft by the laborious

⁸⁶ Bulandshahr Settlement Report, 1865, pp. 107-108.

habits of toil and agriculture'. Such an agent was to be found in Colvin's view in the form of canal-water.⁸⁷ Crosthwaite's observations on the labour-saving consequences of the canal⁸⁸ lead one to doubt a priori that Colvin's vision would ever be realized.

The awe-inspiring size of the great canals obscured, to those minded to see in them a monument to engineering achievement and administrative virtue, their less direct repercussions and the faults in their construction. The Ganges Canal for example was in all senses a great pioneering work - 'the most magnificent work of its class in the whole world', wrote Thornton from the distant vantage point of the India Office, 'the value of which will be very inadequately appreciated if it fail to secure for the memory of Sir Proby Cautley, its principal designer and constructor, an Indian immortality.'⁸⁹ As a pioneering work, the Canal had virtually no precedent. Its construction was therefore largely experimental and errors in the design and its implementation could not necessarily have been foreseen, though the consequences would have been less disturbing had the Canal been built in a desert. The controversies amongst engineers which it aroused however centred less on constructional defects than on questions of expenditure. The famous dispute between Sir A.T. Cotton and Cautley, which threatened to rob the latter of some of his claim to immortality, opened with an acrimonious Memorandum on the Canal compiled by Cotton for the East India Irrigation Company, the financiers of the project, and published in July, 1863. In it, Cotton listed the following as the 'greatest fundamental mistakes'. The head of the canal had been sited too far up the Ganges with the result that its fall was 'very great' whilst it had to be carried across the very heavy

⁸⁷ Muzaffarnagar Settlement Report, 1873 (pargana report, 1864), pp. 128-9.

⁸⁸ see above, pp. 97-8

⁸⁹ W.T. Thornton, Indian Public Works, (London, 1875), p. 109.

drainage from the sub-Himalayan hills and had been cut to carry water below surface level - all of which amounted to a vast amount of unnecessary excavation at considerable cost. All the masonry work had been built of brick instead of the (cheaper) local stone. All the water carried in the canal was admitted at the head, and some was therefore conveyed 350 miles to the irrigable land when it might have been obtained at from 50 to 100 miles' distance. No permanent dam had been built across the river at the head of the canal to secure the constant supply of water; instead, temporary works were thrown up after every monsoon, adding heavily to the annual maintenance costs. The fourteen 'minor mistakes' listed by Cotton were also related chiefly to construction costs.⁹⁰

Cotton's estimate for the required alterations was some £2,725,000. To achieve the maximum expansion of the canal system, by which some 6,500,000 acres could be irrigated - a figure which was never in fact reached prior to 1900 - the total expenditure was estimated at £5,000,000. Modifications to the existing canal channels and the extension of the network into the Lower Doab were not begun till 1868, by which time the budget for this alone had swelled to £3,183,390.⁹¹

The prime aim with which canal-irrigation was so ardently promoted, viz. to increase wealth and consequently revenue by expanding the acreage under 'valuable' crops to its greatest possible extent, did not change. It was inevitable that a host of minor details, such as an adequate number of culverts, should be overlooked here and there in the rush to construct. The crucial problem of the distribution of canal water was left to work itself out haphazardly. Muzaffarnagar district provided an illustration. Cadell attributed

⁹⁰ for a summary of the dispute between Cotton and Cautley, of Cotton's critique, and of the alterations to the canal as finally agreed on, see Buckley, Irrigation Works ..., pp. 103-105.

⁹¹ ibid., pp. 104-105.

the exceptional advance of the canal tract in the twenty years prior to 1878 - an advance measured largely in terms of the increased acreage of sugar-cane - entirely to 'this noble work', the Ganges Canal. Almost every village was said to be protected from periodical scarcity. But, he admitted, in 'the anxiety to make canal water promptly available and to secure immediate revenue, distributaries had been constructed too hastily and without sufficient care ...' Serious mistakes were almost certainly due to the 'anxiety for palpable results. It was generally acknowledged that the system of distribution adopted had for its object the prompt collection of water-rates for the largest possible area of the more valuable crops'.⁹² It was difficult to make more than minor adjustments to the canals. Meanwhile, the aim of increasing the revenue was achieved.⁹³

Sound engineering principles were frustrated at the outset by the official policy on the construction of the minor channels of the canal systems. 'As a rule', Whiteway remarked a propos of the Agra Canal in Muttra district, 'the Government only makes the main distributaries and the zamindars must make the minor ones ... It is easy for a rich landlord to apply to the Collector to have land taken up in the next village to make his watercourse, but practically impossible for a petty proprietor to incur the odium of an application, not only for land to be taken up from the next village, but from his neighbour's field.'⁹⁴ The construction of distributaries was also

⁹² Muzaffarnagar Settlement Report, 1873 (Canal Tract, 1878), pp. 100-101.

⁹³ for the canal revenue of the NWP, 1876/77 - 1899/1900, see Chart V; for details of heads of account, see Chapter III.

⁹⁴ Muttra Settlement Report, 1879, pp. 12-15.

used by powerful maliks as an instrument against each other and against recalcitrant cultivators.⁹⁵ Equality of rights to irrigation might well exist on paper. In practice, access was controlled by the distribution of local power in the regions through which the canals ran.

It was also subject to charges. Water-rates were levied by the administration according to 'the just claims of the Government to a suitable return on the capital sunk in the works on the one hand, and to the known capabilities of the land on the other'.⁹⁶ As readjusted by Government order in 1864, the rates were fixed at Rs 5 per acre for sugar-cane and Rs 2 - 4 per acre for other crops. 'Cultivators refusing to accept these rates,' it was firmly stated, 'should not obtain any water at all'.⁹⁷ These rates could be raised by the Irrigation Department on the same principles as those on which they were initially levied. In addition, the Canal Act of 1873 provided for the levy of an "owner's rate" whenever the local Government should see fit to apply it.⁹⁸ At the same time, the revenue demand was increased on irrigated lands, recorded in the Irrigation Department accounts as 'indirect revenue'.⁹⁹

Charges for the use of canal water did not stop at the

⁹⁵ e.g., the dispute between the zamindars of Gowera and Surajpore, Bareilly district: NWP Revenue Progs, 11th January 1868, Index Nos 11-16, June 8 1867, Nos 80, 81, November 23 1867, Nos 60, 61.

⁹⁶ Government, India (Public Works Dept.), 15th August 1864, Resolution On the Canals of the NWP: India Gazette, Supplement, December 31 1864, para. 13.

⁹⁷ ibid., para. 22.

⁹⁸ Northern India Canal and Drainage Act, VIII of 1873, secs 37-44; for a select list of statutes relating to agrarian conditions, NWP and Oudh, 1859-1900, see Appendix V.

⁹⁹ see Chapter III, pp. 17a ; for the amount of 'indirect revenue', 1876/77 - 1899/1900, see Chart V.

officially levied rates. To compute the acreage-based charges on each cultivator's irrigated fields of a few bighas in extent, to record the names and numbers of cultivators liable to pay the rates and to collect the sums due - at each season - the Irrigation Department employed a vast number of local agents: chaukidars, mohurrirs (clerks) and amins (measuring clerks). Each official of this 'subordinate establishment' performed a local service, in this case assisting in the supply of canal water. Consequently, each official claimed his haq from his 'clients' who used the water, over and above the Government dues. Cultivators paid their water-rates and their share in the increased revenue demand and 'faslana', a fee exacted per plough at each harvest by the local malik who ruled the access to the canal, and a due to the chaukidar and a fee on the rajbaha (distributary) to its controller and faslana to the sub-overseer or his agent and the costs of the amin's board and lodging when he came on his measuring-round. This last item alone could amount to some Rs 10 a season. In 1879, A.P. Webb, a zamindar of pargana Baraut, Meerut district, exposed the practices of the subordinate establishment of the East Jumna Canal in a pamphlet entitled Irrigation Topics.¹⁰⁰ Webb also raised questions of the condition of crops watered by wells as against canals, and the promotion of well-construction. It was his disclosures, documented from records in canal villages, which roused the superior establishment to investigate. On the instructions of W.C. Plowden, then Commissioner of Meerut Division, the Officiating Collector and the Superintending Engineer of the First Circle of the Irrigation Works in the district, enquired into Webb's 'allegations ... impugning the administration of the Government canals' - and found more than copious corroboration.¹⁰¹ They suggested further enquiry might be made in

¹⁰⁰ for the text in full, see NWP, Oudh Revenue Progs, October 1879, Index No. 62, September 6 1879, Nos. 60-61.

¹⁰¹ NWP, Oudh Revenue Progs, October 1879, Index No. 54, September 6 1879, No. 52; summarized by Plowden, *ibid.*, Index No. 52, Progs No. 50.

Muzaffarnagar and Saharunpur, which seemed unnecessary to the Commissioner: 'I have not a doubt myself that practices similar to those detected in the Meerut district exist in other parts, but I question the advisability of going on with this enquiry'.¹⁰²

Meanwhile, Webb continued to supply the Collectorate with an abundance of details, including specimens of 'malbah' accounts, which were summaries of cash payments on account of a 'collective village community' compiled from rokras, or daily cash-books.¹⁰³

His pièce de résistance was a series of extracts in the vernacular from some bahis (account-books) of the village of Suf from 1850 to 1873:

documentary confirmation of the oral statements of various lambardars ... (now in the Collector's possession), that illegal canal imposts have been extorted ever since the introduction of canal-irrigation, or that they have paid the same, or known them to be paid, ever since they were lamerdars, and that their fathers paid before them.

In fact there is not a Canal Deputy Magistrate who did not share in the plunder of the people when ziladar (official heading the local canal administration), and not a ziladar who is not concerned in extortion.¹⁰⁴

By the 1890's, the farmers of the provinces cultivated and irrigated a far greater area than their predecessors had in 1860, and grew more of the 'valuable' crops. The Increase towards which all the piecemeal schemes of public works had been directed, each

¹⁰² Plowden; cit. sup.

¹⁰³ Webb to Collector, Meerut, Progs, cit. sup., Index No. 70, October 4 1879, No. 37.

¹⁰⁴ ibid., Index No. 71, October 4 1879, No. 38.

in their own way, had been achieved. The cost, however, was very great. Whilst the number of farmers and their dependants had risen - at what rate it is impossible to say on the basis of available statistics - their food-supply had not kept pace with them; nor had they been encouraged to make it do so. The canals did not remedy the growing imbalance, still less protect the people from scarcity and famine, contrary to the retrospective assertions of Sir John Strachey.¹⁰⁵ As we have seen, the canals could not be used to increase the production of kharif food-grains; they were a powerful if not exclusive cause of a noticeable decline in productivity in many long-settled areas; in the most extensively irrigated of the canal tracts, the health of the people as well as the condition of the soil on which they depended for their livelihood deteriorated badly under the effects of swamps. For all this, compensation was not and could not be given. The Northern India Canal and Drainage Act of 1873 provided, inter al., that no compensation should be awarded for any damage caused by stoppage or diminution of percolation or floods, or by deterioration of climate or soil - the principal sources of trouble from the engineering works.¹⁰⁶ In cases where the law provided for the Irrigation Department's liability to compensate, applications for redress had to undergo an elaborate procedure, expensive in time as well as money. In 1872, for example, zamindars and 'tenants' in pargana Kilpuri, Bareilly district, were awarded compensation for flood-damage for which the Irrigation Department admitted responsibility. A bureaucratic wrangle then ensued between the Irrigation and

¹⁰⁵ see above, pp. 74

¹⁰⁶ Act VIII, 1873, sec. 8.

Revenue Departments as to who should actually pay over the compensation money: Rs 6,892. 9. 5. A final ruling was obtained only in 1877, when the matter reached the Financial Department of the Government of India.¹⁰⁷

Meanwhile, the expansion of cultivation brought a corresponding contraction in 'waste lands'. This disrupted the following cycles, curtailed the farmers' supplies of fuel and fodder and induced pastoralists in the low-lying Doab tracts to settle in on the land as cultivators, increasing its burdens. Whatever ecological revolution the canals brought or helped to bring, most farmers' techniques were not adapted to deal with such sudden and radical changes. Nor did the canals provide them with a greater degree of control over the means by which they continued to cultivate: local power was paramount, as the double status of maliks as canal officials showed so clearly. Maliks' haqs were capable of almost indefinite extension.

Government also paid heavily for the canals, albeit in straightforward terms of account. Maintenance and improvement charges rose from Rs 626,116 in 1876-77 to Rs 1,391,159 in 1898-99. Establishment charges, which in 1876-77 were recorded as Rs 848,040, had increased to Rs 1,523,248 in 1898-99.¹⁰⁸ The canals proved a costly experiment.¹⁰⁹

In addition to large-scale irrigation works to spur on production to unheard of heights of prosperity, the practically-minded entrepreneurs who viewed India in the late 1850's considered its most pressing need to lie in communications. The urgency to

¹⁰⁷ Superintendent, Tarai District to Commissioner, Kumaun, 6th November 1879, NWP, Oudh Revenue Progs, March 1880, Index No. 9, March 13 1880, No. 3.

¹⁰⁸ Source: NWP Irrigation Revenue Reports, 1876-77, 1898-99; for the canal revenue and charges, NWP, 1876/77 - 1899/1900, see Chart V.

¹⁰⁹ for the effects of expansion chiefly under the stimulus of canals tabulated for selected districts, see Appendix VI.

113

satisfy this need was increased by the seriousness of the deficiency and the size and diversity of profits envisaged as the fruits of such worthwhile investment. 'The state of existing means of travelling in India is sufficient alone to prevent the country and its resources from becoming known to capitalists', Major-General Tremenheere declared in 1857 to the Select Committee on Colonization and Settlement, 'The ordinary mode of travelling is either by marching in stages from twelve to fourteen miles a day, or travelling by dawk in a palanquin. Capitalists will not submit to this tardy mode of progress'.¹¹⁰ Carriage was similarly ill-developed. The rath, or two-wheeled cart, drawn by a pair of bullocks 'whose jog-trot keeps the rath in a perpetual oscillation' was the commonest form of transport, and had been for centuries. 'Rocks have altered, worlds have changed, and nations have worn away,' wrote Bholaneth Chunder in 1869, on a journey from Muttra to Brindaban, 'but no improvement has taken place in the vehicular architecture of the Hindoo'.¹¹¹ The prospect - slender even today - of serious rivalry to the bullock-cart dawned only with the advent of the motor-lorry. Throughout the later nineteenth century, carts remained the predominant and indispensable mode of transport serving a widening network of railways and feeder roads.

As in the case of the canals, the construction of roads and railways after 1858 followed on well-established precedents.¹¹² The

¹¹⁰ Select Committee on Colonization and Settlement ..., P.P., 1857-58, 7, 1, (261), First Report, p. 2.

¹¹¹ Bh. Chunder, Travels of a Hindoo to Bengal, 2 vols, (London, 1869), II, pp. 39-40; for an illustration of the typical cart of the provinces, see Crooke, A Rural and Agricultural Glossary ..., q.v. ghari (identical to the modern U.P. cart).

¹¹² for developments prior to 1857-58, see Daniel Thorner, Investment in Empire: British Railway and Steam-shipping Enterprise in India, 1825-49, (Philadelphia, 1950).

pioneer achievement of all public works in British India, the Grand Trunk Road, already ran up from Calcutta to Benares, then to Allahabad, Cawnpore and on through the Doab to Delhi, metalled throughout. The commercial linkage of the great marts of the Ganges - Jumna region and the political linkage of the capital centres of administration was completed by the East Indian Railway, which bound Delhi, Agra, Cawnpore and Benares to each other and to Calcutta. Subsequent developments were to extend lines out over all but the least productive districts, where expenditure on communications would hardly be repaid by the amount of traffic which could use them.¹¹³ Branches of the East Indian Railway spanned out through the Doab while the central and eastern regions were tapped by the Oudh and Rohilkhand Railway.¹¹⁴ District road-building seems to have depended largely on the relevance of each district to the overall scheme and pattern of traffic: areas farthest from the great arterial routes or the feeder-lines were poorly supplied with roads - eastern parganas of Fyzabad, for example, and most of Bahraich.¹¹⁵

Whatever intentions of universal expansion supported the promotion of the rail- and road-building schemes, they were thwarted at the outset by the means used to carry out the actual construction. The rapidity of railway-building in British India up to 1875 was, as Jenks has remarked, greater even than in Great Britain and France, but was not accompanied by a comparably intensive development of subsidiary roads and canals along with a growth in local trade,

¹¹³ for the pattern of communications development outlined, see Select Committee on Colonization and Settlement ... P.P., 1857-58, 7, 1, (261) First Report, pp. 28-9, 37-8 (Tremenheere); Baird Smith, Report on the Famine of 1860-61 ... P.P., 1862, 40, pp. 105-108.

¹¹⁴ see Map: public works - to 1904; for sections of lines and dates of their construction, see Appendix VII.

¹¹⁵ Fyzabad Settlement Report, 1880; pp. 15-16; Bahraich Settlement Report, 1873, p. 61.

110

binding markets to metropolitan centres. The capital for the railways was imported from Britain. No industry grew up to provide the materials for their construction; instead, iron, timber and fuel were imported - into a country rich in these natural resources. The skilled staffs of the railway were English, paid wages and salaries at English rates. The remittance of two-thirds the railway capital to India in bullion may have contributed to the inflationary effects from the increasing amounts of specie sent in payment for India's increasing exports, with the result that prices rose steeply, especially those of grain in the urban marketing centres. The inevitable consequence was a 'highly precarious' prosperity, disruptive of traditional arrangements, benefiting only those in a position to manipulate the new machinery of commerce.¹¹⁶

The construction of the railways also brought its measure of physical disturbances; like the canals, there was trouble over the natural drainage lines. In the Ramganga valley area of Bareilly, for example, landowners complained of damage done to crops and lands due to the obstruction by the **embankment** of the Oudh and Rohilkhand Railway with the natural drainage of floods during 1870-73. The Company was finally called upon (in 1875-76) to pay the Government assessed compensation of Rs 5,242 and to provide a remedy. Landowners in the Gauges khadir of Unao district, opposite Cawnpore, complained of similar floods in 1870, 1871, 1872 and 1874 - the last of such severity that an enquiry was held into the extent of the losses. Ten years later, floods occurred in Budaon; a great part of the damage was reported due to the same cause - the Oudh and Rohilkhand Railway line.¹¹⁷

¹¹⁶ Jenks, Migration of British Capital ..., pp. 227-30; on the manipulation of the 'new machinery of commerce' in the NWP and Oudh, see below, Chapter IV: The Problem of Indebtedness.

¹¹⁷ Administration of the Guaranteed Railways: Report of the Consulting Engineer to the Government of India on the Oudh and Rohilkhand Railway for the Financial Year 1874-75, p. 14; for

The new lines of communication cut across old lines of local supply. Compensation for land taken up for works did not allow for this. In Cawnpore, an investigation into the case of the insolvent Rajah Dhiraj Singh of Gangaganj revealed the extent to which arrears of revenue accumulating on the lands under his charge were due to heavy assessments combined with an inability to recoup losses through deteriorations from public works. One village commanding an area of 2,191 acres was assessed at Rs. 3.10.0. on its 965 cultivated acres, a rate admitted to be high even in 'this highly assessed part of Cawnpore', the more so since the soils were light and of under rather than over-average quality. By 1873, this village had been 'much cut up' by roads and canals. The compensation for land taken up in the works themselves was said to have been given at a fair rate as far as the land taken was concerned because it was founded on the revenue rate;¹¹⁸

but the village has suffered much damage in consequence of the interference with its communications, and of course no compensation has been given for this. For instance, one large tract of valuable land was highly manured before the railway (East Indian) was constructed. Since its construction the railway embankment has completely precluded the transfer of manure from the village site to this tract, and the value of it has fallen quite 50%.

117 (ctd.)

further details on the Bareilly floods, see NWP Revenue Administration Report, 1872-73, pp. 6-7; on the Budaon floods, ibid., 1880-81, p. 6.

118

for rules for the calculation of compensation (based on an estimate of customary 'rent' at fair rates) for land taken up by Government for 'public purposes', see NWP Revenue Progs, 29th June 1867, Index No. 32, May 25 1867, Progs No. 28

Added to this came the swamping of some acres through the interference of the canal's watercourses with natural drainage lines. Elsewhere on the estate, a kachha road had 'eaten out the heart of a plot of land devoted to market gardening'. Lastly, the shade of trees planted to hold the East Indian Railway's embankment, and the side of the Kalpi road, were proving very injurious to adjacent cultivation.¹¹⁹

Perhaps the most disturbing consequence, to indigenous agriculture, of the railways - most disturbing because least capable of remedy - was the widespread use of local timber as fuel for the locomotives. Tremenheere had noted the relative scarcity, even in 1857, of wood fuel in the Gangetic valley as an additional reason for the necessity of constructing branch lines to communicate with the sub-Himalayan plains and other hilly districts of Central India where wood was to be found in 'inexhaustible abundance'. Tremenheere suggested that the railways might even make this available, at a moderate transport charge, to supply abundant and cheap fuel to the inhabitants of the long exhausted plains'.¹²⁰

In practice, the railway companies drew their fuel supply directly - and cheaply - from local timber until the 1880's. As early as 1865, a Government of India Resolution noted the 'very considerable deforestation already occurring in the Doab' due to the railways' requirements, and also the 'absence of any reliable expectation of an early cessation of the demand which gave rise to it'. Remedial measures were clearly already required to provide for

¹¹⁹ E.C. buck, Settlement Officer, Cawnpore, 19th April 1873, report on the case of Dhiraj Singh (one of many heavily-assessed estates in the district disturbed by the public works), NWP Revenue Progs, December 1873, Index Nos 4-5, July 5 1873, Nos 75-76. Dhiraj Singh received a Government loan to clear his debts; the revenue demand on the estate remained as before.

¹²⁰ Select Committee on Colonization and Settlement ... , First Report, cit. sup., pp. 28-9.

'the reproduction of trees where the country was most affected by the extraordinary demand for wood-fuel'. Remedial measures however lay beyond the means of the Government to effect: its answer was to suggest that the 'proprietors' of land be induced to plant trees'.¹²¹ But groves were assessed to revenue: those who controlled them had every incentive to sell the wood for railway fuel and thus pay the revenue with ease. This situation was illustrated clearly in the case of mahwah groves in the western half of Partabgarh district. The fruit of the mahwah was a valuable source of food for the local peasants, who also used its seed for fuel-oil. Forbes, the settlement officer, noted, however, that it was on the mahwah - as he had already observed two years earlier - that

the axe falls heaviest, and in respect of which the planting does not keep pace with the destruction. A considerable amount of timber has found its way across the Ganges. From one estate alone, a short time since, thousands of trees were purchased by the Manikpur Firm of Moula Dad Khan and Khuda Dad Khan who, I have heard, concluded a most profitable bargain with the East Indian Railway Company. The straight trees were sawn up into planks, while the crooked and gnarled stems were converted into charcoal. Mahwah charcoal is highly esteemed as fuel, and always commands a good price. No doubt the proximity of the Railway has caused a more wholesale destruction of this tree than would otherwise have been the case.

Reafforestation was a difficult matter. Firstly, because the mahwah, in comparison with the mango is - as Forbes noted - slow-growing, 'and in these days, zamindars cannot afford to wait long

¹²¹ Government India (Home Department), Resolution No. 3565, 17th April 1865, NWP Revenue Progs., 27th May 1865, Index No. 26, No. 4; the matter was said to have been constantly under consideration by the local Government 'for the last two years': ibid., Index No. 27, No. 5.

years while the land yields no return'. Secondly, because the 'peri' or mahwah tax, 'a universally recognized impost throughout the district is a deterrent to the cultivator who would plant a "Mahwah" grove, for he well knows that by and by it will but too surely form the pretext for systematically depriving him of the usufruct'.¹²²

Deforestation seems to have appeared a regrettable necessity to the railway companies. The Oudh and Rohilkhand Railway Company drew its fuel supply from the country adjoining the line. By the end of the financial year 1872-73, the Company already ran a second regular service daily between Lucknow and Cawnpore; with the rapid extension of its lines over the next years, its demand for local fuel increased accordingly. The Company's Report of 1872-73 referred to attempts which had already been made to substitute coal,¹²³ but, as it was remarked in the Report of the following year in the course of similar discussions, the Company were 'averse to doing this as long as it is dearer than wood'. The stumbling-block was the charge levied by the East Indian Railway Company on the freight of coal from the nearest source, viz. Bengal: from Giridi to Benares, Rs 33 per 100 maunds. The Oudh and Rohilkhand Railway Company could afford to use coal and still protect its shareholders' interests only if the rate were brought down to Rs 22 per 100 maunds, which would allow a safe margin of return on capital expended over running costs.¹²⁴

In 1874-75, the East Indian Railway agreed to give a rebate on all freight charges for coal carried to Benares paid by the Oudh and

¹²² Partabgarh Settlement Report, 1877, pp. 9-10.

¹²³ Administration of the Guaranteed Railways: Report of the Consulting ^{Engineer} to the Government of India on the Oudh and Rohilkhand Railway for the Financial Year 1872-73, Enclosure to Despatch No. 243, Railway.

¹²⁴ ibid., 1873-74, pp. 17-18.

Rohilkhand Company, on quantities of not less than 6,000 tons freighted per six months. But the coal freight was still subject to a heavy charge due to the four-mile gap between the stations of the two companies at Benares.¹²⁵ The Oudh and Rohilkhand Railway was still being supplied with local timber in the 1880's.

The Public Works Department also competed with the rural population for fuel; their source was even cheaper than the railways': dung. In 1879, A.O. Hume drew attention to the contrast between the relatively meagre supplies used by the "natives", chiefly for cooking, and the 'vast consumption in brick-making ... The Public Works Department are great sinners. The increase of brick-making, and with it, the consumption of dung as fuel (it being, in most places, cheaper than wood) has been enormous of late years'.¹²⁶ With the contraction of other fuel supplies from the dwindling 'waste lands', pressure to use dung increased, which in turn diminished the amount of manure available to nourish the soil.

The overwhelming proportion of "Saxon energy and British capital" introduced into India in the form of Public Works was concentrated on immediately productive areas. Schemes for reclamation of wilderness and barren waste were less attractive to contemporary expansionist zeal. Such attempts as were made to bring waste lands in northern Oudh under some sort of cultivation had been frustrated through unfavourable conditions - unhealthiness, scarcity of labour, lack of a near market for timber or firewood which was to produce the first profits. Out of thirty-three lessees of the Kathna forest grants (an area of some 94,432 acres), the eleven lasting beyond the first round 'had discontinued their efforts,

¹²⁵ ibid., 1874-75, p. 13.

¹²⁶ Hume, Agricultural Reform in India, (1879, repr. Madras, 1899), footnote to p. 30.

either because the strain on their capital was too great, or
prudence forbade them to expend without hope of an early return.¹²⁷

McMinn cast doubts on the practicality of any scheme for reclamation of the tarai 'by English gentlemen, allured by the exquisite beauty of the Oudh wilderness'. The whole area, from the Ganges at Hardwar to the Koriali at Gola-ghat, some 250 miles by 20 miles in extent, and once cultivated, had been turned by Firoz Shah into a hunting ground; in a few years, the abandoned fields became dense jungle, and the jungle, catching the rainfall and retarding its flow, became a swamp: 'it is doubtful if all the power and wealth of England could now bring back into cultivation the wilderness which Firoz Shah created by a word. A civilized Government cannot send hundreds of thousands of its subjects into a pestilential swamp for each man to cut down a few trees and then dying, hand his axe to another fated for brief toil'.¹²⁸ Hard-headed enterprise had better avenues for the employment of its resources than to dream of such picturesque impracticalities.

Small-scale improvements

As a systematic series of propositions, 'economic development' existed only in theories constructed by certain political economists chiefly of the classical school.¹²⁹ In practice, certainly as far

127 Kheri Settlement Report, 1879, pp. 25-6; for further details on Government's resumption of grants in 'wastelands', see NWP Revenue Progs, April 1874, Index Nos 23-59.

128 C.W. McMinn, Introduction ..., footnote to pp. 12-13.

129 for a summary of the 'development' theories of classical political economists, see Erskine McKinley, The Problem of "Underdevelopment" in the English Classical School, Quarterly Journal of Economics, 69 (1955), pp. 235-52; for the theories applied to the empirical problem of Ireland (seen as analogous to India in many respects), see R.D. Collison Black, Economic Thought and the Irish Question, 1817-1870, (Cambridge, 1960), especially the section on 'development' at pp. 86-9.

as British India was concerned, such 'development' as took place was the work of a variety of promoters of Progress and Civilization - from joint-stock companies and the ubiquitous engineers to Government itself - all of whom candidly pursued their aims of increasing wealth. They proceeded with vigour, and achieved much within a surprisingly short space of time: 'Backward and partially-developed tracts are rare in the NWP,' the Secretary to the local Government wrote in 1871 to the Board of Revenue.¹³⁰ There was, however, little concern as to how the various schemes might match up, one with another. The example of the railway stations at Benares noted above is but one of many such instances of the lack of co-ordination. There was even less interest in establishing the needs of those on whose environment the promoters' capital was bestowed. Beneath the weight of public works embellishment, the basic techniques and requirements of the great mass of cultivators in the provinces persisted unchanged.

Robert Knight, who was constantly and publicly at war with the Government of India over its seemingly foolish obstructions of entrepreneurial ambitions,¹³¹ cried aloud at the neglect of agriculture. In July 1876, his paper, the Indian Agriculturist, came out with a review of Corbett's treatise,¹³² which stated the case for agricultural modernization in no uncertain terms:

There is great truth in his (i.e. Corbett's) assertion that an irrigation cry and a drainage cry, have induced

¹³⁰ 28th June 1871: NWP Revenue Progs, March 1874, Index No. 27, March 7 1874, No. 73.

¹³¹ Knight's expansionist zeal was also voiced in the columns of other papers he edited, viz. the Indian Economist and the daily newspaper, the Statesman.

¹³² see above, pp. 92-93

the Government to embark in projects purely engineering and not agricultural, to trust the agricultural education of India solely to engineers and to district officers; the former of whom look upon agricultural projects from a purely engineering point of view, while the latter have little interest in agricultural matters beyond the narrow one of collecting the revenue. In a country which is so largely dependent as India, not only for the subsistence of its vast population but for its political maintenance, upon the productiveness of the earth, the science of agriculture should doubtless be made of the first importance and should have been called in to aid all projects of agricultural improvement ... ¹³³

The views of district officers on the efficiency of peasant techniques varied, according to the relative intimacy of their experience of Indian agriculture.¹³⁴ Moens in Bareilly, and Reid in Azamgarh - to name but two settlement officers who made themselves experts on the peasants' activities in their respective districts - show clearly in their Reports how skilful the cultivators were in the main in extracting a varied livelihood from the soil in the face of obstacles posed by his frequently hostile environment. Forbes and his predecessors in assessing the best of the Meerut parganas showed how the much-admired prosperity of the Jat cultivators derived from their own modes of exploitation of the excellent natural facilities of the region. Others, deceived by the simplicity of cultivating equipment and the distressing condition of so many of the cultivators, committed the error of a simple attribution of the latter to the former. McMinn, his juristic turn of mind better adapted to detecting the subtleties of tenure and the errors of Government policy, was emphatic

¹³³ The Climate and Resources of Upper India: Indian Agriculturist, 1st July 1876, pp. 193-4 at p. 194.

¹³⁴ on the contemporary criteria of efficiency, see Chapter I, pp. 32-6

in his denunciation of the peasant's practices:

Indian modes of agriculture, far from being the ripe result of Indian experience represent the dregs of an old world barbarism, all the main features of which are common to both East and West.¹³⁵

The opinion that modern Europe, evolving from an origin common to that of ancient Indian society, was in agriculture as in all else superior and that due to this unquestioned superiority the fruits of its enlightenment could be rapidly and successfully transplanted in alien soil, was widespread. District officers, who noted with approval the simple fact of vast acres coming under cultivation due to the stimulus of the canal, subscribed to it. So did officials in the higher reaches of the Secretariat, where peace and public works were believed a priori to bring the only real, and secure, prosperity.

This opinion (which some might call a prejudice) was not backed by any comprehensive scheme for remedying the lamentable defects in indigenous techniques. Plans for 'vertically integrated' agricultural improvement were not - and could not be - developed in the context in which the provinces' administrators found themselves. They had to balance the powerful expediencies of revenue and commerce at every turn; they were buffeted by gusts of disapproval from the Supreme Government in Calcutta or in London; they were haunted by the nightmare of political upheaval should they disturb unawares the agrarian society whose 'loyalty' was so precariously secured. Hence it is understandable that problems of ecological imbalance were discussed in engineering terms, with no more than piecemeal consideration for social issues involved. The question of narrowing the gaps between better and worse cultivation, where attempts at solutions would have involved

135 McMinn, Introduction ..., p. 192; McMinn's attitudes did not change: see his Famine Truths, Half-Truths, and Untruths, (London, 1901), a spirited denunciation of the work of R.C. Dutt.

direct interference by Government in the affairs of the rural population, was seldom raised in administrative circles.

In 1870, after much insistence by the Viceroy, Lord Mayo, a Department of Agriculture was finally set up as part of the central administration of the Government of India at Calcutta. This might at first be taken as clear evidence of the Government's serious intentions of coming to grips with the problems of agricultural improvement. Lord Mayo himself, alone of the Viceroys of India, boasted of years of practical experience in agricultural affairs: 'many the day have I stood the livelong day in the market selling my beasts'. Previous to his appointment, he had indeed been a farmer - of an extensive estate appropriate to the means and the station of a prosperous Irish gentleman.¹³⁶

... (Previously) the attention of the Government had been chiefly directed to collecting the revenue, and little had been done to develop agricultural resources; more energy had been applied to shearing the sheep than to feeding him. Lord Mayo, as an expert, understood the fatal consequences of such a policy ...¹³⁷

and he had ideas, certainly, as to what might be done by an Agricultural Department. As Sir John Strachey noted later with pride:

The objects which Lord Mayo had in view were distinctly sketched in the Despatch of 6th April, 1870. The new department (its title is significant: Revenue, Agriculture and Commerce) "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 to be confined solely to this object. The administration of the land revenue and

¹³⁶ for the career of Mayo, see W.W. Hunter, A Life of the Earl of Mayo, Viceroy of India, 2 vols, (London, 1875; 2nd ed. 1876).

¹³⁷ Sir W. Wedderburn, A.O. Hume, 1829-1912, (London, 1913), p. 27; the creation of the Department of Agriculture could not in fact reverse this policy.

cognate matters, the development of mineral resources, of manufacturing industries, and generally of commerce and trade of the country, were to come within its scope, while among its most important functions was to be the collection of agricultural and commercial statistics ... The programme was accepted with little modification by the Secretary of State.¹³⁸

What Strachey did not make clear was that substantial modifications had in fact already been agreed to by Mayo, under duress. His original plan had been for a 'real working Agricultural Bureau; he was forced to content himself with the miscellaneous department of the Secretariat which was all the India Office would give him.'¹³⁹ The Department was doomed to ineffectiveness from the start, sandwiched between the two massive pillars of Revenue and Commerce. It collapsed finally in 1879 under the combined weight of interminable restrictions on its activity 'in the field', insufficiency of funds and lack of staff, and the unremitting pressures applied by the India Office. Its nine-year history of frustrations was chronicled by its first Director, A.O. Hume, in his wrathful pamphlet, Agricultural Reform in India, published on his 'retirement' from Government service in 1879.¹⁴⁰

In 1874, a subsidiary Department was set up in the NWP with the same objects in view. Its programme was ambitious:

the collection and organization of agricultural and commercial statistics ...; to direct experiments for agricultural improvements in

138 The Hon. Sir John Strachey, Lt.-Governor, NWP, Minute on the measures necessary for carrying out in the NWP the objects with which the Department of Revenue, Agriculture and Commerce was organized, para. 1: NWP Revenue Progs, December 1874, Index No.42, December 5 1874, No. 58; for a report of the Minute verbatim, see Indian Agriculturist, June 1 1877, pp. 164-66.

139 Wedderburn, op. cit., pp. 27-32.

140 Hume, Agricultural Reform ..., cit. sup., n. 126; for details of the career of Hume, advocate of capitalist farming for India and founder of the Indian National Congress, see Wedderburn, op. cit.

model farms and elsewhere; to watch and report on the progress of trade, and to suggest in what directions it may be developed, or hindrance to its prosperity removed; to investigate facts connected with the condition of the agricultural classes, and generally to be the executive agency by which the local Government may carry into effect, in these provinces, the intentions of the Government of India, when the department was founded.¹⁴¹

The provision for staff for the newly-created Department - a Director, his Assistant, (both European officers) and a number of 'native' clerks - could hardly inspire confidence in its capacity to perform the monumental tasks Sir John Strachey's Minute envisaged.¹⁴² Nor could the size and itemization of the Department's annual budgets. In 1887, for example, when the Department had been in operation for thirteen years, the total 'agricultural expenditure' for the NWP for that year was accounted at Rs 101,400. Of this, the cost in salaries and wages for the Director and his subordinate staff came to Rs 62,000; experimental farms (which will be discussed shortly) took a further Rs 12,400; well-sinking - throughout the provinces - some Rs 7,000; reh experiments, chiefly in Aligarh, Rs 20,000.¹⁴³ That year, 1886/87, the land revenue receipts stood at Rs 42,587,917 - 99.4% of the demand.¹⁴⁴

With such authority and resources as Government allowed it, the

¹⁴¹ Strachey, Minute ..., cit.sup., para. 3.

¹⁴² cf. the revenue establishment for each district, see Chapter VI: The Dilemmas of Administration, pp.

¹⁴³ Report of the Finance Commissioner with the Government of India, 1887, pp. 581-3.

¹⁴⁴ NWP Revenue Administration Report, 1886-87, pp. 5-6; for the land revenue demand and collections, NWP and Oudh, 1864/65 - 1884/85, see Charts VII, VIII.

Department could do little other than follow meekly in the steps of Precedent as far as agricultural improvements were concerned. But, as Robert Knight's Indian Agriculturist announced with its usual candour -

Where or when has any systematic attempt been earnestly made under British rule to insure good husbandry; or indeed improvements of any kind in the way of obtaining supplies of food? It is true that some measures have been taken with reference to cotton-growing; but these seemed framed more for benefitting the foreigner than the native; or in other words, more for furthering the growth of the article of commerce in preference to that of the food needed for the support of the actual cultivator and producer of it.¹⁴⁵

Such experiments with agricultural staples - for export - as had been made prior to the Department's coming into being had not been conspicuously successful. The distribution of New Orleans cotton seed amongst zamindars in Banda district in 1861 to coax them into bigger and better production was an unqualified failure.¹⁴⁶ All experiments with foreign cottons tended to meet more or less the same fate.¹⁴⁷ The cultivation of indigenous strains also ran up against difficulties which prevented the vast increase in cotton production from developing as officials as well as entrepreneurs once had hoped. Apart from the vulnerability of the plant to disorders which hardier crops might survive, the chief restrictions on the spread of cultivation on a par with, say, sugar-cane, was the extreme

145 Tillage: Indian Agriculturist, April 1, 1876, pp. 100-101, at p. 100.

146 NWP Revenue Progs. 10th August 1861, Index No. 56, No. 37.

147 for a summary of the cotton experiments in British India, see S. Leacock, D.G. Mandelbaum, A Nineteenth Century Development Project in India: The Cotton Improvement Programme, Economic Development and Cultural Change, III, 4th July 1955, pp. 334-351.

fluctuation in demand - both in India and abroad. The enormous impetus to cotton-growing brought in 1860-61 by the American Civil War had ceased as abruptly as it came.¹⁴⁸ Meanwhile, the complications arising from the distribution of Manchester yarn and piece-goods created a norm of instability on the home market.¹⁴⁹

Experiments with imported varieties of food-grains - again for export - fared little better. Carolina rice seed for example was distributed to zamindars selected on grounds of prosperity and influence in certain districts of the NWP (Rohilkhand and Jhansi divisions alone were not represented) in 1869: this, the most extensive experiment of its kind yet tried in the provinces was a total failure.¹⁵⁰ Government persisted nonetheless. In 1872-73, the same experiment was repeated, with nothing more than poor results obtained in any area and failure in the majority of samples.¹⁵¹ The same was the case with wheat experiments. Rs 100 worth of the "best white" wheat from Jubbulpore - some 122 maunds - was imported by the Department in 1876: the experiments ran into difficulties over the seed's not being thoroughly cleaned (part of it being grown mixed

148 for the most concise account of the Indian cotton boom, see D.S. Landes, Bankers and Pashas ..., pp. 69-74.

149 for an outline of the history of Manchester cotton interests in India, see A.W. Silver, Manchester Men and Indian Cotton, 1847-72, (Manchester, 1966).

150 NWP Revenue Progs, 2nd April 1870, Index No. 3, No. 19.

151 ibid., September 1873, Index No. 20, September 13 1873, No. 3.

with peas and barley in Jubbulpore also) and into an unusually damp rabi season. The seed proved, in addition, to be ill-adapted to canal-irrigated land. The result, in sum, was failure once again.¹⁵²

The next year's experiments in improving the quality of wheat failed likewise.¹⁵³

The failures were not confined to those samples distributed to zamindars. Attempts at the improvement of 'agricultural staples' of this kind were also made on model farms established for the purpose in the districts of Allahabad, Cawnpore and Bulandshahr.¹⁵⁴ They met with a similar fate. Even Strachey was compelled to express a measure of disappointment: 'There can ... be no doubt that the farms have hitherto (up to 1874) failed to effect much good, in consequence of the absence of any responsible controlling authority.'¹⁵⁵ The chronicle of the model farms is for the most part a gloomy record of wasted and irrelevant expenditure. The current working expenses of the Cawnpore farm for 1873, for example, came to Rs 5,982. This did not include the Superintendent's pay nor make any allowances for interest, or wear and tear of machinery (which totalled an additional Rs 820 on Rs 8,286 worth of fixed capital). Receipts from the sale of the farm's produce came to Rs 2,384. Ricketts, then Commissioner of Allahabad Division, demolished the pretention that the farm was a useful institution and pressed for its abolition. The area on which this expenditure was concentrated was 17 acres of garden, not farm,

¹⁵² F.N. Wright, Offg Director of Agriculture and Commerce, NWP and Oudh, to Board of Revenue, NWP, 31st May 1878: The Wheat Production and Trade of India, (Government India Selections No. CLX, Simla, 1879), pp. 182-3.

¹⁵³ Wright to Board of Revenue, 28th June 1878: ibid., pp. 190-3.

¹⁵⁴ for a discussion on the advisability of the establishment of model farms for improvements, see India, Agriculture and Horticulture (Famine) Progs., December 1873, Appendix A, pp. 1-17.

¹⁵⁵ Strachey, Minute ..., cit. sup., para. 7.

land. The farm represented a departure from other forms of rural expenditure by the administration in that it lay beyond the reach even of the prosperous:

No native farmer, however well off he may be, or however enterprising, can hope in his own land to attain anything like the success that has been attained occasionally in experiments conducted under this farm. He sees at a glance that the conditions of the farm and his own fields are so different, that the results attained in the farm are beyond his reach. He sees there ... an unlimited supply of water, manure, costly implements, machinery, labour and supervision, and capital - that, in fact, field produce is treated as garden produce and he knows that this cannot be done on a large scale; he sees through the experiments at once, and resolves not to imitate what he has seen.¹⁵⁶

Peasant conservatism. The Government's orders were, however, that the farm was to be maintained, but not on a large or expensive scale; the larger part of the land was to be devoted to the cultivation of shrubs and flowers, and a good native gardener was to be employed.¹⁵⁷

By 1886/87, as we have seen, some Rs 12,000 was budgeted for expenditure on experimental farms thus modified and by this time, largely confined to Cawnpore; Bulandshahr had been abolished in the mid-1870's and experiments at Allahabad were even more

¹⁵⁶ Ricketts to Government, NWP, 30th September 1873, NWP Revenue Progs, November 1873, Index No. 38, November 15 1873, No. 24: for the report on the Cawnpore Experimental Farm by the Collector (Daniell), ibid., Index No. 39, November 15 1873 No.25.

¹⁵⁷ Order of Government, NWP: ibid., Index No. 37, September 27 1873, No. 85.

restricted than at Cawnpore due to the absence of irrigation.¹⁵⁸

A wider area for judicious experiment lay, theoretically, in the estates of insolvent 'proprietary' families which came under the hard-bargaining management of the Court of wards.¹⁵⁹ The prospect for developments within the estates was not exactly unlimited. The management's priorities were to work the estate back into revenue-paying health and at the same time to keep relations between 'proprietor' (and his 'agent' - the Government manager) and cultivators as near to the status quo as possible during the period of temporary caretakership, both of which ensured that any improvements introduced would be of the peripheral variety. Nonetheless, the "captive" Court of Wards estates presented Government with its clearest opportunity to state the official view on 'the role of the State as regards agriculture':

We cannot, it is true, force civilization, or any of her handmaids, on any people; but it is possible, by patience and tact, if we do ourselves possess the knowledge, so to put before all we deal with, good and evil in any matter, that many shall inevitably choose the good: and this is all that our supposed State intervention in agriculture has ever aimed at. We advocate no system of State agriculture, we do not propose to cultivate the people's land for them, but only by careful study of local conditions, and by the application, with suitable modifications, of methods thoroughly approved elsewhere, to evolve improvements in the indigenous practice; and so put these before all interested in such questions that they may realize their full scope and verify them for themselves ...

¹⁵⁸ Report on the Administration of the Department of Agriculture and Commerce, NWP and Oudh, 1877-78: India Gazette, Supplement, May 3, 1879, pp. 436-7, 439.

¹⁵⁹ Strachey, Minute ..., cit. sup., para.8.

If this be not an appropriate and legitimate undertaking for the more enlightened rulers of a less enlightened nation, we must abandon all scientific conceptions of the functions of a Government thus situated.¹⁶⁰

What better area for the application of enlightenment could be found than the Awa estate? Although in size it was but

a scarcely perceptible speck on our vast empire; but it is none the less fairly typical as regards soil, climate, population and agricultural condition, generally, of more than half of the NWP (to say nothing of other parts of the country). Tentative measures now (and hereafter, as experience is gained, to be) proposed for Awa, will be equally applicable to enormous tracts yielding a land revenue of several millions sterling ...¹⁶¹

Awa had an additional feature to recommend it as an area for experiment. It was situated in part of an enormous reh-infested tract, not far from pargana Sikandra Rao in the neighbouring district of Aligarh where the Agricultural Department's reh-statistics were to be collected under Government instructions.¹⁶² The Director's proposals for using this wealth of opportunity were approved by the Board of Revenue and the Lt-Governor of the provinces, as showing due practicality and foresight with the required amount of caution. Expenditure was budgeted in two parts. The Estate administration would cope with charges amounting to c. Rs 14,000 for arboriculture, survey drainage operations, wells and the purchase of cattle.

¹⁶⁰ Junior Member, Board of Revenue, NWP, Remarks on E.C. Buck's proposals regarding the improvement of Agriculture in the Awagarh Estate, paras 15-16: NWP, Oudh Revenue Progs, March 1880, Index No. 4, February 28 1880, No. 24.

¹⁶¹ ibid., para.10.

¹⁶² E.C. Buck, Director of Agriculture and Commerce, NWP, Note on measures proposed for the improvement of Agriculture in the Awa estate, para. 8: NWP, Oudh Revenue Progs, March 1880, Index No. 2, February 28 1880, No. 22.

Expenditure by the Agricultural Department was to be of the order of Rs 5,000. This was to include the cost of improved implements (ploughs and sugar-mills) and cattle, the collection of village statistics, and, most important, the improvement of staple produce.¹⁶³

But which staples? The Director's listing may be summarized as follows:

wheat? doubtful if it will live in competition with the American trade in ordinary years; may be rejected as one of the principal crops for experiment.

indigo? has received almost all the improvement possible by indigo planters.

linseed? for flax? cultivation too empirical as yet to attempt to try it except at the Government's experimental farm.

safflower? trade declining; not worth attention.

rice? can never form a large NWP export.

'We are therefore almost confined', Buck concluded, 'to cotton and sugar'.¹⁶⁴

Small wonder that the Wards' estates proved only marginally superior as experimental grounds to the model farms. Year after year, the estates' managers reported on their improvements: the installation and repair of wells, tanks and indigo vats; experiments with staples - chiefly cotton and wheat; cattle-breeding; experiments of almost academic interest with costly implements and installations such as elaborate masonry wells. The question of the applicability of the experiments to their environment was asked afterwards more often than before. All the while the managements were enjoined to bear in mind the necessity of caution in introducing new staples or novel methods, 'recognizing the

¹⁶³ ibid., para. 43.

¹⁶⁴ ibid., Appendix A, paras 2-3. Progs., cit. sup., Index No. 3, No. 23.

135

suspicious nature of the people'.¹⁶⁵ Small wonder that in 1880, Sir George Couper reiterated familiar statements of the pioneering '60's: 'Barely on the threshold, as we still are, of the great work of improving native agriculture, it would be idle to suppose that we can as yet fully appreciate all that is required, or that our designs - however carefully conceived - will always be successful. The most that is possible is to feel our way cautiously, collecting and classifying facts, and making modest attempts to advance whenever openings appear to present themselves'.¹⁶⁶

Even in the (relatively rare) cases where Government-sponsored experiments in improved agriculture were successful, problems arose as regards their diffusion amongst the rural population. Cultivators were indeed persuaded by a variety of incentives to produce the more 'valuable' crops, and lamentable though this might be when viewing the declining production of coarse food-grains, it was certainly desirable that the better methods of production of 'valuable' crops should be encouraged. How could this be done, practically speaking, over so vast an area with such limited resources for encouragement? There were even obstructions by other aspects of Government, other than its caution in promoting improvements wholesale. Chief among these was the fiscal system itself. Once more the Indian Agriculturist lost no time in clarifying this issue:

The Indian Government, by placing the three most valuable and powerful mineral manures so largely extant in this great empire under the lock and key of the excise (namely, salt, nitrate of potash and nitrate of soda) has

¹⁶⁵ for an account of the experiments on the estates, see Report on the Court of Wards Estates, NWP, 1879-80, Appendix D: Agricultural Improvements, pp. 56-90; thereafter annual reports Appendices C and D, (Improvements).

¹⁶⁶ NWP, Oudh Revenue Progs, March 1880, Index No. 5, February 28 1880, No. 25.

virtually rendered improvements in agriculture, and the production of large crops of grain of the best quality, an impossibility. Hence as nitrate of potash, or saltpetre or nitrate of soda may not be freely manufactured from saline soils, for fear of illicit culinary salt being made on the sly, we have to look to England, Europe and Egypt to supply our wants ...¹⁶⁷

Transport costs alone on such bulky imports made a regular supply of mineral manures out of the question.

The lack of adequate means for widespread improvement was paralleled by the lack of any agency for instruction. Who could inform the peasants of the provinces of newly-developed techniques? The overworked revenue officers did not act as agricultural advisers. The Department of Agriculture itself could do little beyond collating data at its Allahabad office from such sources as the revenue administration made available. In 1886, Smeaton, then the Director, formed an Agricultural Association of 86 selected influential zamindars, appointed his honorary assistants. As with the extension of irrigation by minor distributaries, the encouragement to re-plant tracts stripped of trees, the dispensation of special experimental seeds, now the 'diffusion of agricultural science' was entrusted to the detectably powerful among the zamindars of the provinces.¹⁶⁸

This at least was in accordance with the improvements themselves, which were to remain firmly in the luxury class. Hume had noted the problem - of the apparent poverty of indigenous technology and the disproportionately grandiose nature of European-imported machinery

¹⁶⁷ Wheat and Its Culture: Indian Agriculturist, March 1 1876, pp. 61-3 at p. 62.

¹⁶⁸ Formation of the Agricultural Association, NWP, 1886 (First meeting, April 15, at Cawnpore): NWP, Oudh Revenue Progs, May 1886, File No. 941, Progs No. 3, Serial No. 4.

suggested as the corrective.

Improvements ... are urgently called for, but they have yet to be created, and this not by the bodily importation of the results achieved by science in Europe, but by the application of the principles on which those results are based to the widely different conditions and requirements of this country. Of these, the people who pester the Government to purchase grand combined steam ploughing, reaping and threshing machines for the ryots here, seem to have about as accurate a conception as a certain Maharajah, who was with difficulty dissuaded from sending home an elephant to an old pensioner at Bayswater (who complained of being no longer able to get about on foot and being too poor to keep a conveyance) had of those of our London suburbs.¹⁶⁹

Experiment with complex machinery, however, proved irresistible. Yearly, from 1882-83, the Government of India published a list of agricultural implements tested, and found useful, on the experimental farms. Most items were of labour-saving design and high initial capital cost; many were for use on large farms; a few were of some direct practicality - light-weight ironshare ploughs, for instance, but the problems of distributing them among the peasants put a prior restriction on the number produced. Some were frankly absurd: the Kewani windmill, for instance, which was procurable in the U.S.A., at a cost of Rs 299,4,3. Its special advantages were said to be its continuous action without requiring attention and its dependence on the wind for motor-power. As against this, its action was irregular; it could perhaps be worked in connection with a reservoir, but it could not apparently stand the rush of a dust-storm,

¹⁶⁹ Hume, Agricultural Reform ..., pp. 52-3.

- and 'may not be working when water is most required.'¹⁷⁰ Most notable of all was the Banda steam-plough 'affair' of 1882. The spread of kans grass, a seasonal phenomenon, aggravated by long periods of drought, could not be dealt with by indigenous implements - the cultivators were accustomed to abandon kans land, to return after a few seasons as the kans withered. To the administration, the kans problem, necessitating remissions of revenue, seemed to call for a mechanized remedy - the subject of a long and detailed correspondence in the Revenue Proceedings. A steam-plough was imported for the purpose of getting rid of the kans. Its capital cost, to the Government, was Rs 42,304.12.3. To this was necessarily added the cost of maintenance, etc. to the end of 1881: Rs 9,220.11.6. The cost of further maintenance was calculated to come to another Rs 6,000, if wood were used for fuel, or if coal, Rs 9,000. There were additional problems: where the plough was located, wood was very scarce; there was proved to be no superiority in steam- as against native ploughing in newly broken-up land, depriving the new plough of any use for other purposes. Access to fuel was difficult, and the bill disturbing. Meanwhile, when the plough reached Banda, the kans had disappeared. Government had no alternative but to order the machinery, the cost of which had amounted by then to c. Rs 44,000 (equal to more than one-third of the annual budget for the Agricultural Department), to be broken up for sale as spare parts.¹⁷¹

Nowhere was the irrelevance of improvements on which Government chose to spend with such comparative lavishness more

170 A List of Agricultural Implements and Machines which have been experimented with and found efficient and useful in India, First Report, 1882-83, as itemized; no catalogue exists of machines tested and judged inefficient.

171 for the whole correspondence relating to the Banda steam-plough, see NWP, Oudh Revenue Progs, April 1882, Index Nos. 10-20, pp. 41-57.

clearly demonstrated than in the case of the Agricultural Shows. These were held from time to time (chiefly at Bulandshahr and Allahabad) in the best traditions of English capitalist farming. Ricketts, Collector of Allahabad in 1865, described how the Shows were promoted by Government 'to induce the Natives to attempt to improve their ancient methods of cultivation and to breed superior stock'. In the same note, he also described the reaction of 'an intelligent and observing Native' to the Government's efforts:

... What does he see? English machinery of most costly kinds; steam-ploughs and threshing-machines, which will be of no use here until the plough-bullock rises in price to £40, or the cooly's wages rise to 14s. a week, and corn at English prices - English ploughs which his cattle cannot draw, and which break when used (as at Lucknow) in this hard soil, and which he cannot mend - and weeding machines which he can never want, for he has cheap and abundant weeding power in the women and children of his village; and in cattle he sees the pampered favourites of some amateur or Native Chief, which have cost ten times their value to feed, and which he sees at once are no use to a poor man, for he cannot feed them - and he retires to his village and says, these English do not understand his great want; he will dispense with all their machinery if they will simply give him help to make wells, and place the water within his reach ...¹⁷²

In Ricketts' view, such assistance was now needed more urgently than before; deforestation of the lower Doab plains, he asserted, was contributing to a conspicuous increase in the occurrence of droughts and unfavourable seasons. But by what means could 'these English' (i.e. Government) help the cultivator to keep the soil supplied with the requisite moisture? Ricketts pressed for takavi loans (advances

¹⁷² Ricketts to Commissioner, Allahabad, 9th January 1865: NWP Revenue Progs, 6th May 1865, Index No. 8, February 18 1865, No. 23.

from public funds) to cope with the problem - in his own words, 'advocating what, though in reality is an old system, is new to most of those in Government employ in these Provinces, where it seems to have grown obsolete'. Only one of Ricketts' staff had any practical acquaintance with it, and his knowledge was very limited.¹⁷³

Takavi loans were indeed an 'old system', dating back to earlier than Mughal times. Revenue officials' advances of cash from the treasury or their own resources to cultivators for the purchase of seed and plough-cattle and the digging of wells were first recorded in the fourteenth century. By Mughal times (sixteenth and seventeenth centuries), takavi had become commonplace.¹⁷⁴ It constituted a regular means of supply for cultivators and a regular means by which the lenders could increase their claim on the produce of each harvest (official dues plus repayment charges) and their control over the producers. Takavi was in fact an integral part of revenue administration.¹⁷⁵ We have already seen how the Begam Sumroo utilized it over twenty years, greatly to her advantage.¹⁷⁶

The early years of British rule in the NWP saw the principle of takavi officially recognized in revenue regulations of 1793, 1803 and 1805.¹⁷⁷ Rules for the administration of the loans were

173 ibid.

174 I. Habib, Usury in Medieval India, Comparative Studies in Society and History, VI, pp. 393-419, at pp. 396-7; see also Habib, Agrarian System ..., pp. 253-5.

175 for a late 19th century summary account of this 'State action in India in ... assisting the supply of agricultural capital', see A.H. Harington, Economic Reform in Rural India, Calcutta Review, LXXVI, 1883, at pp. 168-9.

176 see Chapter I, pp. 56-7

177 Bengal Reg. xxxiii, 1793, extended to Benares Province by Reg. xlvi, 1795; to the Ceded Provinces by Reg. xxiv, 1803; to the Conquered Provinces by Reg. viii, 1805.

later drawn up and included in the official manual, Directions for Collectors of Land Revenue.¹⁷⁸

There is evidence that in one district at least in the first three decades of the century, takavi loans were in fact made extensively: Moradabad was said to have been prospering rapidly as early as the 1820's, and much of its sudden rise (its state at the time of the British conquest was of abject poverty) was attributed to lavish amounts of takavi.¹⁷⁹

'Advances seem to have been made with a liberality which is unknown now,' Alexander noted wistfully fifty years later, at the revision of settlements; 'large sums, amounting in some cases to as much as a lakh (Rs 100,000) being spent in encouraging sugar-cane or in purchasing seed and cattle for distressed cultivators.'¹⁸⁰

Such liberality had vanished with the growing concern of officialdom for security and the consequent increase in elaborate procedure to protect it in its dealings with the rural populace. As early as 1861, it was clearly recognized that advances were restricted to the construction and repair of 'works of permanent utility' - the more expensive types of well, for example, and renovations to tank-bunds (embankments); a period of three, four or maximum five years was stipulated for repayment; if the works for which the advance was specifically made were not completed by the date officially stipulated, the whole advance with 12% interest was to be recovered forthwith.¹⁸¹ Even in its truncated form, takavi

¹⁷⁸ Directions ..., (Agra, 1846), paras 46-7; Appendix V, paras 245-9.

¹⁷⁹ Moradabad Settlement Report, 1881, p. 16.

¹⁸⁰ ibid., p. 15.

¹⁸¹ Board's Circular No. IV, cited in correspondence re takavi advances of Rs 200 to certain zamindars of Etawah district: Board of Revenue, NWP to Government NWP, 27th November 1861: NWP Revenue Progs, 21st December 1861, Index No. 78, No. 26.

remained the only official source from which agriculturists might seek assistance for improvements. Efforts were persistently made by district officers to widen the range of takavi grants - witness the strenuous pleadings of Ricketts - but were frustrated with equal persistence by procedural obstacles. The shortcomings of Government policy as regards takavi were most conspicuous in poorly-endowed districts. From Jhansi, Jenkinson urged Government to increase takavi loans for the repair of old and the construction of new works to develop local irrigation by wells and tanks - targets within the limited range of official sanction for the loans. Some Rs 17,492 had been distributed among 81 villages between 1864 and 1866. 'Much more might be done and many old bunds which zamindars are most anxious to repair might be repaired', Jenkinson wrote, 'if Government would consent to relax the rule regarding the term of years within which takavi advances are repayable. In the NWP, no provision for Takavi advances was made in the Budget. It was therefore thought inadvisable to grant advances which are repayable by instalments extending over a longer period than five years'.¹⁸² But it was surely unwise to allow a 'mere question of procedure to retard the improvement of a district and prevent the construction of so many useful works': the term for repayment should be extended¹⁸³ - but it remained unchanged.

Advances for the purchase of seed were restricted to times of scarcity, and district officials were instructed to disburse with great caution. In July 1868, a confidential circular was issued to Magistrates and Collectors, drawing attention to cases of 'hardship and distress demanding Government interposition': where fields had

¹⁸² Jhansie Settlement Report, 1871 (Jenkinson, 1867), p. 72.

¹⁸³ ibid., p. 73.

been extensively sown but the seed had failed to germinate due to the drought, high prices for seed-corn made it difficult for cultivators to find a second supply. 'To supply seed under such circumstances,' the Circular warned, 'is a duty in the first instance devolving on the landlord; and ordinarily it may be safely left in his hands'. Government might only intervene where the zamindars were poor and, more especially, where the cultivators of an estate were the 'proprietary community' of zamindars themselves. Even in these cases, the matter was hedged about with procedural restrictions. The Magistrate and Collector of the district was required to submit an application for the exact amount of takavi estimated necessary to the Board of Revenue in Allahabad. Where distress was reported to be general, he could apply further to the Board for a lump sum based on an approximate estimate. Only where it had become clear that the harvest could be saved by immediate action could the Magistrate and Collector by-pass the Board's office for the time being and make the necessary advance, 'in anticipation of sanction'.¹⁸⁴

Such advances as were made went to those in a position and with the time and money to apply: powerful local maliks, or Government acting on their behalf in the case of Court of Wards' estates. In 1870, the Officiating Collector of Allahabad announced proudly that large takavi advances had been made in his district: some Rs 28,044 8 0. All of it went to 'principal landholders, that aid might be afforded to the poorer classes on their estates' by constructing irrigation works: Rs 19,845 to the Rajah of Manda's estates under Court of Wards' management by the Collector; Rs 3,150 to the Rajah of Dhya; Rs 1,000 to the talukdar of Burokhur ...¹⁸⁵

¹⁸⁴ (Confidential) Circular 8A, 14th July 1868: NWP Revenue Progs, 8th August 1868, Index No. 13, July 18 1868, No. 62.

¹⁸⁵ Offg Collector, Allahabad to Government, NWP, 15th January 1870: NWP Revenue Progs, 5th February 1870, Index No. 4, No. 24.

Reviewing the takavi situation in 1870, the Governor-General - Lord Mayo himself - made it plain that for some time past he had been

satisfied that measures might be taken with great advantage, in many parts of India, for extending and improving the system of giving assistance to proprietors of land for the construction of permanent works of agricultural improvement ... The Government has always, if not by extensive practice, at least by its legislation, recognized the duty which, in this country, devolves upon it of giving advances of public money for the promotion of agricultural improvements' ... 186

This duty appealed to the Governor-General. Security was watertight, since the land on which the improvement was to be made was declared by law to be liable for the repayment of advances ('they may be recovered by the same processes as are applicable to the recovery of land revenue arrears'). What was more, the takavi system was in principle 'identical with that which has been carried out in the United Kingdom, with admirable results, by means of the Land Improvement Acts'. What was needed for India's agriculture, therefore, was to consolidate and amend the law on takavi, to bring the system into line with present-day circumstances:

no sounder or more useful principle could be acted upon by a Government which desires to make the resources of the State available for the promotion of wealth or improvement of the people. There is perhaps no country in the world in which the State has so immediate and direct a need in such questions. The Government of India is not only a Government, but the chief landlord. The land revenue, which yields 20 millions of our annual income, is derived from that portion of the rent which belongs to the State and not to individual proprietors. There can be no doubt

186 Government, India (Home Department) to Government, NWP, 2nd June 1870: NWP Revenue Progs, 3rd December 1870, Index No. 1, June 18 1870, No. 56.

143

that, throughout the greater part of India, every measure which can be taken for the improvement of the land, and for increasing its productive powers, immediately enhances the value of property of the State and adds ultimately to the public resources without the imposition of any fresh burden on any class of the community ...¹⁸⁷

The following year, an Act embodying these principles was duly passed: the Land Improvement Act, XXVI of 1871, 'to consolidate and amend the law relating to advances of money by the Government for agricultural improvements'. But the gap between principle and practice was not closed, as became clear with the re-appearance of the scarcity spectre. In 1874, an alarm of famine went up in Jaunpur on the failure of the chief staple food-grain, rice. Failure of the crop was matched by near-failure of the takavi machinery to provide assistance. 'The Board permitted small takavi advances to be given,' Ricketts commented, 'but the grant was, on the whole, quite homeopathic, and it was homeopathically administered, for some advances were as low as four annas.'¹⁸⁸ The codification of takavi regulations had perpetuated rather than relaxed restrictions on their use. In 1873, the official rules for the administration of loans under the Land Improvement Act had been published by the Lt-Governor of the provinces, with the previous sanction of the Governor-General.¹⁸⁹ Government was well-protected from any danger of over-hasty expenditure. Applications for takavi were to be made by 'landlords', or by 'tenants' with the consent of the 'landlord'.

187 ibid.

188 NWP Revenue Administration Report, 1873-74, p. 6; though rumours of 'famine' proved unfounded, the loss of the rice crop remained established fact.

189 Government, NWP, Notification, 18th June 1873 (Miscellaneous): NWP Revenue Progs, September 1873, Index No. 7, June 21 1873, Nos 59, 60: for the rules for Oudh, separate but in all major respects identical, see NWP Revenue Progs, August 1874, Index No. 35 August 22 1874, No. 55.

They were to be written, and on stamped paper. They were to be presented in open Court by the applicant in person, or another authorized by him. Each application was to include, besides the applicant's name, profession, parentage, tribe or caste, and residence, the exact amount applied for and whether it was to supplement any private capital and if so, to what extent; a description of the proposed work and an estimate of its cost was to be attached, together with details of the position, character and area of the land and the village and revenue sub-division where it was situated. Applicants were required to state the advantages expected to result from the work and its anticipated effect on adjacent or other lands. The nature of the applicant's rights or interests in the land or in any other land offered as security for repayment had to be made plain. The amount and number of instalments for repayment, and the security offered were also to be stipulated.¹⁹⁰ Where the advance exceeded Rs 500, a rough plan and estimate was to be submitted with the application - an accurate plan, with specifications and estimates where the advance exceeded Rs 5,000.¹⁹¹ This was merely the beginning. A local enquiry was to be held into every application, conducted by the revenue officials on their tours and in the case of applications for more than Rs 500, by the chief revenue officer of the district. Officers were required to publish notice of the proposed work and the proposed date of the enquiry; the notice had to be read by the principal inhabitants of the village. A copy was to be signed by the 'village headmen', the accountant, policemen,, 'or other local officials or respectable inhabitants'.¹⁹²

¹⁹⁰ Notification, 18th June 1873, cit. sup., sec. IV.

¹⁹¹ ibid., sec. V.

¹⁹² ibid., sec. IX.

The remaining rules (there were thirty in all) stipulated the procedure for investigation and for certification of such works as the local enquiry proved bona fide and allowed to proceed. A seven year period was fixed for repayment, unless special sanction of Government were obtained, for advances not exceeding Rs 500. The period for advances above this sum was twelve years (the larger the work, the more removed from the needs of cultivators but the more generous the terms for assistance). In case of any proposed period for repayment exceeding twenty years, Government of India's sanction had to be obtained. Lastly, the interest charged on advances was 6 1/4%, to be altered as Government saw fit.¹⁹³

Subsequent notifications made no fundamental alterations in these rules. The procedural obstacles to widespread use of takavi remained. In the course of an official enquiry into the working of the Land Improvement Act made during 1875, Lind, then Commissioner of Meerut Division, pointed out that the Act had done nothing to solve the basic problem: the need for assistance remained undeniably greater amongst those classes of the peasantry designated as 'tenants' than amongst their masters, the 'landlords',¹⁹⁴ but 'tenants' were in no position to ask Government for advances for the construction of such works as the Act contemplated. Their wants were seed and plough-bullocks: where could assistance be found to provide these under the provisions of the Act, which could serve the interests only of the 'landlords'?¹⁹⁵ Statistical statements compiled for the enquiry proved this to be the case. Of the total sum advanced under

¹⁹³ ibid., secs XXIX, XXX.

¹⁹⁴ for details of tenancy categories in the later 19th century, see below, Chapter III, pp. 196 ff. ; further, Appendix VIII.

¹⁹⁵ Lind to Board of Revenue, NWP, 5th May 1874, para. 8: NWP Revenue Progs, July 1875, Index No. 39, July 10 1875, No. 55.

148

the Act to date, Rs 26,322 12 0, Rs 24,293 8 0 went to 'landlords'. The remaining Rs 2,029 4 0 was distributed over some fifty-two tenants' applications, throughout the provinces.¹⁹⁶ In their conclusions on the evidence of the enquiry, the Board of Revenue could not but agree that 'the class who have most availed themselves of the Act are the landlords' - a conclusion to which they were themselves resigned: 'This is only what was to be expected!'.¹⁹⁷

The takavi situation changed little throughout the last quarter of the century. Later enactments - the Northern India Takkavi Act, X of 1879, repealed by the Loans Act, XII of 1884 - did extend the scope for Government loans, but the old rules remained in force, effectively barring access to the majority of cultivators. For 'smallholders', the qualification for assistance was still 'distress'. Advances for seed and cattle were made only during scarcity years; all were of course recoverable with interest.¹⁹⁸ In 1891, Voelcker noted the wisdom of Government proposals to make loans available locally for well-digging:

The plan is an excellent one; but its success depends entirely upon how it is worked, and how nearly it is brought home to the people, and is

¹⁹⁶ Board of Revenue, NWP to Government, NWP, 9th June 1875: Report on the Working of the Land Improvement Act ... from its introduction to the end of the official year 1875-75 (Statements II, III): NWP Revenue Progs, July 1875, Index No. 27, July 10 1875, No. 43.

¹⁹⁷ ibid., Board's review of Commissioners' reports.

¹⁹⁸ see for example, Report on the Scarcity and Relief Operations, NWP, Oudh, 1877-78, 1879, p. 12; NWP Revenue Progs, December 1880, Index Nos 2-3, November 6 1880, No. 11, December 4, No. 2; India, Home, Revenue and Agricultural (Famine) Progs, September 1880, No.1, October 1880, No. 2; loans to smallholders approved, provided 'adequate security' offered.

adapted to their means. What is still requisite is, to make it clear to the cultivators that the system is one that will benefit them, one that will enable them to benefit themselves. If this idea could be once thoroughly grasped, the advantages not alone to the people, but to the Government, in the form of an increased revenue from the land, would be very great.¹⁹⁹

- which was the position as Mayo had seen it, twenty years before.

It is hardly surprising, therefore, that throughout the period takavi loans should have borne the small proportion to the collections of land revenue year by year which the official statistics indicate. 'If what has been done be compared with what might be done (by way of takavi), the discrepancy is startling,' commented the anonymous contributor of the series of papers Oudh and Optimism to Knight's Indian Economist in 1874.²⁰⁰ Oudh figures were typical for the provinces as a whole. In 1868-69, Rs 115,867 had been advanced under the pressure of the severe drought of that year for 'improvements', which represented barely 1/111th of the land-revenue of the year. It fell steadily during the succeeding years till it reached the 'contemptible sum' in 1872-73 of Rs 16,523. In 1874, whilst the land revenue demand had risen by the equivalent of £200,000, a little more than 1/900th of the total collection was returned as takavi advances.²⁰¹

¹⁹⁹ Voelcker, Report, para. 107, p. 85.

²⁰⁰ Oudh and Optimism, III, Indian Economist, October 31 1874,

²⁰¹ ibid., at p. 63; for the amount of takavi advanced p.a. in the NWP and Oudh, 1878/79 - 1899/1900, see Chart VI; cf. the revenue demand, collections and balances, NWP and Oudh, 1864/65 - 1884/85, Charts VII, VIII.

In all, who could benefit from this piece-meal 'development' of the provinces? In densely-populated districts where the canal and railway companies had been most active, the land itself had paid a heavy price for the expansion in cultivation and communications which the public works had stimulated. Cultivators in canal-irrigated areas paid charges for the new facilities twice each season: water-rates to Government and 'illegal' dues to the subordinate canal establishment appointed by Government to record and collect its rates; zamindars paid, in addition to their owner's rates (from 1873) indirect charges in the form of an increased revenue demand. Where railways cut through arable land, cultivators and zamindars had to face inter alia the consequences of increasing deforestation. Remedial action by Government was consistently frustrated by its unwillingness to expend on projects promising little or nothing by way of immediate returns. Government's attempts at technical 'improvements' on a small scale, in line with the best of contemporary farming practice in Britain were too far removed from the millions of small cultivators and their needs to be in any sense efficacious. Meanwhile, the small cultivators' notorious lack of resources to increase the productivity of their holdings by their own methods to the extent Government saw was good persisted; charges levied by their social superiors and the increasing cost even of necessities such as fuel and fodder deprived them of opportunities to lay up reserves over the seasons. As we shall see in Chapter IV, the majority also continued to have debts to local lenders. Lastly, they could find little assistance from the only source remaining beyond the malik or the moneylender: Government. The history of takavi outlined above exhibits in itself the insoluble problems which confronted Government from the introduction of improvement schemes which, with the means to hand,

could not be adequately adapted to the physical, let alone the social, environment of the provinces. Only that minority of the rural population already in a position of prosperity and sufficient power to maintain some independence of action had access to the benefits of innovation.

But what about the 'chief landlord', Government itself? We have referred to the revenue demand and collection in contrast to the amounts returned to the land, as it were, in the form of takavi. In the next chapter, analysing the working of the revised revenue settlements, an account is given of how the claims of Government were adjusted, and how they were met.

CHAPTER III: THE REVISED REVENUE SETTLEMENTS

The share of Government in the wealth which India produced or was judged capable of producing had necessarily to be fixed at a sizeable proportion. The provision and maintenance of 'the whole paraphernalia of a great civilized administration'¹ was achieved at vast expense and transcended the immediate 'needs' of India, as they were officially understood to be. In addition to the actual costs of the governments of the several provinces and the supreme establishment at Calcutta, a wide variety of British undertakings for power and prestige at home and abroad were charged to the Indian revenues. The range over which taxes paid by the predominantly agricultural population of British India were distributed in the first decade of Crown government has been aptly described by Jenks:

... The costs of the Mutiny, the price of the transfer of the Company's rights to the Crown, the expenses of simultaneous wars in China and Abyssinia, every governmental item in London that remotely related to India down to the fees of the charwomen in the India Office and the expenses of ships that sailed but did not participate in hostilities and the cost of Indian regiments for six months' training at home before they sailed, - all were charged to the account of the unrepresented ryot. The sultan of Turkey visited London in 1868 in state, and his official ball was arranged for at the India Office and the bill charged to India. A lunatic asylum in Ealing, gifts to members of a Zanzibar mission, the consular and diplomatic establishments of Great Britain in China and in Persia, part of the permanent expenses of the Mediterranean fleet and the entire cost of a line

¹ see Chapter II, pp. 74-5

138

of telegraph from England to India had
been charged before 1870 to the Indian
Treasury ...²

That official policy and practice as regards the agricultural world of India should have been dominated throughout by a concern for the land revenue is understandable: it constituted by far the largest portion of Government's income and, with the expansion of agriculture so zealously promoted in the later nineteenth century, could not but increase.

For the assessment and collection of the revenue, the Company had bequeathed to its successor precedents which, as in the case of public works, could be preserved in essentials whilst the application of modern principles enlarged their scope and improved upon their admitted deficiencies. The thirty-year district settlements of the NWP under Regulation IX, 1833, had been completed at various dates in the 1830's and 1840's and came up for renewal during the first decades of Crown Government.³ The new administration of the NWP was therefore faced with the

² Jenks, Migration of British Capital ..., pp. 223-4, and references there cited; revenues of British India during the first thirteen years of Crown administration rose from £33,000,000 p.a. to £52,000,000 p.a.; deficits, 1866-1870, £11,500,000; Home Debt accruing 1857-60, £30,000,000.

³ dates of expiration of settlements of districts included within the NWP on 1st May, 1846:

Agra	1872	Bulandshahr	1859	Mainpuri	1870
Aligarh	1868	Budaon	1866	Meerut	1865
Allahabad	1869	Cawnpore	1870	Moradabad	1872
Azamgarh	1867	Etawah	1871	Muttra	1871
Banda	1874	Farukhabad	1865	Muzaffarnagar	1861
Bareilly	1867	Fatehpur	1870	Saharunpur	1857
Bijnour	1866	Gorakhpur	1859	Shahjahanpur	1868

source: Act VIII, 1846, (for determining the duration of the existing Settlement of the NWP, see Sec.1). Excluded are districts constituted after 1846, districts of Benares Division permanently settled, Oudh districts (annexed 1856); for dates of publication of all settlement reports, see Bibliography.

immediate necessity of re-defining its revenue claims which it set about doing by the extensive but far from radical renovation of the existing system known as the revision of settlements. This occupied the greater part of the administration - the revenue establishments - for nearly three decades, from the late 1850's to 1880. Meanwhile, the first regular settlement of Oudh since Annexation in 1856 was also achieved, district by district, on principles of assessment identical in all essential respects to those currently practised by the field-officers in the NWP.

Where significant changes had occurred was in the social and the physical environment. Annexation, in bringing the Nawabi to an end, told heavily on the talukdari and zamindari families of Oudh and the eastern districts of the NWP. Suddenly, they ceased to be the suppliers of court servants in their hundreds and thousands and ceased as suddenly to enjoy the perquisites of office. Younger sons and cousins could now look little further for their income, in the majority of cases, than the limits of the family's *haq* which the senior member now managed unassisted by their contributions from service outside the taluka or mahal. More widespread and in some cases equally sudden changes were taking place in the productivity of the land, especially under the stimulus of public works. The new revenue assessments represented established precedent revised in the light of principles of equity and political economy currently accepted as sound. How far were they adapted to these changes?

The Assessment of the Demand

The immediate task which confronted the Company's revenue officers early in the century was to find in the uppermost levels of the rural society of the provinces figures who might validly

be entitled as proprietors, on whom the obligation to meet the Government demand for land-tax would rest. A proprietor, when found, would be recognized as holding a legal right to definable territorial assets in the form of an estate. His share in the produce of that estate taken annually from the cultivators with whom he contracted to guarantee their rights so long as they paid him his stipulated share would be defined as his rent. The Government demand would be calculated on the aggregate rents of a given revenue sub-division and so fixed as to allow Government to take its full measure and leave at the same time to each proprietor an adequate residue to cover his costs of cultivation and a margin of profit. The condition on which proprietorial rights were recognized and maintained by Government was the recognition and fulfilment by the proprietors of their revenue obligations. Government's security was the proprietor's estate. On default of payment, Government reserved the right to sell up a proprietor's rights and realize its claim to revenue from the sale proceeds. With the yardstick of the contemporary economic and juristic concept of Property in hand ('all property', according to Savigny's dictum, 'is adverse possession ripened by prescription'), the settlement officers set out to identify the proprietor. This involved the classification of rights into two broad categories - those of the proprietor (or landlord) who received rent and those of the tenant subordinate to him who paid it.

The earliest revenue Regulations of the provinces (1795, 1803, 1805) had established the first precedents, a modified version of Bengal practice, for the definition of tenorial categories in the first summary settlements of the provinces. Who else could be recognized as proprietors but those local maliks who had held office as zamindars prior to British rule? Beneath them came a

bewildering series of 'sub-proprietors', other maliks who could not be squeezed into the tenant categories but who suffered, legally, from a conspicuous lack of precise definition as to what the range of their proprietary authority might be. The vast mass of the population came under the heading 'tenants'. The first systematic settlement of the NWP under Regulation VII, 1822 used these categories, but its cumbersome methods of assessment proved after some ten years' experience, or rather experiment, to be unworkable. Refinements were introduced by the thirty-year settlements made under Regulation IX, 1833, the first to be based on local records of rights compiled under the supervision of the settlement authorities by patwaris, accountants who held hereditary office under the zamindars. These records were held to establish the recognized proprietary right of the zamindars and the 'rents' recorded in them as payable to the zamindar by the cultivators of his mahal were the basis of assessment, fixed at the equitable proportion of 66 2/3%. Two categories of rent-paying tenantry were recognized by the revenue law: maurusi, or tenants with right of hereditary occupation, and ghair-maurusi, tenants cultivating fields within the mahal but resident outside it.⁴

While the tenurial categories remained as before, a major development in procedure was introduced by the beginning of the revision of the 1833 settlements in the last days of the Company's administration. The rules drawn up in 1855 for the settlement of Saharunpur district (due to expire in 1857) established a principle which became the crux of future assessments. Officers

⁴ for a summary of principal features of the first English settlements, see W.H. Moreland, The Revenue Administration of the United Provinces, (Allahabad, 1911) pp. 31-9; for revenue policy, 1801-33, see S.C. Gupta, Agrarian Relations and Early British Rule in India (London, 1963); for later legislative definitions of tenants, 1859-81, see Appendix VIII.

were to ascertain rates for valuation from the aggregate recorded rentals of mahals composing a pargana or 'vicinage'. The rental as recorded in the accounts for each mahal was to be compared with this deduced 'rent-rate', which was then to be adjusted if it proved too much in excess of the assets recorded for the majority of mahals. The revised rate was the basis on which the demand was fixed.⁵

Zamindars whose mahals' recorded rentals were below the standard rate were thus provided with an incentive to increase the amount of cultivation under their control. Meanwhile, since the new 'scientific' standard of assessment increased the scope of Government's claim on the 'rental assets', the actual proportion taken could be safely reduced from 66 2/3% to 50% without fear of a loss in revenue.

The revising officers of the Crown administration throughout the provinces adopted the Saharunpur principle. 'It was on a basis of rent-rates that the whole of the revision of the revenue assessment in the NWP proceeded', Millett commented in his Fyzabad report; 'a basis of rent-rates was practically commanded by the Oudh Government; a basis of rent-rates was very generally framed by the Settlement Officers of Oudh'.⁶ Emphasis was placed more than ever before on actuality: the rent-rate was to be calculated, according to official instructions, from data amassed by observation and direct enquiry. As Muir, later Lt-Governor of the NWP and the author of numerous memoranda on the principles and problems of revenue assessments,

⁵ for a summary of the Saharunpur rules, see Moreland, cit. sup., pp. 42-3.

⁶ Fyzabad Settlement Report, 1880, p. 385; Oudh settlements were made with the talukdars, as distinct from the policy in NWP, where zamindars engaged for the revenue, but the principles on which the assessments were formed were identical in both areas. For the official view of the talukdari policy, see W.C. Bennett, Introduction to the Oudh Gazetteer, (Allahabad, 1878); for the contrary view, critical of the policy, see Irwin, Garden of India ... pp. 191-296.

stated à propos of Jhansi district, the jamabandi (rent-roll) on which the assessment was to be based was 'to be framed in accordance with the facts as they exist'.⁷ First, the nature of 'rent' had to be determined: in any given area, did 'rent' adjust itself by competition or by custom? By Muir's time, it had become official doctrine that 'customary rents' ruled throughout the provinces. The second task for the settlement officer was to measure the 'customary rents' of his district by the simple expedient of recording the rent he adjudged to be in force 'by prescription'. In case of local disputes as to the amount of this rent, his third task was to arrive at the 'actual' figure by means of enquiry. If the zamindar claimed to be entitled to raise this prescriptive rent (the technical term which we shall use from now on is 'enhance') or a maurusi ryot asserted his right to lower it, it was the duty of the Settlement Officer to decide the dispute. In this, he was to apply as his standard the 'custom of the pargana or vicinage'. Should he decide in favour of the maurusi ryot, instructions as to the next course of action were contained in the Bengal Recovery of Rents Act, X of 1859.⁸ The ghair maurusi ryot lay beyond the pale of the protective clauses of revenue and rent legislation. The system of assessment envisaged, ideally, the compilation of detailed statements of field-by-field accuracy, defining not only the rental assets of each mahal but also their exact territorial basis. Practical restrictions on such a scheme were imposed from the start by the limitation of means available

⁷ Jhansi Settlement Report, 1871 (Muir, 1863), p. 20, referring to the manual Directions to Settlement Officers, p. 149 (sec. ix, Reg. VII, 1822); Benett reiterated the insistence on direct enquiry first and foremost, above all statistical calculation, for the Oudh settlements: Gonda Settlement Report, 1878, p. 2.

⁸ Jhansi Settlement Report, 1871 (Muir, 1863), p. 20.

to the revenue establishments to carry it out. 'It is obvious', Muir declared, again speaking of the Jhansi situation in 1863,

that the attempt to fix the rental of every field in a village, in every village of a district, is beyond the skill and power of any settlement authority, varying as every field ordinarily does from its neighbour, by every shade of difference known in the lapse of time to the people themselves, but not appreciable by a stranger.⁹

Since, therefore, 'actual' rents eluded all available means of direct enquiry, the settlement officers had to be granted some leeway in forming their assessments. A note of 1864 by Money, then Junior Member at the Board of Revenue, shows how 'estimated' early became an acceptable replacement for 'actual' in the compilation of accounts:

the exact assets cannot be ascertained with any certainty. The rule for settlement at one-half assets is not invariable but indicates the general proportion of jama to rent that should be maintained. Much must necessarily be left to the discretion of the Settlement Officer. Mathematical precision is unattainable, and the variations of conditions are so numerous that no invariable rule or formula of assessment can be made generally applicable.¹⁰

Each Settlement Officer had to cope with the varying conditions of his district as best he could and to pitch his assessments, as Carnegie remarked, 'as moderate as it was possible to make them compatibly with an honest regard to the due interests of the State'.¹¹

⁹ ibid.

¹⁰ R. Money, Notes on the Governor-General's Minute on Permanent Settlement: NWP Revenue Progs, 3rd September 1864, Index No. 3, June 18 1865, No. 35.

¹¹ Fyzabad Settlement Report, 1880, p. 338.

Throughout the cold season, year after year, the officers wound their way through the districts with their assistants and amins (field-clerks), maps, plane-tables, measuring-chains, rule-books and discretion, enquiring as to the outturn of last season's harvests from the principal inhabitants of each village, calculating the rent-rate pargana by pargana.

Martin's Report on the annual value and distribution of agricultural produce in Muzaffarnagar district for 1272 Fs (1864-65) shows the typical terms of reference within which the settlement officers worked, however divergent their respective methods were in incidentals. Martin reported that 'rent' in his district was of 'four well-known kinds': zabti: cash rents for the more valuable class of crops, e.g., sugar-cane, cotton, Indian-corn; nijkari: rents in kind for wheat, barley, bajra, etc.; tashki, surasuri: leases, so much a bigha, irrespective of crop sown but divided into irrigated and unirrigated tracts; bilmokta: a lump sum for so many fields, without any specification of a bigha rate'. Martin then noted the principle of variation:

all these rates (sic) of course vary in amount according to the productive power of the soil in various localities, and contingent in a measure upon the industry or the revenue of the class of cultivators available on the spot. For the purposes of this Report ... it will be sufficient to take an average of prevailing rents throughout a range of circles. It is obvious to remark that in zamindari and pattidari estates the gross amount of this rental is the fund which provides for the Government and Zamindars' shares - the ryots' share is the residue of the entire produce. ¹²

¹² Reports on the annual value and distribution of agricultural produce for 1272 Fasli: NWP Revenue Progs, 6th October 1866, Index No. 5, No. 19.

For the first years of revision the establishment of rent-rates consisted largely of attempts at correction of khasra (field-book) entries made by the settlement staff in surveying each village. New refinements in standards of assessment came, however, with the publication in 1868 of Elliot's Chibramau Rent-Rate Report, Farukhabad district, which brought what was claimed by his colleague, Patterson, to be a 'revolution in the most important branch of settlement work: inspection and assumed rates'. Elliot's method was to mark off the field maps into hars (tracts), filling in the (assumed) rates, entering notes on the character of soils. The result was a map which stood as an index to 'the village'. Patterson for one claimed that this method 'introduced a degree of accuracy and confidence hitherto unknown in the NWP settlements'. He dwelt on the cardinal importance of correct measurement of soils - the basis of comparison between different villages - as the 'great principle underlying Elliot's ... system'.¹³

Previously, the settlement officer's source for ascertaining the 'actual' rental had been the so-called 'village returns' - in reality, the zamindar's nikasi, or roll of cultivators, in which each raiyat working under the zamindar's guarantee together with his payment per harvest were recorded by the zamindar's patwari. The nikasi was a highly diverse document, influenced by fluctuations in local social circumstances and most often exceedingly difficult to comprehend within the abstract frame of reference of the revised settlements. Elliot's 'revolution' now provided the harassed settlement officer with a basis of estimation of actual conditions - of a natural, not social, order. It was relatively free from the perennial danger of local manipulation but, by the same token, devoid of social significance. Though the two sources were joined

¹³ Fatehpur Settlement Report, 1878, p. 53.

together in an 'unnatural coalition' of settlement procedure, preference went to the soil-rates. Officers differed only in the order in which they dealt with the two sources.

Take, for example, the assessment of Lucknow district. Capper's system was to apply certain rates arrived at by experience, to the various soils as returned by his amins, then to compare the estimate of assets thus arrived at with the 'village returns'. Maconochie, on the other hand, began by deducing rates from average rents - i.e. the actual (sic) rents paid by the average class of all cultivators in each village for all the various soils. From these he determined the average chak, or circular tract of like soils, and pargana rates. Thus far the returns furnished by the zamindars formed the basis of his estimate. He then set about classifying the lands according to their soils and holdings according to 'tenancies': sir, or owner-cultivator land, to be assessed at a reduced rate; muafi, or tax-free land; and land held by tenants-at-will. These classes were to represent the lowest and highest rent. Maconochie then deduced the rates applicable to these classes by taking as a 'village rate' the average rent paid by the tenant-at-will. This, in turn, gave him the chak and pargana rent-rates. The deduced rates were then checked against an estimate of the capabilities of a village - taking into account its population, its soils, its irrigation and the proportion of its land that was fully-manured (and assumed at maximum productivity). Here, his method was to calculate the percentage of population per 100 acres (sic) of cultivation. This, according to Maconochie, also made comparisons between villages easier. The very last round of the whole procedure was a visit to the relevant village.¹⁴

¹⁴ Lucknow Settlement Report, 1873: Capper's method, pp. 6-9; Maconochie's method, pp. 9-15, and as applied elsewhere, Unao Settlement Report, 1867, pp. 55-6.

Whereas most settlement officers dutifully checked through the 'village returns' the zamindars provided before, or after, turning to the more amenable, if more laborious task of estimating natural conditions, Carnegy candidly dismissed not only the returns but also 'the rental actually received by the proprietors which we may as well not trouble ourselves much about, as it is impossible to ascertain it accurately' - as indeed it was by the current methods. He relied throughout on precedent, on 'the assumed rental, which is ascertained by the application of reason, and the best known tests and methods devised by many eminent settlement officers in whose steps we now tread'.¹⁵ A confrontation between the estimations of natural capacity and conjectural distribution, (the standards of assessment which formed the 'assumed rates') and the 'recorded rental', far from providing a measure of corroboration of the former, merely complicated the problem of defining the rental assets. It was only logical that a situation should arise where Crosthwaite warned, in a report published in 1881, 'that the tendency to exact actual proof of the assumed rates, which is a growing tendency, is a dangerous one. Such proof can only be obtained from the recorded rentals, and as the recorded rentals are well known to be more or less fictitious the proof is really worth nothing.'¹⁶ The opinion was general. Alexander wrote of Moradabad district that the patwaris' records 'cannot be trusted to furnish accurate statistics of the assets of any one year'.¹⁷ Butts noted that as regards the settlement of Lucknow, both Capper and Maconochie 'saw the impossibility of persuading owners to give you accurate statistics'.¹⁸ Butts himself believed zamindars were perpetually minded to defraud but were at a conspicuous disadvantage

¹⁵ Fyzabad Settlement Report, 1880, pp. 319-20.

¹⁶ Moradabad Settlement Report, 1881, p. 92.

¹⁷ ibid., pp. 97-8.

¹⁸ Lucknow Settlement Report, 1873, p. 7.

when confronted with the superior equipment of the British revenue administration. He suggested how

the native (zamindar) little knows, or fails to grasp, the means at our disposal. He has not the powerful weapons of a system to fight with.

He does not comprehend you have mapped out, and classified all his village, that you know the exact area of manured lands near the homestead and the dry bars unapproachable by water on the outskirts, and that your statistics show you whether labour and skill are amply or only poorly applied. He does not know, in a word, that you can almost measure out the amount of money that a village can produce, or he might try and practise a better and more systematic course of deception, but the odds are greatly against him. 19

There are other explanations, apart from duplicity, for the discrepancies between the zamindars' records and the requirements of the revenue administration. The records fitted a context radically different from that recognized in the settlements; in a context where social differentiation ruled, in terms of dues and claims, where no authoritative system in terms of arithmetical standards could create a recognized 'rent-rate', and where the amount exacted depended on the relation of zamindar to cultivator, and the extent of his power. Butts himself, ironically, observed the difference. He was, he admitted, inclined to think some idea of 'a natural average rate' existed, 'a general rate the farmers and landlords would, prima facie, apply, and which they could tell you of, which would vary with the nature of the soil or the position of the land in the village ...; rent is not a haphazard thing that is guessed at or drawn by lot'. But in spite of this opinion, he observed that in Lucknow district, 'all rents are modified chiefly by the caste of the cultivators

19 ibid., pp. 14-15.

(i.e. their relation to the zamindar), and the lengths to which the landlords may wish, or dare, to go'.²⁰ In Unao, Maconochie commented flatly, no indigenous rent-rate existed, i.e., a rate per bigha on the different kinds of soil or fields classed by position in the village.²¹ When, therefore, Cadell spoke of entries in the records in pargana Shikarpur of Muzaffarnagar district appearing 'to have been false and against Government in proportion as the zamindar was rich and powerful',²² he was raising a dilemma which could not be solved by the administration: the amount of the zamindar's charges depended on his wealth, and on his power - where these fluctuated, charges also fluctuated, and where the charges corresponded to the sober arithmetical estimate of the settlement officer, it was largely the work of coincidence. Hence it became impossible to detect the true fraud.

Other problems beset the Settlement Officers besides the calculation of average 'rates' in such highly diverse circumstances and the constant suspicion of fraud. In areas - by the late nineteenth century, fortunately for the officers, a small minority - where all cultivators' charges taken at the harvest were paid over in kind, assessment was still more complicated than in those mahals where the accounts, such as they were, listed sums of money. 'As Government does not and cannot take its revenue in the same way, but by a fixed cash payment, the problem was at once presented' - Crosthwaite saw it clearly - 'how to calculate the rate at which this ought to fall'.²³ The only resource lay in price-lists, where available, from local

²⁰ ibid., p. 15.

²¹ Unao Settlement Report, 1867, pp. 13-14.

²² Muzaffarnagar Settlement Report, 1875 (Western permanently-settled parganas), p. 32.

²³ Moradabad Settlement Report, 1881, p. 91; on charges paid by cultivators in kind, see Chapter I, pp.

bazars which were woefully inadequate as far as any abiding standard of value was concerned.²⁴

With these numerous and persistent complications, settlement was understandably a lengthy process, spun out further by transfers of staff, revisions, and delays in the grant of official sanction. Take, for example, the settlement of Muzaffarnagar district. The old settlement was due to expire in 1861. In April 1860, Keene, as Collector, had been charged with the completion of the new settlement, with Auckland Colvin as Assistant and Rai Nanuck Chand as Deputy Collectors. In the cold season of 1862-63 the measurements were completed. In March 1862, Keene left for England on furlough. The charge of the district - much of its assessments being completed - was then made over to S.N. Martin as Collector. In May 1862, a second Assistant Collector, Grant, and a second Deputy Collector, were appointed in the Settlement Department. In March, 1863, Grant was transferred to Meerut. In January 1864, Colvin was transferred to Bijnor. Martin then carried on the work with his Deputy Collectors. The Commissioner's final report was received by the Board of Revenue in January 1867. In 1868, the Lt.-Governor, Muir, reopened the question of the assessments, cancelled Grant's entire work and most of Martin's, and instructed Cadell, newly appointed to the district, to conclude operations for the introduction of a permanent settlement, to revise the assessments of seven parganas. This was still in progress at the end of 1873.²⁵

²⁴ for a discussion of 'bazar price-rates', see Chapter IV, pp.

²⁵ Colvin to Elliott, 12th December 1873: Muzaffarnagar Settlement Report, 1873, pp. 1-2. Cadell's report on the canal tract was finally published in 1878. Cf., for example, the settlement of Kheri district: 1867-68, Boulderson assesses parg. Aurangabad: October 1869-March 1872, McMinn, with 'brief and interrupted assistance of Murray and Williams', assesses 14 parganas; for 6 years from 1872, Clark revises these assessments, with Redfern as assistant from 1875; Report published 1875. Cf. also Jaunpur: Smith's revision, 1859-67; Wheeler's final report published 1886.

In this light - Muzaffarnagar is a typical case- the claim of the administration to have introduced a new sense of stability through its improved revenue system under the revisions seems at best dubious. F.O. Mayne, Officiating Junior Member at the Board of Revenue in 1871, was aware of the current costs to society of this innovation. He spoke vehemently of

the great injury inflicted on a people by our system of protracted settlements. We talk of a limitation of demand and of a thirty years' settlement, in order to give a value to property by allowing the proprietors the benefit of improved and extended cultivation, of rise in prices and better Government. It is all nonsense. We go on for years pursuing a system of blood-letting; a process of slow torture, which not only destroys all sense of security and causes depreciation in the value of land, but also entails on the proprietors a succession of marauders in the shape of settlement establishments, which must add little to the profits of the people or to the reputation of Government ... I look upon the way in which our settlements are allowed to drag their weary length year after year, the manner in which they are tinkered, from time to time, with new orders and revised principles, all more or less having retrospective effect, as an unmitigated evil to the country at large.²⁶

Mayne called for more unrestricted authority to be given to the Settlement Officer to speed up the business of assessment. But the Government could not have acceded to such a request: its requirements of security demanded the elaborate procedure of scrutinizing the settlement officer's work.

²⁶ F.O. Mayne, 20th March 1871, Note on correspondence regarding the delay incurred in revision of Bijnour settlement work: NWP Revenue Progs., 2nd September 1871, Index No. 17, July 29 1871, Progs No. 43.

After the delays over such scrutiny, however, the end result could well be the simple expedient of factum valet. The Saharunpur assessment reports, compiled over thirteen years (1854-67), were stated to be 'deficient in all qualities which go to make up a good Settlement Report. The Lt.-Governor,' his Secretary was instructed to remark, 'misses in all the reports the mention of many important subjects concerning which information should have been given'. These included a comparison of the present and former state of each tahsil; changes in canal and well-irrigation; the effect of canals on crops; mode of cultivation; changes in proprietorship (castes and classes); changes regarding the area held and kind of rents paid by different cultivating classes. Above all, the reports were said to be 'remarkable for their want of accuracy and precision as to figures'. If the Saharunpur reports told the Secretariat little of Saharunpur, nonetheless the assessments - amounts and incidence - as arrived at by the settlement staff, were accepted: they 'have been working for seven years actually and have lasted successfully through some bad seasons. Therefore the Lt.-Governor confirms the settlement for thirty years' (1st July, 1860 - 30th June, 1890).²⁷

Saharunpur raised a fundamental problem. To the tardiness of settlement and the uncertainties of its results - in spite of the pursuit of accuracy through increasing procedural refinements - another source of 'insecurity' was added to the zamindars' liability: the necessity for the Government to readjust its demand in accordance with subsequent modifications in the agricultural environment, by way of developments, so as to secure its due share in the new prosperity. Saharunpur had been settled at a

²⁷ Saharunpur Settlement Report, 1870 (Resolution, 970 of 1874), pp. 14-15; ironically, the district for which the first 'scientific' rules of settlement procedure had been drawn up.

'transition period'

when old rates and prices were becoming obsolete but before the effects of a new state of things were generally felt, before the zamindars had thoroughly found out the power of enhancement given them by Act X, 1859,²⁸ and before confidence was felt in the stability of the higher scale of prices which set in with the cotton famine and the reduced value of silver. The zamindars' receipts had risen with the rise in prices, but there had (as yet) been little or no change in the staples grown or rates of money rents paid by the cultivators.²⁹

What was the best means to guarantee continued progress and at the same time safeguard the Government's interest in the fruits? The old question of the advisability of a permanent settlement of the land revenue was raised once more. Col. Baird Smith, an ardent protagonist of permanent settlement for the NWP, had urged its implementation to intensify as well as perpetuate the best aspects (he emphasized security of title and accuracy of record) which he believed the settlements of 1833-45 had achieved. A permanent settlement would, in short, secure that vital prerequisite for economic progress: stability.³⁰ In his Despatch of 9th July, 1862, the Secretary of State had stipulated that such settlement shall, or may, be introduced into those parts of India fulfilling certain conditions for its reception - primarily, evidence that cultivation had reached its limits, or nearly so (working on the common assumption that the optimum level of prosperity was

²⁸ for a discussion of enhancement of rents, see below, pp. 195-99

²⁹ Saharunpur Settlement Report, 1870 (Resolution, cit. sup.) pp.14-5

³⁰ R. Baird Smith, Report on the Famine in the NWP, 1860-61, P.P., 1862, 40, especially pp. 67-8, 70, 78-9.

reached by the maximum degree of expansion), whereupon the revenue demand might remain fixed in perpetuity without fear of its subsequently being revealed as inadequate in view of new developments. The problem for the late 19th century administration and its increasing need to augment its finances was that a permanent settlement whilst undoubtedly supplying a motive for enterprise on the part of the landlord, in leaving him unharassed by periodical reassessments, would necessarily mean a surrender of revenue on the potential increased value of crops and improved cultivation as time went on.³¹ In 1868, Muir, then Lt.-Governor, placed the responsibility for decision regarding the introduction of permanent settlement with the Board of Revenue who were to determine the question in each case submitted on the evidence of the settlement officer's report.³² In the end, only the canal tract of Muzaffarnagar district was considered as a serious candidate.³³

Each settlement officer had meanwhile to consider the essential point raised by the permanent settlement discussions: how much could the Government claim of the fruits of the improvement it sponsored

³¹ Viceroy and Governor-General, Minute on the question of Permanent Settlement in the NWP: NWP Revenue Progs, September 3 1864, Index No. 5, June 18 1864, No. 32; for the bystanders' view of permanent settlement as an incentive to enterprise, see Sir Charles Wood's Despatch recommending the Perpetual Settlement of the Land Revenue: Economist, September 13 1862, pp. 1009-11; see also Economist, September 20 1862, pp. 1038-40.

³² Sir W. Muir, Minute on certain points connected with the Permanent Settlement of the Land Revenue, 6th June 1868: NWP Revenue Progs, 11th July 1868, Index No. 2, No. 51; the standard to be reached before permanent settlement is to be considered was maximum expansion: cultivation had to cover 80% of culturable or malguzari (revenue-paying) area.

³³ settled by Cadell: Muzaffarnagar Settlement Report, 1873, (canal tract 1878).

whilst ensuring the 'landlord' retained sufficient to encourage him to intensify his efforts, and he had to consider it in every case where he noted the indices of India's mid-19th century 'economical revolution': the enormous rise in the prices of agricultural produce and the more obvious increase of cultivated and irrigated areas.³⁴

The problems of estimating 'rental assets' were multiplied in areas where 'improvement' showed in the expansion of cultivated area and in modifications in crop-patterns. The indices of prosperity might in the abstract be clear like the rent-rate. A fair estimate could be reached via the half-asset rules and monetary calculation of the respective claims which ought to accrue to Government and Landlord. But whatever the indices of value - prices - signalled, rents, on which the assessment was to be based, could not be seen to rise in proportion, or indeed in co-ordination with them. Where a rise in rents was recorded, it was found coincidental to price-movements.³⁵ In improved, as in unimproved tracts, rents seemed to remain governed by the machinery of social control: the relative power of the zamindar. But the settlement officer was required to base his estimates on the assumption that price-rise must induce rent-rise. His assessments of the 'expanding areas' were therefore calculated on assumed rates enhanced by his estimate of increased

³⁴ emphasis constantly laid on the 'great additional value given to the land' by irrigation works, railways, navigation canals, and the opening out of new and profitable markets: Government India (Home Dept.) to Government NWP, 26th May 1871: NWP Revenue Progs, February 1872, Index No. 42, June 24 1871, No. 58. No references were made in this connection to deteriorations caused by the public works.

³⁵ A. Colvin, Memorandum on the Revision of ... Settlements, NWP, 1860-72, (Allahabad, 1873), sec. IV, pp. 97-136.

capacity.³⁶ This dictated the rents' rise - where the zamindars were in a position to secure it.

In the canal districts, zamindars paid heavily - in terms of official charges alone - for the increase in irrigation. Canals were important revenue earners to the Government, on two main accounts: dues collected by the officers of the Irrigation Department, and the increment to the land revenue charged on 'enhanced assets' of irrigated areas. The precise amount of this increase could not, R. Strachey told the Select Committee on East India Finance in 1872, be separated in a precise way, 'but it is not disputed that it would be approximately about half of what is received as the direct revenue ... whereas the gross receipts from the Ganges Canal are at the rate of Rs 2 p. acre on irrigated area, the addition to the land revenue (not appearing on the Canal accounts) is about Re 1 more.'³⁷

In addition, the Northern India Canal and Drainage Act, VIII of 1873, introduced the owners' rate - to be assessed at one-third the existing occupiers' rate.³⁸ The justification for this

³⁶ the 'actual' passed over for the 'potential' in assessments: see Moreland, Revenue Administration of the United Provinces, pp. 42-3.

³⁷ reply to question 6594, Report of the Select Committee on East India Finance, P.P., 1872, 8, (327); cf. Strachey's reply to question 6593: 'it is impossible to say in one sentence what, up to the present time, has been the cost of the Ganges Canal to the people of India. The accounts are incomplete'; for water-rates, see Chapter II, pp. 108 ; for direct and indirect revenue from the canals, NWP, 1876/77 - 1899/1900, see Chart V.

³⁸ Northern India Canal and Drainage Act, VIII of 1873, secs 37-39; rules for the imposition of the owners' rate: NWP Revenue Progs, February 1874, Index No. 91, February 14 1874, No. 34; Progs, September 1874, Index No. 28, September 5 1874, No. 53. For Betwa canal system, Bundelkhand, completed in the 1880's, the system was modified. Owners' rate was avoided, moderate occupiers' rates were imposed, 'to be gradually raised. As the value of water comes to be appreciated, it is believed the State will best be able to secure the full market price (sic) of its water' by this means: NWP, Oudh Revenue Progs, December 1885, File No. 210, Serial No. 22, Progs No. 1.

proportion reflected the conventional method of estimation.

McConaghey, for example, concluded that it was safe to assume that the zamindars of the tracts in Muttra to be commanded by the new Agra Canal 'will, within a very short period from the introduction of the system, succeed in realizing from their cultivators, in the shape of enhanced rent, about one-third of the net increase in the value of produce attributable to the canal. Of this enhanced rent, Re. 2 p. acre on average land, Government is assuredly entitled to its half, Re 1 p. acre.'³⁹ The rate was duly fixed in accordance with the expected shape of things to come.

By 1876, the fiscal ramification of the canals was as wide-ranging as any medieval lord's charges over his domain - or, for that matter, a powerful zamindar's haq over his mahal. Water-rates from irrigation; owners' rates on irrigated lands; miscellaneous receipts by sales of water supplied for purposes other than irrigation and town consumption; water-supply of towns; receipts from plantations; receipts from other canal produce (to include sale proceeds of wood and grass from canal banks other than registered plantations); water-power (to include mill rents, all charges for water applied to turn machinery); navigation receipts

³⁹ McConaghey, Settlement Officer, Muttra, Memorandum on the proposed water and owners' rates to be adopted on the new Agra Canal: NWP Irrigation Revenue Report, 1873-74, pp. civ, cv-cvi; principle of division of increased profits from irrigation: gross profits to the cultivator arising from increase in outturn should be Rs 12 on every acre he irrigates; benefit to cultivator after paying for his water, and meeting the expenses of distribution - i.e., only the official charges considered - will be not less than Rs 6 p. acre on an average on land brought within the influence of the canal. (my underlining)

(transit dues, transport profits, tolls, hire of boats); rents of buildings; fines (for wastage of water, infringement of canal rules); and lastly miscellaneous dues (to include receipts from sale of driftwood, fines on establishment, rents of lands) - each one of these was a recognized head of account.⁴⁰

Throughout the provinces, Government's 50% share of the assumed 'net rental assets' (assumed gross assets less the cultivator's residue) was increased indirectly by additional cesses. Daniell showed how the total charges which zamindars in Jhansi were regularly liable to pay were to be accounted as follows:

in every Rs 100 of 'rental' -

	Rs	a	p
Government demand	50	0	0
Cesses, road fund, school fund, dak cess, moiety	1	2	0
Chaukidar's pay	1	1	11
Bullahar's pay	0	12	4
Patwari's pay *	2	5	5
5% Lamberdar's cess **	2	8	0
+ loss on exchange of local coin into British currency at actual payment of demand	2	8	0
TOTAL	60	5	8

* under Saharunpur Instructions, 1855, sec. xliii, to be calculated at maximum 3% on the average collections of five years.

** diminution pro tanto of profits proprietor would retain were it not levied. 41

⁴⁰ NWP, Oudh Revenue Progs, May 1877, Index No. 33, March 31 1877, No. 59; for additional charges exacted illegally but regularly by the subordinate canal administration appointed by Government, see Chapter II, pp. 109-10

⁴¹ Jhansi Settlement Report, 1871, pp. 26-7; for further details on the imposition of cesses, see W. Muir, then Senior Member, Board of Revenue, Note on mode of assessing Cesses at Settlement, 8th April 1863; NWP Revenue Progs, 10th October 1863, Index No. 9, April 25 1863, No. 35; Board of Revenue, NWP to Government, NWP, 10th June 1868; NWP Revenue Progs, 8th August 1868, Index Nos. 9, 10, July 4 1868, Nos. 43, 44.

The Distribution of the Revenue Demand

From the first years of British rule, the fundamental problem which faced the administration - having recognized the zamindar as proprietor - was how to measure the revenue-paying capacity of the specific territorial assets (the mahal, or estate) to which his proprietary title was held to apply. The summary settlements under the first Regulations of 1803 and 1805 answered this crucial question with conjectures, a situation which the first 'formal' settlement under Regulation VII, 1822, only marginally improved. Regulation IX, 1833, brought in the use of vernacular records as a basis for assessment, but experience soon showed up their defects in this context. The revised settlements provided the only logical answer to the problem of measurement: the absolute standard of the rent-rate (by district or pargana), and the general law of the natural capability of the soil were henceforth to be the cardinal principles of revenue procedure. When, consequently, local records were weighed in the settlement officer's balances and were found wanting, they could not but be rejected as invalid. This process of refinement and abstraction meant that the revenue demand, based on estimates obtained with the minimum direct interference in local affairs and calculated in terms of what was assumed to be equitable rather than what was seen to be actual, could take little account of the condition of the revenue-paying classes - zamindars and talukdars. The question of their capacity to meet the demand was not confined to the extent to which the productivity of soils in their mahals corresponded to the Settlement Officers' assumptions or expectations. It was intimately connected with the relations between zamindars and Government, and with their position in local society.

The revision of settlements introduced technical changes in

the revenue contracts which can be seen as the culmination of a fifty-year process of definition. This coincided with the culmination of another fifty-year process, the impact of which was felt directly and over a large part of the provinces. The supplanting of 'native rule' by an administration which throughout its upper reaches - civil and military - was solidly staffed by Europeans was complete when Oudh had been annexed, the 'Mutiny' suppressed, and Crown government established. This last and most radical phase of the change in administration registered most clearly in Oudh and in parts of Benares Division - Azamgarh, for example, - where relations with the Nawabi had been close.

Prior to annexation, the zamindar's position in, for example, Lucknow district, was that of a head man of a group of local maliks, appointed by them for purposes of management. As their representative, he would be summoned to the court of the local chakladar (regional revenue official of the Nawab's administration) to take up the revenue contract.⁴² His authority was based on that area of his mahal, government-granted or government-guaranteed, where he lived. To the income from the wide range of sources which made up the mahal, perquisites of office could be added. These were provided by younger and more mobile members of the zamindari group, earned in service to more powerful zamindars, talukdars or at the Court of the Nawab himself. Such service regularly absorbed hundreds and thousands of members of the upper strata of society.⁴³ Each member of a dominant family or coparcenary (as groups of such families were termed by the British revenue authorities⁴⁴) held a claim to the

⁴² Lucknow Settlement Report, 1873, p. 89.

⁴³ see Chapter I, pp. 65-6

⁴⁴ this should be distinguished from the joint Hindu family, also termed 'coparcenary' in the Hindu Law as administered by the British courts.

local revenues of the zamindari by reason of his share defined on the basis of his precise relationship within the group. The need to realize this claim seems to have been regularly forestalled in the great majority of instances by the existence of alternative sources of wealth, viz. the opportunities for civil and military service outside the mahal. Up to 1857-58, the militia of the East India Company had maintained these opportunities: according to Irwin, there were 'said to have been sixty thousand Oudh Rajputs and Brahmans, or between two and three, on an average, from every village in the province, in the service of the East India Company.'⁴⁵

By 1858, this situation was radically transformed. The overstocked bureaucracy of the Nawabi was disbanded; European troops replaced the sons and younger brothers of zamindari and talukdari families in British Indian regiments. By 1872, the representation of the upper ranks of society in the civil administration of Oudh was minimal and incomes from Government employment had contracted dramatically. McMinn reported that there were only five 'natives' who drew over £600 p.a. from Government service; forty-one 'native' judges on incomes of £300 and over; forty-nine subordinate judges or tehsildars whose annual income was below £300.⁴⁶

The British administration had not been wholly insensitive to the financial problems which reared up for the upper classes on the curtailment of their service perquisites. The award of compensation The award of compensation in the form of malikana, a due to be paid to 'proprietors' at a rate equivalent to their lost 'profits',

⁴⁵ Irwin, Garden of India ..., p. 48.

⁴⁶ McMinn, Introduction ..., p. 67; for the composition of the district revenue establishments (the most comprehensive branch of the administration), see Chapter VI, pp. 311-12 and Appendix X.

was legally prescribed in the first Regulations.⁴⁷ Under the 1833 settlements, it was fixed at 10% on the revenue and was to be paid direct to 'landowners' by the Treasury.⁴⁸ The procedure is significant. It was intended to ensure the 'landowners' that their right to this compensatory charge was fully recognized as an obligation to be directly discharged by Government from its land revenue. In 1867, when the Board of Revenue NWP recommended that, with their new legal powers against defaulters (which we shall examine inf.) the 'landowners' could well/relieved the Revenue Administration of the burden of Malikana collections and extract the charge themselves, the Lt.-Governor solemnly upheld the Government's duty to safeguard the payments. Referring to a letter of Government to the Board in 1844, he noted that it was there clearly shown 'that the collection of Malikana by Government and its payment from the Government Treasury to assignees was intended as a boon, bestowed as a portion of compensation given for their exclusion from management.' To make any change as proposed - during the term of the current settlements - would, therefore, in the Lt.-Governor's opinion, naturally be regarded as a breach of faith. It could not be sanctioned.⁴⁹ The revision of settlements, however, was held to bring an increase in 'proprietors' profits' since Government now reduced its demand from 66 2/3% to 50% of the 'rental assets'. Malikana was promptly reduced in accordance -

⁴⁷ Reg. viii, 1793, secs 44, 46, 75, 83; Reg. xxv, 1803, sec. 29; Reg. xxvii, 1803, sec. 53; Reg. ix, 1805, sec. 8.

⁴⁸ Settlement Circular No. 4, para. 180: Directions to Settlement Officers, para. 113.

⁴⁹ Government NWP to Board of Revenue NWP, 2nd March 1867 (ref. to Government NWP to Board, 17th January 1844): NWP Revenue Progs., 2nd March 1867, Index No. 6, No. 30.

regardless of the circumstances of zamindars - and became 'little more than a compassionate allowance', which the passing of subsequent legislation on the subject merely confirmed.⁵⁰

Such compensatory measures even in their more lavish form could do little to remedy the dislocation which resulted from the disarming of the country and the disbanding of a large part of its former administration. There was no alternative open in most cases to the zamindari families but to turn to the land. 'A head is no longer required (by the administration)', Butts wrote of the situation in Lucknow during settlement, 'and the coparceners are all confined to their villages; for, to use an expression of their own, their only trade is zamindari'.⁵¹ There was no alternative source of income which could make up the deficits. As Reid noted in Azamgarh, public works in the district could not replace service 'in the Native Army and with Native Princes' from which 'extraneous source a good deal of money used to come into this part of the country'.⁵² The chief sufferers not only from

⁵⁰ for a concise account of malikana from the earliest Regulations to Act XVII, 1876 (sec. 35), see Hardoi Settlement Report, 1880, pp. 342-4. The equivalent compensation granted to talukdars, the official haq talukdari, was fixed at 22½% on each talukdar's revenue under the 1833 settlements and reduced by Government Order, 9 of 17th January 1844, to 10% plus 'a variable sum over and above the equitable right', to be open to revision at the death of the grantee. For a clear illustration of the typical reconsideration of such allowances in the light of the financial exigencies of Government from the late 1860's, see the Petition of the Rajah of Mujhowlee, zillah Gorakhpur: NWP Revenue Progs, 29th February 1868, Index No. 9, February 1st 1868, Nos. 27, 28, and the decision of the Governor-General, Progs, cit. sup., Index No. 10, February 29 1868, No. 20.

⁵¹ Lucknow Settlement Report, 1873, pp. 89-90.

⁵² Reid quoted by Colvin, Memorandum on the Revision of ... Settlements ..., p. 126.

the diminution in income but also from the disappearance of their accustomed trappings of power and prestige were the Kshatri or warrior families:

... there is everywhere a tacit refusal of all tribute and homage which cannot be enforced by law. The Raja bitterly complains that the peasant, who pays him rent, no longer bows to him; the lowly salam of the grain-dealers, the shopkeepers, the pilgrims, the dancing-girls, is reserved for the English Magistrate who guards the property and punishes the crimes of all ...⁵³

For 'legal' enforcement of their dwindling authority, zamindars and talukdars kept up sizeable establishments of retainers, ranging from agents who supervised cultivation and the collection of dues to bodyguards armed with cudgels. Observers commonly mistook the social necessity of the retainer-force - especially in the changed circumstances of the later 19th century - for a perverse and wilful Oriental extravagance. 'The enormous industrial loss caused by the idle pomp of Indian noblemen and princes has been little lessened,' McMinn wrote in 1902. 'Though no longer are there to be found a hundred thousand armed men waiting near the Mogul, swaggering around in eager expectation of outrage and plunder, yet still each nobleman keeps numerous gangs of swashbucklers ...'⁵⁴

With the intensification of upper-class interests in the land, the problems of defining the area of each 'nobleman's' jurisdiction and liability for revenue payments took on nightmarish proportions. The search for the rent-rate was a sinecure by comparison. We have

⁵³ McMinn, Introduction ..., pp. 71-2.

⁵⁴ McMinn, Famine Truths, Half-Truths and Untruths, (London, 1902), p. 119. McMinn suggested as a remedy the introduction of the Elizabethan Vagabondage Acts.

seen how tenurial complexities arose from the regular operation of partition and inheritance.⁵⁵ Struggles to equate the titular claims which recorded shares represented with a quantifiable area of land now became serious. Where sufficient land was available for adequate partitions to be made, some solution could be attempted, at least as far as the legal record went, and settlement officers were well provided with instructions as to how to conduct the arbitration.⁵⁶ The procedure could mean an exhausting wrangle amongst various 'proprietary' parties to a dispute as to how to reconcile their respective claims to shares of almost imperceptible minuteness. Reid collected some standard tables of rights and interests of two parganas in Azamgarh, from which a single example should suffice to illustrate the settlement officer's dilemma:

shares represented in terms of rupee unit and parts of that unit:

Rupee	Annas	Pies	Kants	Jans	Tils
1 =	16 =	192 =	3,840 =	34,560 =	1,866,240
	1 =	12 =	240 =	2,160 =	116,640
		1 =	20 =	180 =	9,720
			1 =	9 =	486
				1 =	54 (57)

⁵⁵ see Chapter I, pp.63

⁵⁶ regulations and enactments on partition of estates: Reg. vi, 1807 (rescinded, 1810); Reg. xix, 1814; Reg. vii, 1822; Act XIX, 1863 re-enacted the laws for 'perfect' (i.e. complete) partition, with modifications and elaborate rules of procedure: this enactment remained the basis for subsequent legislative prescriptions under the later Rent and Revenue Acts (q.v., Appendix V); for an examination of the problems of partition at the revision of settlements, see C.H.T. Crosthwaite, Memorandum on Imperfect or Private Partitions, 21st September 1867: NWP Revenue Progs., 21st December 1867, Index No. 12, No. 11 C.

⁵⁷ Azamgarh Settlement Report, 1881, Appendix VII, exemplar I. The Rupee unit might represent an entire mahal, a specific share of a mahal, a mauza, a share of a mauza, a fixed area-measure (e.g. a bigha).

Even where shares in complex mahals could be adequately defined, the extent of each sharer's liability to pay revenue still eluded the settlement officers. Ward, Officiating Collector of Jaunpur in 1878, described a situation which was only too familiar elsewhere in the provinces. His example was a large mahal - a whole taluka - which contained 24 mauzas (A,B,C ...) broken up into 12 subordinate mahals (I, II, III...). To simplify (sic) the discussion, Ward supposed each mauza to be exactly $1/12$ of the taluka and each mahal to contain $1/12$ of each mauza. The composition of the 12 mahals would thus be as follows:

Mahal I : $1/12$ A, $1/12$ B, $1/12$ C ... $1/12$ X, $1/12$ Y, $1/12$ Z
and so for II, III, IV ...

But in practice, the arrangement was much more complicated due to the fact that the divisors were not equal. The following pattern was more likely to have arisen:

Mahal I : $1/60$ A, nothing in B, $1/10$ C ... $1/100$ X, nothing
in Y, $\frac{1}{2}$ Z.

Mahal II : $1/30$ A, $1/15$ B, $1/10$ C ... nothing in X, $1/50$ Y,
 $1/4$ Z

On top of this came partition. As a result, mahals of an aggregate area of 20 acres existed which had to be identified in 20 village maps and which were owned by a 'proprietary' body of several families. Here was the crux. The 'proprietors, as well as the revenue they paid, were arranged by mahals but as Ward commented, 'suppose mahal I pays Rs 1,000, we do not know how much revenue $1/12$ A is charged with, or how much $1/12$ B pays. We only know that $1/12$ A + $1/12$ C ... + $1/12$ Z pays a total revenue of Rs 1,000 ...' The 'rental assets' provided the final complication, since cultivators under each set of 'proprietors' paid them 'rental' but not

according to mahals. A cultivator - Ram Baksh of Mahal I, for example - might hold 1 acre in the 1/12 of A belonging to Mahal I, nothing in 1/12 B, $1\frac{1}{2}$ acres in 1/12 C, 2 acres in 1/12 D, 1 acre in 1/12 E, nothing in any other mauza, his total holding aggregating $8\frac{1}{2}$ acres rented in Rs 50. But neither Government nor Ram Baksh knew precisely how much of this he paid for his acre in 1/12 A or for his $\frac{1}{2}$ acre in 1/12 C ...⁵⁸

Even this was assuming an ideally simplified situation in that 'proprietors' could be clearly distinguished from cultivators. This had never been the case in reality. Zamindars stood as cultivators in respect of their sir land and any fields which they might lease - under cultivating pattis - from other zamindars for additional income where their shares had dwindled below an economically viable level or where such lease provided them with an entree into a neighbour's territory by which they could threaten his power and prestige. The pressure on the land by upper-class claimants displaced from service could not but increase such sub-division. Take Lucknow district, for example. If the rights of some 37 talukdars to a mere 376 mahals could be clearly established in law, whatever the complexities of physical distribution of liability might be, no such easy solution could be found for the overwhelming majority of superior rights: the remaining 1,122 mahals had to be divided amongst no fewer than 14,756 proprietors. Here, too, the distribution was highly unequal. Whilst rights to some 603 mahals were held by a mere 2,832 zamindars, a further 501 mahals aggregating 329,855 acres had no less than 11,574 recorded sharers.⁵⁹ In these

⁵⁸ E.C. Buck, Note on the preparation of a record-of-rights in the permanently-settled districts: NWP, Oudh, Revenue Progs, September 1878, Index No. 40, August 24, 1878, No. 51.

⁵⁹ Lucknow Settlement Report, 1873, pp. 59, 88-9.

circumstances and especially in view of the number of subordinate rights established within each mahal or mauza, co-sharers had to take additional fields on lease, an easier task for cultivating classes than for the Kshatris who, like most of the Brahmans, looked first to service for supplementary income.⁶⁰ The pattern of rights of a numerous 'proprietary brotherhood' - bhaiachara tenure - was to the settlement officers nothing more than a tangled mass of confusions. Neale's problems in defining bhaiachara rights in Etawah were characteristic:

Not only are hereditary rights hard to discover, but they are made doubly hard by the endless inter-transfers and mortgages which the brotherhood always effect, and which are the necessary prelude to the stronger part of the community gradually eating up and ousting the weaker. The transactions are hardly ever recorded as they occur during the current settlement; but at the commencement of a new one they all crop up, and have to be minutely followed out and noted; many, indeed most of them, concerning the smallest areas, and the same area being often several times involved ...⁶¹

Officers continued assiduously to compile statistical statements of acreages or percentages of cultivated area held by the various categories of the official model of tenurial structure - proprietors, occupancy tenants, tenants-at-will - whilst other passages of their reports showed how the common phenomenon of multiple status rendered such statistics useless. With the operation of mortgage and lease, legal holdings would show the following patterns, as illustrated by Evans' data from Agra district:

⁶⁰ Kheri Settlement Report, 1879, pp. 26+7.

⁶¹ Etawah Settlement Report, 1875, p. 126.

average cultivated area held (acres)

Class of Cultivator	% of total cultivated area held	as sir	with occupancy right	as tenants-at-will	total average holding
Proprietors	23.5	9.7	1.2	0.8	11.7
Occupancy tenants (incl. 'privileged tenants' - 0.2%)	52.1	-	7.7	0.4	8.1
Tenants-at-will	22.4	-	-	6.0	6.0
					(62)

The range of revenue-payers throughout the provinces stretched from the few all-powerful talukdars in Oudh districts, controlling large areas - as in the case of the 37 talukdars of Lucknow referred to above - to the mass of zamindari and bhaiachara coparcenars who composed the majority of the 'proprietary' groups. The number of co-sharers concentrated on the family or clan holding placed them in a position that was hopelessly uneconomic, whether sub-division had actually taken place or not. The situation of the small coparcenar was to say the least unenviable: 'little richer than the ordinary cultivator, ... he has generally the richer zamindar's position and liabilities', as Butts observed.⁶³ Meanwhile, the final assessments as drawn up on the basis of soil-rates and such vernacular records as were broadly consonant with them, had to be declared before the disparate 'proprietary bodies' of each pargana, and distributed amongst them. The general rule was that a proposed distribution of the demand other than according to the quality of the soil must be approved unanimously. Agreement could hardly be hoped for - predictably, perhaps - where populous zamindaris held or rather struggled to hold superior rights in mahals, i.e., over the greater part of the provinces. The

⁶² parganwar statement of average holdings: Agra Settlement Report, 1880, p. 58.

⁶³ Lucknow Settlement Report, 1873, p. 90.

distribution of the demand therefore tended either to be entrusted to 'the people', by which the more powerful elements of the revenue-paying body were meant, or to be imposed according to the quality of the soil.⁶⁴ Where the spread of canal-irrigation had increased existing disparities in productivity, improving some parts of a mahal and at the same time causing gross deteriorations in other, usually more low-lying, areas, settlement officers laboured to establish a compromise, to strike a mean between soil and recorded rates or between the rate on cultivated as distinct from total revenue-paying area and the proportion of the old jama to the new.⁶⁵ As far as the condition of excessively sub-divided tenures was concerned - a more tortuous problem than canal deteriorations - the settlement officer could only use his discretion, hedged about by the necessary regard for Government interests. In Unao, when Maconochie had completed his calculations for the settlement, he found it impossible 'in many instances ... to fix a demand on full assets as given by our rates'. He was obliged to show some consideration in view of the lengths to which sub-division had gone in the district (severely affected by Annexation), otherwise

the Settlement would have broken down, by the landowners not paying or, more probably, as the good old Nawabi days are still remembered, and men will live, they would have taken to crime. It would probably have been put down in time by the law, but the moral effect of a Government forcing its subjects into crime would have been most fatal in its results ...⁶⁶

64 Muttra Settlement Report, 1879, p. 98.

65 see for example Cadell's computations: Muzaffarnagar Settlement Report, 1873, (canal tract, 1878), pp. 88-90.

66 Unao Settlement Report, 1867, p. 56.

The settlement officer had to aim in such circumstances at a level of demand as near to the official requirement of 'half-assets' as the 'proprietors' had the power of paying. But what standard could they use to estimate this power? The suspicion of fraudulent understatement dominated their view of local records. Little else remained available to them beyond cautious conjecture.

Once the settlements were completed, after years of tireless devotion by the field-staff, little could be done to modify them. When complaints were voiced against obvious imperfections and maladjustments, the conventional response from the uppermost reaches of the administration was to emphasize the sacrosanctity of precedent and to 'enjoin the necessity of extreme caution':

... On the one hand, we have to consider a system which has been built up by the labours of some of the most eminent men whom India has seen; we are bound to confine our suggestions to that which is practical, and which will conform itself to the state of property indigenous in these provinces, and as confirmed and modified by the course of nearly three-quarters of a century's legislation; we are bound, also, to consider the prosperity of the country and its ability to resist misfortune of season; and, above all, to remember that the maintenance of a contented and substantial peasantry and proprietary is a condition that must take precedence of every other. On the other hand, we are bound unprejudicially to consider whether the Imperial revenues are in any respect unnecessarily sacrificed, and if so, to the best of our ability to provide a remedy ...⁶⁷

The settlements met with little modification, and the demands fixed by them were for the most part met. The next stage of our enquiry is to discover how this was achieved.

The Realization of the Demand

The Board of Revenue insisted on the paramount role played by the seasons in revenue affairs. Its annual reports began with an account of climatic conditions and a description of the state of the harvests in each Division. 'To write of the administration of the land revenue', the Board maintained, 'without some notice of the character of the seasons by which, more than by any other cause, the land revenue is controlled, would be to analyze results without attempting an explanation of the causes which have chiefly produced them.....'⁶⁸

District officers of the Revenue Department did not always agree with the Board. Cadell, for example, compared the state of things in Banda district - a poorly-endowed area where farmers coped with difficult conditions by a semi-shifting pattern of agriculture - under 'native' governments with the present day situation under British rule. The land (i.e. revenue) administration prior to the British had, he concluded, been superior in certain important respects. It had been generally more moderate; it had been unquestionably more elastic; in short, it had been adapted to existing circumstances. Since then, British rule had brought with it a number of advantages to Banda - greatly increased security of living, prosperity and a better administration. The extension of British power had meant markets for Banda's produce in the Doab and the East India Company's operations had already created a greater demand for certain products (Cadell does not specify which), with the fact that no material improvement had taken place in Bundelkhand communications for nearly fifty years (prior to the

⁶⁸ NWP Revenue Administration Report, 1871-72, p. 3.

1870's) had tended to make these benefits more apparent than real. Then, too, there were the advantages of the reformed revenue system. These, however, did not include either of the two cardinal virtues of the old administration. The severity of British assessments was notorious, as was the inelasticity of demand: collections of revenue in full were insisted upon, irrespective of the seasons.⁶⁹

Who was right, Cadell or the Board of Revenue? A comparison of the statistics of the revenue demand and collections with the state of the harvests over the period 1864/65 - 1884/85⁷⁰ suggests the Board were arguing more from principle than practice. Some examples. In 1865-66, the 'landholders' were said to have been enabled 'to meet their engagements with ease' due to the prevalence of high prices for all kinds of agricultural produce over the greater part of the provinces. The following year, the same was said of the Rohilkhand 'landholders'. In 1878-79, an indifferent year, prices said to be 'fortunately high' everywhere 'materially assisted the people to meet the rent and revenue demand' in Allahabad Division, where the kharif however had only been fair and the rabi considerably below average. In the scarcity year 1883-84, nearly all the revenue was collected 'without pressure or any approach to difficulty within the year' - a year in which, over many hundreds of square miles, an estimated three-quarters of the total food-supply of the people was said to have been annihilated in a crop-failure which extended over the greater part of the provinces.⁷¹ The situation was the same for Oudh. In 1864-65, the inadequacy of the monsoon

⁶⁹ Banda Settlement Report, 1881, p. 95; details of the pre-British system, pp. 96 ff.

⁷⁰ compare Chart I with Charts VII and VIII.

⁷¹ NWP Revenue Administration Reports, 1865-66, pp. 1-4; 1866-67, pp. 1-3; 1878-79, pp. 1-4; 1883-84, pp. 1-6.

caused an almost total failure of the (staple) rice crop everywhere. Its effects were felt particularly in Sultanpur and the trans-Gogra districts. The price of agricultural produce increased which brought 'some distress amongst the poorer classes' but enabled 'the landholders ... to pay up the revenue:

It is a matter of much satisfaction that under these circumstances so clear a balance sheet should be shown. The rent-roll exhibits an increase of 1 lakh over that of 1862-63; out of a Total Demand of Rs 10,403,660 only Rs 87,390 (not $\frac{1}{2}\%$) remained uncollected at the end of the year, and of this sum, only Rs 1,309 were irrecoverable ...⁷²

District officers had the authority to apply to the Board, in the event of severe natural disorders, for suspension or even remission of a portion of the revenue demand. Little use was made of this prior to 1873, when the principle was enshrined in the new Rent and Revenue Statutes, Acts XVIII and XIX. The Collector of Basti even reported that he had not asked for remissions when a hailstorm damaged crops in the district 'on the ground that the relief would not reach the cultivator'. The Board found this regrettable, and trusted in the new legislation to make such relief more readily available.⁷³ Implementation of the statutory provisions was obstructed, as the narrative of relief operations during the scarcity of 1877-78, 1879 showed clearly:

⁷² Oudh Revenue Administration Report, 1864-65, Part I, p. 1. From 1873-74, the order of presentation of the Oudh reports was changed. the section on revenue from then on included one paragraph only on agricultural conditions to accompany a rainfall statement.

⁷³ NWP Revenue Administration Report, 1872-73, p. 9.

Not the least important question for decision at a time when the condition of all classes of the community was one of grave anxiety was: what course to follow regarding the realization of land revenue? were there any remissions or suspensions to be granted? if so, under what circumstances and to what extent?

Such was the issue before the local Government. But external pressures had to be considered.

The time when the kharif fell due (the kharif had failed) was one of great financial pressure, in consequence of heavy expenditure incurred in famine relief in Bombay and Madras. The Government of India thought it necessary under the circumstances to remind the local Government that, with reference to the character of the settlement, proposals or promises for remission ought not to be encouraged, and, in view of the experience of past famines and droughts in these provinces, held that it would be a direct encouragement to thoughtless unthrift were the demand even to be suspended on any great scale.

With this admonition, the matter was left 'to the discretion of the local Government'.⁷⁴ Over those years of widespread failure in the harvests, neither a general remission nor a general suspension of revenue was sanctioned.⁷⁵ The position, however loudly lamented, did not change. The Board of Revenue reported the (minimal) amount of kharif suspensions made in the drought of 1881, at the same time stating

⁷⁴ Report on the Scarcity and Relief Operations in the NWP and Oudh, 1877-78, 1879, pp. 12-13.

⁷⁵ ibid., Ch. IV: Realization of Land Revenue, at p. 282. For 1873-76, the official figures for remissions and suspensions were given as follows (in Rupees):

	Rent	Revenue
Remissions	208,000	111,000
Suspensions	89,000	42,000

Source: E.C. Buck, Note on Collection of Land Revenue: Report of the Famine Commission, 1879, Appendix I: Miscellaneous Papers, P.P., 1881, 71, 1, pp. 170-73, at p. 171.

their fear ... that the discretion allowed to Settlement Officers was too cautiously exercised, and considering the period of trial which the cultivating classes have passed through, principally in Allahabad division and Agra district, it is a matter of surprise that the Government revenue has been so easily got in, and that without recourse to coercive measures ...⁷⁶

The revised rent law, Act XII of 1881, included the same provisions on remissions and suspensions as its predecessor - and implementation of these ran into the same obstructions, from the procedure which protected the Government against rash action. Aikman, the Collector of Etah, inveighed against the elaborate rules formulated under section 23 of the Act, which necessitated the already hard-worked district establishment to go out and assess the damage done in the event of hailstorms, floods or drought, field by field, to calculate the amount of rent and the proportionate amount of revenue to be remitted or suspended and to distribute this between the tenants and under-tenants in the case of rent, and amongst the different pattis and mahals in the case of revenue:

It is little wonder that men blaspheme because of the plague of the hail. The rules are workable where the harvest of a limited number of villages is destroyed. But the procedure is so laborious that it would be impossible to apply it to a calamity of any great extent - say, for instance, the destruction by drought of the crops of a whole tahsil ...⁷⁷

The 1877-78 situation remained unchanged. Government continued to lose little of its collections on account of remissions. It was the same story as takavi,⁷⁸ and for the same reasons.

⁷⁶ NWP Revenue Administration Report, 1880-81, p. 12. Total demand in affected districts, Rs 15,614,604. Of this, only Rs 736,519 (less than 1/20) uncollected on account of scarcity at the close of the year. Returns for current year showed a great portion of this was 'being rapidly got in'.

⁷⁷ NWP Revenue Administration Report, 1882-83, pp.4-5.

⁷⁸ see Chapter II, pp. 139-49

Far from being 'controlled' by the condition of the harvests, the realization of the revenue demand depended on the zamindars' capacity to mobilize their resources and pay it. These resources were (1) the extent of cultivated and cultivable area under the control of a zamindar or zamindari group, (2) the charges levied under the authority of a haq zamindari on all who lived or farmed within the limits of a mahal and (3) the amount which could be raised by borrowing. The total yield had to cover the Government's demand, the claims of dependants and the requirements of conspicuous consumption for the maintenance of prestige; in many cases it had also to satisfy a simple urge for rapacity.

Increases in the revenue demand under the revised settlements necessitated increased exploitation of these resources by the zamindars, but the rate of increase of their wealth could be effectively negated by the satisfaction of prior claims. Assessments which were pitched in accordance with sound if abstract principles of political economy and the equitable claims of Government could represent an increase of from 40% to 100% over the previous jama within a single tahsil which was regarded as highly productive by the settlement officer - as, for instance, tahsil Jalalabad in Shahjahanpur district. Even the well-to-do 'proprietors' found difficulty in meeting the new demand; to others who had suffered even under light assessments in the past it brought absolute ruin. 'The larger the number of shareholders, the more mouths dependent on the surplus profits,' Currie wrote. 'It is not a mere matter of some luxury being temporarily given up, but perhaps one meal a day given up or a daughter left unmarried for several years for want of means ...' Nonetheless, Currie ordered reductions in the demand only where 'considerable' increases had

occurred - a course which was duly approved by the Board of Revenue.⁷⁹

Expansion of cultivation offered little by way of a solution to zamindars to the problem of how to increase their means, since it almost automatically entailed an enhancement of the revenue demand and the result could not be other than a vicious spiral. Far more commonly, zamindars looked to their haqs to cope with new pressures and chiefly to the charges on cultivators which secured the greater part of their income. 'Almost all, if not all, the extra and abnormal demands made on the zamindar by Government were passed on by him to the tenants', as Markham commented a propos of Bijnour district.⁸⁰

Viewed as a landlord-tenant relationship, the dealings of zamindars with cultivators on their mahals invariably left much to be desired. Butts' picture of Lucknow 'landlords' was typical of official reports:

... They would seem to spend little in improving their estates, little in promoting the comfort or happiness of the numerous classes of labourers who till their lands. If a kachha well is to be dug, it is the tenant that finds the capital. If seed grain is to be purchased, it is the landlord perhaps who will supply the money, but at a rate of interest of 25 or 36%, to be afterwards repaid with the capital. This is the chief intercourse of the landlord, and in valuing his lands and collecting his rents lie his only acknowledged functions ...⁸¹

Such functions might be acknowledged as the landlords' but they were

⁷⁹ Shahjahanpur Settlement Report, 1874, pp. 43-4.

⁸⁰ Bijnour Settlement Report, 1874, pp. 89-91.

⁸¹ Lucknow Settlement Report, 1873, p. 92.

exercised by agents, which sent McMinn into one of his characteristically vehement denunciations of Oudh upper classes:

... Their tenantry are so numerous, their farms and interests individually so petty, the nobles themselves are so indolent, their state and customs are so obstructive of rapid locomotion or personal enquiries, that there is no chance of their ever becoming well acquainted with their tenantry. An English landowner knows far more about his tenantry than any native noble, who cannot take a morning walk without a retinue consisting largely of rogues and eavesdroppers ...⁸²

The revised settlements, in adding to the zamindar's needs and inclinations to exact charges, could hardly bring about an improvement in his relations with cultivators. As far as Butts could see, the Lucknow zamindars tended to by-pass the privileged groups of Thakurs and Brahmans and come down hard on 'the remaining classes - the labourers of the soil, without traditional privileges, without resources, and without ambition, who cling to the soil as affording them the only visible means of support ... It is these classes that largely make up the population, and it depends upon the forbearance of the landlord whether their life is to be one of comfort or of want and poverty.'⁸³

The vulnerability of this unprivileged majority is undeniable. But the position of upper-class cultivators vis-à-vis the zamindars was more complicated than Butts' note suggests. The Bengal Recovery of Rents Act, X of 1859 (extended to the NWP), ~~was~~ the pioneer of agrarian legislation, recognized inter alia a landlord's power to enhance the rent of his tenants in accordance with the power assumed

⁸² McMinn, Introduction ..., pp. 109-10.

⁸³ Lucknow Settlement Report, 1875, pp. 1-2.

by the chief landlord - Government - to enhance its claim to revenue. Moens, for one, saw in this power of enhancement a cause for bitter antagonism between zamindars and cultivators: to the latter, at least as far as Bareilly district was concerned, it was nothing but a curse.⁸⁴ But the zamindar was not unobstructed in the exercise of his new power over the whole cultivating community. It was merely the unprivileged 'tenants-at-will' - the majority of the population, it is true - whose relations with the zamindar were subject to no new legal protection since they were seen to be the product of the natural order of things. Act X of 1859, however, strengthened potential opposition to the zamindar from privileged groups. It created a prescriptive right of occupancy, to be claimed at law by cultivators on presentation of proof of their continuous occupation or cultivation of a given holding over a period of not less than twelve years.⁸⁵ Occupancy status was attractive. It had no direct liability to revenue; it was legally constituted as free from the guarantee of the zamindar; it entitled the holder to resist, in the courts, the zamindar's attempts at enhancement; it enabled cultivators so designated to threaten the zamindar's authority. The struggles between 'landlord' and 'occupancy tenant' manifested themselves in a variety of forms. Suits by zamindars for ouster generally aimed at preventing the accrual of occupancy rights within their mahals: physical possession was a secondary concern, whilst legal status and the power of access to the courts dominated the issue. In one district alone, Saharunpur, the number of suits brought under Act X rose from 711 in 1861 to 1,029 in 1863 and 2,075 in 1864 - attributed by the

⁸⁴ Bareilly Settlement Report, 1874, pp. 55-6.

⁸⁵ see Appendix VIII.

Officiating Collector to zamindars' anxiety to secure themselves against occupancy claims by suits for ouster.⁸⁶ Some zamindars achieved this by the subtle means of refusing to accept rent payments. The tenant would, it was expected, find the temptation to spend the money irresistible, arrears would accumulate - and the zamindar would win a decree in the courts for ouster. The law offered no corrective for such practices.⁸⁷ Enhancement suits provided the stiffest legal battles which in many cases zamindars were compelled to fight by reason of the revised settlements themselves:

The Settlement Officers in these Provinces assess the land revenue estimated on the estimated rents obtainable for the various kinds of soil in an estate, and not on the actual rents paid in any estate. Hence it frequently happens that a landholder finds himself compelled to sue suddenly for generally enhanced rents in order to enable him to realize the full amount payable by his tenants, but which from one cause or another may not have been exacted during currency of the last settlement. Under the Court Fees Act he is called upon to pay heavily to do this, though he very often cannot afford the risk of the expense. If however he should succeed, the costs of the suit are frequently thrown on a body of cultivators, who have at the same time to pay a higher rent and are burdened with the expenses of the suit ...⁸⁸

⁸⁶ NWP Revenue Administration Report, 1864-65, p. 6.

⁸⁷ Board of Revenue to Government NWP, 26th September 1867: NWP Revenue Progs, 23rd November 1867, Index No. 78, October 12 1867, No. 48. ~~The same practices were used by zamindars against co-sharers.~~ Other means of preventing cultivators from acquiring occupancy rights included compelling them to change their fields and thus breaking the tenancy before the 12-year period expired: see further, W. Crooke, Note on the Famine Commission's Note on Relations of Landlord and Tenant ...: NWP, Oudh Revenue Progs, May 1882, pp. 26-9.

⁸⁸ Board of Revenue to Government NWP, 5th December 1870: NWP Revenue

The fact that no adequate solution could be found for enhancement disputes made the struggles more bitter and more prolonged.⁸⁹ The amount of enhancement was to be fixed legally by reference to a 'standard rate for the pargana or vicinage'. What could this be? Not the Settlement Officer's estimates which were themselves impugned. Nor the vernacular records, which were manipulated by local interests, viz. the zamindars'. No practical standard existed. Litigation merely served to perpetuate the issue, whilst the relations between zamindars and occupancy tenants worsened. 'Rents will rise as civilization progresses and intelligence increases,' Butts concluded cheerfully, 'but rent enhancement in many cases seems to amount to mere spoliation, or that is how the tenants look at it!'.⁹⁰ The necessity for rents to rise was the pious wish voiced in the Secretariat, where the obstinate refusal of rural phenomena to follow the principles of political economy brought forth a stream of comments and enquiries. Auckland Colvin, for one, was clear that the answer could not be found in the text-books but was to be sought for 'in the history of the public land revenue assessment, and the agricultural economy of the people'. But the financial exigencies of Government cut short any such attention to the realities ruling the differentiation of local charges. As Colvin himself went on to state, 'it is nevertheless to a rise in rents that the Provinces must in future mainly look to an increase of the public revenue from the land'.⁹¹ With the move to enhance rents, dictated by the revised settlements, came attempts to consolidate zamindari 'cesses' with 'rents' and thus bring them within range of assessment. Under the

88 (ctd.)

Progs, October 1872, Index No. 4, December 31 1870, No. 39.

89

on the (insoluble) problem of proof of adequate enhancement, see Board of Revenue to Government NWP, 13th March 1872: NWP Revenue Progs, October 1872, Index No. 7, April 13 1872, No. 2.

90

Lucknow Settlement Report, 1873, p. 70.

91

Colvin, Memorandum on the Revision of ... Settlements, p. 130.

NWP Revenue Act, XIX of 1873, cesses regarded as 'deriving from the occupation of land' were henceforward to be included with the zamindar's rent.⁹² Miscellaneous sayer revenues were legally abolished - though the Settlement Officer's only sanction against zamindars continuing such exactions seems to have been to refuse to record them in the official set of 'village papers'. In one instance, however, the new prohibition on the levy of fees on trades provided local competitors with an opportunity to dispute a zamindar's authority: in Moradabad, Baniyas refused to pay over their ground rent.⁹³

Where such orders were strictly carried out (no evidence exists as to how far this was done) with the aim of preventing trade from being unduly hampered, they must, as Alexander commented, 'have caused rather severe loss to the zamindars'.⁹⁴ Theoretically, this could be made up by increased 'legal' charges, where a zamindar was strong enough to take them. But where this was impracticable or the yield insufficient, there remained another resource: the widespread practice of borrowing. The supply of funds for revenue payments had been an established business of 'agricultural capitalists' prior to British rule - witness the bankers of Oudh.⁹⁵ The British revenue assessments provided 'agricultural capitalists' with increased opportunities for business. This was not merely the result of increases in demand exacted irrespective of the state of the harvests, nor was it confined to areas where such increases coincided with a greater concentration of numbers within the limits of zamindaris; the way in which the timing of collections throughout the provinces was

⁹² Act XIX, 1873, sec. 66.

⁹³ Moradabad Settlement Report, 1881, pp. 64-5; for examples of the nature and extent of zamindars' bazar charges, see Chapter I, pp.

⁹⁴ ibid.

⁹⁵ see Chapter I, pp. 69

arranged necessitated it.

The principle on which the instalments for the payment of revenue (kists) had been fixed under the first settlements in the NWP was as follows. Since, 'according to India's ancient constitution', Government held a right to a portion of all produce of the soil, Government also had a lien on this portion and could insist on the satisfaction of its claim before the crops were actually harvested - not only could but did, for the kists were fixed at dates prior to the harvest times. Collectors and the deputy local officials, the tehsildars, were empowered to appoint their own watchmen to prevent the removal of crops before the Government demand was paid or at least adequate security furnished against its eventual payment. Thirty years later, official opinion came to deplore the 'hardship and impolicy of thus forestalling, as it were, the country's revenues' and dismissed the old arrangement of kists as nothing more than 'the rude device of a state of society, where there was little security for life or property, and where property had consequently lost its right value'. In 1840-41, Government formally renounced its lien for the current revenue account on the standing crop. The number of kists was reduced from eight or in some districts nine to four, theoretically timed to allow for both the cutting of the crops and their marketing: kharif kists were set for November, December or January and rabi kists after May 1, with a month's interval between the two. Further, Government now looked to the estate on which the demand was levied and to other property of the malguzar (revenue-payer) for its security and to the standing crop only where estates were in arrears with their payments. The value thus conferred on the property would, it was believed, guard against any loss to Government. Opposition to the new procedural changes was voiced in two quarters. First, by the tehsildars whose

power was legally circumscribed by the re-arrangement of the kists in that it removed an instrument for the control of cultivators from their grasp and second, by 'the moneylenders' who were said to be now 'less necessary to the agriculturists'. The people themselves were said to have 'failed generally to understand or appreciate the boon and, like all ignorant people, were suspicious and apprehensive of further design'- though no means were available to test the reaction of the peasantry to these or other measures with much accuracy. Government however was enthusiastic: the new system was reported in 1846 to be working well and agricultural prosperity was evident, wherever the assessments themselves had been moderate.⁹⁶

No further enquiry therefore into how the revenue was being paid was encouraged. It was expressly stated in the official Directions that

so long as the Revenue is punctually paid, it is most important that the Collector, as a fiscal officer, should abstain from all interference with the mahal. The great desire and object of the Government is to teach the people self-government and punctual payment to bar all direct interference by Government fiscal officers.⁹⁷

The question of the arrangement of kists was reopened - inevitably - by the revision of settlements. In 1872, the Board of Revenue presented its summary of district officers' reports on the matter to the local Government. Its conclusions were clearly stated: the revised kists had provided for crops to be cut but not in practice marketed before the revenue demand was collected. One month before this, cultivators had to pay up those charges to the zamindars which Government labelled 'rent'. Since the revenue

⁹⁶ Directions for Collectors of Land Revenue (Agra, 1846), pp.13-14, paras 30-2.

⁹⁷ ibid., para. 34.

payments had to be made in cash, it was cash which had to be borrowed for this purpose; therefore, 'besides the rent and revenue payable, a large sum was annually charged to cultivators and landlords in the shape of interest'.⁹⁸ Nor was this all, as Crosthwaite observed:

The simultaneous demand for £1,000,000 sterling from the agricultural classes must, and does, cause the value of money to rise very much. And a loan which at another time could be had at the rate of 36% p.a., at the time of the revenue instalments costs 72% ...⁹⁹

Far from moneylenders - and this included zamindars and rich peasants who also supplied cultivators with loans - becoming less necessary to agriculturists, they had retained their position of control in spite of the legal re-adjustment of the kists, and if anything, strengthened it. The burden of the land revenue, which may in itself have been a moderate estimate, was enormously increased by credit charges with advantage, as the Board concluded, 'only to the moneylender.'

Unless for the administrative purposes of Government the maintenance of such a system is desirable, the Board consider that no time should be lost in relieving the agricultural community of the heavy pressure now placed upon them. Nothing but the most urgent public benefit can justify the Government in imposing, in addition to the demand for revenue, an annual payment of interest which falls probably little short of two millions sterling ...¹⁰⁰

⁹⁸ Board of Revenue to Government, NWP, 16th March 1872: NWP Revenue Progs., May 1873, Index No. 9, April 6 1873, No. 55; see also Cawnpore Settlement Report, 1878, pp. 102-3.

⁹⁹ Etawah Settlement Report, 1875, pp. 89-90.

¹⁰⁰ Board to Government, NWP, cit. sup., n. 98.

It was true, the kists as fixed in the 1840's had been intended to cover the time required for the marketing of produce. That they had failed to do so 'was owing to an error of judgment on the part of the officers who formerly fixed the dates of those instalments'.¹⁰¹

If, however, a greater interval were permitted between the time of the crops' disposal in the markets and the exaction, in cash, of the revenue demand, how could Government guard against the zamindars' misappropriation of funds thus lying idle for a space which belonged legally to Government? Government could not risk the resignation of a part of its income since, as the Officiating Collector of Farukhabad observed, the cash balances at the Government treasuries had to be maintained at a certain figure which varied not with fluctuations in local conditions but 'with the State's financial circumstances'.¹⁰² Yet if the interval were not allowed, how could the burden of interest on the agricultural community be lightened? The Board called for opinions from the settlement officers as to practical action.

The great majority advocated the reduction in the number of kists from four to one for the kharif, one for the rabi. As to actual dates, the Board could only give a general directive: no kist should fall due till 15 days after the ripening and harvesting of all or part of the crop. As a rule, the kharif kist was to fall not earlier than 15th December or later than 1st February, the rabi kist not earlier than 15th April or later than 15th June. On this principle, the settlement officers were to fix the dates themselves - no

¹⁰¹ ibid.

¹⁰² Offg Collector, Farukhabad, 8th September 1870: Abstract of Replies to Board's Circular AAA, 20th July 1870, on the ... payment of the revenue instalments: NWP Revenue Progs, May 1873, Index No. 12, April 6 1873, No. 58.

uniform date for the whole province being possible in view of the irregularity of local harvesting times - and to fix the proportions of revenue payable at each date.¹⁰³ After five years' discussions of 'this urgent problem' the Government's conclusion was that the practical result of the new rules 'would not delay the incoming revenue substantially'. Formerly the revenue had seldom all been collected before January. In 1875, it was reported to be reaching the Treasury at much the same time.¹⁰⁴ The Board's conclusion, of the same year, showed no advance on the position at the beginning of the enquiry: the information and knowledge of agricultural facts, upon which the arrangement of revenue instalments should be based,

is too little advanced to enable district officers to frame their proposals in accordance with the instructions enunciated by Government and by the Board. But the collection of facts, and the application of the knowledge gained from them must be a work of time, and it is for this reason that the rules which the local Government have lately issued contemplate a gradual rather than an immediate change.¹⁰⁵

Any more effective action by settlement officers was prevented by certain a priori restrictions. To accommodate the range of local needs, a flexibility in the arrangement of kists was demanded which could not be met by the administration:

The Board are anxious to fetter district officers' discretion as little as possible but they think that except for very special reasons, the number of instalments payable in the year should not exceed

103

Replies to the Board's Circular, cit. sup.

104

Board of Revenue to Government, NWP, 11th January 1875: NWP Revenue Progs, February 1875, Index No. 17, February 6 1875, No. 36; for the steps of procedure in the kist enquiry, 1870-75, see Chapter VI, pp.

105

NWP Revenue Progs, cit. sup.

four, and in many cases three (two for the kharif and one for the rabi) would suffice. The people's convenience is undoubtedly the main point to be looked to but the multiplication of instalments means additional work in keeping the accounts and additional trouble and expense in collecting the revenue, to which considerations some weight may be attached ...

In the same communication, the Board of Revenue insisted that 'no effort has been spared to fix those dates which are convenient to the people'.¹⁰⁶ The general practice of settlement officers was to draw up sets of three or maximum four kists from which the zamindars of mauzas grouped according to similarity in soil conditions were to choose which they would prefer.¹⁰⁷ Zamindars were understandably reluctant to loose such hold on cultivators as the kists had given them and therefore tended to choose such 're-adjusted' sets as left the former system virtually unmodified. The Board of Revenue was aware that the 'agricultural interest' - as the zamindars were termed collectively in a communication of 1872 - was 'generally averse to a change', but they (the Board) agreed with district officers in

considering native opinion in such a matter must not be too jealously respected. The economic advantages of a change in the system are probably not easily appreciated by the majority ... Native

106

Board of Revenue to Government, NWP, Oudh, 28th February 1881. The Board attacked a 'London magazine' for criticizing Government on the basis of information of 1870-72: 'the whole system has been entirely remodelled in the past 10 years': NWP, Oudh Revenue Progs, April 1881, Index No. 47, March 26 1881, No. 35 A.

107

for the procedure, see for example Etah Settlement Report, 1874, pp. 69 ff. (Ridsdale - pargana Mahrehra); Shahjahanpur Settlement Report, 1874, pp. 48-9 (Currie - tahsil Jellalabad); Nuzaffarnagar Settlement Report, 1873 (canal tract, 1878), pp. 90-1 (Cadell).

opinion here is probably more guided by a characteristic dislike to change of any kind in any established system, than by well-grounded reasons for fearing the consequences from which it professes to recoil...¹⁰⁸

Mosly, zamindars were given such power to manipulate the proposed alterations in the kists that their interests and Government's coincided. Where complaints against innovation did break out was where zamindars feared that change of dates deprived them of their former power of distraint over the cultivators' crops. Such fears were due to forgetfulness or ignorance, as Wright noted à propos of the outraged Cawnpore zamindars. They could continue to distrain the crops of tenants-at-will whose rents fell due, as before, at the ripening of the harvest:¹⁰⁹ 'as the law stands, the landlord can demand his rent from a tenant-at-will whenever he pleases'.¹¹⁰ The occupancy tenant had some measure of protection but even here, his crops could legally be distrained by the zamindar at the harvest subsequent to his default on rent payment.¹¹¹ This added to the vulnerability of the tenant-at-will and created a further casus belli in the relations between zamindar and occupancy tenant.

Given these conditions, no formal re-adjustment of kists could alter the way in which revenue was realized to any significant degree. As Forbes commented in 1873, 'whether you

¹⁰⁸ Board of Revenue to Government, NWP, 16th March 1872: NWP Revenue Progs, May 1873, Index No. 9, April 6 1873, No.55.

¹⁰⁹ Cawnpore Settlement Report, 1878, p. 103; see also Nuttra Settlement Report, 1879, p. 98.

¹¹⁰ since 'this class of tenants have no security to offer except the crop': NWP, Oudh Revenue Progs, April 1881, Index No. 48, March 26 1881, No. 36, (comment on Oudh Revenue Administration Report, 1874-75, paras. 126-35.

¹¹¹ Cawnpore Settlement Report, cit. sup., pp. 109

have two kists for each harvest, or half a dozen, revenue is, as a fact, collected in the same way as rent - that, is, when you can get it.¹¹² Zamindars either accepted the change in timing because they perpetuated their control or ignored it. The result for the cultivators was predictable. As Neale reported sadly from Etawah, 'a better arrangement of the revenue instalments ought at once to give them (the agriculturists) in a great measure the desired opportunity to escape from their thraldom. But though this change has been instituted and is now in operation in this district, it has so far neither benefited nor even enlightened the great mass it was specially designed to help ...'¹¹³ This 'thraldom' was exacerbated but not caused by the working of the revenue system. The dilemma facing the administration over the adjustment of kists touched on a more complex problem which involved the greater part of the population: indebtedness. Our next task is to examine certain major features of this in relation to the changes introduced in our period.

112 W.A. Forbes, Offg Junior Member, Board of Revenue, NWP: Note on revenue and rent instalments: NWP Revenue Progs, May 1873, Index No. 16, April 19 1873, No. 42.

113 Etawah Settlement Report, 1875, p. 111.

CHAPTER IV: THE PROBLEM OF INDEBTEDNESS.

Lending cash and grain to meet the needs of local farmers had long been an essential feature of agriculture in the provinces. Creditors came from all but the poorest strata of rural society: well-to-do peasants acquired an interest in their neighbours' produce by the loan of a few maunds or a few rupees; mahajans (dealer-bankers) lent out a portion of their stocks as a regular part of their trade; maliks used loans to tighten their control over subordinate cultivators and enhance their local prestige, measured in numbers of dependants.¹ The working of the British revenue system created further incentives to borrow but Government supplied no alternative agency of any significance to provide credit. Quite the reverse: the supply of loans from the Treasury to the rural population contracted under British rule on account of the marked decline in takavi advances.² 'Private creditors' were therefore free to exploit the increased need for credit; the provision of loans became indisputably the most profitable area for investment of local capital in the later 19th century.

The reverse side of the coin was the problem of indebtedness. This chapter shows how, with the strengthening of the creditor's hold over his debtor, the benefits of the late nineteenth century 'economical revolution' could not penetrate to the mass of the peasantry. It begins with an account of the way in which credit was supplied locally - to whom and by whom? It examines the consequences for creditors and debtors of the increase in production - of 'valuable' crops - stimulated by the public works. It analyses the structure of local trading, the supply of grain for export, and the consequences of the effects of the export trade on

¹ see Chapter I, pp. 43

² see Chapter II, pp. 139-49 and Chart VI.

208

prices for the agricultural community. The dilemmas facing Government over the problem of indebtedness are then briefly described and lastly, the condition of the indebted peasantry.

The Supply of Local Credit

How many peasants resorted to borrowing as a regular source of supply? Contemporary estimates were vague. In the absence of detailed local enquiry into the 'question of agricultural indebtedness',³ such information as was officially recorded on the subject came from the observations of district officers made during their assessment of land revenue. Statistics accompanying these observations were little more than arithmetical translations of a general impression: the most frequent estimate - 75% to 80% of the cultivating body - meant simply the majority.⁴ What did this majority borrow? 'Except in

³ throughout the period, one specific enquiry was made, prompted by reports of severe distress among the cultivators in Oudh and restricted to that province: Enquiry into the Indebtedness of Cultivators in Oudh, Selections from the Records of the Government of Oudh, 1868-69; (hereafter, Oudh Selections, 1868-69, (indebtedness)). Terms of the enquiry: a brief report (6-8 paragraphs) from the Deputy Commissioner of each district, including a statement of kharif and rabi crops, an account of the disposal of produce by unindebted and indebted cultivators, the terms of interest, mode of account, and practical suggestions as to how cultivators might be 'rendered more independent': Oudh Selections, 1868-69, (indebtedness), pp. 1-3.

⁴ Summary of estimates of the extent of indebtedness from Settlement Reports and NWP Gazetteer:

Bareilly (1874): random sample of 93 villages - majority of cultivators indebted for some purposes; 66.8% borrowed seed-grain.

Moradabad (1881); general estimate - majority indebted.

Agra (1882 - figures from 1871): general estimate - majority

Fatehpur (1878): general estimate - 75% at least

Unao (1867): " " - majority, for seed.

Sitapur, Kheri,

Fyzabad (1878): " " - 75%

Gonda, Partabgarh

(1868): " " - large majority

Bara Banki (1878): " " - 80%

Sultanpur, Rae

Bareilly (1868): " " - c. 80%

(A.H. Marington, Economic Reform in Rural India: Agricultural Indebtedness, Calcutta Review, LXXVI, 1883, pp. 155-61).

masonry wells', commented Davies, Chief Commissioner of Oudh, summing up the results of the 1869 indebtedness enquiry,

little capital is permanently invested in the soil. Cultivators and their families, unlike the metayers of Europe, provide their own farming stock, bullocks, ploughs, tools, gear, manure. They are mostly too poor to store seed for the better sorts of produce, or maintain themselves on poorer grains from harvest to harvest ... Therefore they are very generally, though in varying degrees, dependent on extraneous aid ...⁵

Besides the common bijkhad (seed and ^{manure} food) loans, a peasant might borrow cash to pay dues, where his zamindar's share of the produce was taken in cash, or to buy cattle or to spend on festivals, weddings or funerals, to keep up his social obligations.⁶ The actual volume of debt varied with the seasons in any given area, since a significant section of the peasantry - the exact extent of which could never be defined with the means of enquiry to hand - borrowed when adverse circumstances compelled it, as Buck concluded from enquiries in pargana Bilhaur, Cawnpore district, in 1871.⁷ A debt once borrowed, especially in circumstances of hardship due to crop-failures, was difficult to clear: Young reported from Sultanpur that much of the indebtedness current in 1868 dated back to the bad harvests of 1864-65.⁸

Mahajans, the stereotyped 'village creditors' of Government records, made their loans according to recognized - and written -

⁵ Memorandum on the correspondence regarding the indebtedness of cultivators in Oudh, 10th November 1869: Oudh Selections, 1868-69 (indebtedness), pp. 71-2, (hereafter, Memorandum.)

⁶ see, for example, Bareilly Settlement Report, 1874, p. 55; Oudh Selections 1868-69 (indebtedness), p. 64 (Rae Bareli); in Muttra, a large proportion of cultivators also borrowed or hired ploughs and plough-cattle: Muttra Settlement Report, 1879, p. 48.

⁷ Buck cited by Harington, cit. sup., Calcutta Review, LXXVI, 1883, p. 155.

⁸ Oudh Selections, 1868-69 (indebtedness), pp. 64-5.

systems of account. In Bareilly, for example, where cultivators' indebtedness was looked on 'as the natural state of affairs'⁹, dealers were reported to levy the following charges on rabi grain

Loans:

Indigenous Term	Amount/ value borrowed - Kartik (Oct.-Nov.) (Mds / Rs)	Amount/value repaid - Jeth (May/June) (Mds / Rs)
1) deora	5 mds	7½ mds
2) bhao up siwaia	5 mds worth Rs 10	Rs 12.8 worth of grain
3) no name given	Rs 10 worth of grain	Rs 10 worth of grain, calculated at 2½ seers p.Re lower than market price
4) deora nirikh katke*	5 mds worth Rs 10	Rs 15 worth of grain (50%)

* uncommon: exacted by a few extortionate zamindars, Pargana Aonlah¹⁰

Local modes of account common in Oudh in 1868-69 were as follows:

Indigenous term	Borrowed	Entered in Books as	Repaid
1) ugahi	Rs 10	Rs 11	Rs 11, in instalments, Re.1 p.m.
2) up	1 md 8 pansaris = 1 md	10 pansaris = 1 1/4 mds	value of 1 1/4 mds repaid in money at 25% interest; in case of default, amount to be increased to 5 seers for each Re. unpaid
3) sahogat	x mds	x mds	value of x mds, at rate of 2 m p.Re below price current till debt satisfied

Common modes of exacting charges by deductions in advance:

daswaris = 10% Rs 100 recorded as loan, Rs 90 paid over to debtor, Rs 100 to be repaid.

bilsah/kast = 2½ - 6 seers p. Re of recorded debt deducted in advance, according to relative fineness/¹¹ coarseness of grain.

⁹ Bareilly Settlement Report, 1874, p.55.

¹⁰ ibid., pp. 80-1.

¹¹ Davies, Memorandum ... Oudh Selections, 1868-69, (indebtedness) pp. 72-3.

The range of charges included under the general head of 'interest' defied any supposition of the existence of a uniform rate. As in the case of their fruitless search for a 'rent-rate', district officers were baffled as to what might be the principle governing this business of loans. 'I know of no rational explanation,' Thompson reported from Sitapur in 1869,

of the extraordinary difference between the rates of interest prevailing in localities removed perhaps only a few miles from each other and in which, so far as we know, the risks are alike; why in one village the cultivator should pay 50%, and in another 100%, and yet there is nothing unusual in this. The rate of interest on mortgage of landed property in parts of Sitapur was for many years fixed by the same inexorable custom at 37½% p.a. without limitation as to amount, while in others no more interest could in any case be claimed than 50% on the original loan, the security in both cases being the same. These great discrepancies cannot be reconciled by considerations of the disparity of risk, and the variation in the supply of capital for investment ...¹²

As rational an explanation existed, however, for the apparent irrationalities of interest charges, as for the variations in 'rent' charges, viz., a creditor's relationship to his debtor, the degree of dependence of the debtor and, consequently, the extent of the creditor's power over him. The principle on which a creditor operated was not to recover his principal with the profit of added charges for its use but to secure a regular source of income from high charges on money or goods loaned.¹³ It was his interest to keep

¹² Thompson, Offg Commissioner, Sitapur: Oudh Selections 1868-69, (indebtedness), pp. 40-44.

¹³ cf. Hume's comment: 'They (i.e. moneylenders prior to British rule) lent money, but only at enormous rates of interest; but this was not unfair as they never hoped even to recover the principal while for such interest they were to get they were dependent on the good will of the debtor, or the rare paternal influence of some superior ...': Agricultural Reform in India, (1879, repr. Madras, 1899), pp.38-9.

his debtor in a state of dependence by means of heavy charges so that he would continue to pay up indefinitely.

The timing of loans and their repayment also worked to the creditor's advantage. Given the small amounts which in the main constituted a borrower's seasonal requirements, short-term loans were the norm. Accounts were balanced half-yearly: kharif loans in the harvest months of Aghan and Pus (November-December), rabi loans in Jeth (May-June)¹⁴. A cultivator borrowed his grain for sowing or to feed his household in the thin months of the year, when stocks were lowest and prices consequently at their highest level. At the harvest, when his creditor demanded repayment, the situation was reversed: most cultivators had to pay off their dues immediately their grain was threshed and local markets were therefore glutted with produce. Prices fell, with the result that the cultivator might pay back twice or three times the amount of the grain originally loaned in order to arrive at its cash value at the time of borrowing.

The comprehensiveness of the borrowing clientele, the wide variety of purposes for which they borrowed, and the fact that deficiencies in some part of the harvest were as frequent as abundance was rare, kept creditors in business. The custom by which sons were liable for debts incurred by their fathers, without any express stipulation of a condition that inherited wealth should be adequate to cover the inherited debts, ensured the continuation of payments to the creditor in the event of the death of his 'original' debtor.¹⁵ As against these advantages, the creditor

¹⁴ This timing universal in Oudh: Oudh Selections, 1868-69 (indebtedness), reports of the Deputy Commissioners: answers to question 4.

¹⁵ Oudh Selections, 1868-69 (indebtedness), p.41 (Sitapur); Kheri Settlement Report, 1879, pp. 17-18; Unao Settlement Report, 1867, p. 18 (zamindari families). On ancestral debt in Hindu Law - the Pious Obligation - see Chapter V, pp. 291

had to set his risks: bad debts due to poor harvests, impoverished or recalcitrant debtors who might on occasion abscond without payment.

The comprehensiveness of the clientele of borrowers, the majority of peasants unwilling or unable to accumulate reserves, was matched by a wide range of creditors - the minority of those who held sufficient stocks from which to make loans. Davies concluded from the 1868-69 enquiries that the suppliers of 'extraneous aid' to the majority of Oudh cultivators were most frequently 'petty moneylenders', who were, however, 'not only professional village bankers and bannias, but also many speculative and thriving members of the agricultural classes'.¹⁶ Reports from Lucknow showed the range of creditors from whom cultivators commonly borrowed. According to Butts, a talukdar's relationship with his 'tenants' was commonly that of creditor to debtors.¹⁷ Quinton noted in 1868 that the agriculturists' 'so-called mahajan' was frequently himself a petty zamindar or prosperous cultivator who has managed to save some money which he immediately tries to increase by lending it out to fellow villagers...¹⁸ Meanwhile, in the 'agricultural' parganas of Mohanlalganj and Mohan Auras (i.e., parganas distant from Lucknow city), professional moneylenders were said to number more than one to every two villages.¹⁹ The same range of creditors was found elsewhere. Bareilly cultivators, for example, were 'more or less in debt to their mahajans or their zamindars or mokuddums'.²⁰

¹⁶ Davies, Memorandum ... Oudh Selections, 1868-69 (indebtedness), p.71.
¹⁷ Lucknow Settlement Report, 1873, p. 56 (and see above, Chapter III, pp.).
¹⁸ Quinton, Deputy Commissioner, Lucknow: Oudh Selections, 1868-69 (indebtedness), p.10.
¹⁹ Lucknow Settlement Report, 1873, p. 56.
²⁰ Bareilly Settlement Report, 1874, p. 55.

The provision of agricultural loans was the means par excellence of earning a sizeable return rapidly on capital, as compared with other pursuits. Crooke, in his report on conditions in parts of Etah district for the Dufferin Enquiry, 1888, analysed the regular sources of income of a family of Telis (oilmen). Their traditional occupation of pressing oilseeds brought in an estimated Rs 100 a year. From their 3 acres 2 roods of cultivated land on which, in the year under report, they grew five crops in the kharif and bejhar only in the rabi, the value of the total outturn was estimated at Rs 50.6.0. From their capital employed in moneylending, some Rs 3,500, they were reported to realize an annual income of Rs 1,200.²¹ A mahajan's family holding 29 acres 6 poles as tenants-at-will sublet (in 1886-7) 23 acres 1 rood and 15 poles, from which they drew a net income, after paying their 'rent' of Rs 56. The remaining 5 acres 2 roods and 31 poles which they cultivated themselves with three kharif crops and two rabi crops brought in an income of Rs 79. Their income from moneylending, however, was estimated at Rs 350 p.a.²²

In the same district, a Thakur family lived off the combined resources of zamindari, cultivation and moneylending. The family's sir holding was 81 acres: added to this, another 17 acres were held under occupancy tenancy in the name of the wife in another village belonging to another zamindar - a typical multiple holding. The family's earnings from cultivation over this large area were, in the year under report, some Rs 1,231 - the value of the outturn of seven kharif and seven rabi crops. From moneylending, their annual income came to some Rs 750 on a capital of Rs 2,000.²³

²¹ Dufferin Enquiry (Enclosures, NWP/Oudh), pp. 77-8: tahsil Kasganj, mauza Abhaipur, family of Chhote, Oilman.

²² ibid.: tahsil Etah, family of Bijai, Mahajan.

²³ ibid., pp. 53-4: tahsil Kasganj, mauza Abhaipur, family of Narayan Singh, Thakur.

210

Of all potential creditors, a talukdar or zamindar occupied the strongest and most profitable position. To the income from his charges over his mahal were added the charges on his loans. Most important, his jurisdiction as talukdar or zamindar over subordinate cultivators provided him with greater means of controlling his debtors than was available, for example, to a rich peasant or mahajan. Restrictive principles could govern a mahajan's accounts with his debtors. Rules existed, for example, against excessive compounding, whereby a debt became invalid once it had risen to more than twice the amount of the principal.²⁴ But few effective restrictions existed to obstruct the exactions of a strong zamindar-creditor, and few checks could be kept on the debtor's 'account' which, on occasion, was not separately itemized from charges due by him under the head of zamindari.²⁵ Moens noted how in Bareilly the uncommonly high charge of 50% (deora nirikh katke) was levied by 'a few extortionate zamindars' of pargana Aonlah²⁶ whilst the local bania creditors could not 'screw their debtors too hard for fear of driving them to emigrate to Turai, a safe haven of refuge, ...'²⁷. In Sitapur, as Thompson noted in 1869, peasants were aware of the dangers inherent in borrowing from a zamindar, even where his charges were no higher than a mahajan's: there was

²⁴ for legal rules restricting the compounding of debts, see Chapter V, pp. 288

²⁵ a report from Farukhabad in 1877 for example stated how money-lending and 'rent' accounts were indistinguishable in the zamindars' records (patwaris' papers): Board of Revenue, NWP to Government, NWP, Oudh, 4th October 1877: NWP, Oudh Revenue Progs, May 1880, Index No. 71, November 3 1877, No. 46.

²⁶ Bareilly Settlement Report, 1874, pp. 80-1.

²⁷ ibid., p. 55.

no doubt a general idea that zamindars are bound to help their tenants by liberal advances of takavi, but these advances are not popular among cultivators. Many zamindars make advances to their cultivators on the same terms as mahajans and exact the same profits. But peasants prefer moneylenders to landlords: landlords have much greater facilities for realizing the debt to the last farthing than mahajans have. The zamindar would take everything due to him before it left the field, but the mahajan can be indefinitely put off, and if he is quite overbearing the cultivator can leave him for another man. The cultivator borrows from his mahajan hoping to cheat him, but he knows he cannot cheat his landlord.²⁸

The regular drain on cultivators' produce in the form of charges which provided the mahajans and maliks - especially the zamindar-creditor - with a sizeable income made it correspondingly impossible for the cultivators themselves to store up reserves. The conditions under which the vast majority of farmers in the provinces produced their crops year after year were as Reid described them a propos of Azamgarh district in 1870:

... if the rice and rabi crops of the preceding year had been good, the agriculturist has generally grain in his house to feed - from April to the middle or end of August - himself and his family; and if he employs anyone to help in watering his sugar-cane, or in ploughing his land, to pay in kind for the hired labour. He may have rice to use as seed, but is not

²⁸ Oudh Selections, 1868-69 (indebtedness), pp. 35-6; for an example of zamindars' efficient use of takavi, see above, Chapter I, pp. 57 (the Begam Sumroo). In pargana Fatehabad, Agra district, 'village bankers' were reported at settlement to be 'proprietors' in much larger numbers than elsewhere and to have far greater control over cultivators 'than would be possible if they were unconnected with the land'. Statement of land-holding showed these 'banker-proprietors' were not Baniyas but Brahmans and Thakurs, who held titles to 21% and 28% of the zamindaris: Agra Settlement Report, 1880, p. 39 and Transfer Statement F, p. 41.

likely to have seed for the rabi crops, and will probably have to borrow, in addition to the rabi seed, grain for food during September. When the Bhudawi (early kharif) crops are ready, he is in need of grain for his domestic use, and little or none of his crop will be sold. Though poor eating, it will somehow carry him and his family on till the rice is cut and threshed. Meantime he needs cash to pay the first and second instalments of his rents, and this he borrows. When the rice crop is ready, he perhaps repays part of the money and grain he has borrowed. But rice is a favourite food grain, and it generally sells very cheap at harvest time. Besides the crops must supply food for himself and his family for three or four months at least. The agriculturist therefore parts with as little of his rice-crop as possible. Then comes the sugar-cane season. The price that he gets for his gur (molasses) is set against his old debts for grain and cash and out of it he pays the first of the rabi instalments, and his banker through it realizes debts that have been caused during the past year by marriages, domestic trouble and the like. Out of his rabi grain the cultivator saves as much as he can, but part of it he will have to sell in order to pay the last instalment of his rent, or square his account with his banker... ; for grain that he borrows, the agriculturist pays in kind 37%, for cash and grain repaid in cash, he pays interest at 25%. The ordinary run of agriculturists lay by very little. Anything they might from adventitious circumstances - such as exceptionally good harvests, high prices, rent-rates below average - be able to save, they spread in marriages and other petty extravagances. As a rule they live from hand to mouth, and probably always will do so. 29

29 J.R. Reid, Settlement Officer, Azamgarh, 3rd August 1870: Abstract of Replies to Board's Circular AAA, 20th July 1870, on the Subject of the Payment of the Revenue Instalments: NWP Revenue Progs, May 1873, Index No. 12, April 6 1873, No. 58 (Azamgarh).

In addition, there was always the problem of shortfalls in the harvest. Reid himself estimated elsewhere that seasonal disorders regularly reduced the Azamgarh farmers' yields by some 25%³⁰ and Quinton had noted earlier in Lucknow how deficiencies in the seasonal outturn erased the hope of any remainder's being left to the cultivator once he had met - wholly or in part only - the charges to which he was liable.³¹

Amongst the peasantry throughout the provinces, there were relatively few who combined privileged status - by reason of their kinship or service relationship with the dominant zamindar - with freedom from debt and were therefore independent enough to control the local distribution of their produce. Such cultivators were able to sell off only so much of their crops as would clear their liabilities to the zamindar, disposing of the least and most valuable produce at the highest prices and retaining the bulk of their crops - the coarse food-grains - for their consumption or for store, to sell later in the season as need or a shrewd eye for the market might dictate. The vast majority however were compelled to pay up heavy charges to their zamindars and at the same time to sell more of their produce at the harvest time to satisfy their creditors, taking a lower price on account of deductions for the repayment of loans.³² They were subject to the control of the zamindar with his charges and the creditor with his loans, and could rarely escape from them, least of all when they were one and the same.

³⁰ see above, Chapter I, pp. 22

³¹ so Quinton, Deputy Commissioner, Lucknow: Oudh Selections, 1868-69 (indebtedness), pp. 7-9.

³² the crucial distinction between indebted and unindebted cultivators as regards the distribution of produce was clearly drawn in the Oudh enquiry of 1868-69: for Lucknow Division, Oudh Selections, 1868-69 (indebtedness), p. 4; Lucknow district, ibid., pp. 7-9; Unao district, ibid., pp. 14-15; Bara Banki district, ibid., p. 20; Sitapur division, ibid., pp. 23-6; Sultanpur district, ibid., pp. 63-4.

Indebtedness and the Expansion of Agriculture

The introduction by Government of measures to ensure the development of the agricultural resources of the provinces principally by means of canals and other public works resulted inter alia, as we have seen, in greatly increased production of the crops recognized as having the highest market value: indigo, sugar-cane, and cotton and the finer grains - rice, wheat and barley. This was most noticeable in areas opened up to canal-irrigation.³³

The changes in local crop-patterns towards the predominance of such crops were greeted with enthusiastic approval by Government officers who saw in them clear indications of progress from apparent barbarity of indigenous practices towards agricultural prosperity. It was assumed that the benefits of rising prices - the fruits of sound expansion - for this category of produce would naturally be available to the 'agricultural community', or at least to that section of it which deserved such benefits as a reward for enterprise and industry.

Such expansion was deceptive. Although it had in many cases caused substantial ecological changes, it brought no revolution in the techniques traditionally used by local farmers and, even more important, it left untouched the local networks of charges and loans which so largely controlled the production and distribution of their crops. The burden of the small farmer's dependence on his superiors could in no way be relieved by an increase in 'valuable' crops.

W.S. Robertson warned in a paper published in 1876,

any actual increase in rice cultivation does not denote a corresponding increase in the welfare of the ryot who, as a rule, has to

³³ see Chapter II, pp. 86-91 ; for the extent of expansion of 'valuable' crops under the stimulus of canals in the NWP, see Charts II, III, and IV.

grow his crops, and the rice one in particular under the pressure of a heavy mortgage.³⁴

Not only were the 'valuable' crops commonly grown by means of loans; they were also subject to the heaviest zamindari charges, graded according to the scale of values ruling in local markets. Sugar-cane generally topped the list, followed by indigo, cotton and tobacco, opium and vegetables.³⁵ Local creditors who already reaped benefits from the reduction in takavi loans by Government³⁶ and from the increased compulsion on zamindars and cultivators to borrow due to the system revenue collection,³⁷ were presented with increased opportunities for business where the cultivation of finer grains and commercial staples had expanded.

Indigo cultivation in the NWP provides a clear case in point. In Farukhabad district, for example, indigo was already extensively cultivated under the stimulus of the Ganges Canal by 1860: in that year the Collector estimated that some fifty different indigo concerns operated in the district, totalling some 150 factories, each supplied by 25 to 30 villages. Both seed and dye were sent from Farukhabad 'in large quantities' to the Punjab, Rajputana,

³⁴ W.S. Robertson, Grain and Seeds, Indian Agriculturist, 1st June 1876, pp. 163-4 at p. 163.

³⁵ In Bijnour district, the scale of zabti charges was recorded as follows:

	Minimum per acre	Maximum per acre
sugar-cane	Rs 3/1/6	Rs 18
cotton, vegetables, safflower	3/12/-	12
tobacco	-	15
opium	-	10

Bijnour Settlement Report, 1874, pp. 87-8.

For further examples of these zabti charges (fixed dues paid in cash), see Bulandshahr Settlement Report, 1865, pp. 5-6.

³⁶ see above, Chapter II, pp. 139-49 ; cf. Chart VI with Charts VII, VIII.

³⁷ see above, Chapter III, pp. 200-207

Central India and down to Calcutta.³⁸

Purchasers of plant, seed or gaud (partially manufactured indigo) contracted with cultivators or, more commonly, with their zamindars for maximum security, for each season's supplies. Each transaction was governed by a contract (satta) drawn up by the purchaser's agent (gomashta) before witnesses, who were generally servants attached to the local indigo factory. The terms of the satta established the area to be sown with indigo, the quality of plant, seed or gaud to be delivered by the contractor and the rate at which he was to be paid. The sum agreed in the satta as the full value of the indigo was commonly paid over to the contractor in advance, though payment by instalments according to the various stages in cultivation was not unknown. The contractor received all or the most substantial part of his advance payment in January and paid over 1% on the amount on receipt as a charge to the gomashta (settawan). The remainder was his, theoretically, to dispose of as he wished: the only condition stipulated in the contract was that

³⁸ C.R. Lindsay, Collector, Farukhabad to Offg Commissioner, Agra, 18th August 1860: NWP Revenue Progs, 27th April 1861, Index No.196, September 8 1860, No.30; no statistics given to corroborate Lindsay's impressions of the extent of indigo cultivation in 1860. Statistics from the years of settlement survey (early 1870's) are as follows (in acres):

total cropped area of district	1,242,620	
total kharif area	477,578	
total estimated area under indigo	31,156	
distribution: parganas with under 100 acres under indigo		4
" " over 100 - under 1,000 "		4
" " over 1,000 - under 2,000 "		4
" " over 2,000 - under 4,000 "		1
" " over 4,000 "		3

- from Statement of crops grown during year of measurement, by parganas: Farukhabad Settlement Report, 1875, p.11.
The important point is however the value of indigo as against the proportion of total cropped area it occupied.

he should cultivate or ensure the cultivation of indigo on the specified area of his holding from April to June. Supervision was entrusted by the factories' agents to peons - called sepahis in this context. On the average, they numbered some eight to a factory. Since they received no special payment by way of officially recognized charges (dasturi), they invariably lived at the cultivator's expense when inspecting his indigo plots.³⁹

Four seers of indigo seed per bigha were required for a good average outturn, ranging from 15 to 30 maunds of plant. This would give between 15 and 20 seers of gaud together with one maund of seed.⁴⁰ The average net profit (costs deducted) per bigha to a cultivator who contracted to grow indigo was estimated by the Collector of Farukhabad at a mere rupee, where he was advanced Rs 15 for every 100 maunds of plant he was bound to deliver, and no more than a rupee and a half where Rs 20 was paid for every 100 maunds. So much for the cultivator. The purchaser was in a better position: Lindsay estimated his profits at some Rs 20 per maund of gaud and Rs 45 per maund of manufactured indigo.⁴¹

Given these minute profits of cultivation, it may well be asked why farmers contracted to grow indigo. The answer to this lies in the time at which indigo advances were paid. As Wheeler candidly explained when commenting on indigo cultivation in Jaunpur district

³⁹ Lindsay, cit. sup. n. (38)

⁴⁰ G.E. Lance, Collector and Magistrate, Cawnpore to Offg Commissioner, Allahabad, 2nd July 1860: NWP Revenue Progs, 27th April 1861, Index No. 190, August 15 1860, No. 185; cf. Reid's estimate for Azamgarh, c. 25 maunds plant p. bigha by way of fair yield: Azamgarh Settlement Report, 1881, p. 118.

⁴¹ Lindsay, cit. sup., n. (38); not stated whether expenses of entertaining sepahi-inspectors included in costs deducted.

in the 1870's,

Indigo planting is pursued, like so many other industries, by taking advantage of other people's necessities. The planter's object is to procure so much plant. This is effected by advancing money to zamindars and tenants when they need it.⁴²

With these cash advances paid in January, cultivators could clear the charges due to their zamindars which in turn enabled the latter to meet their revenue obligations - the cultivators' payments falling due before crops could in most cases be marketed. The advance offered by indigo purchasers in January was, consequently, 'a temptation not to be resisted', as Lindsay observed in 1860.⁴³ Predictably, it was the majority of cultivators in the indigo-growing districts - the lower castes of kisans, kurmis and the gardener-kachhis - who found the advances irresistible, in spite of their meagre remuneration. The produce of these cultivators was subject to heavy charges, unrelieved by any reductions on account of privileged status. (Lindsay drew attention to the fact that the high-caste Brahmin and Thakur farmers in Farukhabad took to indigo cultivation 'only occasionally'.)⁴⁴ Even the few rupees' profit from indigo had to be paid over in meeting these charges and the cultivators continued to accumulate nothing.

The service provided by indigo contracts in meeting obligations created by the temporary settlements in the NWP goes far to explain the relatively peaceful history of indigo cultivation, particularly in the Doab, when compared with the riotous affairs of earlier, permanently settled Bengal, where no such regular dependence compelled acceptance of the institution and the matter was rather one of zamindars' and planters' attempts to force their will on cultivators.⁴⁵

⁴² Jaunpur Settlement Report, 1881, pp. 113-14.

⁴³ Lindsay, cit. sup., n. (38).

⁴⁴ ibid.

⁴⁵ on this aspect of indigo cultivation in Bengal, see Benoy Chowdhury, Growth of Commercial Agriculture in Bengal, 1757-1900, vol. I, (Calcutta, 1964), esp. at pp. 190-2.

In 1860, the Collector of Mainpuri emphasized that in his district indigo cultivation was indeed 'highly popular with zamindars and ryots', unattended by breaches of the peace, 'etc.', and explicitly ascribed this 'in great measure to the value set, and the use made, of the indigo advances for paying the rabi instalments of the revenue'.⁴⁶

In his report in the same year from Cawnpore, Lance also dwelt on the voluntary nature of the indigo 'bargains' which were found to cause no trouble to Civil, Revenue or Criminal Authorities.⁴⁷ Significantly, where zamindars seem to have held effective control over the production of indigo - in parganas Aonlah and Crore of Bareilly district, for example - it was reported to be unpopular. There, the zamindars owned the 'small native factories' which had sprung up in the two parganas during the years of the settlement survey and controlled their cultivators by loaning indigo seed at the extortionate charge of 1 1/4 maunds per maund advanced.⁴⁸

In parts of Aligarh district, other problems arose for indigo-growers from the combination of the control of production by local zamindars and disastrous effects of canal-irrigation. In the late 1870's, extensive indigo cultivation was reported in the district: the official estimate, admitted to be short of the actual figure, was 29,013 acres. Under the impetus of the Ganges Canal, the country was by this time 'studded with indigo factories' - some 171 in all and mostly controlled by local zamindars.⁴⁹ As a direct consequence of excessive distribution of canal water, the irrigated areas of parganas Akrabad and Sikandra Rao had already become badly infected by reh.⁵⁰ The situation was serious enough to warrant a recommendation

⁴⁶ cited by L.A. Ross, Offg Commissioner, Agra to Government, NWP, 27th August 1860: NWP Revenue Progs, 27th April 1861, Index No.195, September 8 1860, No. 29.

⁴⁷ Lance, cit. sup., n. (40).

⁴⁸ Bareilly Settlement Report, 1874, pp. 98-9.

⁴⁹ Aligarh Settlement Report, 1882, p. 37.

⁵⁰ on canals and the spread of reh, see Chapter II, pp. 93-7

by the Executive Engineer to stop the supply of canal water to thirteen selected villages where the spread of reh appeared most damaging. But both cultivators and zamindars of those villages had come to depend on indigo advances as a regular source of income: stoppage of the canal water supply would bring ruin. What was Government to do? Close the canal to limit the deterioration of the land, and reduce the zamindars' revenue liability accordingly? Enquiries, however, showed that the zamindars, fed regularly by the cultivators' indigo payments, were in no way willing to reduce their 'rents' on a scale corresponding to the proposed reduction in revenue. Government's final recommendation was that the canal should be closed for one year, whilst the Collector or an Assistant be invested with a Settlement Officer's powers to adjust the revenue demand and, titularly, the 'rents' in the selected tracts.⁵¹ But since Government had no power to compel zamindars to reduce their charges, it had no means of protecting the cultivators in such a situation. No action could be taken on the district officers' reports.

The focus of Government zeal in promoting the expansion of crops which it believed to be essential for agricultural prosperity was not indigo but sugar-cane. The cultivation of sugar-cane had long been associated in the provinces with first-class soil conditions exploited by skilled and industrious farmers.⁵² The complicated processes of local sugar manufacturing, both of gur (molasses) and khand (refined sugar) and the trading of these products provided considerable opportunities for employment and not

⁵¹ for the correspondence on the problem of Akrabad and Sikandra Rao, see NWP, Oudh Revenue Progs, May 1880, Index Nos 100-106, May 22 1880, Nos 17-23. The Executive Engineer also recommended takavi advances to be made direct to cultivators to sink wells and make other arrangements for irrigation: Index No. 103, No. 20. On the problems of takavi loans to cultivators and the limitations of official procedure, see Chapter II, pp.

⁵² for sugar-cane as the index of top-class cultivation, see Chapter I, p. 33, n. 37 (Begum Sumroo's ilaqah); for a description of the mode of cultivation of sugar-cane, see Chapter I, pp. 17-19

merely to the cultivators themselves. The spirit of agricultural industry so manifestly expressed in the sugar trade of the provinces was early encouraged by Government with 'liberality and perseverance'.⁵³ The Crown continued the Company's work on a wider scale. While the canal developments in the Doab provided some stimulus to increased cultivation, the construction of a network of road and rail communications - particularly by the Oudh and Rohilkhand Railway Co.⁵⁴ - provided the established and flourishing controllers of sugar growing, manufacturing and trading in Rohilkhand with new incentives in the form of opportunities for large-scale distribution.

The kolhus (sugar-mills) and khandsaris (small-scale refineries) rapidly multiplied in response. Markham recorded some 4,821 kolhus in Bijnour during his settlement survey in the early 1870's - on average, one kolhu to every $9\frac{1}{2}$ acres of cane.⁵⁵ In Bareilly district, the number of khandsaris had increased from 174 in 1848 to 561 in 1872 - i.e., by more than 300%. This, in the official view, was clear evidence of the 'generally remunerative character of the trade'.⁵⁶

But to whom was it remunerative? The long period of cultivation and of manufacture, from the crushing of the cane for the extraction of juice (ras), to the boiling of ras for gur and the final stage of refining khand, required not only machinery but time to work it. The greater proportion of cultivators could neither afford the initial cost of machines nor wait so long (some three months from cane-crushing to the boiling of the gur) for a return on their crop.⁵⁷

⁵³ Moradabad Settlement Report, 1881, p.44.

⁵⁴ for sections of line and dates when opened, see Appendix VII.

⁵⁵ Bijnour Settlement Report, 1874, p. 75.

⁵⁶ Bareilly Settlement Report, 1874, p. 94.

⁵⁷ for details on the process of sugar-making in N-W districts, see

Most sugar, therefore, was grown on advances. In Bareilly, these were provided by the owners of khandsaris, who were more often than not the local zamindars.⁵⁸ In Pilibhit, all 'castes and creeds, ... whoever has sufficient capital' were reported to be in the business.⁵⁹ In Shahjahanpur, owners of bels - small factories for the manufacture of gur - controlled the district's sugar-production by a notoriously extortionate system of advances which tied cultivators firmly to their local bel.⁶⁰ Here again, cultivators obtained little of the benefits of increased production. As Reid commented in the official Resolution on Moens' Bareilly settlement report,

it is to be feared that the portion of the value filtering into the tenants' hands is comparatively small. The crop is usually grown on advances by sugar-refiners ... When (as often) the refiner is also the landlord, or is supported in his dealings by the landlord, the tenant, who has opened up an advance account with the refiner is in an unequal struggle. He has no option left but to sell his ras at a price considerably below the rate at which, when it is ready, it might be sold by him for cash in the market.⁶¹

What did the cultivator do with his minimal 'profit' from the

57 (ctd.)

Moradabad Settlement Report, 1881, pp. 47-8; in Eastern districts, see Azamgarh Settlement Report, 1881, pp. 123-4.

58 Bareilly Settlement Report, 1874, pp. 94-5.

59 Pilibhit Settlement Report, 1873, p. 10.

60 Shahjahanpur Settlement Report, 1874, p.

61 Bareilly Settlement Report, 1874: Resolution (Revenue Dept.), 29th January 1883, pp. 3-4.

controlled sale of his cane crop? Once again, the timing of advances provided a service, albeit a costly one. Bargaining between purchaser and grower began in Jeth (May-June) in Rohilkhand, and was usually concluded in Kuar (September-October), prior to the cutting of the cane. This was convenient to cultivators for the payment of their kharif dues. As with indigo, advances for sugar-growing proved irresistible for the regular remittance of 'rent' charges.⁶² Again, the cultivator could keep little or nothing of his earnings since no sooner did he receive the advance than he paid all or most of it over to his zamindar.

If contemporary estimates were sound - and in this respect there seems little reason to doubt them - the local market value of sugar in the districts where it was most extensively cultivated, i.e. in Rohilkhand, bordered on the prodigious. In Bareilly for example, Moens recorded some 50,078 acres under sugar-cane in the year of his survey: a mere 5.664% of the cultivated area of the district. The approximate value of the crop, however, which was given in the official review of Moens' report nearly ten years after its publication, was quoted at Rs 31 lakhs (calculated on the basis of Moens' acreage statistics). This was nearly twice the district's annual revenue demand and four times its assumed 'rental'.⁶³ The proportion of total zamindari charges in the Rohilkhand districts paid by means of the proceeds from the cane crop was consequently very high. Markham estimated that sugar-cane covered a mere 7% of the cultivated area of Bijnour district - or 14%, if the area kept fallow for the next season's plantings be allowed for - but accounted for some 36% of the 'gross rental'. The entire range of rabi crops, on the other hand,

⁶² Bareilly Settlement Report, 1874, pp. 94-5.

⁶³ Bareilly Settlement Report, 1874, p. 94.

was sown on some 37% of the cultivated area but accounted collectively for only 28% of the 'gross rental'.⁶⁴

Cultivators rarely shared in the trading of gur and khand, which was chiefly the business of a multitude of commercial agents. Manufacturers - including zamindars who owned hells or khandsaris - commonly sold their products to traders in the larger commercial centres at road and rail junctions who exported it south and west by train or by cart. The minority of cultivators who processed their own gur sold it to beoparis, itinerant petty dealers, who in turn traded their stocks at local markets with the agents of more substantial trading concerns.⁶⁵ Each trader at each stage in the passage of the product through the district took his commission fixed at a percentage on the value of the commodity. Prices fluctuated with the seasons but measures existed to lessen trading risks. In Burrigaon, Shahjahanpur district, a 'khatunti-system' operated to ensure some profit for the manufacturer and the dealer except where gross climatic disorders caused a near-total failure in the crop. The prices of all agricultural produce for the area were fixed by agreement between local traders, zamindars and cultivators at an annual assemblage in a central market.⁶⁶ Since the majority of cultivators produced their sugar-crop by means of advances provided by the traders and zamindars, they had little alternative but to accept the terms agreed on by the controlling minority.

⁶⁴ Bijnour Settlement Report, 1874, p. 75.

⁶⁵ for details of the Rohilkhand sugar-trade, see Moradabad Settlement Report, 1881, p. 48.

⁶⁶ Shahjahanpur Settlement Report, 1874, pp. xviii, xx-xxi.

Of the 'valuable' crops grown on a large scale in the provinces in the later 19th century, cotton was the least stable index of prosperity. The successful cultivation of the plant undoubtedly matched up to contemporary official standards for industrious and progressive agriculture: it demanded good soil - preferably the soft loam or dumat - and careful watering and weeding. The frequency of disorders in the kharif seasons, to which cotton was especially vulnerable, meant however that success was more rarely obtained and never over so wide an area as in the case of indigo and sugar-cane.⁶⁷ The problems posed by climatic irregularities were not in themselves insuperable, given the existence of promising soil conditions and skilled farmers, and, most important, a regular incentive to overcome them. In the few districts where cotton was grown extensively - most notably in Muttra, even prior to the opening of the Agra Canal in 1874⁶⁸ - the incentive was provided once more by advances. 'The exportation of cotton is one of the largest sources of income in this district', the Collector reported in 1873;

Agents are sent up from Allahabad and Mirzapore, who make advances on the crop even before it is harvested. This ready sale is, I believe, one of the principal reasons for the greatly extended cultivation of the crop ... This year, as last, the Government demand due on the autumn harvest was paid principally from the proceeds of this crop.⁶⁹

Wider application of such incentives was prevented by the instability of available markets for the provinces' cotton output. Cotton exports

⁶⁷ for details on the consistently disappointing outturn of the cotton crop for the NWP as a whole, see Report on the Actual Outturn of the Cotton Crop in the NWP, 1869-70, (Allahabad, 1870); ibid., 1872-73, (Allahabad, 1873); ibid., 1873-74, (Allahabad, 1874). On the persistent failures of Government-sponsored experiments in improved cotton production, see Chapter II, pp. 128

⁶⁸ see Chapter II, pp. 86-7

⁶⁹ G.E. Watson, Collector, Muttra to Board of Revenue, NWP, 29th March 1873, paras 7,9: Report on the Actual Outturn of Cotton in the NWP, 1872-73, p. 24.

from British India rose from 563,000 bales (of 400 lb each) in 1860 to 1,848,000 in 1866 but dropped to 1,064,000 by 1870.⁷⁰ At the outbreak of the American Civil War, European textile entrepreneurs had turned in desperation to India in the hope of securing an adequate alternative source of supply. Their experiences during the next five years showed clearly the insurmountable obstacles which prevented them from establishing control over the supply of agricultural produce and the utter impossibility of direct investment of European capital in local agriculture. It was the systems of advances and the endless convolutions of commercial agencies through which all marketable produce was distributed which reduced the entrepreneurs' expectations to uncomprehending despair:

In many parts of the cotton districts, there are very unusual and singular difficulties, which arise out of a strange state of society, and which counteract the ordinary effect of the habitual motives of human action,

sighed the Economist, in reviewing a series of letters exposing the problems of the Indian cotton trade.⁷¹ The discovery of a far more convenient source of supply in Egypt cut short the agonies of the merchants and fed their urgent needs, with the consequence that the powerful stimulus of the export market for the Indian product was and remained substantially diminished.⁷² On the home markets, instability resulted from the imports of Manchester-processed yarns and the fluctuation in the purchasing-power of the cotton-traders'

⁷⁰ G. Watt, A Dictionary of the Economic Products of India, (London, 1890), IV, 50; quoted in D.S. Landes, Bankers and Pashas ..., (London, 1958), p. 73.

⁷¹ On the Best Practical Method of Augmenting the Culture of Cotton in India: Economist, October 4 1862, pp. 1093-96 at p. 1094.

⁷² for details of the cotton boom and the history of Indian cotton exports in the 19th century, see Chapter II, pp. 129 notes 148, 149.

rural clientele, according to the outturn of their crops from season to season. The problems remained unrelieved throughout the period.

The Grain Trade

Compared with the sudden excitements of the cotton boom, the export trade in food grains expanded slowly at a steady pace. The stimulus here was not provided by any overriding urgency on the part of European entrepreneurs in search of immediate supplies but by the gradual development of public works. While the canals stimulated the production of finer food-grains on an unprecedented scale, railways and roads provided wider opportunities for distribution both within the districts of the provinces and outside its borders. Exports of grain from the provinces to Europe were not made on a large scale before the mid-1870's. The entrepreneurs from abroad were in no way interested in repeating the experiences of the cotton merchants and made no significant attempt to establish a footing in the territory ruled by local agricultural and commercial interests: they tapped the sources of supply which the indigenous dealing networks offered them. 'The majority of cultivators are not brought into contact with European purchasers,' it was stated in an official report of 1877.⁷³ It was left to the local banias to acquire the cultivators' grain in the first instance, and any communication between the regional agents of the European grain-trading concerns and the growers - in matters of, say, specific requirements of the buyers as regards types of staples - was entrusted to the 'kanungo and patwari staff'⁷⁴ - who were for the most part

⁷³ E.C. Buck, Director, Agriculture and Commerce, NWP to Government NWP: Note on the Wheat Trade, para 12: India Selections, CLX, The Wheat Production and Trade of India, (Simla, 1879), p. 198.

⁷⁴ ibid.

servants of the zamindars and talukdars.⁷⁵

Agents of the European grain exporting companies were based at the great marts and banking centres of the provinces. In 1860-61, Baird Smith ranked Mirzapur and Farukhabad first amongst the provinces' markets, with Lucknow, Allahabad, Cawnpore and Agra in second place and Benares and Muttra important as seats of large indigenous banking firms.⁷⁶ Beyond these, and beyond the great road, rail and river junctions which supplied them, trading networks intersected the districts, connecting up local marts and bazars. While Moradabad district, for example, grew into an important thoroughfare of trade between Rohilkhand and the Doab, Punjab and Rajasthan districts to the south-west under the stimulus of the Oudh and Rohilkhand Railway, its local grain-trading patterns with its immediate neighbours seem to have persisted. This trade followed the seasons. Since districts to the south of Moradabad crops ripened a full month earlier, there was 'an ebb and flow' in the movement of staple coarse food-grains of the cultivating population - 'articles of almost universal production and consumption; ... barley will thus be brought up in large quantities (into Moradabad) early in March, to be repaid in April ...'⁷⁷ Grain was merely one item - usually the largest - of the aggregate imports and exports of a district. Azamgarh's list of principal imports included, according to Reid, English cloth and yarn, cotton, silk, dried tobacco, salt, metals and hardware, leather, in addition to staple and export grains (rice, for example) - all purchased chiefly with the proceeds from local sugar products, indigo, opium and country cloth.⁷⁸ A sizeable 'commercial

⁷⁵ for further details on the problem of kanangos and patwaris as subordinate Government officials, see Chapter VI, pp. 326-33

⁷⁶ Report on the Famine in the NWP, 1860-61: P.P., 1862, 40, p. 3.

⁷⁷ Moradabad Settlement Report, 1881, p. 18.

⁷⁸ Azamgarh Settlement Report, 1881, pp. 159-61.

community' dealt in these commodities. According to the 1872 Census, the number of adult males (of 15 years and over) engaged in commerce was 9,840 or 2.17% of the adult male population of the district, excluding a further 5,768 (1.27%) employed in carriage of commodities.⁷⁹ These figures were admittedly only a rough guide, since many besides members of hereditary 'merchant' castes engaged in trade - all who had carts, pack-animals, or sufficient reserves and time to do so - whilst all persons registered as belonging to trading castes did not necessarily follow this occupation. In trade, as in agriculture, many participants were working on borrowed capital or as brokers; the number of wealthy traders who owned all their capital was said to be small. Estimation of the volume of local trade was hazardous: no figures were available to Reid of the quantity let alone the value of imported commodities; no statement could be drawn up of the earnings of agents.⁸⁰

Local distribution focused on small commercial towns, with their resident population of bankers, who made loans to agriculturists, a few cloth-dealers, money-changers, small grain-dealers, artisans, and cultivators with holdings and interests in the neighbourhood. The size of the town and the complexity of its dealings both locally and with larger centres beyond determined the number of markets held per week. Bahadurganj, for example, in Ghazipur district lay on the Chhoti Sarju river, a principal trade-route from Azamgarh to Patna, and was linked by road also with Ghazipur and Mahomadabad. Special bazars were held there twice weekly (in addition to the usual daily markets) and were attended by large numbers of the rural population from six to eight miles around and by itinerant traders. Peasants procured their supplies at these markets, but seldom brought cash

⁷⁹ 1872 Census returns cited by Reid, *ibid.*; total number of persons registered for Azamgarh banking and trading castes: 36,243.

⁸⁰ Reid, *ibid.*

to pay for them. The common practice seems to have been for them to bring in their produce - grain, oil-seeds, and vegetables - and sell it to certain dealers and buy from others what they required with the proceeds. Or they would exchange their grain, valued at the current market rate (less deductions, if they owed charges to the dealers) for oil, salt, cloth and tobacco.⁸¹

The development of new and distant markets for food-grains distorted the old seasonal rhythms of the grain-trade. In Bundelkhand, the change in the early 1860's amounted to a complete reversal of direction. In 1864, Stratton, the Political Assistant stationed at Nowgong, observed that whereas formerly grain had come up through the district from Saugor, Jubbulpore and Narbadda and had passed on to the British districts to the north, the traffic now came down from Banda, Hamirpur and Cawnpore, through Bundelkhand to the south. What had caused this? Stratton explained that better markets for the grain of Saugor and Narbada were now to be found in the south rather than the north; response to these new attractions had led to Bundelkhand's having to draw some of its grain supplies of late from the Doab. What had led to the rise of better markets to the south? He suggested a number of reasons: recent deficiencies in the harvests of 'various southern districts'; extensive cultivation of cotton in the Deccan taking up former grain land; a similar situation in Malwa due to the increase in opium cultivation;

⁸¹ Ghazipur Settlement Report, 1886, pp. 106-7. Markets of pargana Zahurabad alone included Bahadurganj: pop. 5,007 (1881 Census) + 2 other small towns with a few resident banias, indigo and sugar factories + 11 minor markets: 3 functioning 4 times per week, 3 twice and 5 once. for a survey of market facilities of all parganas, see Settlement Report, pp. 94-112. Numerous centres for small-scale local trading seem to have been the rule: see for example, Lucknow Settlement Report, 1873, p. 39; Fatehpur Settlement Report, 1878, pp. 7-8; Bareilly Settlement Report, 1874, pp. 58-9.

extensive public works in the Deccan.

All these events combining either to diminish production or enhance price or both, they have raised prices in Malwa and the Deccan and thus attracted Narbada grain to those marts.⁸²

The enormous extension of communications further north, in the provinces proper, meant increased access- for those who could pay the freight charges - to the higher-priced export markets.

Inevitably, with this extension, price-levels at the larger trading depots rose. By 1882, the Board of Revenue thought it 'hardly necessary to notice that the equalization of prices in the provinces was becoming more and more apparent'. Equalization, that is, at high rates - for 'it is only in a few outlying tracts that low prices still prevail for some time immediately following the date of the harvest'.⁸³ Whilst districts still far from the major lines of communication preserved considerable stocks, local storage of grain elsewhere was said by the same year to have 'greatly fallen into disuse'.⁸⁴ Bulk stores at railway stations, road junctions and ghats on the navigable rivers were now becoming the centres of regional accumulation.⁸⁵

⁸² Stratton to Agent to Governor-General for Central India, 11th June 1864: NWP Revenue Progs, 24th September 1864, Index No. 53, No. 18.

⁸³ NWP Revenue Administration Report, 1881-82, p. 6; cf. NWP Revenue Administration Report, 1888-89, p.6: with the extension of railway communications in Rohilkhand, the prevalence of low prices may be said to have come to an end; Fatehpur Settlement Report, 1878, p. 47: great export trade to Europe provides a security against any possible return to low prices.

⁸⁴ NWP Revenue Administration Report, 1881-82, p.6; cf. Shahjahanpur Settlement Report, 1874, p. xiii: due to the railway, grain exported south to a much greater extent than before.

⁸⁵ e.g., the thriving junction of Chandausi on the Oudh and Rohilkhand Railway. Alexander noticed at the end of October a large quantity of wheat going to railway station for export to Rajputana and observed that grain was often kept in store at centres like Chandausi for a long time: Moradabad Settlement Report, 1881, p.57.

'It is probable that any sudden extra demand for export is met chiefly by drawing on the surplus store of the province in hand from previous years,' the Secretary to the Financial Commissioner, Punjab, noted in 1879; 'but it may also be met to some extent by a decreased local consumption, consequent on the rise in price which a demand for export causes.'⁸⁶ Officials in the NWP and Oudh were similarly cautious in accounting for the source of supply of the increasing exports. Government's role was to observe the passage of trade and collect its dues. It was slow to set about the basic task of calculating the volume of the regional traffic in food-grains. 'Except on such channels as the East Indian Railway and the Ganges Canal, and at such points as the customs' hedge and the bridges over the great rivers, and the octroi barriers of the principal towns, there is no machinery existing for the registration of trade,' Henvey noted in his report on the scarcity of 1868-69, 1870; '... accordingly, for a general view of the exports and imports, as well as the internal traffic, dependence must be placed in great measure upon the conjectural estimates of tehsildars'.⁸⁷ The situation did not change rapidly. Although great stress was laid by Sir John Strachey on the prime duty of the new Department of Agriculture for the provinces, established in 1874, to collect statistics of production and distribution,⁸⁸ no system of trade registration was in force till 1877. The system then implemented was admitted at the outset to be imperfect, and remained defective throughout the period.⁸⁹

⁸⁶ J.A.E. Miller to Government Punjab, 8th December 1879: India Selections, CLX, The Wheat Production and Trade of India..., p.207.

⁸⁷ F. Henvey, A Narrative of the Drought and Famine..., p.6.

⁸⁸ see Chapter II, pp. 126

⁸⁹ compilation of an adequate statistical series for the trade in staple food-grains from the official Trade Reports of the Governments of NWP and Oudh, 1877-78 -, is impossible. Registration posts multiplied from year to year; frontier divisions

If overall patterns of trade movements could be gauged only in the most approximate fashion, local statistics were even more inadequate. Millett in discussing the exports and imports of Fyzabad district - said to act as an emporium for Eastern Oudh - gave the aggregate value of exports of the year under survey as Rs 4,864,074 and of imports, Rs 1,979,768. But he promptly added,

It appears that the official returns do not accurately represent either the one or the other; they only indicate the course of river trade at marts within the district boundary, and the internal trade by road or river with other parts of Oudh is not given ...

Millett despaired:

The actual exports of the district cannot be determined; its large population probably consumes most of the produce. ⁹⁰

The calculation of prices was also beset with uncertainties. It was officially recognized that the passage of the product from the cultivator to the local dealer and on to the commercial centres entailed a number of transactions, each governed by its price 'rate'. Village prices were held to differ according to the relative distance between the village and the nearest market town: Moens, set the

89 (ctd.)

within which statistics were officially collated were altered from time to time; figures for one year's road but six months' rail traffic were combined in the same entry; figures for quantity sometimes alternate with those for (estimated) value; the trade figures given in Oudh Revenue Administration Report, 1872-73, Statement XXV are identical with those in Oudh Revenue Administration Report, 1871-72, Statement XXIV; the Report for 1873-74 contained no statistical Statement, while that for 1874-75 included neither a Statement nor any account in the text of the Report...

⁹⁰ Fyzabad Settlement Report, 1880, p. 28; so also Maconochie re Unao in the 1860's: no data available as regards exports and imports from which reliable figures could be obtained: Unao Settlement Report, 1867, p.20.

average difference of Bareilly village prices at about two to three seers per Rupee below the market 'rate'.⁹¹ These local prices were in turn divided officially into two categories: harvest, or threshing-floor 'rates' and bazar or local dealers' 'rates'. As with 'rents', the estimation of any viable rate which governed local prices proved to be a problem. Harvest 'rates' covered a multitude of individual transactions, governed by the precise relation of purchaser to seller and the extent of the latter's obligations to the former. Benett's remark, à propos of Gonda prices, that it was always extremely laborious and in some places impossible to ascertain correctly what price the 'corn-factor' pays the cultivator on the threshing-floor⁹² is therefore by no means surprising. Nor Markham's finding that the recorded threshing-floor 'rates' were fictitious - 'to a great extent pro forma rates, fixed on to facilitate settlements among sharers, etc., and with an eye to the entries of rent to be made in the village papers.'⁹³ Here again, it had become impossible for officers to detect genuinely fraudulent practices. For Benett, the arduousness of disentangling actual prices was restricted to the harvest category in Gonda. 'Retail prices in the bazar,' he declared, 'may be discovered at once.'⁹⁴ Others, however, encountered difficulty here

⁹¹ Bareilly Settlement Report, 1874, p. 81; for an all-India survey early in the 20th century of local grain-prices as relating to distance from markets, see Th. H. Engelbrecht, Die Feldfruchte Indiens in ihrer geographischen Verbreitung: Abhandlungen des Hamburgischen Kolonial-instituts, Bd XIX, Reihe E., Angewandte Naturwissenschaften, Landwirtschaft und Technologie, Bd 3, (Hamburg, L. Friederichsen, 1914), price-maps: Tafeln 1-16; price-tables, Tabellen 1-12, pp. 60-111.

⁹² Gonda Settlement Report, 1878, pp. 77-8.

⁹³ Markham, Settlement Officer, Bijnour to Commissioner, Rohilkhand, 23rd January 1871: NWP Revenue Progs, 2nd September 1871, Index No. 12, July 29 1871, No. 38.

⁹⁴ Gonda Settlement Report, 1878, p.78.

too. Wright, for one, was thwarted in his wish 'to show the prices at which the grain-dealers sold back the grain to the cultivators at seed time, when it would be at its highest price' since he could not gather sufficient information to tabulate them.⁹⁵ The problems of enquiry into grain-transactions were complicated still further by the imposition of the Licence Tax. Alexander commented that traders in Moradabad had in consequence become so suspicious of all enquiries as to their business that 'the information they give us is so utterly misleading that it is extremely hard to give any accurate account of trade dealings.'⁹⁶ These difficulties precluded any sound estimate of dealers' profits. Benett's conjectures on this score are perhaps instructive. From a comparison of bazar prices (culled from banias' books) with field prices (conjectured), he hazarded the conclusion that in Utraula and Gonda, the profits of a corn-factor were little more than 27% - but, he added, there was also a differential in types of grains and areas: in Gonda, investments in oilseeds paid 40%, in Utraula, 20%.⁹⁷ What, therefore, is the reader to assume the 'corn-factor's' profits to be? The difficulties in compiling the most basic information of this kind also made any valid comparison of local price conditions impossible, since each officer collected what information he could, when where and how he could, making full use of his discretionary powers. No uniform method could be imposed at the local level. The divergence could be extreme. For Cawnpore district, two totally different statistics were offered for the same periods - 1814-1836, 1840-1856, 1859-1877, the periods selected to avoid distortion due to severe irregularities occurring in the intervening

⁹⁵ Cawnpore Settlement Report, 1878, p. 58.

⁹⁶ Moradabad Settlement Report, 1881, pp. 56-7.

⁹⁷ Gonda Settlement Report, 1878, p.78.

years. The explanation was that Halsey's list had neglected to rule out the special influence of the emporium of Cawnpore city over the prices of produce in the neighbourhood, whereas Wright's list had taken this anomaly into account.⁹⁸ Ridsdale offered detailed statements of prices for each pargana of Eta district, which, however, were averages struck from banias' books in three principal marts of parganas Sahawar, Karsana,⁹⁹ and Azamnagar,¹⁰⁰ and from zamindars' and banias' books of four principal marts of pargana Sirpura.¹⁰¹ Bazar 'rates' were listed for Mainpuri district for the period 1815-1871, but the rates quoted were not derived from Mainpuri records, since no district bazar rates for the whole period were in fact forthcoming and even such as were procurable were found unreliable. What was given therefore was the averages or rates current in Agra bazar, 1815-1840, 1857-1871. Since no details from Agra were available for the period 1840-1857, the Settlement Officers 'were obliged to substitute Muttra rates for that interval'. This was asserted to matter little as rates in Agra and Muttra 'are and have been always almost identical'.¹⁰² Further confusions were added by variations in local weights and measures. Alexander commented that although the figures he had taken for prices for Moradabad district from the parganawar rent-rate reports were the most accurate obtainable, 'the perpetual confusion which occurs in all these early returns between the different seers and the kucha and pukka maunds renders it impossible to rely much on them'.¹⁰³

⁹⁸ for Wright's comments on Halsey's errors, see Cawnpore Settlement Report, 1878, p. 59.

⁹⁹ Etah Settlement Report, 1874, p. 100.

¹⁰⁰ ibid., p. 86.

¹⁰¹ ibid., p. 120.

¹⁰² Mainpuri Settlement Report, 1875, p. 70.

¹⁰³ Moradabad Settlement Report, 1881, p. 61.

Given the impossibility of making accurate calculations, Government officers could offer only the most general estimates in reporting the rise in local prices during the past settlements (approximately 1840-70). Their conclusions in the main ranged between 25% and 50% by way of a permanent rise in the prices of staple produce.¹⁰⁴ Prices had always risen inevitably whenever harvests were deficient but the tendency had formerly been - so far as is known - for them to fall on the subsequent occurrence of better seasons. While deficient harvests continued to push prices up,¹⁰⁵ increasing exports of agricultural produce kept them from falling back to old levels when outturns improved.¹⁰⁶ Prices fell noticeably only

¹⁰⁴ examples of the estimated increase % in prices for agricultural produce, 1840-70:

Etawah	(Settlement Report, 1875, pp. 55-6):	40%
Fatehpur	(Settlement Report, 1878, pp. 46-7):	25%
Mainpuri	(Settlement Report, 1875, pp. 72-3):	47%
Muttra	(Settlement Report, 1879, pp. 92-3):	50%
Muzaffarnagar - canal tract	(Settlement Report, 1873/1878, p. 76):	21%
Etah	(Settlement Report, 1874 - pargana reports, cit. sup., n.): average of pargana estimates:	60%
Moradabad	(Settlement Report, 1881, p. 61):	60% in gur, 70% in edible grains
Farukhabad	(Settlement Report, 1875, Resolution, Revenue Dept., 1877, pp. 2-3);	300% (sic)
Oudh	(McMinn, Introduction ..., c. 1872, pp. 189-90):	20%

¹⁰⁵ Agra Division, 1886-87: Commissioner's view and 'native' opinion: late sudden rise in grain prices due to deficient harvests of the last 3 years: NWP Revenue Administration Report, 1886-87, p.4; Jhansi Division, 1888-89: prices high - the natural consequence of bad harvests: NWP Revenue Administration Report, 1888-89, pp. 5-6; for the frequency of poor harvests, 1864/65 - 1884/85, see Chart I.

¹⁰⁶ 1887-88: prices throughout NWP reported considerably higher than in 1886-87 (prices in this year also far higher than in preceding years). The continuing rise attributed in general to deficient harvests of previous years, and indifferent kharif outturn and larger exportations: NWP Revenue Administration Report, 1887-88, pp. 5-6. Moens was informed - 'frequently' - by leading grain merchants of Bareilly that 'provided internal peace is maintained, they never expect the average wheat price on a series of years to fall again below 25 Bareilly seers the Rupee' (formerly a sign of threat of scarcity): Bareilly Settlement Report, 1874, pp. 60-1.

when exports diminished, as happened for example during the course of 1889-90¹⁰⁷ and again in 1892-93.¹⁰⁸ The marked fall in the value of silver which was widely commented on by the early 1870's also contributed to maintain this upward trend in prices. 'Bullion (in payment for raw materials exported) has been poured into the Indian empire at the rate of £1,500,000 p.a. for the last ten years, 1862-71,' McMinn reported. 'Whether ... an advantage or not, the fact remains that prices must rise ...'¹⁰⁹

Who could benefit? 'The rise in prices might reasonably be expected to have affected the condition of the people very materially,' Alexander commented as regards Moradabad, 'but,' he added, 'it is better to defer consideration of this point'.¹¹⁰ Since, as we have seen, only a minority of cultivators disposed of their produce free of obligations to local banias or beoparis, the upward climb in prices could benefit few producers directly by bringing them a better return, on their crops. In the bargain between purchaser and cultivator which

107

as reported in districts 'up-country', diminished exports tended to keep down the price of wheat despite generally poor harvests: NWP, Oudh Revenue Administration Report, 1889-90, pp. 7-8.

108

1892-92: easing in prices of food-grains reported, as compared with several years past. Coarser grain becomes comparatively cheap - temporarily - in most parts of the NWP, due inter al. to a 'falling-off in the foreign export trade' and the fact that the heavy rainfall during threshing made the grain unfit for storage: NWP, Oudh Revenue Administration Report, 1892-93, p. 5.

109

McMinn, Introduction ..., p. 189; for a contemporary summary of the question of depreciation in the 1870's, see A.H. Harington, Corn in Egypt: Pioneer, (Allahabad), June 1876, cited by Harington in Economic Reform in Rural India: Calcutta Review, LXXX, 1885, p. 445. According to Harington, basic data for calculating the average extent of depreciation had never been collected.

110

Moradabad Settlement Report, 1881, p. 61.

the harvest prices represented, 'the grip of the purchaser (bania- or zamindar-creditor) on the seller ... is a very tight one,' the settlement officers commented of the typical situation in Mainpuri.

... in fixing the harvest prices, the grain-dealer, who is the purchaser, has generally the best of it. Therefore, on a general rise in market rates, harvest prices, although they will not remain stationary, will not increase in the same proportion.¹¹¹

Harrington noted how the common phenomenon of the combination, in one person, of money-lender and grain-dealer - 'the simple system (sic) of rural economy is entirely based on the dealings of this man' - prevented the borrowing ryot, a similarly common phenomenon, from getting a fair price for his produce.¹¹² In Muttra the combination was seen at its most formidable: a grain-dealing class which was 'a guild or fraternity, to which not only no outsider not of the caste can get admittance, but which monopolizes the money-lending or banking trade'. A rise in market prices could not filter through to producers subject to their control, for the members of this guild,

be they Baniyas or zamindars, can compel the producer, who lives solely by the advances they give him, to bring his produce to their shops and prevent him getting the full open market value for his goods. The cultivator is therefore not only crippled by the heavy interest he has to pay, but also by the low prices he is compelled to take for his produce.¹¹³

¹¹¹ Mainpuri Settlement Report, 1875, pp. 73-4.

¹¹² Calcutta Review, LXXX, 1885, p. 436.

¹¹³ Muttra Settlement Report, 1879, pp. 89-90.

With the rise in prices, also, indebtedness could be seen not merely to persist but also to grow. Cadell observed in the Muzaffarnagar canal tract how, 'greatly as the agricultural community has prospered in recent years' (mid-1870's), indebtedness had in fact increased, since old 'habits' of borrowing were eased by improved credit and lower interest rates, the direct consequences of an overall rise in the prices of agricultural produce.¹¹⁴ Throughout the provinces, the granaries of talukdars, zamindars, privileged peasants and mahajans were stocked by the produce paid over by the peasants in remitting their seasonal charges.¹¹⁵ The most the majority of cultivators could hope for in return by way of benefits from price increases was some easing of the pressures of local control.

'Unimproved' tracts where no large-scale public works had been constructed shared along with 'improved' districts in the general rise in prices, but with the result that existing inequalities in the distribution of wealth from trade were aggravated. Take the case of Bijnour. The price of wheat in markets lying on or near major lines of communication - the rivers - might well have doubled or quadrupled within the space of a few years by the late '70's, enriching local mahajans and zamindars, especially those who continued to claim bazar dues. But internal communications in Bijnour remained poor. Few roads meant that the majority of minor rivers in the district were never bridged. Cultivators living 'on the other side of an impassable stream' or impeded by the lack of a direct road from reaching the flourishing markets could not take advantage of their benefits.¹¹⁶ While the costs

¹¹⁴ Muzaffarnagar Settlement Report, 1873 (Canal tract, 1878), pp. 18-19.

¹¹⁵ see e.g. the description by 'Xenophon, Doab': The Last Rubbee and Khureef: Indian Agriculturist, 1st October 1876, p. 284.

¹¹⁶ Bijnour Settlement Report, 1874: Resolution, Revenue Dept., 1880 (Observations of Offg Senior Member, Board of Revenue, NWP), p.3.

of imported commodities they needed for daily use - salt, spices, household utensils, for example - had risen, these cultivators in the district's hinterland had no corresponding increase in the proceeds from the sale of their produce with which to meet them.

By 1892, the cultivators' predicament as a result of the increasing stimuli applied to local markets was obvious. Neale, then Commissioner of Agra Division, observed that prices which were 'slowly rising, first of all in the luxuries (sic) of life, such as ghi, wheat, oil, firewood, horses and cattle,' would be 'ultimately followed by an appreciable dearness in the millets and other staple food of the vast agricultural and labouring population'.¹¹⁷ Elsewhere, Neale's gloomy predictions had already become reality. In Hardoi district, settlement returns of grain prices from Madhoganj, the principal mart, showed that in the late 1870's kharif staples - jowar and bajra - were 'often sold to the poor by the grain-dealers at prices actually exceeding the rates at which the wealthy purchase wheat'. Although the admitted unreliability of such returns ruled out precise and detailed calculations, the conclusion seemed indisputable to the officials:

the broad fact remains ... that the food of the poor is increasing in price with greater rapidity than the food of the rich.¹¹⁸

The expansion in 'valuable' crops, directly contributed to the problem.

¹¹⁷ NWP, Oudh Revenue Administration Report, 1891-92, p.6. Compare the situation reported in Basti district, 1888-89: rise in prices makes it impossible for the cultivator to get sufficient food whereas prior to the increase in exporting facilities, he kept his grain and had it in store for an unfavourable season. The Board's comments on this report are instructive: it was 'not prepared to endorse the view that the cultivator has been a loser by the extension of railway communication and the consequent rise in prices. His former thrift is perhaps somewhat overstated ...' NWP, Oudh Revenue Administration Report, 1888-89, pp. 5-6.

¹¹⁸ Hardoi Settlement Report, 1880, pp. 20-1.

Bareilly was one of the few districts where wheat, prior to the great developments in the export trade, was commonly grown by cultivators for food. The price of this staple was said to have risen between 1859 and the revision of the settlement because - inter alia - of the 'increased area as compared with former years devoted to the cultivation of sugar-cane and cotton, and the consequent comparative diminution of the area devoted to food-grains'.¹¹⁹ In the canal-irrigated districts, enormous increases were reported by the mid-'70's in the export rabi staples: in 1873-74 alone, an increase of 39,225 acres under wheat, and a further 25,555 acres under barley. The area under pulses - the prime source of vegetable protein for the rural population - registered a decrease in that year of some 9,000 acres.¹²⁰

It was not only the cultivator's diet which was affected to his detriment, by the attractions the grain-trade provided for his purchaser-creditors. His supplies of seed-grain could be similarly jeopardized. W.S. Robertson, in a note published in the Indian Agriculturist in 1876, explained how 'extortionate moneylenders' to whom most ryots were in debt,

compel their unfortunate victims not only to sell under compulsion at their own prices, but to purchase some inferior grain for seed. Thus inferior qualities of grain are gradually being diffused over the land, to the serious detriment of rice in particular, from the fact of this being the more expensive grain, and most in demand for exportation.¹²¹

¹¹⁹ Bareilly Settlement Report, 1874, p. 60.

¹²⁰ NWP Revenue Administration Report, 1873-74, para. 14. The increases in Etawah alone that year were recorded at 19,507 acres for wheat (over 50% more than in 1872-73) and 12,257 acres for barley (nearly 50% above the previous year).

¹²¹ W.S. Robertson, Grain and Seeds: Indian Agriculturist, June 1 1876, pp. 163-4 at p. 163.

Government and the Problem of Indebtedness

Local society, as Moens noted in Bareilly, tended to accept persistent borrowing as the natural state of things - cultivators even considered it prestigious to keep a running account with the bania for a sizeable sum.¹²² Official opinion, on the other hand, deplored the peasants' indebtedness and saw in it - not without reason - the fount of all local evils. Hume's characteristically dramatic view was representative of current opinion on the problem:

Wherever we turn, we find agriculturists burdened with debts running on at enormous rates of interest. In some districts, even provinces, the evil is all-absorbing - a whole population of paupers, hopelessly meshed in the webs of usurers.¹²³

The problem was not viewed solely as an index of peasant pauperization. There was also the far from unimportant question of the moneylender's interception of legitimate profits of Government. Robert Knight accused Government of resigning its just claims to the sahukar (moneylender) and thereby strengthening the latter's position to the detriment of his agriculturist clients. In a characteristically strenuous article published in 1871, Knight expostulated that 'by lowering the assessment (from 66 2/3% to 50% - the new, revised proportion of 'rental assets' to be taken by Government¹²⁴ we simply enrich the sowkar; for what we abandon as rent he takes as interest'.

¹²² Bareilly Settlement Report, 1874, p. 55.

¹²³ A.O. Hume, Agricultural Reform in India, (1879, repr. Madras, 1899), p. 36: Hume attributed this pre-eminently to the ruinous system of civil litigation introduced by the British - on which see Chapter V: The Frustration of Legal Remedy.

¹²⁴ see Chapter III, pp. 156-7

Knight therefore recommended loftily that the creditor-middleman be removed.¹²⁵ He belaboured Government with the Book of Genesis:

for we believe that the Scriptures, though not teaching political science dogmatically, do nevertheless contain very striking examples of political wisdom.

Instructions for ending the iniquities of the interception of profits, and the consequent evils for the agricultural population, were to be found in the story of Joseph who, by advancing grain to cultivators in time of severe scarcity on the condition of regular payment of 1/5 of their produce to the state, gained total control over agricultural production, which ruled out any danger of interference by 'private creditors'. Knight urged that since

the revolution made 3,500 years ago in Egypt by the young and inspired Hebrew minister was suggested to him by Divine wisdom, Government should pay attention to this historic expedient.¹²⁶

The Government of India and the local administrations of the NWP and Oudh were in no position to be confident of a viable analogy between themselves and Pharaoh. Their problem was not merely one of responsibility but also of cost.

Hume estimated that

the native mofussil capital employed in usury (for British India as a whole) is believed to be more than three-fold that employed in trade. By no means could

¹²⁵ R. Knight, Corn in Egypt: Indian Economist, April 15 1871, pp.234-5 at p. 234. The article discusses the question raised in the columns of the Pioneer: 'is it creditable to a landlord that his rent is paid regularly by a debt-ridden tenantry with money borrowed at 37 1/2%' - provoked by the debate over the adjustment of revenue kists.

¹²⁶ Knight, cit. sup., p. 235. He believed that the State might appropriate 3/5 the rental with nothing but advantage accruing to all classes; less would starve the State and the ryot but bloat the malguzar and sahuakar.

the amount of the latter be more than doubled for many years, so that for a long time two-thirds at least of the capital now employed in money-lending in the mofussil must continue to be so employed.¹²⁷

Official statistical estimates of the volume of debt throughout the provinces were as vague as those of the numbers of debtors. Even under heads of account which seemed most significant to observing revenue officers - chiefly the 'rent' payments - no specific information could be assembled. Harington commented in 1883 on the 'extraordinary lack of data for estimating the probable proportion between rent and advances'.¹²⁸ In 1869, C.A. Elliott had conjectured that throughout the NWP some £10,000,000 total value were borrowed annually by 'agriculturists for seed, food grains, rent, revenue, clothing and other expenses'.¹²⁹ Enquiries made by J.S. Mackintosh as Secretary to the NWP Board of Revenue from 'many European and native officers' led him to conclude that 'not less than the rent paid or payable for the land (i.e. an estimated sum of twice the land revenue demand) was borrowed yearly for the cultivation of it. His - Mackintosh's - own view as expressed in a personal communication to Harington was that the amount borrowed in an ordinary year was nearer £15,000,000 than £10,000,000, rising in a year of severe distress to between £20,000,000 and £30,000,000, and probably nearer the latter.¹³⁰ Harington's own calculations of the \pm 'probable

¹²⁷ Hume, Agricultural Reform ..., p. 46; 'native' capital was never solicited for the massive expenditure on the provinces' Public Works: (see Chapter II, pp. 75-6) nor was any other area for large-scale and systematic investment opened up for it.

¹²⁸ Calcutta Review, LXXVI, 1883, p. 164.

¹²⁹ Revenue Reporter, IV, 11, p. 84, cited by Harington, Calcutta Review, cit. sup.

¹³⁰ ibid... Harington gives no date for Mackintosh's enquiry.

magnitude of the financial part of the business' - the capital required annually for loans - provided an estimate that some £19,000,000 would be regularly involved p.a.¹³¹ The Government land revenue then stood at some £20,000,000 for British India. Harington posed the question: could the State furnish this amount? and if it were so able, should it "buy up the creditors" or rather leave 'the enterprise to private capitalists'?¹³²

Government could not afford to contemplate such a radical overthrow of existing conditions as would be necessitated by the replacement of the machinery which existed - even that portion of it run by the mahajans - for the supply of credit to agriculturists. The Chief Commissioner of Oudh had asked for recommendations by district officers in the course of the 1869 enquiry as to how the cultivator's state of dependence on extraneous aid might be improved.¹³³ The district officers were almost unanimously of the opinion that 'no direct interference can advantageously be exercised by the administration', an opinion in which the Chief Commissioner concurred.¹³⁴ If Government not merely refused to interfere with a landlord's activities, but even gave him specific legal protection

¹³¹ ibid., p. 163. Harington's principles of calculation were as follows: $\frac{1}{2}$ gross produce = maximum borrowed = $1\frac{1}{2}$ times cultivator's rent. $\frac{2}{5}$ of cultivators of the 7 temporarily settled provinces will pay $\frac{2}{5}$ of gross rental, consequently $\frac{2}{5}$ of land revenue, assuming rental = twice land revenue.

¹³² ibid., p. 166.

¹³³ Oudh Selections, 1868-69 (indebtedness), p. 3.

¹³⁴ Davies, Memorandum, Oudh Selections, 1868-69 (indebtedness), p. 74.

in recognizing his power of enhancement of rent and distraint of tenants' goods on default of due rent payments, how then could Government legitimately obstruct the moneylender in the pursuit of the profits of his trade?¹³⁵

Practically speaking, since both the realization of land revenue and the zamindars' collection of their charges were heavily dependent on the timely assistance of 'the mahajan', it was inconceivable that Government should interfere with what was in fact its vital source of supply.¹³⁶ Nor could it disturb 'the mahajan' in his role as universal provider - faute de mieux - to the cultivating population. However deplorable the profiteering of creditors might seem, official opinion was resigned to admitting that

with all his faults, the village banker has been and probably will continue to be a useful member of the agricultural community. He finds much of the capital with which the cultivating system of the country is worked and advances it on little better security than the agricultural labourer's verbal promise, the fulfilment of which depends on the seasons.¹³⁷

Carnegy's official statement in 1868 for the Oudh enquiry made the position - and the dilemma - of Government abundantly clear:

135

on the inconsistency of interference with the mahajan's dealings, see Thompson (Offg Commissioner, Sitapur), Oudh Selections, 1868-69, (indebtedness), pp. 39-40. The policy of non-interference early found its clearest expression in the repeal of the Usury Laws by Act XXVIII, 1855. For a discussion of this legislation and its problems, see Chapter V, pp.

136

Harrison, Asst Commissioner, Partabgarh: Oudh Selections, 1868-69 (indebtedness), pp. 68-9; A.B. Patterson, Fatehpur Settlement Report, 1878, p. 12.

137

Allahabad Settlement Report, 1878, Resolution, Revenue Dept., 1883, p. 8 (cf. Report, p. 48); so also Bareilly Settlement Report, 1874, p. 81 and Sir J. Strachey's eloquent observation - 'moneylenders are obviously as necessary to the Indian agriculturist as the seed which he sows, or as the rain which falls from heaven to water his fields' - quoted by A.H. Harington, Calcutta Review, LXXVI, 1883, p. 153 (headnote).

... anything like official interference in the interests of the cultivator would only lead to ill-will between him and the mahajan, who often stands between him and starvation. However much, therefore, the Officiating Commissioner (Carnegy) might like to see the position of the cultivator improved, he is of the opinion that, in the interests of the latter ... the less we interfere the better.¹³⁸

The welfare of the cultivator was, after all, the landlord's responsibility.

Scarcity years, in pushing prices beyond the high levels which had become the norm from the early 1870's and even those recorded for famine years in the past,¹³⁹ brought a scramble for the profits of local trade in food-grains.

... Besides the regular traders, men of all sorts embarked in it who had or could raise any capital, jewellers and cloth dealers pledging their stocks, even their wives' jewels, to engage in the business and import grain.¹⁴⁰

But failure in the kharif could bring no profit to local cultivators. As June and July wore on and little or no rain fell, the threat of imminent scarcity drove up prices of all available stocks of grain. Farmers could not benefit as they had nothing now to sell, having disposed of the greater part of their outturn from the previous rabi long before to meet their obligations. At most, they kept back

¹³⁸ Oudh Selections, 1868-69, (indebtedness), p. 48.

¹³⁹ e.g. McMinn, Introduction..., p. 189: at present (early 1870's), when a good harvest is reported all over India, the price of wheat is higher in Lucknow than it was in the North-West Provinces during the 1837-38 famine ...'

¹⁴⁰ NWP Revenue Administration Report, 1876-77, pp. 6-7 (Meerut district).

sufficient for a few months' food. By September, local stocks were drained and cultivators could only buy or borrow their seed and food at prices which rocketed to famine levels.¹⁴¹

The breakdown in the local supply of grain which became apparent on the occurrence of severe scarcity was no isolated happening but the consequence of years of rising prices combined with uneven yields. The danger as far as Government's awareness of the deteriorating condition of the rural population was concerned lay, as McMinn remarked, 'in the slowness of Indian starvation and the absence of outward indications of the approach of famine'.¹⁴² The threat of poor outturns had subtle and damaging consequences for the majority of cultivators in that it led creditors to refuse further advances. As Daniell commented on the situation in Jhansi in August, 1877,

Whenever little or no crop is sown, or when the sown crop is endangered by drought, banias close their money bags and refuse food or its equivalent. The people are then thrown on their own resources (nil, in so many cases).¹⁴³

This problem was in no way confined to Jhansi. Elsewhere in the provinces in the scarcity of 1877 large stocks accumulated from previous good seasons were in the hands of the zamindars and dealers; throughout the summer, as the gross deterioration in the kharif conditions became more and more apparent, a brisk exportation persisted nevertheless. But the kharif failure induced creditors to turn away their cultivator clients from the fear that their diminishing stocks might not be replenished in that season. It was in their interest to

¹⁴¹ ibid.; for the problems of the agriculturist as a consumer, see NWP, Oudh Revenue Administration Report, 1889-90, p. 4.

¹⁴² McMinn, Introduction ..., p. 187.

¹⁴³ C.A. Daniell, Demi-official report on the condition and prospects in ... Jhansi, 16th August 1877: India Revenue, Agriculture and Commerce (Famine) Progs, September 1877, No. 72.

withhold payments and thus to drive prices still higher.¹⁴⁴

Throughout, Government's policy was to interfere as little and as briefly as possible with the channels of private trade. The modicum of official control believed indispensable in easing Behar's straitened circumstances in 1873, when imports from the NWP on which the area relied were held back by the attraction of the famine prices ruling in the provinces, was designed as a temporary measure: such needs should be removed according 'as means of communication are extended and the wealth of the country increases'.¹⁴⁵ The needs certainly persisted, however, but the control diminished even further, and the principle of non-interference triumphed - as the Famine Commission of 1879 recommended. The seal was set on this policy by the publication of the Famine Code in 1896.¹⁴⁶ Grain continued to flow throughout the provinces - earning Government a handsome profit from freight charges and customs dues¹⁴⁷ - not in response to the distress of cultivators who could neither pay for it nor, in the threat of imminent scarcity, borrow it, but as high prices of local famine conditions and the expanding export trade dictated.

¹⁴⁴ NWP Revenue Administration Report, 1876-77, pp. 6-7; Henvey, Narrative ... (Allahabad, 1872), p. 9.

¹⁴⁵ the 'control' amounted to a small reduction in the rates for the carriage of grain by railway: India Agriculture, Revenue and Commerce Dept. to Government NWP, 25th February 1875: NWP Revenue Progs, March 1875, Index No. 2, March 20 1875, No. 2.

¹⁴⁶ Resolution on the Administration of Famine Relief in the NWP and Oudh, 1896-97, 4 vols., (Allahabad, 1897), vol 4, p. 118.

¹⁴⁷ October 1896-June 1897 - rail-borne imports of grain into the NWP and Oudh, 645,628 tons; exports, 306,377 tons: ... this vast and beneficent trade movement was effected not only without difficulty or apparent effort, but with great pecuniary advantage to the State'...: *ibid.*, p. 119.

When his zamindar or creditor refused to 'oblige' him, what did a cultivator do for grain? He could rob a store or riot - a frequent occurrence in the 'distressed districts' of the Doab during the grain crisis of 1877, for example, and met by vigorous police measures.¹⁴⁸ He could emigrate - a common source of relief for farmers in the lower Doab and Bundelkhand, who made their way to Malwa when scarcity threatened and returned one or two seasons later.¹⁴⁹ He could, on occasion, earn a temporary subsistence wage - for the duration of the most obviously critical period only - on Government relief works. This remedy became more worthless as the century wore on. To cut costs Government entrusted the actual expenditure on schemes of 'village relief works' to the zamindars, with the result that they employed only the able-bodied and only at starvation-level wages.¹⁵⁰

The condition of the peasantry was subject to the ravages of scarcity years without adequate relief, least of all by the occurrence of abundant harvests on occasion. The predicament of the impoverished

¹⁴⁸ Government NWP, Oudh to Government India, 4th October 1877: India Public Works (Famine) Progs, October 1877, No.14. For details of the robberies and the consequences meted out to robbers, see Report on the Scarcity and Relief Operations in the NWP and Oudh, 1877-78, 1879 (Allahabad, 1880), pp. 3-5; for details of the steep rise in the rate of incidence of 'ordinary crime' in crisis years, see Henvey, Narrative ..., pp. 126-7, (1868-69, 1870); Resolution on the Administration of Famine Relief ..., 1896-97, vol.4, Ch. XI, pp. 126 ff.

¹⁴⁹ 1860-61: emigration the only important relief 'adopted by the sufferers': from Western districts, 120,000; Central districts (Lower Doab), c.255,000; Eastern districts, c.500,000: R. Baird Smith, Report ..., P.P., 1862, 40, pp. 36-9. 1877-78: emigration much reduced. From Jhansi division end of July, from Agra division August (no figures given): NWP Revenue Administration Report, 1876-77, pp. 1-3. 1896-97, no reference in official report to emigration.

¹⁵⁰ In Bundelkhand, relief works on roads, tanks, wells and embankments were reported accomplished under the administration of local zamindars at the cost of Rs. 4/8/- per 1,000 cubic feet of excavation: Resolution on the Administration of Famine Relief ..., 1896-97, vol. 4, p. 14.

250

cultivator faced with a fair season's outturn was well-known - and aptly summarized by the Lt-Governor of the NWP himself as early as 1872:

The seed and food borrowed at a high rate have to be repaid by a far larger weight of grain when prices have fallen, and the forced (sic) sales to which he is compelled in order to pay rent or revenue lower the market price below the level at which the abundant crop would of itself place it ... To the well-to-do farmer, who has grain to sell, high prices bring fortune; to the indebted man, who has to borrow, they are loss and ruin ...¹⁵¹

In 1874-75, Benares Division saw good harvests reaped throughout. Gorakhpur especially 'enjoyed a plenty enough to compensate for the scarcity of the year before.' But abundance worked as of old against cultivators in clearing their accounts for loans borrowed to tide them over the previous year's drought. 'If they took 1 maund of grain in October 1874, when selling at 20 seers the Rupee,' the Collector, Lumsden, suggested by way of a typical example,

they would have to repay in April or May 1875, the value in grain of Rs 2, with interest at 25%, and as grain was then selling at 30 seers, they they would have to give back 1 maund and 35 seers for every maund they borrowed.

Considerations such as these must temper to a certain extent the cultivator's joy at a bumper harvest.¹⁵²

¹⁵¹ NWP Revenue Administration Report, 1870-71: Government NWP to Board of Revenue, NWP, 25th June 1872, para. 3; for detailed observations for Divisions, see Report, pp. 2-3.

¹⁵² NWP Revenue Administration Report, 1874-75, pp. 2-3; the same was reported from Ghazipur district: excellent harvests, abundant grain, sufficient food but money scarce, therefore 'rents' paid with difficulty.

Patterson, the Settlement Officer of Fatehpur, reported that the abnormally low prices in pargana Khaga due to exceptionally good harvests gave cause for anxiety: 'many moderate settlements would press severely if low prices recurred on a par with those of 1850-1857, or April-November, 1876. For low prices brought great distress: cultivators 'had more grain than they knew what to do with, but money to pay their rents was hardly to be got'.¹⁵³

In the Secretariat meanwhile it was an acknowledged fact that the actual division of 'rental assets' between Government and zamindar differed markedly from the nominal egalitarian proportions of 50% on which the revised assessments had been calculated. 'It will hardly be denied,' H.S. Reid, Junior Member of the Board of Revenue, admitted in a Minute of 1873,

that a rental, equivalent to double the Government demand, is collected only in good years. Assuming the pay of the patwari to be 5% on the jama, the zamindar, what with the payment of cesses, expenses of collections, balances of rent and patwaris' allowances, nets little more (if any more) than 30% of the rental, a clear 50% of which goes to Government. The Government will probably gain an increase of 30 to 40 lakhs p.a. (Rs 3,000,000 - 4,000,000) by the revision of settlement at 50% on present, in lieu of 66% on old assets.¹⁵⁴

153 Fatehpur Settlement Report, 1878, p. 45.

154 Minute on the patwari's status and remuneration, 8th August 1873: NWP Revenue Progs, March 1874. Index No. 13, November 8 1873, No. 85. For an enumeration of regular cesses payable to Government, estimated per every Rs 100 of 'rental' theoretically due to zamindars (example from Jhansi), see Chapter III, p. ; for comparably heavy payments collected from Oudh zamindars, see Irwin, Garden of India ..., pp. 32-3. cf. Strachey's assertion, Introduction p. 7 , that modernization was achieved without extra charge on the revenues.

The zamindars' share was not merely depleted by the regular payment of cesses; it was subject at the same time to risk of further reductions on account of a wide range of irregular circumstances. The increased pressure, not to mention the conflict, from excessive numbers dependent on 'proprietary' claims within the zamindari group; the inability of zamindars, especially the 'idle' aristocrats displaced from service, to turn themselves into industrious landlords; poor harvests on the one hand leading to unrealizable balances of charges from cultivators, and good harvests on the other resulting in a glut of local markets and the plummeting of grain prices. Government however continued to collect its revenue on the basis of the theoretical distribution of 'assets'; its demand could not be adjusted to allow for the inroad of regular let alone irregular charges on zamindars' incomes.¹⁵⁵

The combination of scientific revenue assessments and untoward circumstances rapidly marked out the prosperous zamindars from the economically incapacitated even within the space of a single pargana. S.N. Martin reported from Muzaffarnagar in 1862 how the assessment (of pargana Muzaffarnagar) had been 'unfortunately preceded by several bad years, including those of the mutiny and famine ...', with the result that

the wealthy capitalists (sic) have alone been able to hold out but the Bhyachara villages have been greatly depressed ... The zamindars of unirrigated lands have suffered immensely while those proprietors whose estates border on the canal were making, during the last year of distress when grain was selling at 8 seers the Rupee, large but temporary profits ...¹⁵⁶

¹⁵⁵ see Chapter III, pp. 174 ; cf. Chart I with Charts VII, VIII

¹⁵⁶ Muzaffarnagar Settlement Report, 1873 (Pargana reports, 1862), p.60

All through the district, the old zamindari families of Syuds faced ruin: 'though their numbers have greatly increased, out of all proportion to the minute quantity of land from which they now draw subsistence, they cannot be induced to curtail expenditure,' Martin sighed, 'and are deeply involved to the moneylenders'.¹⁵⁷ The predicament of the upper classes confronted with the consequences of their abrupt displacement from service, unable or unwilling to forsake the obligations of their social position and the lure of prestige to satisfy Government's demands, was widespread. "What are we to do to live?" a Thakur "well-to-do" asked in the course of a conversation with F.N. Wright, the settlement officer in Cawnpore district. "Our profession of soldiering is closed to us; some few of us indeed get employment in the forces of the native chiefs, but Ahirs and sweepers fill the ranks of the (British) native army. Chamars are writers in the courts; our caste forbids us to handle the plough". Wright could find no answer ' "but that he must either swallow his pride or go to the wall".'¹⁵⁸ To the north, the zamindars of Hardoi district faced the same alternatives. In the early 1870's, assessments were increasing under Government sanction while the settlement officers (who provided the calculations) drew attention to the fact that zamindars were struggling in vain to pay them, their assets ravaged by three years' deficient outturns (by 1871) due to floods and hailstorms. The next year, 1872-73, drought struck the rabi; the following kharif produced a miserable outturn over most of the district, succeeded by another moistureless rabi and severe frost. Complaints of over-

¹⁵⁷ Martin to Williams, Commissioner, Meerut, 22nd May 1865: Muzaffarnagar Settlement Report, 1873, p. 33. It is probable that the increase Martin noted was not absolute, but a relative increase in numbers dependent on zamindari claims.

¹⁵⁸ Cawnpore Settlement Report, 1878, p. 47.

assessment reached the Viceroy's ear. Lord Northbrook's subsequent instructions, 'to strike off irrecoverable balances, suspend demands too suddenly imposed, and to relieve generally the universal distress in the country' reckoned without the scrupulous attentiveness of the local Secretariat towards the interests of Government. As a result, suspensions in demand were granted 'only to persons in actual distress,' whilst 'well-to-do landowners considering themselves aggrieved in the matter of assessment, were left to proceed by petition!'.¹⁵⁹ To the south of Cawnpore, the old zamindari families of Fatehpur district faced ruin in 1871, when Government imposed its 10% cess for the expenses of local administration with no account taken of the existing debts of the zamindars nor of the ravaged state of the district following the great drought of 1868-69.¹⁶⁰

Such instances were representative of the risks confronted by a majority of zamindars in both the NWP and Oudh, as an inevitable consequence of their commitments, both obligatory and voluntary, being perpetually out of step with their means. Abundant harvests, when they occurred, could bring about no adjustment in this position. Like the cultivators, zamindars had necessarily to borrow.

The problem of zamindars' indebtedness was not confined to the persistence of pressures which encouraged or enforced borrowing. It had in the later 19th century an additional dimension, in the complicated procedure of the legal transfer of 'proprietary' rights as a consequence of the contraction of debts and the working of the principle of limitation. The title awarded to zamindars under the earliest settlements in the NWP conformed in its incidents with contemporary

¹⁵⁹ Hardoi Settlement Report, 1880, pp. 314-5. On problems of the remission and suspension of revenue, see Chapter III, pp. 190-93

¹⁶⁰ Fatehpur Settlement Report, 1878, p. 40: in ordinary times, Patterson believed, the 10% cess 'would perhaps have been managed without much difficulty'. cf. also pp. 10-11.

principles of proprietorship: it was established as both heritable and transferable. Further, insofar as the quantifiable 'proprietary assets' in land to which the title referred were held liable for the payment of the revenue demand, Government declared its right in the case of default to compel the sale of the zamindar's title to realize its debt, i.e. its arrears of revenue. Meanwhile, the transferable nature of the title enabled the zamindar to take out legally recognized mortgages on its security. In the course of the 19th century, the principle of compulsory sale was extended. It came to cover the acquisition of land, on payment of compensation, for public purposes - the construction of public works.¹⁶¹ More important, Government's rights as creditor against its debtor for the satisfaction of its debt were extended in accordance with the principles of equity to private creditors; the civil law was brought in line with the revenue law in this respect by the Code of Civil Procedure.¹⁶² The zamindar's title had been liable to pass to Government and thence to the auction-purchaser at revenue sales; now it could pass in addition to his creditor, who might in turn be the auction-purchaser.

The combination of increased pressures on zamindars and the 'liberalization' of the machinery of compulsory sales for debt resulted in a spate of litigation and alarming statistics of completed transfers. The average annual number of registered sales

¹⁶¹ Act VI of 1857 (for the acquisition of land for public purposes); amended by Act II of 1861; repealed by Act X of 1870, sec.2; on the procedure (especially of valuation), see S.C. Dutt, Compulsory Sales in British India, (Calcutta, 1915), Lectures II, III.

¹⁶² Act VIII of 1859, sec. 205; for the procedure of compulsory sales in execution of decree, see Dutt, cit. sup., Lectures IV-VI.

of 'immoveable property' in the NWP climbed steadily: 32,188 between 1878 and 1883, 32,361 between 1883 and 1888, 35,928 between 1888 and 1893.¹⁶³

Theoretically, the transfer procedure inherited from the Company's revenue administration fitted neatly into the framework of Government's intentions to modernize agrarian conditions. It was a cardinal principle of classical political economy that insolvent proprietors must not be permitted to waste away their estates for unproductive purposes; their property must be cleared of its debts (legally termed 'encumbrances'), and sold off to a relatively few efficient capitalists able to concentrate a number of broken-down estates into a large-scale, viable economic unit which by judicious investment would become prosperous.¹⁶⁴ Maconochie for one viewed the extensive transfers in Unao district during the revision of settlement with this form of economic optimism. The existing situation of the zamindars appeared to him as hopeless. There were on average some ten divided pattis to a single village, with four sharers to each patti. These sharers were all directly affected by their displacement from service following annexation and did not work in the fields. The expenses of hired labour for cultivation had to be found in addition to their other charges. Their mounting debts seemed to leave no alternative 'but that their land must pass into the hands of those with capital, and therefore into the hands of the few'. This seemingly harsh remedy would, Maconochie

¹⁶³ Note on Land Transfer and Agricultural Indebtedness in India; Government of India, Selections from Papers on Indebtedness and Land Transfer, (Calcutta, 1894) p. 35. Oudh figures for the same periods, as follows: 6,257; 6,672; 7,078: ibid.

¹⁶⁴ for the analogous application of principles of classical political economy as regards encumbered estates in Ireland, see R.D.C. Black, Economic Thought ..., especially at pp. 35-40, 121, 125-6.

commented, prove ultimately beneficial to both country and people.¹⁶⁵

The transfer procedure would provide the means whereby wealthy landowners would be introduced,

who can and will for their own sakes, spend money in improving their estates, displacing a pauper proprietary who, without the means of purchasing labour are, in too many instances too proud, or too lazy, to work with their own hands.¹⁶⁶

The sufferings of impoverished zamindari families were seen as the price of modernization. District officers could accept them - and not without compassion - as the necessary outcome of Government's adherence to its just cause. '... Is the healthy circulation of landed property an unmixed evil? Is not the same process, the supplanting of old families by the nouveaux riches, going on elsewhere, wherever civilization is at a high pitch?' Wright demanded, in the course of a description of the lamentable state of the Cawnpore zamindars, with whom the British Government had - obligatorily - broken faith in sacrificing their interests in the pursuit of progress.¹⁶⁷

The principle on which the whole machinery of the British Government works is of giving every one his exact due, at the same time exacting rigorously its own rights to the uttermost farthing. Such a principle is directly opposed to that on which old families maintained their status under other Governments. When precise definition of rights did not exist, the strongest was master, and failing other resources, the favour of the ruling authority could raise the **beggar** of yesterday into the talukdar of today ...¹⁶⁸

¹⁶⁵ Unao Settlement Report, 1867, pp. 67-8.

¹⁶⁶ ibid., p. 18.

¹⁶⁷ Cawnpore Settlement Report, 1878, p. 47.

¹⁶⁸ ibid. p.46.

Government was not however in a position to be so rigidly consistent as such proclamations implied. Unhappily, the progressive aspirations of economic theory and equitable principles were not backed by suitable means for enforcement, nor, ironically, was it in the interests of Government in view of its fundamental requirements of political expediency that it should seek to enforce them. The logical extension of the working of the modernized legal machinery in co-ordination with economic pressures should ideally have resulted in the disintegration of the structure of superior rights over land accompanied by the dispersal of the 'proprietors' from their seats of local power. This preparing of the way for a 'capitalist succession' implied in fact an upheaval of revolutionary dimensions, and the collapse of that strata of society upon which Government depended for its maintenance. Hence, in practice, Government was obliged to correct its forward-looking principles after the conservative fashion of its predecessors. It implemented grace and favour schemes for the relief of insolvent proprietors of influence: kham tahsil management; the Court of Wards' caretakership; the Jhansi Encumbered Estates legislation designed to shore up the zamindars of the most backward district in the provinces; lastly, in the 1890's, the move towards the restriction of the transfer procedure itself. Meanwhile, the unacknowledged ally of Government was none other than the litigious zamindar. In fighting off the competitors for his position - still, in spite of the cost of mounting pressures the only means of access to the widest range of local resources - he acted in the political interests of Government. In obstructing the processes of the judicial machinery by seemingly wanton litigation and in frustrating their successful outcome by fraud and physical coercion, he kept his place de facto in society and ensured that the essence of the old order was perpetuated - at a price: the gross distortion of

the modernized legal machinery and, often enough, the economic ruin of litigants.

This unnatural but inevitable coalition between Government and the litigious zamindars can best be examined by an enquiry into the working of the law, focusing on the central problem of debt and alienations.

200

CHAPTER V: THE FRUSTRATION OF LEGAL REMEDY

In 1879, a report reached the Secretariat in Allahabad from the Assistant Collector and Magistrate of Buandaon, drawing attention to the way the land revenue had been realized from 'proprietary' communities of Thakurs in tahsil Dataganj following the ravages of the previous year's scarcity:

The whole demand of nearly Rs 6½ lakhs (Rs 650,000), except for the paltry sum of Rs 69,000, was screwed out of the people between November 15 and March 31, in the face of a total loss of the kharif from which according to theory the assets were obtained... Where did the six lakhs come from? They were roughly speaking raised on mortgage bonds at abnormally heavy rates of interest ... The balance of Rs 68,903 was outstanding because the money could not be screwed out of the people before the rabi was cut.

The revenue law took its normal course: 176 arrests against 22.26 mahals where distraint occurred, compared with a mere 56 arrests the previous year; 39 mahals, shares or pattis attached, compared with the preceding year's total of four.¹

¹ A. Wyer, Memorandum on Resolution No. 3268 A of 1878: NWP, Oudh Revenue Progs, June 1879, Index No. 75, June 14 1879 No. 35. Figures for registered deeds, as follows:

	October-February 1876-77	October-February 1877-78
Documents	346	992
Value (Rs)	104,619. 6. 0.	213,502. 0. 0.

Wyer's diary of 19th February, para. 48, gave as examples of interest rates, 7% p.m. (84% p.a.) and in some cases 16% p.m.: NWP, Oudh Revenue Progs, cit. sup., Index No. 71, June 14 1879, No. 31. For the regular procedure of 'coercive processes' under revenue law, see the manual Directions for Collectors of Land Revenue, (Agra, 1846), sec's 90-100, pp. 41-7.

Surveying the scene some fifteen years later in 1896, when all but a few shreds of the Thakurs' proprietary titles had been swept away through transfer litigation, J.S. Meston (then Settlement Officer) arrived at the gloomy conclusion that 'nothing save special and drastic legislation' would keep the last of their ancestral property (i.e. the legal titles to it) in their hands. The disastrous role played by the earlier revenue assessments in forcing mortgages which were subsequently foreclosed had either lapsed into official limbo or merely escaped Meston's notice. Instead, he turned the full blast of his accusations against two targets: the excesses of ceremonial expenditure, and the whole machinery of the civil law which, in provoking incessant litigation at untold expense, worked against the integrity Meston claimed for the summary dealings of the revenue administration.

Such special and drastic legislation, I confess, I should like to see directed at the roots rather than at the spreading boughs of the Upas-tree of indebtedness. Its roots are only two: ruinous extravagance in marriages and ruinous indulgence in litigation. To devise a direct remedy for the former evil is a Utopian hope: to mitigate the latter is surely no more impracticable than many of the schemes which the Government of India now meditates with academic approval. The facilities for litigation regarding the land, its titles and its burdens, especially lend themselves to restriction. Nothing saddens a settlement officer more than to see fine properties frittered away in cumbrous, lengthy and expensive law suits regarding them, when a summary decision of the revenue courts, if invested with finality, would have given substantial justice and nipped the quarrel in the bud. I know scores of villages in Budaun where a petty dispute about a mortgage or a succession has been carried to the High Court and has ruined the

weaker party, whether successful or not. The kurmis, a sturdy, frugal and industrious caste of cultivators are egregious sinners in this respect; and their vicissitudes at the law are their frequent boast. Imagine a small green-grocer in an English village priding himself on having fought a suit about the title-deeds of his shop up to the House of Lords! The parallel is by no means exaggerated.

The fever of land litigation is augmented ..., I cannot help thinking, ... by the growing popular appreciation of the helplessness of the revenue law in questions of title, and also by the timidity of the revenue and settlement courts in dealing with trespassers. The more that the people understand how bound down a Settlement Officer is to record possession and not property in land, the more will litigation in the civil courts run riot after a revision of settlement, and the more animosity and waste will such a revision bring in its train. As the law at present stands, an elaborate settlement record is pure waste of money: hardly an entry of importance can be made in it that is not liable to be immediately nullified at the nearest munsifi. It is only the extremely poor and ignorant who "still regard the settlement as a sort of Jubilee, and the Settlement Officer as the redresser of wrong". But I confess I am conservative enough to desire the rehabilitation of that ideal. The people are rapidly coming to look on us as getting all we can for the Government and giving nothing in return; as raking in the revenue with utter disregard for the concerns of those who pay it ...²

² Meston, 6th January 1896, para 11-13, Replies of officers consulted by the Board of Revenue ...: NWP and Oudh, Opinions of Local Officers and the Local Government on the subject of Land Transfer in India from the Agricultural to the Non-Agricultural Classes, (Allahabad, 1896), p. 19. cf. Hume's denunciation of the 'ruinous system of civil litigation' as the root cause of indebtedness: see Chapter IV, p. 249, n. 123

Litigiousness itself was not the product of the sophistications of the Civil Procedure Code. It had long ago been a topic for discussion - and the anonymous author of a tract published in 1830 noted shrewdly how the Company's revenue demands inevitably contributed to it.³ The modernization of the legal machine, in extending to 'private citizens' property rights and causes of action previously confined to Government, meant an increase in judicial facilities for the persistence of old sources of conflict. Meanwhile, the revision of assessments under Crown government in no way lessened the provocations to litigiousness provided by the revenue demand.

The upmoding of legal precedents inherited from the Company's administration, which placed the relatively swift and summary procedures of revenue law further and further in the background, was inevitable in view of the role assigned to a modern judicial system by contemporary European opinion in administrative and entrepreneurial circles. The legal codification of sound principles guaranteeing the security of property was a sine qua non for a progressive state of society - and a promising area for investment.⁴

Experiences of Company justice in the Mofussil courts recounted by prominent entrepreneurs to the Select Committee on Indian

³ '... the endless litigation to which the natives of India are, as it were, condemned, is one of the many evils, and certainly not one of the least of them, for which the burthensome amount of the public imposts is, as I conceive, in a great degree responsible ...': An Inquiry into the Alleged Proneness to Litigation of the Natives of India; with Suggestions for Amending some part of the Judicial System of British India, by the author of An Inquiry into the Causes of the Long-continued Stationary Condition of India, etc., (London, 1830)

⁴ for the incidents of the concept of 'security' in classical political economy, see R.D.C. Black, Economic Thought ..., pp. 136, 147, 157-8, 242.

colonization and settlement on the eve of the transfer of Government revealed the disparity between their requirements, the provisions of existing law and the consequences of its operation. 'The population is so depraved', William Theobald, the mouthpiece of indigo-planter zeal, informed the Committee,

and the lower classes are so deficient in good faith, corruption seems to be so much increasing under the influence I believe of our institutions, that we want something like a strong pressure and police upon them for the protection of our interests and capital... In our view, the laws are very defective.⁵

The problem was, with what should they mend them? The radical solution would have been the wholesale introduction - and enforcement - of English law into the courts of justice throughout India, suppressing the existing hybrid growth of 'native' laws administered in the light of European juristic principles in favour of a uniformly modern system.⁶ Freeman, an indigo-planter with intimate knowledge of back-breaking litigation over the attempt to establish a viable 'property-title' in up-country Bengal, opted for this remedy. After all, he insisted, 'English law is administered to 600,000 people without distinction of creed, caste or colour in Calcutta, and has been administered for 80 years, and afforded satisfaction to all'.⁷

⁵ evidence of 22nd April 1858: First Report of the Select Committee... P.P., 1857-58, 7, 1, (261), p. 68.

⁶ on the early history of the British administration of law in India, see C. Fawcett, The First Century of British Justice in India, (London, 1934); on the origins and application of the fundamental guiding principle of equity imported from Europe, see J.D.M. Derrett, Justice, Equity and Good Conscience in J.N.D. Anderson, ed., Changing Law in Developing Countries, (London, 1963), pp. 114-53.

⁷ First Report of the Select Committee ..., P.P., 1857-58, 7, 1 (261), pp. 130-1; for the account of Freeman's experience with the Mofussil litigation, ibid., pp. 108-9.

Others recommended merely that English law should, be introduced, in the interests of modernity, alongside the recognized 'native' institutions - which would require none of the unfortunate consequences involved in the adaptation of the one to fit the other. Theobald himself was of this view:

I do wish permanently to see one law for the natives and another law for the Europeans. The natives here have always had one law and we cannot have their law. There is the Hindoo law for the Hindoos, and the Mahomedan law for the Mahomedans; I do not see why we should not have the Christian law for the Christians.⁸

The Crown Government could provide no such cut-and-dried solutions to satisfy the entrepreneurs' demand for protection. Its policy and practice was, as in the case of public works, revenue assessments and the structure of local administration, not to demolish existing institutions but to remodel them. The new Government's inheritance of judicial machinery bequeathed by the Company included means by which it was to be overhauled and modernized: the recommendations of the Indian Law Commissions. The second Commission, set up under a direction of the Charter Act of 1853, had issued its Report the following year, 'markedly conservative in comparison with the ambitious plans of its predecessor'.⁹ The abstract principles of scientific law derived from European juristic traditions but believed to be universally applicable, with which Macaulay had striven, largely in vain, to "reform and preserve",¹⁰ had given way to sober assessment of a narrower

⁸ ibid., pp. 88-91

⁹ Eric Stokes, The English Utilitarians and India, (Oxford, 1959), p. 258; on the First Commission, preceded by James Mill's Despatch of 1834, ibid., pp. 193-6.

¹⁰ Stokes, op. cit., p. 196; summary of Macaulay's work with the Commission, a pale reflection of stated aims, ibid., pp. 213-14, 223-24.

range of practical issues. In the Commission's view, a code of substantive civil law was required to consolidate the mass of regulations and enactments; this, they recommended, should be formed on the basis of 'simplified English law, modified in some instances to suit Indian conditions'¹¹ - which was logical enough, since no other source of law could be found to supply such a need. The task of drafting a modern law for British India was carried on subsequently by the Third Law Commission but, after the enactment of its first draft as the Indian Succession Act of 1865, the Legislature in India refused to comply. The impasse which resulted when the Commission refused the objections of the Legislature which in turn refused to enact the draft laws ended in the Commission's resignation. The Fourth Commission appointed in 1875, headed by the Law Member of the Governor-General's Council, Whitley Stokes, and including for the first time three Indian (i.e. European) judges, introduced no essentially new element - other than that the Commission itself represented the Government of India in Calcutta and was thus a stage removed, procedurally, from the India Office. In its drafts, however, it followed on from where the Third Commission had left off.¹²

Between 1859 and 1882, the fundamental measures of reform in codifying and amending the civil law had reached the statute book. The great Code of Civil Procedure of 1859 was followed in the same year by the Limitation Act (regulating the duration of suits). In 1870, the Court Fees Act established a uniform system of charges for

¹¹ Stokes, op. cit., p. 258

¹² On the general question of English legal influence, see M. Anantanaryanan, G.C.V. Subba Rao, The Influence of English Common Law and Equity upon Law in India; Revista del Instituto del Derecho Comparado (Barcelona) 1957, Nos. 8-9, pp. 118-127; for a brief account of the drafts of the Third and Fourth Commissions, see A. Gledhill, The Republic of India: the Development of its Laws and Constitution, (London, 1951), pp. 155-6; for more

the presentation of suits. Rules for the submission of evidence were codified in the Evidence Act of 1872. Parallel reforms meanwhile took place in the structure of the Courts themselves. In 1861, the Sadr Diwani Adawlat and Supreme Courts at the Presidency Towns were amalgamated under the High Courts Act - extended to the NWP in 1866. By 1868, the reorganization of Mofussal courts was completed: the principal sadr amin became subordinate judge; the office of sadr amin was abolished; the jurisdiction of the lowest court in the hierarchy - the munsifi - was extended to include the hearing of suits of up to Rs 1,000 in value, in place of the former limit of Rs 500; Small Cause Courts were established, where subordinate judges, empowered by the local Government under an order of 1871, might hear suits of up to Rs 500.¹³ The jurisdiction of the Small Cause Courts was summary: no right of appeal was granted. The main passage of litigation, therefore, lay in the progression from the Munsif's Courts through to the High Court at Allahabad,¹⁴ the wealthiest and most determined litigants might take their case on to the Judicial Committee of the Privy Council in London, the supreme legal authority. In both the higher and lower strata of the Indian courts, business was conducted in English.

Developments in the formulation of a substantive civil law determined the form according to which business might be conducted. The series of major statutory provisions designed to govern property transactions which were enacted between 1859 and 1882 were the embodiment of equitable principles but showed little evidence of modification to fit a specifically Indian scene. The Civil Procedure

12 (ctd.)
 detailed accounts, see G.C. Rankin, The Background to English Law in India, (Cambridge, 1946), M.P. Jain, Outlines of Indian Legal History, 2nd ed., (Delhi, 1966).

13 Stokes, op. cit., p. 265

14 For judicial appointments and salary scales, see Appendix IX.

Code of 1859 introduced the creditor's rights of attachment and sale of his debtor's property, together with the first provisions regarding insolvency outside of the Presidency towns - the former an extension of Government's right of compulsory sale for revenue arrears, the latter a development in step with contemporary English practice.¹⁵ In 1866, the first comprehensive measure codifying and amending the existing law relating to the registration of deeds was enacted; the effectiveness of legal registration, however, admittedly an essential feature of a modern administration, was and continued through successive enactments to be hampered by the preservation of optional categories.¹⁶ Six years later, the first Contract Act became law - a distillation of entrepreneurs' desiderata and English legal principles.¹⁷ The last great pioneering property statutes followed in 1882: Negotiable Instruments, Trusts, Easements, and the most important of all, Transfer of Property.

¹⁵ compulsory sale: see above, pp. 263 ; on insolvency law, see Gledhill, op. cit., p. 198, and more fully, D.F. Mulla, The Law of Insolvency in British India, (Calcutta, 1930), Introduction.

¹⁶ for a summary analysis of registration enactments, see M. Krishnamachariar, The Law of Registration in British India, (Calcutta, 1931), Preface, pp. i-ii.

¹⁷ for characteristic objections by entrepreneurs to the imperfect state of contract laws prior to 1872, see A.N. Shaw, On the best means of promoting the growth and improving the quality of cotton in India, Journal of the Society of Arts, XI, 535, pp. 235-242, discussion, pp. 243-47, footnote to pp. 242-243; cf. MacNair's evidence of 6th May 1858 before the Select Committee on Colonization and Settlement: imperfect law of contract prevents controlling action over advances made to cultivators, enhances production costs: P.P., 1857-58, 7, 1, (326) Second Report, pp. 26-7; on the British Indian Contract law, see C. Rajaraman, The Law of Contracts in India, Revista del Instituto de Derecho Comparado, cit. sup., pp. 180-85.

Developments meanwhile in the law of mortgage, largely by judicial decision, established the incidents of foreclosure and the equity of redemption - major innovations in the Indian legal scene.¹⁸ The modernization of revenue regulations relating to 'landlord and tenant' in a series of enactments beginning with the Bengal Recovery of Rents Act of 1859 rounded off the development of property law.¹⁹

By the time the first Indian judge was appointed to a High Court, in 1885, a formidable body of statutes laid down the law, together with twenty years' accumulation of precedent in the form of High Court decisions. The 'personal' laws of Hindus and Mahommedans had escaped codification as such,²⁰ but in being administered in the modernized courts in conjunction with modern juristic principles, they were vulnerable to foreign interpretations.

¹⁸ By the principle of the 'equity of redemption' property, when mortgaged, was held legally to pass outright to the mortgagee, the mortgagor losing his right of ownership and retaining only an equity of redemption, a guarantee that his original right should be restored on his redemption of his security by repayment of his debt within the period specified. The debate as to whether such a provision was or was not contrary to indigenous legal practice became irrelevant once the 'equity of redemption' was recognized as legally established in British India by the Transfer of Property Act, 1882. See R. Ghose, The Law of Mortgage in India, 5th edition, (Calcutta, 1922), pp. 210, 218. For a summary statement of the principles of the modern law relating to transfer, see K. Krishna Menon, English Law in India: The Law of Transfer of Property, Revista del Instituto del Derecho Comparado, cit. sup., pp. 90-101.

¹⁹ for tenancy enactments, see Chapter III, pp. 195-6 ; for categories of tenancy right as recognized in successive statutes, see Appendix VIII; for a select list of principal statutes relating to property - and agrarian conditions generally - in the NWP and Oudh, see Appendix V.

²⁰ on the proposed codification of 'personal' laws, see Stokes, op. cit., pp. 225, 228, 329 note U.

Not that this was a new departure in their history: the selection of texts on which the administration of these laws in the British Indian courts was based had initiated the process of infiltration by European juristic ideas, which grew apace under the persistent interpretations of officially recognized texts in the light of equity.²¹

In some respects, the reforms had achieved some cohesion in the highly disparate body of law officially recognized under the Company administration. The old distinction between laws operative in the Presidency towns from those in the Mofussil was removed; a degree of uniformity, though far from Mill's and Macaulay's ideals, was achieved in the new statutes; the Mahomedan and more especially Hindu 'personal' laws were drawn closer to the British Indian law. But reform was piecemeal. A large section of Government's machinery for social control lay outside it: the revenue administration kept its magisterial system - summary decisions by the Collector and Magistrate in his district court, with a right of appeal lying to the Commissioner of the Division.²² The jurisdiction of revenue and

²¹ The Hindu Law, essentially - in the form recognized by British Indian courts - the law of the joint Hindu family, a 'property'-controlling institution of great complexity for which no comparable counterpart existed in Mahomedan law, was by far the most vulnerable of the 'personal' laws to re-interpretation. On the general position of Hindu law from the 18th to the 20th century, see J.D.M. Derrett, The Administration of Hindu Law by the British, Comparative Studies in Society and History, IV, 1, (1961), pp. 10-52; on the reinterpretation of Hindu law in the light of English law, see A. Gledhill, The Influence of Common Law and Equity on Hindu Law since 1800; International and Comparative Law Quarterly, III, 1954, pp. 576-603, and S. Venkataraman, Influence of Common Law and Equity on the Personal Law of the Hindus, Revista del Instituto de Derecho Comparado, cit. sup., pp. 156-79.

²² Further distinctions operated within the jurisdiction of the revenue administration: settlement courts were constituted separately from revenue courts, for the hearing of claims preferred during settlement operations. For the complicated history of the precise constitution of settlement courts, (first defined as 'Courts of Civil Judicature', then under Act XVI of 1865 as Courts of Revenue, then under Act XXXII of 1871 as Civil Courts once more)

civil law, however, overlapped - especially in the sphere of tenancy law - and the lack of co-ordination between the two could not but produce conflict. Disparities also arose within the civil law itself, on account of the inevitable divergence of decisions by different Courts and different benches as to the precise application of statutory provisions. Further, the statutes themselves could conflict with incidents of the 'personal' laws, which they had no authority to override. Lastly, the administration of law - a Government preoccupation - could come into conflict with dominant local interests: a powerful malik or a prosperous occupancy tenant might use the new institutions of civil law or modernized 'personal' law, or he might obstruct their working; there was little the judicial administration could do to enforce its interpretation of equal rights in such cases.

With the opportunities extended by the modernized civil law, on the one hand, coinciding with the pressures of revenue law under the revision of assessments on the other, the "natives' proneness to litigation" blossomed forth with renewed vigour. Settlement operations throughout the provinces compelled the preferment of claims regarding the definition of rights, titles and interests in 'landed property' - and within a limited period, since settlement courts were closed with the cessation of operations in a district. Returns from Fyzabad district signalled an all-time record: some 71,728 suits disposed of during the course of settlement, more than three times the district average for Oudh, a mere 19,151.²³ Elsewhere, disputes between the

22 (ctd.)

- the judicial powers of officers changing with each definition), see Fyzabad Settlement Report, 1880, pp. 489-90; for an example of conflicting decisions by revenue and settlement courts on a question of definition of tenancy categories, see Jaunpur Settlement Report, 1886, p. 174.

23

Returns for districts:

Sultanpur	26,043	Sitapur	17,290
Partabgarh	20,736	Bahraich	7,496
Rae Bareli	22,693	Unao	12,658
Lucknow	27,139		

- Fyzabad Settlement Report, 1880, p. 490; details of settlement

overcrowded bhaiachara sharers with the complexities of confused khewats added to those of minute sub-division - grounds for the greater proportion of the 40,719 cases heard in Agra District's settlement courts.²⁴ At the same time, the Collector exercised his routine magisterial powers in adjudicating in routine suits brought under the 'regular' revenue law. Here also annual returns showed a steadily upward trend, with increases in litigation registered by 1899-1900 which, in comparison with the figures for 1864-65, cannot but be described as astonishing.²⁵ Meanwhile, business in the local civil courts thrived in response to the provision of improved legal facilities - which were hardly designed to discourage litigation. The munsifs of three districts in Agra Division alone dealt with 6,299 cases, instituted in accordance with the elaborate technical prescriptions of the reformed law, within one year: 1872. Of these, 5,043 were registered as of not more than Rs 100 in value. The following year, the total number of cases had risen to 6,568, of which only 1,435 involved sums of more than Rs 100.²⁶

The duplication of legal apparatus was the inevitable consequence of Government's introduction of the contemporary juristic concept of

23 (ctd.)

litigation, pp. 491-511; cf. Mainpuri Settlement Report, 1875, pp. 99-100: the compilation of the wajib-ul-arz produces litigation; for the coverage of the wajib-ul-arz, see Chapter VI, pp.

24 Agra Settlement Report, 1880, p. 4.

25 for the volume of legal business transacted by the Collectors, by Divisions, 1864-65 - 1899-1900, see Chart X.

26 Mainpuri, Etawah, Etah: Etawah Settlement Report, 1875, p. 110. Figures for suits of low value are dubious, since court fees fixed ad valorem (see below, n. 29) would encourage fictitious declarations of trifling sums.

'private property' and the codification of its incidents. While Government's needs dictated the perpetuation of a system of revenue courts, dealing almost entirely - predictably enough - with matters connected with the land, the recognition of 'property' and 'proprietary title' entailed the maintenance of a parallel system of courts of civil judicature, where in accordance with accepted English practice all questions regarding 'property' - largely equated in the Mofussil, inevitably, with interests in land - were cognizable. Sleeman, for one, saw what this had led to. 'The Government committed a great political and social error when it declared all the land to be the property of the lessees and all questions regarding it to be cognizable by the Judicial (i.e. Civil) Courts', he declared, and dwelt upon its cost.

Why force men to run the gauntlet through both series? It tends to make the Government to be considered as a rapacious tax-gatherer, instead of a liberal landlord, which it really is; and to foster the growth of a host of native pettifogging attorneys, to devour, like white ants, the substance of the landholders of all classes and grades.²⁷

Sleeman's questions were necessarily to remain rhetorical ones, since, given the circumstances in which Government ruled over India, the problem was insoluble. The expenses which followed as its corollary grew as the passage of time graced the legal system with procedural refinements. The Bengal Recovery of Rents Act (X of 1859), for example, abolished in the interests of up-to-date justice the principle whereby a plaintiff had previously been enabled to sue several defendants collectively. In the eyes of the Collector of Meerut, this provision - or rather the extra expense bringing a

²⁷ Sleeman, Journey, II, p. 70, footnote *.

separate suit in each case entailed - constituted the principal objection against the Act itself. Sixty-four suits had been brought by the landlords of a single mauza, he maintained, at a total cost of Rs 194 whereas under the old system, three would have sufficed and the costs would not have amounted to more than Rs 7. 11. 0. To which the Board of Revenue very properly replied that

the more exact and regular procedure required by the present law would seem to preclude the latitude of suing several defendants collectively, as was formerly allowed. Although there might occasionally be cases where causes of action were precisely the same, and which might be tried as one suit without inconvenience, each individual claim must be decided on its own merits and the option of suing collectively could be allowed only subject to the Court's approval. The discretion of admitting such collective suits could not with safety be trusted indiscriminately to all officers presiding in Revenue Courts ...²⁸

To the cost of vakils, whose business it was to be skilled in the increasingly intricate ways of the law (which made them increasingly necessary) were added stamp charges on all documents, - plaints, for example, and written submissions by way of evidence, and court fees, fixed under the codifying Court Fees Act, VII of 1870, at an ad valorem rate.²⁹ To the monetary expenses were added those of time, and frequently, of travelling from the hinterland of a district in to court at the sadr station. The theoretical provision of equal law for all

²⁸ Board of Revenue to Government, NWP, 25th January 1861: NWP Revenue Proceedings, 16th November 1861, Index No. 86, August 17 1861, No.30

²⁹ Act VII, 1870: Schedule I. Table of ad valorem fees. sec. 35 of the Act empowered the distant authority of the Governor-General, by notification in the Gazette of India, to reduce or remit fees.

283
was in practice effectively restricted by these cumulative access charges.³⁰

A certain atmosphere of bargaining which hung about the local courts diminished to some degree at least Government's claim (as voiced by Sir John Strachey, for example)³¹ as regards the efficacy of its legal machinery in protecting the interests of its subjects with a general disinterestedness. Litigation was an attractive pursuit - and not merely to the 'educated classes' who had some knowledge of the law. 'From the proximity of the law courts,' F.W. Porter wrote from Allahabad in the mid-1870's, 'the people, especially of (pargana) Chail (containing the city of Allahabad and, consequently, one-third of the district's educated population), have gained a smattering of the law and an insatiable thirst for the excitement of the legal lottery. A Chail tenant is used as a synonymous term for a village lawyer'. His neighbours on the other side of the Ganges, however, though not so well educated and 'utterly ignorant of the law' rivalled him in litigiousness, making up 'for ignorance by tenacity'.³² Along with litigiousness went fraud, encouraged by the technical complications of the imported law and by the relative impersonality of the modern courts. Maconochie's observations on the point as regards Unao district are instructive.

When I joined the Settlement Department (in the late 1850's), an old zamindar would seldom tell a direct lie but before I left the district (less than ten years later) this had greatly altered for the worse. Men who but a few years before

³⁰ the provisions for suits to be instituted in forma pauperis covered exemption from court fees only

³¹ see Introduction, pp. 6-7

³² Allahabad Settlement Report, 1878, pp. 48-9.

would have scorned to lie before their "Punch" or a "Hakim" came into Court, with a lie in their mouths, as readily as the veriest bazar witness.

Maconochie, with an eye to circumspection, gave no reason: 'I merely state the fact. But I believe in a few years, the people of Unao will far surpass in fraud their brethren across the Ganges in the old British provinces'.³³ If the Courts could offer a temptation to duplicity which seems at times to have been irresistible, new legislative enactments provide unwittingly the provocation to defraud. While increasing pressures from multiple claims to the zamindari together with a rising revenue demand tended to encourage zamindars to bear down upon the cultivators with greater vigour and regularity, their efforts to raise cultivators' charges could be substantially hampered by the working of the rent law. The creation of a legally privileged class of occupancy tenants by Act X of 1859 brought with it restrictions on the zamindars' legal power of exaction.³⁴ To raise the 'rents' of his occupancy tenants in accordance with the law, a zamindar had to take them to court, and to prove that a higher 'rate' than he at present exacted from them was 'the prevailing rate payable by the same class of ryots for land of a similar description and with similar advantages in the places adjacent'.³⁵ The dictates

³³ Unao Settlement Report, 1867, p. 25.

³⁴ See Chapter III, pp. 45-6

³⁵ Act X, 1859, sec 17. The other statutory grounds for enhancement were as follows (ibid.):
where the value of the produce or the productive powers of the land have been increased otherwise than, by the agency of at the expense of the ryot
(providing the zamindar with an incentive to discourage attempts by occupancy ryots to improve their holdings)
where the quantity of land held by the ryot has been proved by measurement to be greater than the quantity for which rent has previously been paid by him
(providing the zamindar with an incentive to enter fictitious measurements in records)

of procedure demanded that the zamindar must bring a separate suit in each case of enhancement. He was met, however, by collective obstruction on the part of the occupancy tenants. Since no occupancy tenant wished to pay more to his zamindar, all had a vested interest in declaring their 'rents' at a low figure - which, under the provisions of the Act and in line with interpretations placed by the High Court on the key phrase in section 17, 'of the same class', became the standard. Instead, therefore, of the general 'rate' of rent for a given area being raised - in accordance with the revenue - to a generally equitable level, which was what the statute was intended to achieve, 'rents' paid by the occupancy tenants as recorded at law might persist at a privileged low 'rate'. No legal remedy existed to ease a zamindar's frustrations in such cases. He must resort to extortion - or, as Moens observed to be the case in Bareilly district, to fraud. This took the form of payments to the kanungo who undertook commissions for the local Government to ascertain and record the 'rents' of a pargana for the official accounts ...³⁶ No amendment of this situation could be sought in the later tenancy enactments, which faithfully preserved the incidents of occupancy right and therefore perpetuated the conflict.

It was not merely the zamindars' struggles with cultivators which were complicated by the modernized machinery of the law. Recognition of a creditor's rights in accordance with established tenets of judicial practice in England added a further dimension to the long-standing antagonism between zamindar and moneylender. The removal of statutory restrictions on interest rates by the Repeal of

³⁶ Bareilly Settlement Report, 1874, pp. 116-17. Moens' summary of the local consequences of Act X, (Report, pp. 114-17) is the best detailed account to hand.

the Usury Laws in 1855, combined with the codification of principles of limitation and the introduction of the liability of a debtor's property to attachment and sale in 1859, provided creditors with a formidable array of new weapons for battle in the courts. The zamindars of Allahabad who petitioned Government in 1872, drawing attention to these legal innovations which were in their eyes tantamount to discriminatory measures, spoke for many of their ilk elsewhere in the provinces:

Petitioners complain of the evils attendant on the usury laws now in force, under which Native usurers and money-lenders charge exorbitant rates of interest and compound interest, and by unfair and cruel practices so increase the amounts of the loans due to them that they at last force the sale of hereditary estates of their debtors, and either themselves purchase them at adequate prices, or get others to do so, thus causing the ruin of thousands of landholders and keeping petitioners in perpetual fear of the loss of their estates ...³⁷

Sympathy for the zamindars was not wanting - even from the Bench of the High Court which tried innumerable cases of foreclosed mortgages leading to compulsory sales in execution of the decree awarded to the creditor. 'The real protection the borrowing landholders want', ran the comment of an Allahabad judge quoted from a letter of 1871, 'is return to a reasonable legal rate of interest; but as this is rank heresy in these later days I dare not dwell further on the point'.³⁸ The proposition that artificial controls

³⁷ Shaikh Mahomed Raza-ooddeen and others, zamindars, Zillah Allahabad, Petition, to H.E. the Viceroy and Governor-General of India, etc., etc., etc., 19th February 1872: Government of India Selections, CLX, Correspondence regarding the Law of Land-sale, (Calcutta, 1879), pp. 287-308, at p. 287.

³⁸ Letter No. 76, 7th February 1871: Report of the Deccan Riots Commission (1875), 1876, Appendix B. Action of the Law and the Civil Courts on the Agricultural Debtor, p. 59.

should be placed on the 'natural' movement of interest was anathema to the dominant group of contemporary theorists in England. 'Next to the system of protection,' J.S. Mill had argued, 'among the mischievous interferences with the spontaneous course of industrial transactions may be noticed certain interferences with contracts. One instance is that of the usury laws'...³⁹ In 1855, legislation was passed to abrogate all restrictions on interest rates hitherto recognized in the regulations and thus to clear the way for the uninhibited operations of 'the market': the Act for the Repeal of the Usury Laws, XXVIII of 1855, was, as Mr. Justice Raymond West put it, 'a mere adoption of an English doctrine supposed to have been proved correct by impregnable reasoning'.⁴⁰ West himself, aware from his experience at the law of the realities of the Indian scene as far as borrowing practices were concerned, opposed the wholesale abandonment of controls - and sided with his colleague in Allahabad as to the desirability of some restriction to protect borrowers' interests. The law should coax not coerce the people into sounder commercial habits.

... for India, perhaps the maintenance of the limitation, or a still closer approximation to the native practice by giving to the courts an extended discretion to deal with interest, would have been a more politic course to follow until its people had acquired the capacities of a self-asserting and intelligent mercantile community.

Even West, however, conceded the necessity of large-scale transactions being 'left to the operation of supply and demand': his liberal proposals were recommended for application only as regards 'small debts'.⁴¹ Such academic criticism of Government's modernizing

³⁹ J.S. Mill, Principles of Political Economy, Book V, Ch. X quoted in Report of the Deccan Riots Commission, Appendix B, p. 60. For a representative selection of similar contemporary opinions, held applicable to India, see further pp: 60-64.

⁴⁰ R. West, The Land and the Law in India, reprinted in Report of the Deccan Riots Commission, Appendix B, at p. 56.

⁴¹ ibid.

measures had little effect. Impediments to the implementation of the new Act arose not out of the comments of practitioners, but from judicial decisions as to the applicability of its provisions. Fragments of Hindu law, for example, had been included in the provisions of early revenue regulations on the subject of usury: the rule of damdupat, which prevented a creditor from recovering as interest at any one time a sum more than equal to the principal, had thus enjoyed recognition in the official 'personal' law of the Hindu community and in 'secular' British Indian regulations. What then was the scope of the 1855 Act? The Courts differed, with the result that reform of the legal restrictions on interest rates throughout British India was a decidedly piecemeal affair. Damdupat remained in force in the town of Calcutta, but not the Mofussil of Bengal - where the repeal by the 1855 Act of Regulation xv of 1793, which had given the rule legal recognition, was upheld. In the NWP, damdupat disappeared likewise under the High Court's interpretation of the Act.⁴² In Madras, Act II of 1889 finally deprived the rule of legal force. In Bombay, however, the rule was held consistent with equity - and a series of decisions preserved it.⁴³

The provisions of a law designed on an English model, the principle of which was 'perhaps' - as the Allahabad petitioners rightly observed - 'to place no limit to the amount of benefit an owner may derive from the employment of his capital, whether money or goods',⁴⁴ could not but deprive debtors of the modicum of legal

⁴² Kuar Lachman Sing v. Pirbhu Lal 6 NWP High Court Reports 358(FB)

⁴³ For successive Bombay decisions, to 1875, see Report of the Deccan Riots Commission, Appendix B, p. 360; for the history of damdupat in Hindu and British Indian law, see J.R. Ghapure, The Law of Damdupat, Bombay Law Reporter (Journal) 6, July 1904, pp. 129-43; F.R. Vicajee, The Rule of Damdupat, Journal of Comparative Legislation, N.S., 2, 1900, pp. 464-72; R.K. Ranade, Damdupat in Hindu Law, Bombay Law Reporter, (Journal), 54, July 15 1952, pp. 49-57.

⁴⁴ Petition, cit. sup., n. 37, para 8, pp. 290-91.

protection available to them under previous restrictions imposed by the courts on interest exactions. Their difficulties were increased by further innovations - similarly demanded in accordance with progressive opinion ruling in the upper reaches of Government. Attachment and sale in execution of decrees for debt might, like the repeal of Usury Laws, be recognized by contemporaries for what they were: 'entirely the creatures of British legislation',⁴⁵ but the principle was theoretically sound, and in addition, formed the basis of Government's security for its revenue. The just principle, Sir George Edmonstone insisted in a note on the provisions of section 205 of the Civil Procedure Code inter alia, was that

the whole of a man's property is liable for the liquidation of his bona fide debts. It is important that this principle should be maintained. On this principle, land is held to be hypothecated for the Government revenue assessed on it. Whatever intermediate processes are now preferentially adopted for the realization of revenue, it is the proprietary right in the land itself which is looked to as the real security, and its sale as the ultimate means of coercion.

Government could not, 'with any prudence or safety, give up the security', while abstract principles compelled it to extend its 'public creditor' rights to the private sphere.⁴⁶ As a result,

⁴⁵ R. West and G. Bühler, Digest of the Hindu Law ..., 3rd ed., (Bombay, 1884), p. 642; cf. Government NWP to Board of Revenue NWP, 27th March 1873: Lt-Governor agrees with Board, compulsory sale of ancestral property (in Jhansie Division) under the provisions of the Civil Procedure Code is an innovation, 'and moreover the debts, for which this process is put into action, were incurred under a system in which the lenders had no just ground of expectation that the Regulation system would be enforced for their recovery ...: NWP Revenue Progs, September 1873, Index No. 32, March 29 1873, No. 87.

⁴⁶ Edmonstone, 26th May 1860: Correspondence regarding the Law of Land-sale, pp. 12-13; for details of procedure, see Chapter IV, pp. (references to Dutt, op. cit.); for a historical summary, see

280

debtors were not merely less protected under the new laws, but open to new attack.

The extension of compulsory sales also raised problems of uniformity in the law: it ran directly counter to recognized incidents of the joint Hindu family. 'It has been held by our highest courts of justice,' ran a Despatch of 1858 from no less an authority than the Court of Directors,

that under the Hindoo law, as it prevails wherever the Mitakshara is respected, the alienation by a father of immoveable ancestral property without the consent of the sons, except on proof of necessity, is illegal; and it is not easy to understand how property, which cannot legally be sold by the individual himself may be legally sold by a court of justice in satisfaction of his personal debts.⁴⁷

Modern statutory prescriptions were, in this instance, an irresistible force. Conflict between them and the Hindu law persisted for nearly twenty years of divergent judicial decisions to be resolved authoritatively by the Privy Council decision of 1877, that a coparcenar's interest was to be held liable to attachment and sale in satisfaction of his debt.⁴⁸ The next move, inevitably, was towards 'liberalization' of joint-family restrictions on alienations by the admission (tantamount to creation) of an undivided coparcenar's right to alienate, voluntarily, his interest in the joint family

46 (ctd.)

R.K. Ranade, Legal Proceedings in Respect of Debts, Bombay Law Reporter (Journal) 61, August 15 1954, pp. 81-90.

47 Despatch, 4th August 1858, para.4: Correspondence regarding the Law of Land-sale, p. 62

48 Deen Dayal v. Jugdeep Narain Singh (1877) 4 Indian Appeals 247

'property' for value. This was sealed by a Privy Council decision of 1879; the procedural difficulties involved in the division of undivided 'assets' were dealt with by extending the principle of partition - hitherto resorted to by members of the family in order to set up separate units - by the unfailing device of equitable construction. The undivided coparcenar's right to alienate his share was, their Lordships decided, 'founded on the equity, which a purchaser for value has, to stand in his vendor's shoes and work out his rights by partition'.⁴⁹

Provisions for the realization of debts under the law of the Mitakshara joint family also came in for stringent re-assessment in line with the principles of property. The institution known as the Pious Obligation, whereby a son was bound to pay his father's debts provided they had not been contracted for immoral or illegal purposes, stood as a guarantee for the father's absolution after death - and, more practically, for the creditor's security of repayment. The obligation was an unlimited liability and was in no way conditional on the receipt of assets from the father. Modern interpretations changed that, tying the obligation by equity to the quantum of assets - joint family property - inherited.⁵⁰

⁴⁹ Suraj Bansi Koer v. Sheo Persad (1879) 6 Indian Appeals 88; for a brief summary of the essential conflict and its resolution, see A. Gledhill, English Law in India, in W.B. Hamilton ed., The Transfer of Institutions, (Duke University Press, 1964), at pp. 185-6.

⁵⁰ In Bombay, heirs' liability was limited by statute (Bombay Hindu Heirs Relief Act, VII of 1866); elsewhere, limitation established by judicial decision; on the reinterpretation of the Pious Obligation, see A. Gledhill, The Influence of Common Law and Equity on Hindu Law since 1800, International and Comparative Law Quarterly, 3, 1954, pp. 576-693 at pp. 583-4; for a catalogue of summarized decisions on the Pious Obligation, see V. Suryanarayana Pantulu, The Hindu Law relating to the Liability for Debt and Alienation for the Same ..., (Bellary, 1899)

The powers of a manager of a joint family - the father or other seniormost member - to alienate family property as laid down in the Mitakshara text were similarly refurbished by equitable interpretations. Such alienations could be made only on the grounds of distress, necessity or benefit of the 'estate'. The legal validity of a manger's alienations could depend, in the context of the modernized Hindu law, on the construction placed by the courts on these provisions. Meanwhile, an 'equitable extension' gave the alienee protection against the dangers of voidable transactions. The pioneering decision in Hanuman Persaud's case established the point that provided the alienee satisfied the court that he had made such honest inquiries as befitted a reasonable man to ascertain the technical soundness of the alienation within the limits of the law, the alienation must be upheld.⁵¹

Against these innovations, the joint family retained some power to hit back by subsequent litigation at the creditor or alienee, and save the property at stake. Sons might seek to prove - at times with their father's collusion - that the paternal debts were 'tainted' (the technical term), i.e. contracted immorally or illegally; a successful plea would absolve them from parting with their 'assets' to satisfy the debts. The joint family as a whole, acting through its representatives, might obstruct the passage of their interests to an alienee by proving prior knowledge on his part of the unsoundness of the deal - a more difficult task. Both situations admitted abundant opportunities for fraud to ward off intruders.

Obstructions to the smooth processes of the transfer law by joint Hindu families belonged to the wider area of conflict between the 'proprietor' and his creditor-alienee competitor. Complications which beset the procedure of transfer of property through foreclosure

⁵¹ Hanuman Persaud v. Mst Babooee (1856) 6 Moore's Indian Appeals 393

of mortgages and forced legal sales and frustrated the intentions of the Legislature to clear away encumbrances on landed property were not necessarily detectable however from a reading of the statistical returns of alienations officially registered. The returns themselves could prove deceptive on closer inspection. Compulsory sales involved not one but a series of procedures: proposal, actual sale and confirmation. Statistics collected at one stage might be taken, as Philip Robinson had cogently suggested in commenting on Wilton Oldham's Memorandum on revenue sales in Benares district, as recording completed transactions with the resulting exaggeration of the extent of actual sales.⁵²

Risks of such errors were not diminished by provision, made in the course of the later part of the century, for improved record and registration of legal transfer. By 1894, a seemingly comprehensive system existed: copies of assurances were to be preserved in public offices, registered under the Registration Act (as amended in 1877); changes in actual or presumed rights of parties to land were to be recorded in the revenue administration's official documents prescribed for the purpose, the statistics being compiled from district officers' reports.⁵³ Registration itself however was neither comprehensive nor, in relation to such alienations as it covered, wholly compulsory.⁵⁴ At the same time, the revenue officers ran into constant difficulties in attempts to collect district statistics

⁵² Phil. Robinson, extracts from notes on Benares records ... on the subject of Dr. Oldham's Memorandum ..., (no title, no date - written in the course of Robinson's regular work before Oldham's Memorandum published); bound with W. Oldham, Tenant-right and Auction Sales in Ghazeepoor and the Province of Benares, (Dublin, 1873) Brit. Mus. cat. no. 8022 g. 22 1-9, no. 2.

⁵³ Note on Land Transfer and Agricultural Indebtedness in India, cit. sup., (1894), pp. 25-6.

⁵⁴ see above, p. 276

of any value. Markham, for example, 'in obedience' to a directive of the Board in 1873, submitted a report regarding the extent of transfer of landed property in Bijnour since 1840 from the 'old proprietors to the non-agricultural classes', but expressed his misgivings on its validity. The statistics were incomplete and even where complete were not satisfactorily correct: an approximation to facts was the net result for some 9/15 of the district. The Board's scrupulous distinction between agricultural from non-agricultural classes on the theoretically defined grounds of sources of income could not be applied in practice 'without special inquiry, far outside the sphere of settlement operations'. Nothing in Markham's record informed him

whether a certain Bunniah, Brahmin, Khuttra, Bishnoi and others, recorded as a landowner, obtains his income chiefly from land or chiefly from trading; or who is and who is not a Government servant. There are many other castes besides Bunniahs, some of whose members are traders, and who obtain landed property by making advances on it; and there are some Bunniahs ... whose ownership of land is centuries old. Many Government servants were hereditary landowners for generations before they became Government servants. A hard-and-fast line of distinction is impossible ...

Markham submitted tables of transfer statistics, nonetheless, drawn up in accordance with a slightly modified version of the Board's instructions - an 'imperfect and inexhaustive classification, but the best possible'.⁵⁵ Other officers reported the same unsatisfactory state of affairs. Of the total number of transfers

⁵⁵ Bijnour Settlement Report, 1874, p. 93.

recorded in pargana Azamnagar, Eta district, 1,447, details of only 754 were entered and Ridsdale regarded the statement, 'even if it were complete, of very little intrinsic value'.⁵⁶ The collation of returns from the separate parganas of tahsil Tilhur alone in Shahjahanpur district involved improbable amounts of labour: the statements were not all given in the same form; in several cases, information that was clearly incorrect had been obtained from the tahsil office; details on each decade of the past settlement were lacking; prices were either not entered or were not to be believed; areas shown were deceptive, as many properties recurred several times - some villages having been involved in three or four transactions since the previous settlement. In view of this, the settlement officer decided to omit statements of transfer altogether.⁵⁷ The simple classification of 'landowner' and 'moneylender' was retained - and official recognition of its impracticality reiterated.⁵⁸ By 1894 the Government of India confessed itself defeated in the attempt to secure an adequate statistical account of the working of its transfer machinery:

In view of the unsatisfactory nature of the figures quoted it is difficult to form any general conclusions regarding the sale of land for debt. What we chiefly wish to know is the area of agricultural land sold

⁵⁶ Eta Settlement Report, 1874, p. 82.

⁵⁷ Shahjahanpur Settlement Report, 1874, p. 79; further examples of incomplete returns: Fyzabad - registered sales only given: Fyzabad Settlement Report, 1880, p. 37; Kheri - assorted statistics, from sub-registrars' and judicial records and district register of mutations, no complete returns obtainable from any one source: Kheri Settlement Report, 1879, p. 22.

⁵⁸ Note on Land Transfer and Agricultural Indebtedness, (1894) p. 72, referring to NWP Revenue Administration Reports, 1889-90, p. 68; 1882-83, p. 57.

yearly in each province (a) for secured and unsecured debt respectively and (b) to agriculturists and non-agriculturists respectively; this information we have not got, and pending the improvement to be made in our Agricultural Statistics Return E there is really only little information of any kind on which we can rely.⁵⁹

Clearly, the defective statistical returns could not be relied on to test the truth of zamindars' complaints as to the extent to which creditors were usurping their rights - insofar as these were encompassed by the recognized proprietary title. Comments of settlement officers which accompanied the figures assiduously compiled to satisfy the Secretariat's requirements were more informative as to the working of the new laws on old rivalries. A broad distinction could in fact be drawn as regards the extent and nature of transfer of title between the greater part of Meerut district, on the one hand, and Benares on the other. 'Changes in Meerut since Sir Henry Elliot's time (1836)', wrote E.C. Buck, in summing up the settlement officers' accounts of transfer in the several parganas,

have not altered to any great extent the distribution of proprietary castes, except in the neighbourhood of the cities of Delhi and Meerut, where the mahajuns and tradespeople have invested their capital in land. As a rule, the transfers throughout the district have been confined to the four prominent classes ...⁶⁰

⁵⁹ Note ..., (1894), p. 77; on problems of collection of statistics re agrarian conditions generally, see Chapter VI, pp.

⁶⁰ Meerut Settlement Report, 1874, Buck to Elliott, p. 4. The four principal castes seem to have been Jats, Tagas, Rajputs and, near the cities, Baniyas. For details of transfers according to parganas compiled by Forbes, Report, pp. 21-2 (Kotanaah); pp. 24-5 (Gurmukhtesur); p. 30 (Hapur); p. 39 (Jalalabad)

Meerut had emerged from the revision of settlements with much of its previous reputation for prosperity undiminished - even enhanced by the ability of its most powerful Jat and Taga zamindar-maliks to utilize the opportunities of canal-irrigation greatly to their advantage by controlling the production of 'valuable' crops which it stimulated.⁶¹ Such resources had provided the means to repel the threats of competition. The same was true of other districts where zamindars controlled the benefits of expanding production: in Shahjahanpur, for example, where Thakur zamindars held large interests in the sugar industry, extensive transfers were reported 'amongst the brotherhood'.⁶² In Ballia, it was the loans business generally which provided the means for the more astute members of upper-caste families to consolidate their interests through the transfer laws. 'There is no indication', Roberts reported during the course of settlement,

that proprietary right in the district is passing into the hands of the mercantile classes by the dispossession of the hereditary Rajput zamindars. The old zamindars, as a class, hold their own; if some are sold out for debt, their places are taken by others of the same class and the redistribution does not bring in new men, aliens to the soil. The Rajput zamindars contain a full and fair proportion of shrewd and saving men who are continually extending their estates by purchase. If one family

⁶¹ on the traditional expertise of Jat farmers - 'the Pillar of the State' - see Ch. I, pp. 32-3 ; for the benefits of canals to the most fertile areas of Meerut district, see Ch. II, pp. 83-4 ; on the district's prosperity, see A. Colvin, Memorandum on the Revision of Land Revenue Settlements ..., (Allahabad, 1872), pp. 108-9.

⁶² Shahjahanpur Settlement Report, 1874, pp. xxxvii - xxxix (tahsil Tilhur generally, and especially pargana Jalalabad)

ruins itself by extravagance, its property is bought up by another family of the same or some adjacent mahal: Moneylending is far from being a monopoly of the trading castes, but is largely engaged in by well-to-do Rajputs and Brahmans.⁶³

Brahmin zamindars in Aligarh whose holdings were commonly found in amongst collections of Jat villages, exploited both the moneylending trade and the transfer machinery with similar success. 'To the power derived from the possession of money they add the influence of caste,' Smith noted, 'and some of them have been among the largest accumulators of property in the district'.⁶⁴

Zamindari interests elsewhere could be more vulnerable to attack through the lack of comparably secure resources. Catastrophes such as famine years tended to break an already weakening resistance - as in the case of those zamindars of parganas Meerut and Burnawa of Meerut district⁶⁵ for whom the profits of canal-irrigation during the drought of 1860-61 lay, or were kept by their neighbours, beyond reach. The districts in the east of the provinces and south in Bundelkhand offered more frequent examples of failing zamindars, deeply indebted and entangled in consequence in the toils of transfer litigation. Relatively poor natural conditions in comparison with the near-proverbial fertility of the best Doab districts, a depressing series of low outturns at the harvests⁶⁶ and, as far as certain districts of Benares Division were

⁶³ Ballia Settlement Report, 1886, p. 53.

⁶⁴ Aligarh Settlement Report, 1882, pp. 33-4.

⁶⁵ Meerut Settlement Report, 1874, p. 47 (Burnawa); pp. 53-4 (Meerut)

⁶⁶ see Chart I: Allahabad, Jhansi and especially Benares Division

concerned, intense pressure of population on the land,⁶⁷ - the picture presented by much of these areas - hardly made for the supposition of agricultural prosperity. Added to this came the minute sub-division of zamindari claims following on service displacement⁶⁸ and the rigorous exaction of Government's revenue demand, which worked against the consolidation of interests. It is hardly surprising, therefore, to find evidence there of a more rapid disintegration of mahals into partitioned shares than in the west.⁶⁹ In Benares Division, the number of recorded mahals had increased from 18,218 in 1864-65 to 28,634 by 1884-85: by 1899-1900, it was given as 42,763.⁷⁰ Transfers of zamindari title seemed also to have been considerable - by way of a general impression, in view of the notorious unreliability of statistics. Irvine estimated that an area equal roughly to one-quarter of the district of Ghazipur had

⁶⁷ Statistics recorded during the revision of settlements (1870's) showed the population of Azamgarh at 613 p.s.m.; of Ghazipur, 688 p.s.m.; cf. the figures for selected western districts, Ch. II, pp. 82 ; average density of population, NWP, according to 1872 Census returns, 381.24 p.s.m.; for Oudh, according to 1869 Census returns, 474 p.s.m.

⁶⁸ For examples, see Ch. III, pp. 180-84 (Irvine: Ghazipur)

⁶⁹ Benares Settlement Report, 1887, pp. 23-4

⁷⁰ NWP Revenue Administration Reports, (years as cited): Appendix X: Statistical Precipis of the Revenue Administration of the NWP. The figure for Benares Division for 1899-1900 includes the newly-created Gorakhpur Division. cf. figures for western Divisions:

	<u>Meerut</u>	<u>Rohilkhand</u>	<u>Agra</u>
1864-65	9,314	17,547	8,603
1884-85	12,029	23,289	12,281
1899-1900	23,461	31,419	20,692

changed hands in sales between 1840 and the end of the revised settlement forty years later. Here again, however, the 'moneylending classes' had not ousted the hard-core zamindars, who retained a little over one-half of the district's 'property'.⁷¹

What in fact was the result of legal alienations, by sale and mortgage? No settlement officer in any district reported signs of physical dispossession as a result of the ceaseless activity of the courts.⁷² Benett summed it up in a single illuminating phrase: 'the result of all these transactions' is the creation of a number of concurrent interests in the same soil'.⁷³ Cases were reported, from Unao for instance, where the parties to the alienation settled in to a compromise:

the purchaser after the sale having allowed the ex-zamindar and his family some land at favourable rates and being content to have the land secured to its recipients with the sole proviso that it was not transferable, the ex-zamindar is content to accept the substantial advantages rather than push matters to extremity and gain or lose everything.⁷⁴

⁷¹ Ghazipur Settlement Report, 1886, p. 157.

⁷² corroborated in the mid-1890's: Note on Land Transfer and Agricultural Indebtedness in India, (1894), p. 42.

⁷³ Gonda Settlement Report, 1878, p. 67.

⁷⁴ Unao Settlement Report, 1867, p. 75. Maconochie noted such compromises to be 'the acknowledged custom in one small taluka' in Lucknow ... in all recent sales the ex-zamindars were secured in possession of some land under the same terms. The rents of the land were usually fixed and at favourable rates' (the price of tenants' prospective allegiance). Compromises elsewhere had harsher consequences: concessions made by Bania purchasers to Thkur zamindars in pargana Thakurdwara, Moradabad district, were merely the first stages of a process working towards legal ouster: Moradabad Settlement Report, 1881, pp. 76-7 (Alexander's comments on a report by J. Strachey, 1859)

Gentle acquiescence in the processes of the law was also encouraged (after 1873) by the rent acts. 'Ex-proprietary tenants' were granted, by a provision intended to prevent the decline of the hitherto 'landed gentry' into landless degradation, an equitable right of occupancy in land designated as their sir previous to its alienation.⁷⁵ Being classed as a tenant, the 'ex-proprietor' was rid of his revenue liability; armed with his occupancy right, he could at least obstruct attempts by the new zamindar to raise his charges.

Not all were content to compromise. The difficulties which even a bona fide purchaser of 'proprietary' title might encounter subsequent to the alienation itself were many and complex. There were the problems of establishing physical possession, or realization, of a claim where the legal title acquired referred to a share reduced by sub-division to proportions beyond the reach of practicality. There were problems where rights acquired by law constituted a share, physically undefined, in joint-family property - which, until actual partition 'by metes and bounds' was made (for which a purchaser would have to litigate), was liable to fluctuate in accordance with the increase or decrease in coparcenars by births or deaths in the family.⁷⁶

⁷⁵ See Appendix VIII: Act XVIII, 1873, - (2). For a discussion as to the awarding of such right to a judgment-debtor in Oudh, see Oudh Revenue Department, Circular Letter, 9th December 1884: NWP, Oudh Revenue and Agriculture Progs., (Oudh Revenue Dept.) 1884, File No. 620, Serial No. 1, No. 1.

⁷⁶ the point succinctly made at Report of the Deccan Riots Commission, (1876), p. 36.

There were dilemmas: if the purchaser enforced partition, as the law entitled him to do ('the equity a bona fide purchaser for value has to step into his alienor's shoes and work out his rights by partition'), he threw up the protection from the full force of the revenue liability which the joint responsibility of the coparcenary provided; if not, he risked persistent impediment by 'the village' to the realization of his interests.⁷⁷

Worse still, the coparcenars could contrive, by a variety of means, to upset the alienation. Courses of action to this end which were open to a joint Hindu family have already been outlined.⁷⁸ The ingenious manipulations of the law by Mst Umrao Begum, a seasoned litigant, in the case of Tika Ram provide one illustration of the devices open to zamindari coparcenars to repulse the auction purchaser - with untoward consequences for Government itself. Tika Ram had bought at an auction in 1863, for the sum of Rs 5,000, the title deeds to Mohanpur village in Bareilly district which had been confiscated for its owners' part in the 'Mutiny'; in due course he was awarded legal possession. Umrao Begum had been the principal sharer, amongst the eight recorded coparcenars. Prior to the 'Mutiny', balances had accrued on her share, which had been farmed out on lease under the operation of revenue law until such time as the arrears might be realized. The farmer was, predictably, none other than 'a creature' of the Begum's. On the expiration of this farming lease, towards the late-1860's, Umrao Begum instituted a suit for the release of her share, and obtained a decree accordingly from the

⁷⁷ Aligarh Settlement Report, 1882, pp. 128-30. In Smith's view, the greatest mistake a cultivating proprietor could make was to oppose an incoming banias 'petition for partition'.

⁷⁸ see pp. 292

Court of the Principal Sadr Amin. Tika Ram, understandably alarmed, appealed to the judge but to no effect. Government meanwhile - i.e. the local revenue administration - was unaware of the proceedings taken in this way against Tika Ram, in the Civil Court, by Umrao Begum. Tika Ram promptly brought an action against Government for Rs 4,236 4 6 being the value of Umrao Begum's share which he had lost, estimated on the basis of the purchase price paid over for the village. The Board of Revenue, after some discussion, called on the Collector to compromise the case: Tika Ram was to be awarded Rs 5,000, for which he was required to surrender that part of Mohanpur in his (legal) possession - nearly one-quarter of the entire estate. On the 27th May 1868, the Collector made it known that Tika Ram refused to abide by the terms of the compromise. The Commissioner of Rohilkhand forwarded the Collector's letter to the Board - on the 20th July. On the 10th July, Tika Ram's case had been heard in the Civil Court, and decided ex parte against Government, who were compelled to pay Rs 4,236 and costs.⁷⁹

The resistance of powerful zamindars could break the force of the transfer law. The Thakurs of pargana Aonlah, Bareilly district, successfully repulsed any threat to their zamindari - and to their thriving credit operations.⁸⁰ Moens had no illusions about their flagrant subversions of the judicial machinery, and the consequent deterrent to 'capitalist' enterprise which the law was titularly to encourage:

No capitalist would risk money in a share in a village with the knowledge that he would have a half dozen suits to fight through the Civil

⁷⁹ Report of the Legal Remembrancers, NWP, 1868-69: extract from letter, Board of Revenue to Government NWP, 31st August 1869, Tika Ram v. Government: NWP Revenue Progs, January 22 1870, Index No. 52, October 23 1869, No. 82; for the whole case, see ibid., Index Nos. 45-56.

⁸⁰ see Ch. IV, pp. 211, 216

Courts to get even nominal possession of his purchase, and the subsequent certainty of an annual suit for even the small share of profits assigned to him in the village papers.

As a measure of 'these difficulties', Moens cited the predicament of a 'well-known Hakeem, Saadut Ali Khan, ... unusually strong, wealthy and intelligent landholder, who had bought numerous shares in this pargana, of which neither he nor his successors were ever able to obtain possession'.⁸¹

When legal obstructions failed, became wearisome or were merely adjudged impractical, determined zamindars mustered their resources of manpower to fight off the auction-purchaser. 'The old tradition still protects former quasi-proprietary bodies,' Auckland Colvin wrote from the Secretariat in Allahabad in 1871,

or, if tradition fails them, they are not slow to assist themselves. Within sixteen miles of my writing-table (!) there are villages where it is as much as the auction-purchaser's life is worth to shew his face unattended by a rabble of cudgellers. He may sue his tenants and obtain decrees for enhanced rents; but payment of those rents he will not get. A long series of struggles, commencing in our Courts, marked in their progress certainly by affrays, and very probably ending in murder, may possibly lead him at length to the position of an English proprietor. But in defence of their old rates the Brahmin, or Rajpoot, or Syud community, as the case may be, ignorant of political economy, and mindful only of the traditions which record the origin and terms of their holding, will risk property and life itself.⁸²

⁸¹ Bareilly Settlement Report, 1874, p. 283.

⁸² Colvin, Memorandum ..., (1872), p. 114. Colvin's syntax suggests the attainment of the proprietorship in the provinces on the English model was tantamount to martyrdom (an appropriate sentiment for the times). Further examples of the vigorous repulse of auction-purchasers: Farukhabad (trans-Gangetic parganas): Settlement Report,

The range of obstructionist tactics employed by zamindars in frustrating the dispensation of justice according to the law and violating the peace tended to make something of a mockery of the principle of security for which Government ostensibly strove, but at the same time they served Government's political ends. Nothing could have been less desirable, politically, than that the transfer law should have worked through to their proposed - revolutionary - culmination. 'The indebtedness of proprietors becomes a serious political question,' a spokesman for the Government of India recorded in a Note of 1894, 'when it is found that their insolvency means dispossession and that the soil is passing into the hands of classes who have the ability neither to cultivate nor to rule'. As far as the NWP and Oudh were concerned, there was little cause for alarm. 'The transfer of land is still sufficiently common,' the Note continued, 'but the landowning and cultivating classes compete with the moneylender for the possession of it. There is little indication in the recent economic history of the provinces of any reason for apprehending wholesale dispossession of any class it is desirable to retain on the soil'.⁸³

This was no new realization on the part of Government. Even if the combined pressures of the British administration and local society drained away their means, the position of the 'old proprietors' had nonetheless to be zealously guarded. The revenue administration, accordingly, exercised powers which contradicted not merely the civil but also the revenue sale laws. 117 confiscated villages in Banda district alone were restored in 1867 to the 'old zamindars, who had been ousted either by the Civil Courts, or from inability to pay the

82 (ctd.)

1875, p. 158; Shahjahanpur (tahsils Jalalabad and Shahjahanpur): Settlement Report, 1874, p. xxxviii

83 Note on Land Transfer ..., (1894), pp. 41-2.

revenue in former years, on the sole condition of the proprietors evincing a capacity to manage the estates during a short specified term of years'. 'I am to add,' the Secretary to the Board continued, 'that, speaking broadly, the sale of estates for arrears of revenue has ceased to be a process in use, and that the sympathy of the Board, as well as of Government, is ever on the side of the ousted or embarrassed zamindar'.⁸⁴ Provision was made not merely for restoration after the completion of sale - a further potential obstacle for the auction-purchaser to take into account. Section 244 of the Civil Procedure Code of 1859 itself empowered the Collector to intervene in the course of a compulsory sale and seek to compromise the transaction between the parties by temporary alienations, to rescue the 'estate' from the dire consequences of insolvency⁸⁵ - and thus preserve some security for continued revenue payments.

As the distress of impoverished zamindars and the threat to the revenue and to Government's political stability which this necessarily implied grew increasingly obvious during the revision of settlements, rescue operations to shore up the crumbling structure of 'proprietorship' in the provinces became more comprehensive. In both the NWP and Oudh, Courts of Wards functioned busily to extricate the more promising of encumbered estates from the vicious circle of debt and transfer litigation, establishing Government

⁸⁴ Board of Revenue to Government, NWP, 23rd October 1867 (re alleged collusion of Tehsildar with Marwari creditor in transfer litigation with certain zamindars of Hamirpur): NWP Revenue Progs 2nd November 1867, Index No. 5, No. 13.

⁸⁵ Collectors' attempts met with varying success. Statistics for 1864-65 for example showed sale had been 'warded off' in 50 cases in Meerut, but only in 1 in Bulandshahr (of 49 where steps had been taken); in Aligarh, in 3 (100% success); in Budaon, in 31; in Bareilly, in 75; in Bijnour, in 3; in Moradabad, in 3: NWP Revenue Administration Report, 1864-65, pp. 9-10.

managers to bring them back to solvency - with a little experimentation with agricultural improvements on the side, as befitted a benevolent proprietor.⁸⁶ In 1870, the jurisdiction of the Oudh Court of Wards was extended to cope with cases provided for under the Oudh Talukdars' Relief Act, XXIV of 1870. In the NWP, the appalling condition of the indebted majority of zamindars in Jhansi Division demanded special legislation, passed only after some nine years of notes, memoranda and draft enactments⁸⁷: the Jhansi Encumbered Estates Act, XVI of 1882. By the 1890's, the next stage in the logical progression of amendment had been reached: the compilation of a wide-ranging set of papers (bearing on all the provinces of British India) to introduce formal restrictions into the transfer laws themselves.⁸⁸

If the debt and transfer laws had proved unequal in practice to the task theoretically expected of them, the history of their working provided a striking vindication of at least one dictum of

⁸⁶ see Ch. II, pp. 132-35, and Bibliography, for annual Reports on Wards' Estates

⁸⁷ See, for example, B.W. Colvin, Offg Commissioner, Jhansie to Board of Revenue, NWP, 13th November, 1873, Indebtedness of the Agricultural Classes in Jhansie Division: NWP Revenue Progs, March 1874, Index No. 34, January 17 1874 No. 65; Board of Revenue to Government, NWP, 17th September 1875, Condition of the zamindars of the Jhansi district: NWP Revenue Progs, January 1876, Index No. 15, January 8 1876, No. 55; Government NWP, Oudh to Government India (Department of Revenue, Agriculture and Commerce) 9th August 1878, re distress of Jhansi: NWP, Oudh Revenue Progs, August 1878, Index No. 4, August 10 1878, No. 1; Bill to provide for the relief of encumbered estates in the Jhansi Division; NWP, Oudh Revenue Progs, November 1878, Index Nos 30-44.

⁸⁸ The pioneer enactment on the restriction of right of alienation was the Punjab Alienation of Land Act, I of 1901, on which see N.G. Barrier, The Punjab Alienation of Land Bill of 1900, (Duke University, 1966)

John Stuart Mill -

...that government is always in the hands,
or passing into the hands, of whatever is the
strongest power in society, and that what this
power is does not depend on institutions, but
institutions on it ...⁸⁹

- which, in the context of British India, also accounted for the
dilemmas of its modern administration.

⁸⁹ John Stuart Mill, Autobiography (1873, repr. Oxford 1954), p. 137.

CHAPTER VI: THE DILEMMAS OF ADMINISTRATION

Government was at pains to stress publicly the overriding benevolence of its aims in promoting the moral and material progress of British India and a corresponding awareness of the responsibility it considered inherent in its supreme power. Official apologists were anxious that too narrow an interpretation should not be placed on its historic role: 'The Indian Government', as Sir W.W. Hunter defined it in the Imperial Gazetteer,

is not a mere tax-collecting agency, charged with the single duty of protecting person and property. Its system of administration is based upon the view that the British power is a paternal despotism, which owns, in a certain sense, the entire soil of the country, and whose duty it is to perform the various functions of a wealthy and enlightened proprietor ...¹

Government's concern for the state of its 'property', in line with contemporary principles, was inseparable from its need to ensure the regular collection of its 'rent'. It was logical that responsibility for the welfare of the land should fall principally on the revenue administration. It proved increasingly difficult, however, to discharge the duties which proprietorial responsibility entailed. Measures introduced to repair apparent deficiencies in the condition of the 'estate' had brought a multitude of unforeseen problems in their train which deterred by their range and intensity subsequent attempts at remedial action. Nowhere was this more obvious than in the NWP and Oudh. Public works aggravated imbalances in productivity. Small-scale agricultural improvements failed persistently to achieve practical objectives of any significance. The refinements of administrative procedure robbed the old principle

¹ quoted by A.H. Harington, Economic Reform in Rural India, Calcutta Review, LXXX, 1885, p. 435 (headnote)

of takavi loans of most of its utility. Government's concern to secure its revenue in accordance with equity and an ill-defined image of dawning prosperity compelled its officers to labour at endless compromises in matching impractical principles with incomprehensible practices. New incentives for production and distribution resulted in bloating the power of local creditors at the expense of the bulk of the rural population. The decorous application of law and order by means of the modernized judicial system proved time and again an illusion when confronted with the realities of the rural scene.

The persistence of problems of such dimensions, in overburdening the revenue administration, aggravated fundamental weaknesses in its capacity which made consistent action by Government in the sweeping style of a capitalist proprietor utterly impracticable. Geared first and foremost to meeting Government's requirements (which were not synonymous with the provinces' needs), its design was not of that comprehensive quality which Government's much-publicized responsibility demanded. Here too modernization brought problems which were insuperable by the means to hand: innovations in bureaucratic procedure introduced in line with contemporary notions of order and security hampered the exercise even of essential powers - the collecting of taxes and the dispensing of justice. Each aspect of the revenue administration with which this chapter is concerned came to reflect in some degree the predicament of the British Government in its adopted environment: the co-ordination between senior and subordinate officers; the state of official records; the machinery for enquiry into agrarian conditions; procedural impediments and restrictions on expenditure.

In accordance with instructions from the Governor-General in Calcutta and the India Office in London, the Lt-Governor of the provinces took all decisions as regards fiscal affairs in consultation with the Board of Revenue. The Board, its two Members - Senior and Junior - and its Secretary drawn from amongst the highest ranking revenue officers in the field, was the co-ordinating link between the Secretariat in Allahabad and the Administration's offices in the rural hinterland. It prepared the revenue agenda for the Lt-Governor's adjudication from the correspondence it conducted in the first instance with the Commissioners of the revenue Divisions - six in the NWP and four more in Oudh. Each Commissioner's office was in turn a central reference point for the officers who staffed the district Collectorates within each Division.² The district Collectorate was the hub of the administration - the 'paternal despotism' of British power in miniature. The Collector and Magistrate was responsible for the 'rents' of his 'estate' - his district - and for its welfare. He had to supervise the revenue accounts and administer criminal, and to some extent civil, justice. He was responsible, logically, for the local police. He had to see to the efficiency of local Government institutions - schools and dispensaries, for example, the construction and maintenance of all roads and bridges other than those which were part of the main communications systems of the provinces (and therefore the responsibility of the Public Works Department), and of virtually all Government buildings.³

² for the areas of the 10 revenue divisions and the 39 districts (42, if the hill districts of Dehra Dun, Kumaon and Garhwal are included), see Map: Administrative Districts. Prior to amalgamation with the NWP in 1877, the Oudh administration was separately constituted (on parallel lines with the neighbouring provinces), headed by a Chief Commissioner, assisted by a Board of Revenue. Commissioners and Deputy Commissioners respectively staffed the Oudh divisions and districts. In 1877, the offices of Lt-Governor and Chief Commissioner were combined under a single head and the Boards of Revenue were amalgamated. The structure of divisional and district administration remained as before.

³ C.H.T. C(rosthwaite), Notes on the NWP of India, by a District Officer, 2nd ed., (London, 1870), pp. 3-4.

From his office in the sadr station - the chief town - of the district, the Collector presided over an administrative establishment which reflected in microcosm the ranking of the revenue department as a whole. His assistants were of various grades, the degree of subordination of each official being relative to his distance from the Collectorate. The Assistant Collector and Magistrate was the most senior of the subordinate office staff - a trainee-Collector, based like his superiors on the sadr station. Beyond, in the district itself, Deputy Collectors or Tehsildars carried out the functions of the Collector in their sub-districts - tehsilis - under his absolute authority. Beneath the tehsildars came the subordinate establishment proper: the 'village officers' recognized and partly paid by Government - mokuddums (headmen), lambardars (tax-collectors) and, most important, the patwaris (accountants) on whom Government relied for the maintenance of local records, its basic source of information on agrarian conditions. Lastly, the subordinate establishment included the clerks and messengers who populated the offices of the Collectorate and tehsilis, recording and communicating every transaction as official procedure demanded.⁴

'It will be seen', Crosthwaite concluded on summarizing the structure of the revenue administration, '... that the organization at the disposal of the Government of these provinces is such as to enable them to reach the very lowest strata of which society is composed.'⁵ Effective use of this organization was another matter: it depended on the co-ordination between the ranks and the efficiency of communication from the top to the bottom of the hierarchy.⁶ The

⁴ for the ranks and salary scales of the revenue administration, as constituted in 1870-71 (the form was to remain substantially unchanged throughout the period), see Appendix IX: NWP and Oudh. Abstract of Revenue Appointments.

⁵ C.H.T. Crosthwaite, Notes on the NWP ..., p. 5.

⁶ Crosthwaite observed - naively, perhaps - that 'whether the machine works so as to attain this end depends very much upon the personnel of the District Officers' ...: ibid., p. 6.

distance, however, between the Collector and his Assistant at the sadr station and the patwaris in the villages was vast, and was measured not merely in physical terms. A formidable barrier stood between the superior and subordinate ranks of the district administration, between the European Collector and his handful of European assistants - covenanted and uncovenanted officers of the civil and military services, and the 'natives' beyond. Prior to 1900, it was rarely crossed by subordinates earning promotion in view of their recognized experience. 'We are as oil to water out here,' Frederick Layard, an officer in the Indian Army, wrote to his brother A.H. Layard, in 1858 shortly after the suppression of the 'Mutiny' disorders; 'luckily we are the oil and stay at the top'.⁷ Administrative power was distributed accordingly. In local affairs, the Collector was supreme; he was 'to the natives' - in Crosthwaite's words - '... the personification of Government'.⁸

In the exercise of his power, however, the Collector was accountable to his superiors. Every official action and its justification had to be documented, with the result that the Collectorate stood as a clearing-house for the local administration and the Collector, at his desk or holding court day in day out, became increasingly alienated from the remote rural world beyond his office which his duties prescribed him to care for but which the procedure of executing them prevented him from investigating at first hand. 'There is in fact no real revenue administration,' C.J. Connell expostulated in a critique of Government compiled from his observations as an officer in the Bengal Civil Service.

... the Collector, especially in Oudh ..., is a tax-gatherer and nothing more; he is a compulsory jack-of-all-trades whose days are spent in inditing countless

⁷ quoted by G. Waterfield, Layard of Nineveh, (London, 1963), p. 291. Frederick Layard denounced the provocatively segregated administration; he expressed his surprise that the Indians had not in fact retaliated by massacring all Europeans during the 'Mutiny'.

⁸ C.H.T. Crosthwaite, Notes on the NWP ..., p. 4.

reports on all miscellaneous matters of great or small importance, upon which the local Government of the day sets, or is forced to set great store; he has to draw up portentous memos on conservancy, municipalities, drains, and self-government all the morning; his afternoons are occupied with his appellate work, and an odd half hour or so, as leisure permits, is with difficulty snatched for the real work of a Collector, namely, the disposal of the revenue reports; those papers, which have to do with the future prosperity or ruin of villages, must be perfunctorily rushed through, while a proposal for a new latrine has taken up hours of valuable time.⁹

Restrictions on the Collector's mobility grew with the passage of time. While the Secretariat in Allahabad expanded into numerous departments, the district Collectorates remained the single source which could supply them with local information and the principal executive agency. While correspondence became more and more voluminous, superior orders from Allahabad and Calcutta insisted on greater formalization in procedure: witnesses were demanded for an increasing number of transactions; signatures had to appear on more documents; written submissions usurped the place of verbal orders even in the most ephemeral matters. Reporting all these developments at the end of the revenue year 1880-81, the Collector of Jaunpur bewailed the consequences which he - in the position of greatest administrative power in the district - was obliged to suffer:

It is almost impossible at the present to get through the mere manual and mental labour required to keep the business going. There is actually no leisure for thought or examination of what is going on.¹⁰

⁹ C.J. Connell, Our Land Revenue Policy in Northern India, (Calcutta, 1876), pp. 72-3.

¹⁰ NWP Revenue Administration Report, 1881-82, para. 137, p. 79.

The Board found themselves reluctantly in agreement with 'the general tendency' of the Collector's remarks, but could make little by way of positive recommendations: 'There must be a limit to the constant increase of establishments (i.e., in Allahabad). There is certainly a limit to what can be done by existing ones ...'¹¹

The succeeding twenty years proved the Board wrong. The business but not the staff of the Collectorates swelled to majestic proportions, as the figures for correspondence and judicial work show.¹²

More problems for the harassed Collector arose with the revision of settlements which dominated the revenue administration, and consequently the agrarian scene so far as Government was concerned, from the late 1850's. Principles of Government dictated that the new assessments were to surpass their predecessors in careful attention to minute detail, district by district.¹³ To execute these plans, given top priority by Government, staff had to be found to assist the European settlement officers - and where else but in the Collectorates could subordinate officers be found in sufficient numbers and with the required local experience?

This demand for assistance was not unlimited. Government's requirement that the new scientific principles of assessment must be applied with accuracy and impartiality meant that few district officers were eligible for such service: the Settlement Department could not, as Sir William Muir as Lt-Governor noted in 1868, 'especially in all matters connected with assessment, be confided with safety to Native officials.'¹⁴ The problem this created for the

¹¹ ibid., p. 79, footnote *

¹² for the increase in the Collector's business, measured in terms of letters issued and received and cases instituted and disposed of, per divisions, 1864-65 - 1899-1900, see Chart X.

¹³ see Chapter III, pp. 157-8

¹⁴ Sir Wm. Muir, Minute: NWP Revenue Progs, 27th June 1868, Index No.29, No. 14.

routine administration was also abundantly clear to Muir. Since District Officers - the Collectors - were necessarily involved in settlement work and some 21 of the most promising (European) Assistants throughout the NWP were posted to the Settlement Department, the day to day business of the Collectorates devolved increasingly on junior - 'native' - staff.¹⁵ In answer to Muir's protest concerning the 'great strain which the Land Revenue Settlement ... was bringing to bear on the Civil Service in the conduct of the Administration's ordinary business', Government could only attempt to relieve what was an insoluble problem of two irreconcilable claims by an informal compromise. A Circular Order published in July, 1868 instructed Commissioners, District Officers and Settlement Officers that the junior assistants attached to the Settlement Department should aid in general district administration - in the rains and summer months, for example, when they were sometimes 'insufficiently supplied with ... Settlement work'.¹⁶ The Order remained more of an exhortation than a command: so long as the settlements were the dominant concern of Government, there was little incentive for aspiring officers to turn from opportunities for recognition and promotion which assessment work offered and bury themselves amongst the papers in the Collector's office.

In the Doab districts, canals could bring similar problems for the Collector, but this time it was the 'native' subordinates who were torn between the conflicting claims of Government on local field staff. For the assessment of direct and indirect revenue from the canals, so important an item of Government's

¹⁵ ibid.

¹⁶ Circular Order 74, 10th July 1868: NWP Revenue Progs., 11th July 1868, Index No. 1, No. 40.

budget,¹⁷ the irrigated area of each district had to be measured each season and the charges which were calculated initially on an acreage basis distributed according to the intricacies of local cultivating and 'proprietary' interests. In a district such as Etawah in the mid-1860's, where a mere 40,000 acres were irrigated on average by the Ganges Canal each year, the business of recording the irrigation statistics was entrusted to the Collector's tehsili staff which seemed to cope with this additional burden without undue strain. The system of measurement devised for Etawah was carried over to Meerut, where already in 1866 an estimated 200,000 acres were annually watered by canals, with unfortunate results. Forbes, the Collector, was moved to protest vehemently against 'the most hideous system of canal-irrigation measurement ... which, without the slightest exaggeration is likely to cause disaster to our land revenue system'. In tehsil Meerut alone, seven separate measuring parties were employed - simultaneously - during six months of the year (three for each harvest); to each party, one of the fixed tehsil establishments of amins (field clerks) had to be attached according to the Etawah system. The Collector was left to carry on his business as far as possible 'by the aid of casual and inexperienced subordinates'. 'I trust', Forbes wrote beseechingly, 'the system may be crushed at once, for the anxiety it causes not to mention the labor, can hardly be described.'¹⁸ Forbes' plea roused the Board, faced with the unwelcome choice, inevitable in the circumstances, as to which of Government's needs was to be served by the less reliable agency, the Board decided it should not be the Collectorate and the land revenue itself which suffered. They recommended therefore that if necessary, canal-irrigation measurement was to be

¹⁷ for direct and indirect revenue from the canals, NWP, 1876-77 - 1899-1900, see Chart V.

¹⁸ W.A. Forbes, Collector, Meerut to Board of Revenue, 7th February 1866: NWP Revenue Progs 26th May 1866, Index No. 48, No. 24.

superintended by a casual employé in preference to the deputation of members of the fixed establishment for this duty whenever the Collector may find the number of measurement parties and the duration of their operations interferes prejudicially with the regular work of his district.¹⁹

While the Collector continued officially to dominate the local administration, the increasing demands made upon him by the range of his duties together with the dictates of procedure diminished both his means and his opportunity to discharge them with the vigour which his authority theoretically required. As a result, he was compelled to entrust more and more of the business of local government to his 'native' officers. Their responsibility grew correspondingly, out of all proportion to their status and consequently their power as recognized by Government. From the point of view of official ranking, they remained throughout entirely subordinate to the Collector but, as far as effective action was concerned, the Collector was in the paradoxical position of being entirely subordinate to them.

The Collector's dependence on his 'native' establishment was reinforced by the mobility accorded him by the conditions of service in the modernized Crown administration. It was a far easier matter for European officers in the later 19th century to leave a district for another or for a sanctioned spell abroad than it was for them to move about within one during the performance of their duties. The upper ranks of the administration were becoming increasingly remote from their environment, as Hunter himself showed in pointing the contrast between Company service and the improved conditions of modern times:

The Company's servants accepted India as their home, and generally remained a long time in one

¹⁹ NWP Revenue Progs, 26th May 1866, Index No. 47, No. 23.

318

District. But under the beneficent policy of the Queen's Proclamation, the natives of India every year engross a larger share of the actual government. The English administrators are accepting their ultimate position as a small and highly mobilised superintending staff. They are shifted more rapidly from District to District; and the new system of furlough, with a view to keeping them at their utmost efficiency, encourages them to take their holidays at short intervals of four years, instead of granting long periods of idleness once or twice in a quarter of a century's service. They have not the same opportunities for slowly accumulating personal knowledge of one locality; on the other hand, their energies are not allowed to be eaten away by rust ...²⁰

The 'native' officers, ineligible for promotion beyond the rank of Assistant and consequently immobilized in their sub-districts, were to acquire that 'minute and extended knowledge of the people and the country',²¹ debarred to their European superiors as the price of conserving their efficiency.

It was early established as a central tenet of Government revenue policy that the administration should interfere as little as possible - in any direct sense - with the affairs of local 'proprietors'.²² The tehsildar's office was the last outpost of the administration, the co-ordinating link between the Collectorate and the mahals. Zamindars were required to make their submissions and their revenue payments to

²⁰ W.W. Hunter, Imperial Gazetteer of India, 1st ed. (London, 1881), Preface, p. xxxi.

²¹ C.H.T. Crosthwaite, Notes on the NWP ..., p. 5.

²² see Chapter III, pp 201

their local tehsildar, who kept the accounts for the sub-district. Dealings with 'estates' where the proprietary title had been given to a numerous body of co-sharers were more complicated and here Government had long seen fit to provide some means of assisting the tehsildar. At the earliest regular settlements, the honorary local office of lambardar had been created. Lambardars were to be the elected representatives of 'proprietary brotherhoods', whose principal duty was to collect the group's revenue payments and hand them over to the tehsildar. They were officially nominated by the brotherhood at an assembly presided over by the Settlement Officer, according to the recognized procedure stipulated in the wajib-ul-arz, or record of rights drawn up at settlement.²³ At this point, Government's participation in relations between the brotherhood and its lambardar-representative ended. The office was partly hereditary, subject to the qualification that a lambardar's eldest son should prove fit to manage affairs. The brotherhood itself held the power to depose a lambardar who failed to satisfy their requirements and to elect a new one.²⁴

With the revision of settlements, the office of lambardar came in for some intensive questioning. Had it really proved an efficient agency for the collection of the revenue? Did it assist the tehsildar? C.A. Elliott, Officiating Collector in Farukhabad in 1868, was convinced that the lambardari 'system' had proved totally impractical. 'We have tried for nearly thirty years to introduce this system, thinking it congenial to the spirit of the country, and have failed; it is no use trying any more or refusing to acknowledge our failure'.²⁵ In

²³ for a summary of official procedure as regards the appointment of lambardars, see Unao Settlement Report, 1867, pp. 76-7.

²⁴ ibid., p. 49.

²⁵ C.A. Elliott to Commissioner, Agra Division, 30th April 1870: Note on the Selection of Lambardars: NWP Revenue Progs, 29th April 1871, Index No. 2, December 31 1871, No. 26.

Farukhabad, each shareholder by-passed the lambardar in fact and paid his share of the land tax direct to the tehsildar's office, and complicated his accounts wonderfully, the lambardar's office had grown into a much-coveted sinecure. The degree of effective representation which lambardars could exert depended on their power within their community. Where a lambardar was already strong, he could stand as the 'village representative' before local officers and use his influence to arbitrate in private quarrels. Like all other prestige posts which were heritable, it had become the preserve of families of maliks determined to control it. According to Elliott, the present incumbent was in many cases a woman, or an infant, or a non-resident²⁶ singularly unqualified to represent the community, but capable of passing the title to their heirs. Elsewhere, cabals of lambardars had grown up within the brotherhoods by manipulating the election procedure.²⁷ The offices multiplied, with no reference to the needs of the community as far as representation let alone tax-collecting was concerned: in Farukhabad, many villages had three or four lambardars; it was not uncommon to find six or even eight to a village, and rare cases of twelve and more were known to Elliott.²⁸

With such confusions obliterating the neat outlines of administrative agencies, what was Government to do? Elliott suggested that any notion of legal status attaching to the lambardar should be abolished, and the idea of his collecting revenue from others or of others paying it through him should be abandoned. But where 'ownership' was in the hands of a large community, a recognized representative was clearly required where Government wished to consult

²⁶ ibid.

²⁷ Unao Settlement Report, 1867, p. 50.

²⁸ Elliott, cit. sup., n. 24.

322

the 'proprietors' or act through them: 'we cannot summon up 50 or 100 Rajputs every time we have to appoint a chaukidar or patwari, or to put pressure to obtain the apprehension of a thief: for these purposes we must select lambardars' - and Government must hold to a principle that the lambardar should be 'the representative of public opinion (sic) in the village'. To see that the principle was honoured, however, Elliott recommended that the lambardari system be reformed - by the direct action of Government. Hereditary status must be abolished and the office made elective forthwith, the appointments to be made from candidates selected by the 'proprietors' and the Collector, on the principle of *quamdiu se bene gesserint* - 'or words to that effect in Hindustani'.²⁹

Forbes, Commissioner of Benares in 1870, recalled a similar state of affairs from his days as Collector in Meerut. To the detriment of Government's links with society, local maliks who could not be brought under supervision controlled the lambardar's office and through it, the 'village community'. The system had 'become hateful' to those elements of rural society it had been designed to assist: the 'proprietary brotherhoods' -

for the simple reason, that the care imposed upon us (revenue officers) by the Government in Directions to Settlement Officers, para. 157, has not been observed, and fractions of the brotherhood who have then for very good reasons separated themselves from time to time from the main body have found their interest still left against their will in the hands of the persons from whose tyranny and affliction and oppression they had attempted to free themselves, and that, moreover, they have to pay them as their unaccepted agents.³⁰

²⁹ ibid.

³⁰ W.A. Forbes to Board of Revenue, NWP, 29th June, 1870: NWP Revenue Progs, 29th April 1871, Index No. 5, December 31 1870, No. 29.

If these observations provided a strong case for some measure of reform for the lambardari system, how was it to be achieved? Both Elliott and Forbes had left their respective districts for higher posts; they could not carry on their protestations at district level and a new accumulation of official duties prevented them from paying much attention to old causes of concern.

More formidable obstructions to corrective action came from the senior echelon of field-staff, the divisional Commissioners. Lind, Commissioner of Agra Division, made no attempt to muffle Elliott's disclosures in his covering note to the Board, but at the same time, in prophesying the unwelcome consequences in terms of a dissolution of the status quo which must necessarily follow an attempt to act upon them, showed the inexpediency of adopting any of Elliott's recommendations:

admission of the principle (of Elliott's proposals) would go far to break up the remaining bonds of union in village communities ... Depriving a lambardar of his most important function, the collection of revenue from his co-sharers, would be apt to disorganize the social status of communities in which the custom was permitted to prevail.³¹

Others, like Mayne, Commissioner of Allahabad in 1870, saw it as a practical issue:

If Elliott does away with the lambardar's legal status ..., with whom will engagements be made to pay the Government Revenue? It is impossible to take engagements from a whole bhyachara community ...³²

³¹ R. Lind to Board of Revenue, NWP, 11th May 1870: NWP Revenue Progs, 29th April 1871, Index No. 2, December 31 1870, No. 26. Lind considered the 'primitive state of village communities ... particularly favourable to the lambardari system'. That 'evils' were creeping in was due no doubt to imperfections in the system, but more to an abuse in the mode of nominations to the post of lambardar. The lambardari system was, it will be remembered, a creation of the British Government.

³² F.O. Mayne to Board of Revenue, NWP, 18th June 1870: NWP Revenue Progs, 29th April 1871, Index No. 4, December 31 1870, No. 28.

329

True, shareholders often preferred to pay their revenue quota direct to Government - and it was right that they should have this power: no tehsildar who understood his work would decline to take their payment (how else would Government get its revenue?). True, there were faults in the selection of lambardars: no woman or child should be elected. But these were minor objections. Elliott, in questioning the lambardars' utility, had challenged the whole principle of Government's non-interference. Mayne sided with Lind:

We interfere a great deal too much ... From my experience, lambardars, although not always made use of for collecting the revenue, are nevertheless mostly men of great influence and power in a village and are very useful and necessary institutions, and I think we should do wrong to destroy their legal status.³³

The Board agreed with the Commissioners and Government did nothing to remedy the defects in the lambardari system. As they saw it, it was 'an easier matter' - in H.S. Reid's words - 'for the Collector to deal with large agricultural communities through the more intelligent and powerful members of the body'.³⁴

The status quo was preserved. While the lambardars were retained, the Board recognized the Collector's authority to confirm 'co-sharers holding in severalty of possession but with undivided responsibility ... in their custom or wish, where such existed, to pay their quota of demand direct into the tehsili without the lambardar's intervention'.³⁵ Yet it was 'obviously undesirable', the Board admitted, that 'the work of collection from a large number of

³³ ibid.

³⁴ Note by H.S. Reid, Junior Member, Board of Revenue, NWP, 16th July 1870: NWP Revenue Progs, 29th April 1871, Index No. 8, December 31 1870, No. 32.

³⁵ Board of Revenue, NWP, Circular No. 1, 22nd March 1871: NWP Revenue Progs, 29th April 1871. Index No. 13. No. 34.

individual sharers should be thrown on the tehsili officials when a recognized agency for such collection already exists'.³⁶ In addition to the burden of paperwork on the tehsildars, there was also the greater risk of errors being made in the increasingly intricate accounts - a danger on which the Board had expressed its anxiety some four years earlier, in 1866.³⁷ The Collector was therefore urged to use his authority with the co-sharers 'sparingly and with discretion'.³⁸

Such orders were of little practical assistance to the overworked tehsildars. Government's reliance on them to supervise its relations with 'proprietors' demanded, theoretically, that they should be allowed a certain mobility to keep their tehsilis under inspection. Modernized procedure, and the acceptance of the breakdown in the lambardari system, created problems for the tehsildar which reflected those of the Collector above him. '... What modern Tehsildar has leisure, even if he has the aptitude, for ... constant visits to a distance from his headquarters?' asked Ricketts, Collector of Allahabad in 1865.

Owing to the elaboration of our Revenue system, its intimate combination with judicial functions, and the accuracy required from all Tehsildars in all their numerous statements, they are chained to their desks; the means of communication with their zamindars, or the source whence they obtain the knowledge of their villages, is through the Putwarees, who are never impartial or to be relied on ...³⁹

³⁶ ibid.

³⁷ Board of Revenue to Government, NWP, 13th July 1866: NWP Revenue Progs, 28th July 1866, Index No. 1, No. 12.

³⁸ Board's Circular No. 1, 1871: cit. sup., n. 35.

³⁹ G.H.M. Ricketts, to Offg Commissioner, Allahabad, 9th January 1865: NWP Revenue Progs, 6th May 1865, Index No. 8, February 18 1865, No. 23. Further problems arose where the tehsildars were 'appointees of influential men'. The tehsildar was also induced to stay in his office by blandishments offered by legal duties: 'The tehsildars (in Oudh), who are the officers primarily responsible

The patwari held hereditary office under a zamindar as the keeper of his accounts and transactions with the cultivators of his mahal. Government, in taking up these 'village records' as the basis of its revenue assessments in the settlements under Regulation IX, 1833,⁴⁰ recognized the 'village accountant', the patwari, as 'a Government as well as a village servant'.⁴¹ The application of new scientific standards to the business of assessment which came with the revision of settlements⁴² did not diminish the patwari's importance vis-a-vis the administration. The reluctance of Government to dispense with any of its recognized agencies was increased in this case by the overriding necessity to cut costs. As Oldfield, Collector of Farukhabad, noted in the course of a discussion in 1863 on the establishment required for the revision of his district's settlement,

The employment of the Putwarees will be no new feature, as they have always been the instruments through which all the operations of the Settlement have been primarily conducted, and as I presume it is not contemplated to dispense with anyone of the

39 (ctd.)

for the collection of the revenue, prefer judicial work, partly because it is more attractive and vested with more dignity in the ordinary native mind, and partly because it affords a better opportunity of attracting attention and thereby attaining promotion. Under such circumstances, it is not surprising that these officers do not find time to move about in their circles and acquire that knowledge of the character and condition of the people which alone can give them the means of forming an opinion how best to collect their revenue ...': Oudh Revenue Administration Report, 1874-75, p. 76.

⁴⁰ see Chapter III, p. 156

⁴¹ Correspondence re Lt-Governor's proposed alterations in the existing system of framing settlements in NWP: NWP Revenue Progs, 14th April 1864, Index No. 35, No. 29.

⁴² see Chapter III, pp. 156-7

systematic series of operations or the preparation of the various records which comprise a regular Settlement, I conclude the object of the Government is rather to reduce the amount of labour and expense of supervision, hitherto falling on the Government, by taking the fullest advantage of the existing records, and of the aid of Putwarees and Zamindars by enlisting their willing co-operation.⁴³

The patwaris were indispensable to the revenue administration not merely for the collecting of taxes but the conduct of its judicial business also. According to a note by the Lt-Governor in 1862, nine of ten summary suits (heard in the revenue courts) had to be decided 'almost entirely on the Patwari's evidence'.⁴⁴

The principles of modern administration demanded more of the patwari than had been required under Company rule. He should understand his work thoroughly; he should know the circumstances of the people within his jurisdiction; most important, he should be 'quite independent'.⁴⁵ At the same time, Government was anxious that measures to improve the patwari's services should leave his rightful position in the 'village community' undisturbed - he must remain the 'village' servant as well as Government's. The problem of the patwari's independence, under these conditions, persisted throughout the later 19th century.

⁴³ R.C. Oldfield to Offg Commissioner, Agra, 7th October 1863: NWP Revenue Progs, 26th March 1864, Index No. 52, No. 5. On the problems of co-ordinating local records with new standards of assessment, see Chapter III, pp.

⁴⁴ Government NWP to Board of Revenue NWP, 9th August 1862: NWP Revenue Progs, 9th August 1862, Index No. 25, No. 20.

⁴⁵ ibid.

Government's requirements for increased efficiency at 'village level' were clear: it was - and remained - a matter of how to achieve them. The first attempt was the introduction of the patwaris' halkabandi system, early in the 1850's, whereby contiguous villages were grouped together in halkas - circles - each to be served by one of the local patwaris, appointed by the District Officer in consultation with the zamindars. An official enquiry into the working of the system some seven years later⁴⁶ revealed the problems which 'modernization' entailed, given the limits Government had set for itself. The greatest concern was shown for the zamindars' opinion. In Agra and Meerut divisions, the halkabandis had met with general approval;⁴⁷ minor adjustments a few years later showed that Government was prepared to continue to follow the zamindars' wishes. The Commissioner of Meerut reported in 1863 that the patwaris' halkas in Saharunpur had been completed with as little change as possible - and where such had occurred, it was 'generally with the idea of bringing the various villages of one landlord into the jurisdiction of one patwari; a fact to which the zamindars themselves attach great importance'.⁴⁸ Government in this respect was even prepared on occasion to forego the interests of efficiency. Some twelve years after the enquiry, McConaghey found villages in Mainpuri situated at opposite extremes of a pargana grouped together nonetheless in a halka because they happened to belong to the same body of 'proprietors'.⁴⁹

⁴⁶ instituted under General Order (Revenue Dept.) No. 1567 A, 15th November 1860: Board of Revenue Circular Order S, 15th December 1860.

⁴⁷ Commissioner, Agra, 25th March 1861, No. 134, Progress No. 3618: NWP Revenue Progs, 11th January 1862, Index No. 40 No. 16 (some conflict with Aligarh zamindars only); Commissioner, Meerut, 30th April 1861, No. 276, Progress No. 5359: NWP Revenue Progs, cit. sup.

⁴⁸ G.E. Williams to Board of Revenue, NWP, 30th September 1863: NWP Revenue Progs, 2nd April 1863, Index No. 24, January 30 1864, No.24.

⁴⁹ M.A. McConaghey, late Settlement Officer, Mainpuri to Offg Commissioner, Agra, 24th March 1873: NWP Revenue Progs, March 1874. Index No. 11, November 8 1873, No. 83.

323

Elsewhere, the Government measures were not so well tailored to zamindars' requirements. Except in Cawnpore, where the halkas were drawn up with the zamindars' consent⁵⁰ as in the Upper Doab districts, the new system had met with vociferous disapproval in Allahabad division, where it had threatened to remove some patwaris and their offices from zamindari control.⁵¹ Reports from Jhansi and Benares told a similar story of discontent amongst the dominant zamindar maliks.⁵²

The fate of the halkabandi system in the overwhelming majority of cases was clear, as was the choice of action open to strong zamindars: they either controlled it or obstructed it. In both cases, there was little opportunity for the patwari to become the independent agent of Government which modern administrative principles so urgently required. The Commissioner of Rohilkhand was alone in his cautious conclusion that his district officers 'generally approved' of the new system 'as furnishing a more qualified class (of patwaris), more trustworthy because not so immediately dependent on the zamindars'⁵³ - the most optimistic assessment of the success of the measure in the whole enquiry. The Lt-Governor was satisfied nonetheless on the

⁵⁰ Collector, Cawnpore, 20th March 1861, No. 122: NWP Revenue Progs, 11th January 1862, Index No. 40, No. 16.

⁵¹ Commissioner, Allahabad, 1st April 1861, Progress No. 3817: NWP Revenue Progs, cit. sup.

⁵² Deputy Commissioner, Jaloun, 25th January 1861, No. 1 (forwarded by Commissioner, Allahabad - cit. sup.); Benares: Collector, Azamgarh, 31st December 1860, No. 509, Progress 358; Collector, Ghazipur, 3rd January 1861, No. 4 Progress 364; Collector, Mirzapur, 7th March 1861, No. 78, Progress, 2842: NWP Revenue Progs, cit. sup.

⁵³ Commissioner, Rohilkhand, 16th July 1861, No. 229, Progress No. 8483: NWP Revenue Progs, cit. sup.

receipt of these reports that the advantages of the system were patent and that such discontent as was expressed was 'partial'. The Board was asked to keep the system in view and to notice it in their Administration Reports, as a supervisory check.⁵⁴ Later in the same year - 1862 - the Lt-Governor recommended that the halkabandi system be extended to districts lying outside it up to that point, to correct frauds and abuses by introducing an enlightened professionalism into patwaris' activities.⁵⁵

Independent status for patwaris might well conform to the theoretical needs of Government but its situation in practice militated against it. There was the general principle of non-interference in the affairs of rural society for fear that disturbance of the zamindars might result in an upheaval of 'Mutiny' proportions. More immediately, there were chronic problems of shortage of trained staff and of the means to pay them.

As far as the patwaris were concerned, Government had made its position clear soon after its decision to retain the halkabandi system. The expenses of the patwaris were to be shared, but Government was to be a junior partner in the enterprise: 'For the proper remuneration of the Patwaris, the zamindars are entirely and solely responsible'.⁵⁶ Government's essentially supplementary payment for the patwaris' official services was also paid by the zamindars - indirectly, being fixed at a proportion of the revenue. Prior to the publication of the Saharunpur Rules in 1855-56, this stood at some 2% on the jama of each

54 Government NWP to Board of Revenue NWP, 6th January 1862: NWP Revenue Progs, 11th January 1862, Index No. 41, No. 17.

55 Government NWP to Board of Revenue, NWP, 9th August 1862: NWP Revenue Progs, 9th August 1862, Index No. 25, No. 20.

56 Government NWP to Board of Revenue, NWP, 30th January 1864: NWP Revenue Progs, 2nd April 1864, Index No. 26, January 30 1864, No. 20.

district. Thereafter, patwaris' salaries were fixed by order at Rs 80 p.a., and the zamindars' contribution increased to 5% on the revenue. This system of payment became legally standard throughout the NWP in 1860.⁵⁷ Incentives to improvement and good conduct were officially provided by the classification of patwaris into three groups: the first drawing Rs 120 p.a., the second Rs 100, and the third Rs 80. Appointments were made to each class according to experience and merit.⁵⁸ Subsequent rulings on the status and remuneration of patwaris provided for his supplementary allowance from Government as before: a Circular Order of 1874 fixed the rate of payment at Rs 5 to Rs 12 p.m., varying according to the size of a patwari's halka and the amount of revenue drawn from it.⁵⁹ These rates remained in force.

Not surprisingly, patwaris tended to maintain a certain diversity of interests, as circumstances suggested or compelled it. Things were no different in this respect between the temporary settled districts of the provinces - the majority, and the permanently settled parts of Benares division, where the halkabandi system had been introduced as

⁵⁷ Board of Revenue Circular Order No. 4, 4th August 1860. Under Board's Circular No. 8, 23rd September 1862, the 5% patwari cess was to be paid into the tehsil and the patwaris were to draw their wages through the tehsildar (which gave the tehsildar an interest in the control of the patwari ...)

⁵⁸ G.E. Williams, Commissioner, Meerut to Board of Revenue, NWP, 30th September 1863: NWP Revenue Progs, 2nd April 1863, Index No. 24, January 30 1864, No. 24.

⁵⁹ Board of Revenue, NWP, Circular Order No: 3, 25th February 1874: NWP Revenue Progs, March 1874, Index No. 16, February 28 1874, No.30 cf. the salary scale of superior appointments in the revenue administration: Appendix IX. Codifying legislation on patwaris (and their counterparts in charge of pargana-units, the kanungos): NWP Land Revenue Act, XIX of 1873 - amended, Act XV, 1886; Oudh Land Revenue Act, XVII of 1876; NWP and Oudh Kanungos and Patwaris Act, XIII of 1882 - amended, Act IX, 1889.

elsewhere with the pious hope of cutting down local administrative establishments to a size more manageable with the finances in hand. The Board soberly reported observations by the Collector of Benares showing that neither the new system nor the fixing of salary scales had cut the 'village' patwari free from his reliance on local resources:

... still in some cases the Patwari retains his Jagheer, and makes a private settlement with the zamindar about his pay, and in some cases still collects his pay from the assamees, instead of receiving it from the hands of the zamindar ... The Patwari then becomes a cultivator as regards his Jagheer, and a collector of his own pay in petty items from the whole community, whose accounts he is expected to keep honestly, and regarding whose affairs he is expected to speak truthfully. The duties of his office, if properly discharged, leave little time for agricultural employments ...⁶⁰

This 'proper discharge of official duties' was frustrated a priori in the majority of cases by the patwari's necessarily multiple status vis-a-vis Government and his own local society. It was a common assumption of the revenue administration that, as W.C. Plowden put it in reviewing Collectors' reports in 1868 on the state of the patwaris' papers, 'if things are properly and systematically looked after, village accountants are the Revenue Officer's most useful coadjutors'.⁶¹ Officers' experiences in putting the requirements of

⁶⁰ Board of Revenue to Government, NWP, 29th April 1867: NWP Revenue Progs, 25th May 1867, Index No. 35, No. 5. For animosity roused by the halkabandi system between (a) zamindars and Government and (b) zamindars and patwaris, aggravated by the imposition of the % cess on the revenue for the patwaris' payment, see correspondence preceding Board's report: NWP Revenue Progs, cit. sup.

⁶¹ NWP Revenue Progs, 15th August 1868, p. 6.

administration into practice continually proved Government's expectations to be as far out of proportion to the agency provided as the official remuneration was to the prescribed range of duties. Patwaris might prove themselves ignorant and unskilful (in the use of measuring instruments and for surveying the fields of the mahal), given to substituting relatives for the performance of tasks,⁶² and most irritating of all, absent when required by the district officer for some specific duty.⁶³ The impatience of superiors is understandable - the more so in view of the impossibility of many of their tasks - but it blinded them to some not unimportant distinctions. As a consequence, the inefficient, slothful or fraudulent patwari became confused with the dutiful official, co-operating with Government and zamindar, but saddled with an unending variety of conflicting claims to his services.⁶⁴

⁶² e.g., the complaints of the Settlement Officer, Allahabad (standard): NWP Revenue Administration Report, 1867-68, pp. 23-4.

⁶³ Extract from Capt. D.G. Pitcher's Diary, kept while on special duty in connection with the investigation of excessive mortality in Rohilkhand: NWP, Oudh Revenue Progs, July 1880, Index No. 39, May 3 1879, No. 85: cf. Alexander's observation in Moradabad, re the very large number of non-resident patwaris (of old-established families, mostly live in large towns): Moradabad Settlement Report, 1181, p. 113.

⁶⁴ see, e.g., the draft circular of instructions for a projected system of village (famine) relief, 1880: debate as regards the executive agency to implement the proposal and the question of supervision. Lt-Governor opposed the entrusting of the scheme to wealthy landlords, as was done in Bengal; their inexperience would result in inaccuracies and they 'would resent any interference in the shape of supervision unless it was conducted by high officers'... The 'cost of these would be so great that the game, in ordinary parlance, would not be worth the candle'. Therefore the Lt-Governor would prefer 'to work with the agency we find ready to our hand in the village patwari and in the supervising kanungoes ...': Government, NWP and Oudh to Government, India, 13th September, 1880: India Home, Revenue and Agriculture (Famine) Progs, October 1880, Progs No. 1. In reply, the Government of India regretted the rejection of landowners' assistance - which deviated from the Famine Commission's recommendations - and trusted the agency of patwaris and kanungos would be supplemented by that of 'landowners of good character, high position and local influence who possess and enjoy the respect of district officers': Progs, cit. sup., No. 2. Given the patwaris' circumstances, it seems inevitable that 'landlords' would play a prominent part in the scheme.

The confusions surrounding the patwari's status hampered the revenue officers in their Sisyphean task of compiling and maintaining a valid set of administrative records. Modern principles of government demanded the accumulation of accurate and comprehensive data on the condition of the provinces such as would be provided - it was claimed with all confidence - by the amalgamation of scientific techniques of measurement with the miscellany of 'village' papers corrected in the light of thirty years of settlement experience and the equitable principles of property.

Here (in the NWP) there has been a professional survey of the country: the boundaries and areas of all estates have been ascertained and carefully recorded. Field maps, showing every field, every uncultivated patch, every orchard and garden, every pond or water-course, the village-site, - in fact every portion of the estate in full detail, plotted to scale and admirably executed, have been prepared. In these Index maps, every field or plot is numbered. A list of fields, with corresponding numbers, forms part of the record; in this list the number of the field, the details of measurement, the name of the field, the name of the proprietor and cultivator, the area, the rent, are all recorded. Records of right, showing the tenure, share or position of every proprietor, sub-proprietor and cultivator, have been carefully prepared. Village administration papers, or bye-laws, noting the customs and rules for village management, present and future, providing for all contingencies connected with transfer of right by sale and purchase; mortgage; the rules regarding right of pre-emption, partition, succession, election of managers - are entered. In short, whereas in Bengal nothing was known, or hardly anything was known beyond the amount of the demand which was made permanent, here in the North-West every atom of information which can be required is immediately forthcoming.⁶⁵

⁶⁵ Muzaffarnagar Settlement Report, 1873, p. 11 (comment by Williams, 1866)

333

- which was in theory how things should have been. The tidy world of Williams' vision lay far from reality, as reports from settlement officers showed it to be. For a start, the myriad of cultivated patches, criss-crossed by strips of waste which made up a pargana frustrated attempts at accurate measurement even on the relatively small scale adopted by the professional survey. The approximations registered by the surveyors were also ephemeral: field boundaries fluctuated from season to season according to the following practices of different localities and of individual cultivators within them.⁶⁶ Surveyors' amins (field-clerks), saddled with this impractical business of detailed measurement, chose understandably on occasion to cut the Gordian knot. A map drawn up of part of an 'estate' in Mirzapur in 1865-66 turned out on inspection to be an exact copy of an original compiled in 1840, 'except that lines defining the fields were all drawn straight and at right angles to one another ... In the North-east corner ten additional fields were inserted' to represent the increase in cultivation.⁶⁷

The employment of amins brought other problems, in that the expense of maintaining them fell heavily on local society. 'What can be done is done to stop this, or rather to stop anything like exaction,' Crosthwaite reported from Moradabad in 1873, 'but the people think that the ameens can save or injure them, and are only too ready to bribe them, while the better class of zamindars would

⁶⁶ Maconochie's observations: Unao Settlement Report, 1867, p. 45; on typically diverse cropping-patterns in the provinces, see Chapter I, pp. 24-25; on the general tendency for 'estimated' to replace 'actual' in official records, under explicit sanction, see Chapter III, pp. 159

⁶⁷ Pollock, Collector, Mirzapur to Commissioner, Benares, 15th February 1868: Report on ... kham holdings ... lately separated from the possession of the Rajah of Singrowli...: NWP Revenue Progs, 2nd May 1868, Index No. 13, No. 19.

think it mean not to entertain them while they are in the village'.⁶⁸
Zamindars who spurned the services of the amins, on the other hand,
and turned their backs on the survey were liable to fines levied by
the Settlement Officer, required by regulation to ensure their
attendance on the surveying parties as a safeguard for their interests.⁶⁹
One way or another, the survey was an expensive business.

After the lengthy processes of surveying came the lengthy
processes of the settlement. As far as zamindars and cultivators were
concerned, this meant a second set of minor officials and their
demands following in the footsteps of the first.⁷⁰ The administration
however was saddled with new problems resulting from a marked lack of
co-ordination between the two field operations. While the surveyors
turned out maps of some 700 square miles p.a., the settlement department
was hard put to it to reach a total of between 350 and 400 square
miles p.a., inspected and assessed. This disparity was aggravated by
the fact that the survey department did not always supply its maps to
the settlement department as soon as required.⁷¹ Theoretically, there
seemed to be a choice of remedies available to Government: decrease the
survey staff or increase the settlement establishments. The Board

⁶⁸ NWP Report showing the progress of settlement operations during ... 1872-73: Abstract of Reports: Rohilkhand Division, 5: Moradabad, p. 16; cf. Agra Division, 8: Agra, p. 24. For similar happenings in relation to the subordinate administrative establishment on the canals, see Chapter II, pp. 109-10

⁶⁹ Crosthwaite, Report on ... settlement operations, cit. sup., p. 15. Crosthwaite stated his reluctance to coerce the zamindars to attend the survey parties (costly in terms of time as well as money) and to use fines for the purpose, 'except where neglect is contumacious and very marked'.

⁷⁰ Crosthwaite, *ibid.*, p. 16; for details of the duration of settlements - a 'system of blood-letting' - see Chapter III, pp. 167

⁷¹ Board of Revenue to Government, NWP, 27th January 1875: NWP Report showing the progress of settlement operations during ... 1873-74, p. 2.

recommended the latter, finding the other course of action impossible. As Buck, then Officiating Secretary to the Board pointed out, it was 'almost too late to do anything in this direction, even if it were advisable to do so. The Board doubt whether survey parties could be materially reduced without interfering with the departmental arrangement, and increasing the average cost of measurement.'⁷² The expenses of local communities on the other hand in entertaining settlement amins in greater numbers could not but increase.

The Settlement Officer's difficulties in co-operating with the survey department were little more than an irritant in comparison with his problems which arose in the course of registering rights over land. Government's needs dictated the arduous procedure of compiling the wajib-ul-arz or record of rights, the basic 'village' document. 'It is of course absolutely necessary that the proprietary rights should be clearly defined in order to distribute the revenue,' Alexander commented, 'and it is also necessary to have some fairly corrected record of occupancy and tenant right'.⁷³ Alexander made no bones about the labour involved in supervising the preparation of such documents (one for each village): 'by far the heaviest work in the settlement'. The headings of a typical wajib-ul-arz suggest this was no understatement:

- 1st: the history of the village, including all changes in proprietary possession
- 2nd: a detailed record of present proprietary holdings, with the distribution of Government demand in villages held in severalty
- 3rd: mode of collecting rents, rendering of accounts, payment of Government demand

⁷² ibid.

⁷³ Moradabad Settlement Report, 1881, p. 88.

- 4th: right of transfer and manner of succession
- 5th: appointment and removal of lambardars
- 6th: lists and rights in groves
- 7th: rent-free holdings
- 8th: rights to irrigation from wells, tanks etc.
- 9th: rights in homesteads, surais, bazars, etc.
- 10th: rights to grazing and manure
- 11th: appointment and removal of village servants
- 12th: list and rights of under-proprietors in talukdari villages
- 12a: list and rights of chakdars and subordinate proprietors
in independent villages
- 13th: 'cultivators, their customs and rights, what they give,
and what they are entitled according to the custom of the
country to receive'.⁷⁴

The wajib-ul-arz was an elaborate local codification of the principles of Pax Britannica and as such it warranted an attitude of solemn responsibility on the part of the officers charged with compiling it.

'It contains a summary and acknowledgement of every man's right and interest in the village, ' Maconochie declared, 'therefore much of the future peace of the community depends on it, and unless every custom, and procedure, is provided for, and laid down, disputes of all kinds will be constantly cropping up'.⁷⁵

Such hopes could rarely be satisfied. As in the case of the survey, local phenomena proved too elusive for the settlement officer

⁷⁴ Unao Settlement Report, 1867, pp. 49-51: for further details of the same scheme of classification, see Muttra Settlement Report, 1879, pp. 106-20.

⁷⁵ Unao Settlement Report, 1867, p. 49.

with his cumbersome recording apparatus. The formality of the wajib-ul-arz added interminable frustrations to his task of redacting material to fit the various headings, tying each piece to an artificial base in 'the village'. 'So great is the vitality of a real custom, neither party wishes ...(it) to be entered ...,' Moens complained from his experience in attempting to meet Government's requirements in Bareilly.

The cultivator is afraid of the payment becoming stereotyped, and that henceforward he will be deprived of all powers to refuse compliance with the demand. The zamindar is afraid; (1) of the endless disputes which a demand for entry of the custom would excite; and (2), lest a refusal of entry should be followed by a general refusal of the asamis to give the dues and services.⁷⁶

Where the impasse was resolved, it was usually in favour of the zamindar. Astute officers such as Redfern in Kheri district warned that too great a reliance should not be placed on the record of rights (and thus contradicting Government's own directives) because of the undue weight given to the 'proprietor's' case. 'The fact is,' Redfern explained candidly, 'that the persons who are interested in traversing any custom alleged by the proprietor are not always known to the verifying officer, and are not specially called or consulted; while they on their part do not voluntarily attend, unless a dispute between themselves and the proprietor is already aglow'.⁷⁷ If some administrative papers were merely one-sided, others had the more serious defect of being decidedly unreal. Crosthwaite asserted that these were in fact in the majority - records 'not of existing usages but of usages the Settlement Officer wished to establish or of conditions the then

⁷⁶ Bareilly Settlement Report, 1874, p. 110.

⁷⁷ Kheri Settlement Report, 1879, pp. 29-30.

proprietors (or some of them) were anxious to introduce'.⁷⁸ Some officers, faced with manifestations of local custom which they found frankly deplorable, employed the tactics of an ostrich and refused to recognize their validity by recording them - which was Currie's method of resolving the problem of the Rajah of Powayn's extortionate zamindari charges.⁷⁹ Meanwhile, legislation and judicial decisions on tenancy had resulted in several of the record's categories becoming obsolete and added to the settlement officer's selectivity as regards the recording of 'existing usages'.⁸⁰ In spite of all these known compromises, the wajib-ul-arz continued to be held in great regard from the point of view of the judiciary. 'The Civil Courts,' stated the Honourable Mr. Justice Turner, 'in compliance with the intention of the Legislature, have accepted the administration proper as entitled to the highest weight as evidence of the matters it purports to record ...' and he enjoined Settlement Officers to aim at accuracy, 'that as far as possible it may be worthy of the authority with which it is regarded by the Civil Courts,' and simplicity, 'that it may be easily understood by those whose rights may be affected by it'.⁸¹

78 Note on the wajib-ul-arz...: NWP Revenue Progs, 21st December 1867, Index No. 16, No. 15. Crosthwaite cited, by way of an example of such errors, the settlement officer in Mainpuri (at the last settlement) who inserted clauses regarding tenants' rights to compensation for improvements, et. al., - which 'may or may not have been beneficial but were not records of any existing custom or usage'.

79 Shahjehanpur Settlement Report, 1874, p. 99; see Chapter I, p. 53

80 Mainpuri Settlement Report, 1875, p. 99; Muttra Settlement Report, 1879, p. 106: in villages owned by a single proprietor, 'the law has now to a great extent settled the relations of the landlords and their tenants'.

81 Note on the wajib-ul-arz ... (presented to the conference of settlement officers, 1867): NWP Revenue Progs, 21st December 1867, Index No. 15, Progs No. 14; Turner echoed by Crosthwaite, cit. sup. n. 78; for a summary history of the legal recognition of the wajib-ul-arz in the provinces, see R. Cust, Junior Member, Board of Revenue, Minute on the wajib-ul-arz ..., 16th August 1867: NWP Revenue Progs, cit. sup., Index No. 13, No. 12.

The Courts tended to be more plain-spoken in their recognition of the nature of the wajib-ul-arz. The highest judicial authority, the Privy Council, defined it simply as 'the proprietor's document'.⁸²

The compilation of the wajib-ul-arz and the jamabandi, or 'rent-roll', was the focal point for the recording of local information for the purposes of Government under the revision of settlements. It was considered essential that proprietary title should be locally registered and the incidents of the landlord and tenant relationship classified in detail at village level, according to a comprehensible, if imported, set of criteria. It was equally important that regular accounts should be kept of the payment of rent - the economic basis of the contract between a landlord and his tenants. These two documents were to assist Government in its role as tax-collector and magistrate. Its proprietorial interests were to be served in addition by statistical information on the condition of the estate, collected again at village level - figures of population distribution, of the outturn of principal crops per harvest, of facilities for irrigation and for local marketing of produce, etc.

The task of assembling and maintaining such detailed local records demanded the co-operation of the most senior members of the district administration - the European district and settlement officers - and the local, part-time officials with their ambiguous status as servants of Government and 'the village', the patwaris. Data accumulated in the first instance by the patwaris was to be

⁸² Uman Parshad v. Gandharp Singh: extract from judgment by the Judicial Committee of the Privy Council, 6th July 1887, reported in NWP, Oudh Revenue Progs, February 1888, File No. 261 A, Serial No. 1, Progs No. 10; further statements re the legal value of the wajib-ul-arz: Muhammad Hasan v. Munna Lal ILR 8 All 434; Ishri Singh v. Ganga ILR 2 All 876 (both cases on right of pre-emption)

processed under European supervision in accordance with modern principles.

Problems which soon manifested themselves in the course of the settlements destroyed much of the symmetry of such a plan. The supervision officer's position in the administrative hierarchy placed him forever at a distance from the sources of his information, a predicament which the growing burden of paperwork and his mobility in terms of furlough and promotion could only aggravate. The standards of scientific precision proved in practice difficult if not impossible to meet with the means to hand: the settlement officer could not establish the 'rent-rate' except by his own estimates;⁸³ the surveyors could not plot the agricultural pattern of a pargana. The standards however remained unaltered: Government required local records to conform to them, and local officials, forever assuming the existence of a phenomenon which it was unable to create, viz. the patwari as a disinterested public servant. Correspondence between the records patwaris kept for 'village' purposes, according to their zamindars' requirements, and the criteria set by the administration to serve its needs was inevitably coincidental, and relatively rare.

The European officers' position was unenviable. While they admitted to the central importance of the patwaris' records, their field experience led them to question the extent to which such data could and should be relied on for administrative purposes. Auckland Colvin's report in 1864 on the lax state of morals as regards public accounting in a pargana of Muzaffarnagar district reflected a widespread concern over the state of the patwaris' records which inspection revealed to be highly dubious. Amounts of produce were 'invariably entered at haphazard' in the official accounts; foreclosure of mortgages went unnoticed; details as regards

⁸³ see Chapter III, pp. 159 ff

possession remained unspecified; deaths of proprietors escaped registration. All of which led Colvin to conclude, legitimately, that 'the present system of village registration is very imperfect and carries in it seeds of serious mischief'. Meanwhile, these records were accepted as 'the basis of hundreds of decisions affecting landed property'.⁸⁴

Colvin was aware that the circumstances of the patwari, in spite of the halkabandi system, made this inevitable. He pleaded for practical encouragement, in the form of a rise in salaries, increased facilities for supervision and the removal of the 'most dangerous duties' from the patwari's charge, to overcome fraudulence and error and safeguard the integrity of the official records.⁸⁵ Government did not see itself in a position to implement any of Colvin's recommendations, and official misgivings about the state of local records could not but persist. 'It is a crying shame,' exclaimed Cust, Junior Member of the Board of Revenue in 1867,

that, with such a machinery, costing so much to the State in the salaries of the two higher grades, and to the landholders in the salaries of the lower grades, there should be such indifferent results. It comes to this, that if during the next five years something better cannot be attained, the time will have come to ... dismiss the whole establishment ... The Patwari must not be allowed to be the bailiff, or private servant of the landowner, or the money-lender and shopkeeper of the village ...⁸⁶

⁸⁴ Muzaffarnagar Settlement Report, 1873 (pargana reports, 1864), pp. 111-12; cf. the general observations of C.A. Elliott, Note on Registers of Landed Property: NWP Revenue Progs, 21st December 1867, Index No. 24, No. 23.

⁸⁵ Colvin, Muzaffarnagar Settlement Report, cit. sup. In that district, Bhyachara villages usually put the patwari's appointment up to competition and the highest bidder took it.

⁸⁶ R.N. Cust; Note on Registers of Landed Property: NWP Revenue Progs cit. sup., n. 84, Index No. 23, No. 22.

Five years passed, and an enquiry into the status and remuneration of the patwaris of the NWP in 1873 revealed the same lamentable state of affairs; the compilation of papers was corrupt; maintenance of correct records was impossible.⁸⁷ Settlement and district officers had in these circumstances little alternative but to decide their revenue cases on the basis of a fraudulent anachronism. The patwari still tended to be the bailiff or private servant of the landowner⁸⁸ - or "words to that effect in Hindustani". The importance of the documents had not diminished, nor, in consequence, the need for better supervision to ensure correctness - nor the awareness of the Board of Revenue of such need, nor Government's intransigence as far as meeting it was concerned. 'The Government agency (as regards payment of the patwaris) is not sufficiently effective,' H.S. Reid declared flatly, 'and is not likely to be strengthened ... The benefit of correct papers is chiefly felt by landlords and cultivators, and charges necessary to ensure their accuracy may be properly debited to them from existing funds if the Treasury cannot meet them'.⁸⁹

This pronouncement carried a note of finality, as was borne out in later years. No adequate standard of correctness could be attained nor careful supervision ensured while the patwari's rate of pay remained below subsistence level, the zamindars' control undisturbed and the senior field officers remote and overworked.⁹⁰

⁸⁷ C.W. Carpenter, Settlement Officer and Member of Nynee Tal Revenue Code Committee to Board of Revenue, NWP, 17th April 1873: NWP Revenue Progs, March 1874, Index No. 7, November 8 1873, No. 70; J.F.D. Inglis, Senior Member, Board of Revenue, Minute re remuneration and status of patwaris ..., 15th August 1873: ibid., Index No. 12, November 8 1873, No. 84.

⁸⁸ H.S. Reid, Junior Member, Board of Revenue, Minute on patwaris' status and remuneration, 8th August 1873: ibid., Index No. 13, No. 83.

⁸⁹ ibid.

⁹⁰ for the impracticability of proposals made by E.C. Buck, due to the settlement officer's lack of control over the patwaris' pay, see Alexander's comments, Moradabad Settlement Report, 1881, pp. 113-14. The same state of affairs persisted in Oudh, where the patwaris were

The impasse persisted. Faulty records added to the burdens of routine administration, which in turn prevented the senior officers from applying such correctives as their supervisory powers allowed. Meanwhile, the reliance of all branches of Government on the (unreformed) patwari showed no signs of abating in deference to the acknowledged shortcomings in the rich miscellany of documents which stood as 'village records'. 'Without the co-operation of the village accountant,' J.A. Baines, Census Commissioner in 1891, wrote with enthusiasm,

I must admit our statistical information about India would be grievously circumscribed. Births, deaths and the census are all within his province in addition to his more special functions in connection with the record of cultivation, assessments and transfers of land. A demand for information on any one of these and even more various topics, rolls down from the seat of Government over the three steps of the district officer, his assistant, and the sub-divisional officer, till it falls on the village accountant, who duly provides the data required (sic), which are hoisted back by the same route, losing at each stage, I fear, some of their picturesqueness and originality.⁹¹

If something of the special flavour of local records seemed lost in this process of refining, much undoubtedly remained - including a certain obstinate refusal to conform to the official requirements of accuracy. District officers, for example, were instructed to submit four statistical statements annually, as follows:

90 (ctd.)

generally under the thumb of talukdars, with whom district officers could not interfere: I.F. Macandrew, On Some Revenue Matters chiefly in the Province of Oudh, (Calcutta, 1876), pp. 82-4.

91

J.A. Baines, The Distribution and Movement of the Population in India, Journal of the Royal Statistical Society, March 1893, pp. 15-16.

I Classification of lands and crops

II Distribution of principal crops in (1) irrigated and
(2) unirrigated lands

III Average outturn of principal crops per acre

IV Distribution of produce: whether imported or retained for
consumption.

By 1872, experience had questioned this procedure sharply.

The Board agreed that the reports called for from officers on the subject showed the uselessness of continuing with the statements and qualified its conclusions by the merest suggestion for remedial action:

If irrigation otherwise than by canals were struck out of Statement I, that and Statement II might in time be fairly reliable. But except at large cost, there seems ... little hope of getting information on the other heads, which is worth the paper it is printed on. In short, it is absolutely impossible for the District Officers to give the returns required in Statement IV, or those in Statement II and III, without a special establishment for the purpose, and though No. I can be given, it is hardly necessary to do so.⁹²

The Lt-Governor duly recommended to the Government of India that the statements be discontinued.⁹³

In 1874, the Department of Agriculture was founded in the NWP with the avowed aim inter alia of collecting adequate statistics on agrarian and commercial conditions - but without the means to set up that "special establishment" required to transform aims into action.⁹⁴

⁹² Board of Revenue to Government, NWP, 6th December 1872: NWP Revenue Progs, January 1873, Index No. 3, January 4 1873, No. 25.

⁹³ Government, NWP to Government, India (Department of Agriculture, Revenue and Commerce), 30th December 1872: ibid., Index No. 4, No.26.

⁹⁴ on the new Departments of Agriculture and their reliance on the cadre of the revenue administration, see Chapter II, pp. 126-8

Its parent body in Calcutta suffered from the same fundamental deficiency. Two years later, Knight launched the first number of his Indian Agriculturist with a tirade against the administration on the first page. 'Remembering that the Indian Government is the great landlord of the soil,' he taunted, 'it is a heavy reproach to its Department of Agriculture and Revenue that it knows nothing with certainty to this hour of the cost of cultivation, or the yield of any single product whatever, but - the poppy! although we possess exceptional means of information at our command'.⁹⁵ Annual reports of the provinces' Agriculture Department, filled with accounts of the Court of Wards' estates and lavish detail as to experiments in progress on the model farms⁹⁶ observed a discreet silence on the question of general crop statistics, which lay far beyond its means to ascertain. Descriptive information of any comprehensive order on the state of agriculture from year to year was confined to the few paragraphs in the Administration Reports of the Board of Revenue; after 1884-85, this source dwindled to token estimates, in annas, of total outturn per divisions. More precise data on detailed questions belonged to the province of the patwaris, and was subject in consequence to a variety of hazards. In Jhansi division where the condition of the cattle frequently gave serious cause for concern, a break in the mortality figures was registered for 1889-90. It appeared 'comparatively healthy ... , but as the patwaris were on deputation to Settlement work, the Deputy Commissioner has not found it feasible to obtain the usual statistics.'⁹⁷

Trade figures for both the NWP and Oudh were notoriously

⁹⁵ Indian Agriculturist, 1st January 1876, No. 1, p. 1.

⁹⁶ see Chapter II, pp. 130-32

⁹⁷ NWP Revenue Administration Report, 1889-90, p. 7.

inadequate.⁹⁸ Twenty years after the first official system of traffic registration was established for the NWP in 1877, deficiencies in information as to the movement of staple articles of trade remained substantially unremedied. J.S. Meston, Director of Land Records and Agriculture in the provinces in 1898 drew the Government of India's attention to the limits of available data on the balance of export and import - 'The statistics for this factor ... are by no means absolutely complete and probably never will be so'. Returns consisted of accounts of rail-borne traffic, and road traffic between the provinces and Tibet and Nepal. No registration had ever been instituted for the 'large avenue of trade' by road between the provinces and the adjoining provinces and native states, except at isolated points 'and incidentally in connection with other objects of investigation'; for the other 'large avenue', along the Ganges and Gogra to Bengal, 'only fitfully collected figures' were available: for 1886-87, 1888-89, 1893-94. Meston believed the total traffic statistics to 'involve a margin of error (omission) up to 10%'.⁹⁹

The collection of comprehensive trade statistics was hampered not merely by the complexities of communication lines linking up the provinces and their neighbouring districts, nor by the paucity of registration points. Problems of a familiar kind arose in this connection also from the 'subordinate establishment'. The Oudh Board of Revenue cautiously suggested in their Report for 1870-71 that the trade returns for the year represented an advance on their predecessors in terms of correctness, 'but', they added,

⁹⁸ see Chapter IV, pp. 238-9, n. 89, 90

⁹⁹ Memorandum on existing Food Stocks in the NWP and Oudh: India Famine Progs, March-June, 1898, File No. 127, Serial No. 16. 10% is undoubtedly an underestimate.

so long as the funds at the disposal of the Administration compel it to keep the salaries of the registering clerks at a limit of Rs 4 per mensem, it is hopeless to expect accuracy and steady work at the registration posts. The clerks are of too poor a class to command respect; they are armed with no real authority. There hence arises a difficulty, which as yet is less real than conceivable. "If a carrier represents his cotton as Berlin wool or his brick-dust as diamonds, the clerk may doubt the information but may not satisfy himself by practical demonstration". At the same time the clerks are absolutely in the hands of the carriers, as regards the weight and value of the goods exported and imported and it is hard to say in what degree the returns approximate to the truth.¹⁰⁰

The registration of vital statistics was, understandably, entrusted to local agency: village officers and chaukidars, or police (paid by the zamindars).¹⁰¹ Government had taken a stand against systematizing population counts as far as agricultural communities were concerned, probably in view of the momentous task of maintaining regular records, not to mention the expense. As late as 1893, in answer to a query as to why the Famine Commission's recommendations in this respect had not been implemented, Government made its position plain. 'Generally speaking, the existing law makes registration of vital statistics compulsory in towns and municipalities, but ... it has not been found practicable or desirable, having regard to the conditions of native

¹⁰⁰ Oudh Revenue Administration Report, 1870-71, p. 47. The numbers but not the salaries of clerks increased.

¹⁰¹ Unao Settlement Report, 1867, pp. 30-31; Sir W. Muir, Minute on the Assessment and Payment of Rural Police (Chowkidars), 28th May 1868: NWP Revenue Progs, 27th June 1868, Index No. 30, No. 35 (cess of a % on the jama to be fixed according to districts, for police maintenance).

society, to extend this system generally to rural areas'.¹⁰²

Trouble could arise when Government needed statistical information as regards rural communities, as for example in the famine years of 1877-78, in order to measure the extent of the phenomenon. Pitcher reported how Government, in its zeal to secure accurate mortality figures in Shahjahanpur warned the chaukidars by a circular order that failure to register deaths would result in six months' suspension.

'It is not surprising then,' Pitcher continued,

seeing that house-to-house verification had never been carried out, if some chaukidars thought that a higher rate of mortality might get them a better name, or that when deaths began to occur very frequently a panic seized them, and they elected to report every disappearance in a death¹⁰³

- which illustrated the Government's dilemma in enforcing its temporary requirements of registration.

Whether dictated by the incoherence and inadequacies of local records for the purposes of administration, or merely reinforced by them, Government's zeal for special enquiries as an obligatory condition precedent to official action was marked. Even matters which were the direct concern of the revenue administration and would seem at first sight at least subjects for a brisk report and a correspondingly succinct decision were exposed to the procedure of a full-scale enquiry, in deference to the serious concern of the administration.

¹⁰² Government, India (Home Department - Sanitary), 15th August 1893, Summary of Measures adopted on the Recommendations of the Famine Commission: India Revenue and Agriculture (Famine) Progs, January 1894, Serial No. 7, No. 19; see also Famine Commission Report, 1879 (1881), Ch. II, sec. 1 and Ch. VI, sec. I of Part II (recommendations).

¹⁰³ D.G. Pitcher, Report on the Excessive Mortality recorded for ... Rohilkhand ... 1877-78, para. 21: NWP, Ough Revenue Progs, June 1879, Index No. 17, No. 118.

The 'urgent problem' of the re-adjustment of revenue kists¹⁰⁴ was one such matter. The question of the policy involved in the timing of the kists was first raised - inconsequentially - in 1839. C.A. Elliott revived it thirty years later¹⁰⁵ and it was taken up by the Secretariat. The Board's Circular Order AAA of 28th July 1870 invited revenue officers' opinions. An abstract of these was forwarded with the Board's views, for Government's orders on the 16th March 1872. In reply, the Government's General Order of 2nd April requested Inglis' opinion as Senior Member of the Board. Inglis' opinion was subsequently recorded in a note sent to Government on 13th December. According to General Order of 18th April 1873, Government then 'fully discussed' the question, laid down its principles and requested the Board to frame instructions on them for the revenue officers' guidance. A draft circular was submitted by the Board to Government, dated 22nd May 1873. It was subsequently found necessary, however, to amend this draft and the revised version was sent in substitution dated 23rd September. Meanwhile - the Board had 'received for compliance' (through the local Government's General Order of 20th August 1873) a requisition from the Government of India (who had seen the correspondence in the Proceedings) for a statement showing the proposed changes in instalments and their financial results. The Board stated nothing could be done towards meeting this requisition till orders were passed on the circular they had submitted. The circular was approved by a General Order of 23rd October 1873 and issued on 25th November. The first replies however showed that the information submitted was likely to be insufficient to enable the Board to form any opinion of the propriety of such proposals as were made. The Board therefore issued a second circular, dated 6th March

¹⁰⁴ see Chapter III, pp. 201 ff

¹⁰⁵ Elliott to Commissioner, Agra: Revenue Reporter, 1869, IV, 11.

1874, requiring fuller details in answers supplied to the original circular. Replies which were sent in to the Board subsequent to the second circular, 'though still wanting for many districts', were reviewed by the Board in August. It then appeared that para. 7 of the original circular had not been properly followed, in that the instructions to state the date and amount of each instalment had not been sufficiently observed. Therefore a tabular form was issued with the Board's next circular, of 7th October 1874. By 11th January 1875, replies to this were being received and were stated to be nearly complete.¹⁰⁶ The submissions of the overburdened district officers had not however proved satisfactory. In view of the gravity of the matter at issue, the Board concluded cautiously, after five years' deliberation,

The information and knowledge of agricultural facts, upon which the arrangement of revenue instalments should be based, is too little advanced to enable district officers to frame their proposals in accordance with the instructions enunciated by Government and by the Board. But the collection of facts and the application of the knowledge gained from them must be a work of time, and it is for this reason that the rules which the Local Government have lately issued contemplate a gradual rather than an immediate change ...¹⁰⁷

The Secretariat's craving for more detailed information could never be satisfied. Reports compiled by district and settlement officers in the course of their duties provided data and often acute

¹⁰⁶ Government NWP to Government India (Department of Revenue, Agriculture and Commerce), 2nd February 1875: NWP Revenue Progs, February 1875, Index No. 23, February 6 1875, No. 42.

¹⁰⁷ Board of Revenue to Government, NWP, 11th January 1875: ibid., Index No. 17, February 6 1875, No. 36.

observations on a wide range of specific matters to order - the mode of cultivation of indigo, for example, or the spread of reh in certain zamindars' estates in canal districts; or they gave comprehensive descriptions of conditions ruling generally in a district within the period when its revenue settlement was revised. As far as administrative purposes was concerned, however, the rich miscellany which constituted the official records suffered from two serious defects: lack of co-ordination and of continuity. In the absence of adequate means to maintain and improve them regularly, the records could not be amended satisfactorily by such special enquiries as Government launched from time to time. These were prompted by disasters engulfing agricultural communities so severely as to attract 'public notice': the appointment of a Commission of experts to examine the agrarian conditions of India in relation to the great famine of 1877-78, 1879 is a case in point. Inevitably, it fell to the overworked revenue establishments to supply the local information for the experts' judgment. Inevitably, the data collected failed to meet the requirements.

In 1887, irked by public assertions in England to the effect that 'the greater proportion of the population of India suffers from a daily insufficiency of food', Government in the person of the Viceroy, Lord Dufferin, ordered a large-scale enquiry into the condition of the lower classes of agriculturists.¹⁰⁸ The seriousness of the procedure was marked. A Circular Order - confidential - was

¹⁰⁸ for brief summaries of the background to the Dufferin Enquiry, see W. Digby, 'Prosperous British India', (London, 1901), p. 306, and also pp. 157-58, 316-17, 448, 565; recently, B.M. Bhatia, 'An Enquiry into the Conditions of the Agricultural Classes in India, 1888', Contributions to Indian Economic History, I, (Calcutta, 1960), pp. 80-94, at pp. 80-1. Both Digby and Dr. Bhatia place undue reliance on the statistical data of the enquiry.

sent to the provincial administrations, defining the limits of the enquiry and placing great emphasis on precision: Government demanded not general comments, but facts and statistics according to selected households per district.¹⁰⁹ Subsequent reminders followed the initial Circular Order, enjoining urgency in view of Lord Dufferin's departure from India earlier than had been anticipated and the necessity of completing the enquiry accordingly.¹¹⁰

The local Governments set to work to organize the collection of information as instructed - a time-consuming task. In the NWP and Oudh, the Circular Order (again confidential) which instructed the Commissioners of divisions as to how to proceed with local investigations was published by the Secretariat on 12th January 1888,¹¹¹ nearly five months after the first Order from Calcutta. By 8th June following, such reports as had reached the Government offices at Allahabad were collected together, covered by a letter of the Director of Land Records and Agriculture summarizing their content and despatched to Calcutta on 25th July: the submissions covered fourteen of the forty-two districts.¹¹²

The obstacles encountered in the course of the enquiry had been formidable. Throughout Agra Division, and especially in the districts of Muttra, Etah and parts of Etawah, the kharif of 1887 had been a near-total failure. Since, as the Commissioner observed,

¹⁰⁹ Government of India Circular Order 44 8 - I, (Confidential), 17th August 1887.

¹¹⁰ Government of India Circular Order No. 35 (Confidential) 21st March 1888.

¹¹¹ Government NWP, Oudh, Circular Order 53 S I-6, (Confidential), 12th January 1888.

¹¹² for the districts covered by the Enquiry, and by the Famine Commission of 1879, see Map: Administrative Districts.

'the cultivator lives on the autumn harvest's produce, and pays his rent chiefly from the spring harvest ... , a year where the cultivator has no autumn crop is a bad one to inquire into the sufficiency of the cultivator's food. During the past winter months, the cultivator had certainly not a sufficiency of food. The particulars collected in Muttra at any rate,' he added, 'are interesting only as showing how this class pull on in times of scarcity'.¹¹³ Otherwise, the reports of his district officers could offer nothing beyond general facts as to the common condition of local food supplies. Elsewhere, frustrations arose from the failure of the Secretariat to time its requests in conjunction with district officers' routine. 'Such an inquiry as is contemplated in the orders of Government can only be made during the tour season,' Lumsden commented from Benares, 'and it is to be regretted that the orders on the subject were not received before half the tour season had passed'.¹¹⁴ By this time, the officers were well occupied with their inspection of tehsili accounts, the hearing of revenue disputes and a myriad of items of local business. Their reports did little more than corroborate the general impressions which already filled bulging files in Government offices - a conclusion which the Commissioners of Allahabad and Rae Bareli admitted to without surprise, given the circumstances.¹¹⁵

113 W. Kaye, Commissioner, Agra to Director of Land Records and Agriculture, NWP, Oudh, 29th May 1888: Dufferin Enquiry, (Enclosures, NWP/Oudh), p. 3.

114 J.J.F. Lumsden, Commissioner, Benares to Director of Land Records and Agriculture, NWP, Oudh, 14th April 1888: ibid., p.129.

115 A.J. Lawrence, Commissioner, Allahabad, to Director of Land Records and Agriculture, NWP, Oudh 10th April 1888: ibid., p.120; F. Currie, Offg Commissioner, Rae Bareli to Director of Land Records and Agriculture, NWP, Oudh, 2nd April 1888: ibid., p.173. cf. comments by Holderness, Collector of Pilibhit, submitting 'notes of such enquiry as I have been able to make at intervals during the last three months ... The inquiry is very imperfect, but as the sole European officer here, I have found my time

The greatest impediments of all were raised by the nature and terms of the enquiry itself. It asked the impossible, even of officers whose duties in the field placed them in an unrivalled vantage point vis-à-vis agrarian conditions. Stoker, Settlement Officer in Bulandshahr district in 1887, in submitting 'the following considerations', showed one reason why:

My daily work for five months in the year brings me into contact with the people in their fields and villages; I am surrounded by them for hours every day; for weeks together I speak to nobody else; I see them under every condition, and hear all their complaints. It is part of my business to visit every one of their homesteads, and to note generally their style of living, their appearance, the character of their houses, their surroundings, their stock and equipment. It is impossible that any person of ordinary intelligence and observation can mix on these terms with the people and remain in ignorance of such broad facts as to whether they are sufficiently fed and clothed and properly equipped for the business of agriculture. If no more than this were required, I could at once and with some confidence give an answer to the inquiry which is now made ... But ... generalizations are not required, but an inquiry is to be instituted into specific cases. This I feel bound to represent that I do not think I can carry to a useful or safe conclusion. It is the object of every person who lives by the land to place the condition of himself and his industry before the Settlement Officer in the most disparaging light. It will be useless for me to say that the inquiry has no connexion with settlement; I will not be believed. I cannot divest myself of my official character. Every man whom I question will believe I am seeking a basis on which to assess his rent or revenue, and he will

115 (ctd.)

occupied by other matters': T.W. Holderness to Commissioner, Rohilkhand Division, 13th April 1888: ibid., p. 106.

answer accordingly. He will declare that his fields do not return even the seed and labour, and that he and his family are starving. The evidence of my own sight will show him to be lying; but unless I make an inquisition and hunt up evidence, the record will misrepresent the facts. And, indeed, the evidence being that of his fellows, will most likely support than contradict him. These are not mere speculations. I find ... that since I have been engaged in settlement work my relations with the people are much changed. I am regarded as an enemy, to be opposed by their only weapon, that is to say, deception. I tried at first when going among the fields and villages to help the people by explaining to them such matters as the great improvements which have recently been made in the methods of well-sinking, or the better methods of cultivation I had seen followed, or better staples grown in other parts of the country. I desisted only when I found myself credited with the Machiavellian policy of seeking in this manner fresh grounds and reasons for raising the revenue. My object in making a house-to-house inquiry will certainly be misunderstood, and the facts will certainly be misrepresented. I can answer for the accuracy of my own observations; but I do not think the information supplied by cultivators or proprietors will be equally trustworthy.¹¹⁶

Where European officers were replaced by 'native' subordinates, as in Etawah during the Collector's furlough, where tehsildars were

¹¹⁶ T. Stoker, Settlement Officer, Bulandshahr to Commissioner, Meerut, 3rd February 1888: ibid., pp. 1-2. cf. NwP Revenue Administration Report, 1864-65, p. 2, re returns of value of agricultural produce to be submitted by Collectors: 'as their value will depend upon their accuracy, and as the habitual distrust of the natives by which the Government is actuated in directing such information to be furnished will for a long time tend to the concealment of the real outturn of the crops by the cultivators, much reliance cannot be placed upon the results which will be reported for some years to come ...'

entrusted with the compilation of data for the enquiry, impossibilities persisted. Alexander reported how their calculations of cultivators' annual budgets had been reckoned theoretically on the basis of so many people per family, so many seers' expenditure on food at such and such average price, with little or no regard to the actual amount involved - a hopeless task in any case, Alexander himself admitted, 'dealing with a long period like a year and after an interval of several months'.¹¹⁷

Others amongst his colleagues were more sweeping in their condemnation of the terms of the enquiry. 'I have the honor to state,' Porter wrote from Shahjahanpur, 'that, after much consideration and consultation with persons well acquainted with the subject, I have found it impossible to make an exact valuation of the normal income and expenditure of the poorer classes in this part of the country ...'¹¹⁸ The problem was fundamental. The food-supply of the majority of cultivators, the object of the enquiry, could not be assessed by the statistical means of monetary calculations which official instructions insisted should be employed. As McMinn had noted nearly twenty years earlier with regard to conditions in Oudh,

... the poorer classes habitually use as food things which never appear in the market quotations: dried blossoms of the mahwa tree, stones of the mango and other fruits, leaves and tops of gram, a very wholesome and palatable vegetable, and millet stalks - all are

117

E.B. Alexander, Collector, Etawah to Commissioner, Agra, 15th May 1888: Dufferin Enquiry, (Enclosures, NWP/Oudh), p. 101.

118

J.S. Porter, Collector, Shahjahanpur to Commissioner, Rohilkhand, 15th May 1888: ibid., p. 106; so also, W. Lane, Commissioner, Meerut to Government, NWP, Oudh, 3rd April 1888: ibid., p. 1.

common articles of diet. 119

Like the Famine Commission's Report, the Dufferin Enquiry resulted in an accumulation of a wealth of accurate, informative but unwanted observations which the administration could not utilize and a mass of budgetary statistics conforming nominally to requirements but in content, useless.

The policy of non-interference, the chronic lack of qualified staff to execute even routine duties and the persistent refusal to take action on fundamental issues on the grounds of a dangerous insufficiency of knowledge, which could not be remedied - all contributed to circumscribe Government's activities as a benevolent proprietor of its Indian estate. More forceful and lasting constraints, however, were exercised in the direction of public finances. While the rents of the property rose and their collection was ensured in spite of fluctuations in the condition of the harvests, a minute proportion was returned to the provinces in the form of expenditure on local agriculture. Instead, the maintenance of the cumbersome administrative machinery headed the list of home charges.

To complete this assessment of the consequences of modernization in the later 19th century, it remains for the costs to be accounted for - to Government, local society and to the condition of agriculture.

119 C.W. McMinn, Introduction ..., pp. 181-83 at p. 181; for attempts to solve the insoluble problem of estimating amount of food-grains required for local consumption (and consequently the amount available for export), see Patterson's notes à propos of Fatehpur district: allowing $1\frac{1}{2}$ lb. per cap. daily, some 4,542,972 maunds would be required annually for the district (total produce estimated at 5,905,136 maunds): Fatehpur Settlement Report, 1878, pp. 22-3 cf. Sir C.A. Elliott's estimate of consumption throughout the provinces in a famine year: $1/6$ th of a ton per cap.: Memorandum on existing Food Stocks in the NWP and Oudh, 15th January 1898, para.4: India Famine Progs, March-June 1898, File No. 127, Serial No. 16. The general observations of McMinn, the Famine Commission, and the Dufferin Enquiry inter al. showed the uselessness of such calculations.

CHAPTER VII: THE COST OF INNOVATION

The physical presence of British power in India had created an impressive spectacle. The miles of canals, roads and railways constructed; the telegraph lines; public offices, law courts and jails; the imposing Secretariats and Residences of the provincial capitals; the civil lines of bungalows housing the European administrators and business men; barracks for a military establishment of some 70,000 British troops - all this contrasted boldly with the mud and thatch villages of the rural hinterland and inspired confidence on the part of European onlookers, and of officers committed to careers in the Indian administration, in the ability of a western Government to foster the cause of progress. 'A great deal might be made by a strong European Government out of the united provinces of Lebanon and Damascus,' Robert Cust reflected, in recording his impressions of the Levant which he visited on furlough from the NWP in the early 1880's:

There are ample natural resources, an industrious people, and a sufficient seaport. Progress has been made since the European powers asserted their authority in 1860, and, if the hateful and baneful Turkish rule were swept away, and replaced by a firm and sympathetic Government, powerful to punish, and yet wise enough to leave the people alone, - which is the secret of our success in India, - these Provinces would be developed, and some day a more secure route for commerce would be found eastward of Damascus to the Euphrates and beyond.¹

The replacement of Government, as envisaged by Cust, was a costly undertaking. A modern administration incurred colossal charges. The public expenditure for Oudh, for example, totalled

¹ R. Cust, Tour of a Cook-party in Egypt and Palestine (Calcutta Review, LXXXI (1885), pp. 311-29 at p. 326.

some Rs 10,039,986 as early as 1870, itemized as follows:

Civil administration,	6,155,100
Military establishment	2,650,546
Imperial public works	1,233,848
Agriculture	492

- and paid from the land revenue.² The revenue administrations ran up annual charges of millions of Rupees in establishment costs: for the NWP alone, the bill for 1871-72 came to Rs 2,457,398 (more than 4½% on the revenue collected).³ This did not include the prodigious expenses of survey and settlement operations. These had begun, in 1854-55, at a mere Rs 5,260, 9. 7. By 1860-61, they had reached Rs 250,150. 1. 0. Five years later, the costs of settlement had risen to Rs 417,454. 2. 6. By 1871-72, a figure of Rs 1,035,003 was given for the annual charge - the total cost to date amounting to no less than Rs 7,266,037. 12. 2.⁴ Government's overriding concern for the land revenue, which provided its staple finance, was not merely manifest in the lavishness of its administration. It was reflected in every decision involving public expenditure of any significance. By 1872, for example, several projects had been prepared by the Government of the NWP for improving the drainage of those districts which suffered from the scourges of malarious fever - often an upshot of the construction of canals. 'The primary object not being the improvement of the land revenue', the Secretary to Government stated, 'the Lt-Governor has not felt himself at liberty to ask for grants from Imperial Funds for the execution of such schemes'. The only alternative was the allotment of meagre sums from the provincial Treasury, with the prospect

² C. W. McMinn, Introduction ..., p. 6.

³ See Appendix X; for judicial establishment, see Appendix IX.

⁴ NWP Revenue Administration Report, 1871-72, p. 113 A

of partial reimbursement from any increase in 'rental' provided by reclamation.⁵ With the growing problem of the depreciation of silver from the mid-1870's and the increase in consequence in the cost of remittances to England, Government looked more closely at the public accounts but maintained and even increased its administrative establishments on the same scale as before.

The local population paid heavily, and in a variety of ways. Their revenue payments supported the incorruptible upper-strata of European administrators, while additional charges were levied for the meagre salaries of 'native' subordinates. This much was official. Meanwhile, an endlessly expanding system of service payments arose from the superimposition of European administrative requirements on local society. Zamindars and cultivators paid their water-rates for the use of a canal, and the increment on revenue 'rent' levied in view of an actual or prospective increase in production; minor officials of the canal-establishment regularly collected 'fees' for their services. During survey and settlement operations, swarms of amins claimed their maintenance from the rural population - and 'fees' on account of services rendered a propos of field measurements, or entries in the records. Registration clerks, employed by Government to keep a tally of the approximate movements of trade, took 'fees' for services to traders at the customs and registration posts. At the law courts, chaprassis (messengers) exploited the opportunities for 'commissions' which the technicalities of procedure and the increasing demand for documentation extended - as did their confreres in the Collector's office. "We ourselves could conduct corruption

⁵ Government, NWP to Government, India (Department of Agriculture, Revenue and Commerce) 19th June 1872: NWP Revenue Progs, June 1872, Index No. 6, June 22 1872, No. 3.

decently', Aberigh-Mackay lamented in the course of his observations of the goings-on at the local courts, 'but to be responsible for corruption over which we exercise no control is to lose the credit of a good name and the profits of a bad one'.⁶ Such practices however were ineradicable by the means to hand: they had become the very stuff of local administration.

The cost of innovation had also to be met in terms of the cumulative effects of new stimuli and new pressures on techniques of production and the structure of society itself which had not undergone any radical change. The relationship of cultivator to malik, of the borrower to his creditor, of the locally dominant zamindars and talukdars to Government, were involved inextricably in the activities with which the lien administration sought to modernize its charge. 'It is not the heat of the sun which scorches,' runs the Bengali proverb, but the sand which is heated by the sun'. The expansion of agriculture, the flourishing trade in agricultural products, the scientific principles of the revenue assessments and the inflexibility of their operation in practice, modernization in line with equitable abstractions of the judicial machinery and the structure of Government - every innovation made demands on existing institutions far out of proportion to their capacity. The inevitable dislocation which followed, at each stage, in the physical and social environment, could not be remedied in consonance with the immediate interests of Government, which depended heavily on the maintenance of the status quo - however distorted it may have become. No sources of wealth for Government or society alternative to the land existed, or were created, to any appreciable extent;

⁶ G. Aberigh-Mackay, Twenty-one Days in India, being the Tour of Sir Ali Baba, K.O.B., (London, 1880), Ch. XI, The Red Chuprassie, or The Corrupt Lictor, p. 106.

no avenues for employment other than the zamindari existed for the bulk of zamindars, subsisting in a vicious circle of conflicts with occupancy tenants, debts, litigation and Government relief which perpetuated their poverty. Neither they nor the majority of cultivators could accumulate resources and improve the land; mahajans, on the other hand, who had the resources, could seldom penetrate the defences of local society to apply their wealth to the soil. The zamindar-creditor, meanwhile, with his concentration of local power, was provided with irresistible incentives to live for immediate returns, the more desirable in view of the constant need to spend lavishly on ceremonial and the law-courts to win prestige and deter competitors.

The land itself had suffered to no small extent from the sudden impetus to increase agricultural production as rapidly as possible on the largest conceivable scale. The fact that such an impetus, as applied to the agricultural resources of the provinces, was short-lived made its consequences in the shape of the distortion suffered by peasant farming seem all the more cruel: while the entrepreneurs of the wheat trade inevitably looked to bigger and more accessible sources and had no hesitation in shaking off old and inefficient suppliers, the farmers were left to persist with their deteriorating productivity induced by the public works. The great wheat trade which had re-orientated much of the agriculture of the NWP and Oudh was in fact doomed to come to a relatively early end. 'All wheat must ultimately come from the provinces of the West,' a contributor to the columns of the Indian Agriculturist commented as

early as 1876,

for the reason that the steam ploughs and steam agriculture of the future will only then have adequate range. Cultivated in a scientific manner and on broad Christian principles, Western America could produce more than double enough grain for the whole population of the globe. And of course what can be, will be. And what will the husbandmen (of India) do then, **poor** things? ⁷

APPENDIX I: THE FASLI YEAR

Fasli month	Corresponding month of luni-solar calendar	Corresponding English calendar month	Distribution of significant climatic disorder
Asarh	4th month	June-July	delay in rains: kharif sowings delayed
Savan	4th month	July-August	failure of rains: kharif lost
Bhadon	5th month	August-September	heavy rain: ripening kharif damaged
Kuar (or Asoj)	6th month	September-October	failure of rains: no rabi sowings, except on irrigated land
Kartik	7th month	October-November	failure of rains: rabi lost, except on irrigated land
Aghan (or Mangsir)	8th month	November-December	
Pus	9th month	December-January	
Magh	10th month	January-February	
Phagun	11th month	February-March	rain- or heat-storms: ripening rabi damaged
Chait	12th month	March-April	
Baisakh	1st month	April-May	
Jeth	2nd month	May-June	

APPENDIX II: NWP AND OUDH. STAPLE CROPS¹

Indigenous name	Crop	Botanical name	Sown in (fasli months) ²	Sown alone/mixed Required amount of seed per acre (estimate)	Harvested in (fasli months) ²	Outturn p. acre (estimate in maunds, of 3 fair yields)
<u>KHARIF</u> Sawan		<u>panicum frumentaceum</u>	Jeth-Asarh	alone : c. 4 seers with other crops: less	Bhadon	8 - 10
Kakun		<u>panicum italicum</u>	Jeth-Asarh	generally mixed	Bhadon	less than 8
Makra		<u>cynosurus coracanus</u>	Asarh	generally alone: 4-5 seers	Bhadon-Kuar	14-15
Kodon		<u>paspalum scroticulatum</u>	Asarh	generally with arahar: 6-7 seers	Kuar	10-11
Junhari/makei		maize: <u>zea mays</u>	Asarh	alone: 3-4 seers generally with other crops: less	Kuar	c. 12
Jowar		<u>holcus sorghum</u>	Asarh	alone: c. 4 seers generally w. other crops: less	Kartik	c. 12-14
Bajra		<u>holcus spicatum</u>	Asarh	alone: c. 4 seers generally with other crops: less	Kartik	c. 12-14
<u>PULSES:</u> urd/mash		<u>dolichos pilosus</u>	Asarh	alone: c. 4 seers generally with other crops: less	variety 1: Bhadon variety 2: Kartik	variety 1: 1½ variety 2: c. 8

Indigenous Name	CROP	Botanical name	Sown in (fasli months) ²	Sown alone/mixed Required amount of seed per acre (estimate) ³	Harvested in (fasli months) ²	Outturn per acre (estimate in maunds, of fair yields ³)
moth		<u>phaseolus -</u>	Asarh	alone: c. 4 seers	Kartik	c. 8
OILSEEDS		<u>sesamum Indicum</u>	Asarh	generally, w. other crops: c. 1 1/4 seers	Kartik-Aghan	
til		<u>crotonaria juncea</u>	Asarh	alone: c. 4 seers	Bhadon-Kuar	22 mds prepare fibre
FIBRES		<u>hibiscus cannabinus</u>	Asarh	grown round sugar-cane plots	Kuar-Kartik	not given
san						
patsan						
B) RAEI						
Gojai (mixed barley and wheat)		{ Barley: } { Wheat: <u>triticum</u> } <u>sativum</u> }	Kartik	mixed seed: 1 1/2 - 2 mds	end Phagum-Chait	barley { grain: c. 25 chaff: c. 25 wheat: grain: c. 20 c. 20 Peas: 32-33 chaff: 30 mds
		Peas (several varieties)	Kuar-Kartik	large peas: 1 1/2-2 mds small peas: 1 1/3 - 1 1/2 mds	Phagum	

Indigenous name	Crop	Botanical name	Sown in (fasli months) ²	Sown alone/mixed Required amount of seed per acre (estimate)	Harvested in (fasli months) ²	Outturn per acre (estimate, in maunds, of fair yields ³)
Jaukerai	Barley and peas			no standard proportion of constituent seeds		grain: 18-19 chaff: c. 22
Madaraha/mahobia	Crain			generally sown alone, sometimes with linseed - 1½ - 2 mds		rai) sarson) 3-4
rai, sarson	rapeseed	Kuar		rai mostly sown with peas sarson mostly sown with barley	Phagun	10 mds
tisi	linseed			No standard proportion of seeds tisi: 10-12 seers		
C) KHARIF AND RABI	Arahar	<u>Cytisus cajan</u> sugar-cane: several varieties	Asarh planted in Chait	generally sown with early khan: 4-5 seers c. 5,000 canes	variety 1: Magh variety 2: Chait after complete fasli year, cut following Kartik	grain: 20-25 chaff: 25 c. 90,000 canes

310

NOTES TO APPENDIX II

- 1 table based on data provided by J.R. Reid, Azamgarh Settlement Report, 1881, pp. 114-118: common range of soil conditions of provinces and estimates given for 'unimproved' tracts.
- 2 precise time within fasli month differs regionally: general rule - East 2-3 weeks before Western districts, South-Western districts 2-3 weeks before North-West.
- 3 for approximate actual yields, these estimates to be reduced by c. 25%, on account of 'regular' seasonal disorder.

APPENDIX III : NORTH-WESTERN PROVINCES. RAINFALL -
AVERAGE YEAR / 1860-1861

<u>District</u>	<u>Average Year</u>		<u>1860-1861</u>	
	<u>Autumn</u>	<u>Spring</u>	<u>Autumn</u>	<u>Spring</u>
Saharanpur	33.00	14.21	11.55	2.21
Bijnore	32.74	3.42	4.01 (?)	1.70
Muzaffarnagar	24.82	9.56	8.99	1.00
Meerut	17.30	4.67	6.60	1.40
Moradabad	23.79	6.31	22.81	0.90
Bareilly	32.73	5.21	18.70	0.90
Bulandshahr	16.33	4.08	3.13	0.72
Budaon	25.99	4.13	-	0.60
Shahjehanpore	24.96	5.90	27.21	3.00
Muttra	16.45	1.83	11.00	1.50
Aligarh	20.93	-	14.20	1.20
Mainpuri	21.60	3.06	11.08	0.90
Fategarh	21.14	3.63	13.91	0.80
Agra	17.33	1.70	9.55	0.40
Etawah	25.99	2.67	27.22	0.00
Cawnpore	21.72	2.41	48.43 (?)	1.60
Hamirpur	28.00	2.82	20.00	2.30
Banda	33.57	4.97	12.37	0.40
Allahabad	36.40	6.23	32.30	0.90
Mirzapur	32.32	3.66	19.87	1.10
Benares	37.25	3.03	24.18	9.60
Ghazipur	33.63	3.65	23.22	1.17
Azamgarh	35.31	4.98	20.38	2.50
Gorakhpur	41.02	5.43	20.88	0.70

NB no figures given for Jaunpur

Source: R. Baird Smith, Report on the Famine in the North-Western Provinces, 1860-1861, P.P., 1862, 40, Chart III.

372

APPENDIX IV: TABLE OF OFFICIAL STANDARD MEASURES OF
AREA, WEIGHT AND CAPACITY
as current in the North-Western Provinces and Oudh,
1860-1900.

<u>INDIGENOUS MEASURE</u>	<u>OFFICIAL STANDARD MEASURE</u>
<u>AREA:</u> 1. (<u>pakka</u>) <u>bigha</u> -	3025 sq. yards = $\frac{3}{8}$ acre (standard bigha of NWP revenue surveys)
2. (<u>kachha</u>) <u>bigha</u> - $\frac{1}{8}$ - $\frac{1}{4}$ <u>pakka bigha</u>	
3. <u>biswa</u> = $\frac{1}{20}$ <u>bigha</u>	
4. <u>biswansi</u> = $\frac{1}{20}$ <u>biswa</u>	

<u>WEIGHT/CAPACITY</u>	
1. <u>maund</u> = 40 <u>seers</u> -	87 $\frac{2}{7}$ lb avoirdupois (standard fixed by Government of Bengal, 1833)
2. <u>seer</u> = $\frac{1}{40}$ <u>maund</u> = 80 <u>tolas</u>	2 lb avoirdupois (standard fixed by Government of Bengal, 1833)
3. <u>chattak</u> = $\frac{1}{16}$ <u>seer</u>	

Source: H.H. Wilson, A Glossary of Judicial and Revenue Terms ..,
(2nd edition, revised, with added case-notes, by Ganguly and Basu,
Calcutta, 1940), q.v. bigha, biswa, biswansi; man, ser, chattak.

APPENDIX V: CHRONOLOGICAL TABLE OF PRINCIPAL STATUTES RELATING TO
THE NWP AND OUDH, 1855 - 1901.

<u>Year enacted</u>	<u>Number</u>	<u>Short title</u>
I. Acts of the Governor-General in Council		
1855	XXVIII	Repeal of the Usury Laws
1859	VIII	Civil Procedure Code
	X	Bengal Recovery of Rents Act
	XIV	Limitation Act
1863	XIV	NWP Rent Act
1866	XXVI	Oudh Sub-Settlement Act.
1868	XV	High Court Fees Act
	XIX	Oudh Rent Act
1869	I	Oudh Estates Act
	XXV	Salt Act
1870	VII	Court-Fees Act
	XXIV	Oudh Taluqdars' Relief Act
1871	XVII	Oudh Local Rates Act
	XVIII	NWP Local Rates Act
	XXVI	Land Improvement Act
1872	I	Evidence Act
	IX	Contract Act
1873	VIII	N. India Canal and Drainage Act
	XVIII	NWP Rent Act
	XIX	NWP Land Revenue Act
1876	XVII	Oudh Land Revenue Act
	XXI	Land Improvement Act, 1871: amendment
1878	LI	N. India License Act
	III	NWP Local Rates Act
	IV	Oudh Local Rates Act
	XIV	NWP and Oudh Administration Act (amalgamation of local governments)
1879	I	Indian Stamp Act
	X	N. India Takkavi Act
1881	XII	NWP Rent Act
1882	II	Trusts Act
	IV	Transfer of Property Act
	V	Easements Act
	XII	Salt Act
	XIII	NWP and Oudh Kanungos and Patwaris Act
	XVI	Jhansi Encumbered Estates Act

<u>Year enacted</u>	<u>Number</u>	<u>Short title</u>
1883	XIX	Land Improvement Loans Act, 1883
1884	XII	Agriculturists' Loans Act
1886	XIV	NWP Rent Act
	XV	NWP Land Revenue Act
	XXII	Oudh Rent Act
1889	IX	NWP and Oudh Kanungos and Patwaris Act

II. Acts of the Lt.-Governor of the NWP and Oudh in Council

1894	V	Oudh Local Rates Act
1897	I	NWP and Oudh Famine Loans Recovery Act
1899	III	NWP and Oudh Court of Wards Act
1901	II	Agra Tenancy Act
	III	NWP and Oudh Land Revenue Act
	IV	Oudh Rent Act (1886) Amendment Act

APPENDIX VI: NORTH-WESTERN PROVINCES: CONSEQUENCES OF CANAL-IRRIGATION IN SELECTED TYPICAL AREAS

DISTRICT	EXTENT OF IRRIGATION (Acres)	EFFECT ON CROP PATTERN	DETERIORATIONS
MEERUT parg. Meerut (1874)	101,214 (total area: 168,045) wells: 54,099 canal: 43,819 jhils: 3,296	of total cultivation: sugar: 10% cotton: 7% wheat: 31%	kachha wells superseded; swamps in Kali Nadi valley
parg. Sirdhana (1874)	41,389 (62.4% of total area) wells: 19,496 canal: 20,914 tanks: 979	sugar, other 'more valuable products', grown more extensively	reh; kachha wells superseded, not compensated by canal supply; swamping through percolation in 1 mauza; obstruct- ion of drainage lines, affecting several villages
parg. Chaprauli (1866)	-	-	wells in disuse, well-sinking almost entirely abandoned; uncertainties of canal supply noted by 'proprietors'.
parg. Jalalabad (1866/67)	66,030 wells: c.33,000	-	well-sinking made impracticable over extensive areas
parg. Hastriapur (1874)	38% of cultivated area		wells superseded in west of pargana
parg. Baghput (1872)	59,064 (cultivated area: 98,369) wells: 22,938 canal: 34,838 tanks: 1,288		kachha wells disappearing; irrigation excessive
parg. Kotannah (1867)	27,408 (cultivated area: 35,943) wells: 8,296	'large area' under sugar- cane, cotton, wheat; 'much' dofasli.	wells largely superseded.
parg. Dasnah (1867)	46,174 canal: 22,943 wells: 22,608 tanks, etc. 623	wheat grown extensively	much well- irrigation supplanted by canals
parg. Burnawa (1874)	villages along West and South: full irrigation from canal	wheat chief rabi crop	-

DISTRICT	EXTENT OF IRRIGATION (Acres)	EFFECT ON CROP PATTERN	DETERIORATIONS
parg. Kethore (1874)	-	-	swamps in Barh Ganga area throughout canal- irrigated areas: fever
MUZAFFARNAGAR: parg. Thenna Bhawan	-	wheat extensive	overcropping; obstruction of drainage lines: swamping and fever (severe throughout canal tract)
BULANDBHAHR (1865)	-	-	destruction of wells; obstruction of drainage lines: fever
ALIGARH: (1873) parg. Shikarpur Sikandra Rao	-	indigo extensive	destruction of wells; reh.
MUTTRA: (1874/79) trans-Jumna parganas	-	change, from predominance of kharif millets to predominance of wheat, barley, bejhar	destruction of wells; expansion of cultivated area/ contraction of fuel and fodder areas
AGRA (1880)	-	-	expansion of cultivated area/ contraction of fuel and fodder areas
ETAWAH (1878/79)	-	increase in indigo, sugar/ decrease in food-grains	reh; deterioration in canal-irrigated crops after 2-3 years; expansion of cultivated area/ contraction of fuel and fodder areas
ETAH (1874) parg. Mahrehra	-	great increase indigo	expansion of cultivated area/ contraction of fuel and fodder areas

APPENDIX VII: NWP AND OUDH. RAILWAYS: SECTIONS OF LINE, WITH
DATES WHEN OPENED TO TRAFFIC, 1859 - 1900

<u>Sections of Line</u>	<u>Date opened</u>	<u>Distance (miles)</u>
<u>EAST INDIAN RAILWAY</u>		
Moghal Sarai - Mirzapur	1. 1. 64	19.28
Mirzapur - South Bank Jumna	4. 4. 64	52.95
Jumna Bridge - Allahabad	15. 8. 65	2.75
Allahabad - Cawnpore	3. 3. 59	119.47
Cawnpore - Etawah	1. 7. 61	86.46
Etawah - Shikohabad	13.11. 61	34.39
Shikohabad - Tundla Jnct.	1. 4. 62	22.92
Tundla Jnct. - Aligarh	1. 3. 63	48.56
Aligarh - Chola	1. 4. 64	35.54
Chola - Ghaziabad	1. 8. 64	29.14
<u>Agra Branch:</u>		
Tundla Jnct. - Jumna Bridge	1. 4. 62	12.52
(Jumna Bridge - Agra City	1. 1. 08	0.96)
<u>Hathras Branch:</u>		
Hathras Jnct. - Hathras Kilah	1.11. 98	5.92
<u>OUDH AND ROHILKHAND RAILWAY</u>		
Benares Cantonment - Rae Bareli	4. 4. 98	138.78
Rae Bareli - Lucknow	15.10. 93	48.68
Lucknow - Sandila	1. 2. 72	30.24
Sandila - Hardoi	15. 7. 72	33.00
Hardoi - Shahjahanpur	1. 3. 73	39.00
Shahjahanpur - Pitambarpur	8. 9. 73	32.00
Pitambarpur - Bareilly	1.11. 74	13.00
Bareilly - Moradabad	8. 6. 94	56.07
Moradabad - Nagina	8.10. 84	47.25
Nagina - Najibabad	1. 4. 85	13.74
Najibabad - Hindan cabin	1. 1. 86	55.80
<u>Benares - Lucknow loop:</u>		
Benares Cantonment - Shahganj	5. 1. 74	56.03
Shahganj - Bilwai	1. 5. 74	7.00
Bilwai - Malipur	18. 4. 74	9.00
Malipur - Akbarpur	2. 3. 74	12.00
Akbarpur - Fyzabad	10. 6. 73	38.24
Fyzabad - Bara Banki	25.11. 72	61.97
Bara Banki - Lucknow	1. 4. 72	14.43

<u>Sections of Line</u>	<u>Date opened</u>	<u>Distance (miles)</u>
<u>Bareilly - Moradabad loop:</u>		
Bareilly - mile 5	22.12. 73	5.00
mile 5 - Aonlah	1.11. 73	11.00
Aonlah - Chandausi	10. 6. 73	27.00
Chandausi - Moradabad	28.10. 72	27.22
<u>Branches on Main Line:</u>		
<u>Cawnpore Branch:</u>		
Lucknow - left bank of Ganges (Cawnpore)	23. 4. 67	40.78
left bank of Ganges - jnct. w. old East Indian Rly at Cawnpore	15. 7. 75	3.22
<u>Branches on Bareilly- Moradabad loop:</u>		
<u>Aligarh Branch:</u>		
Chandausi - Rajghat Narora	28.10. 72	30.48
Rajghat Narora - Aligarh	1. 2. 72	30.12
<u>Lucknow - Bareilly Railway</u>		
<u>Main Line:</u>		
Lucknow - Sitapur	15.11. 86	55.00
Sitapur - Lakhimpur	15. 4. 87	28.50
Lakhimpur - Gola Gokaram Nath	15.12. 87	21.50
Gola Gokaram Nath - Pilibhit	1. 4. 91	57.55
Pilibhit - Bhokipura	15.11. 84	24.00
Bhojipura - Bareilly	12.10. 84	12.00
<u>Branch, extension:</u>		
Bareilly grain siding	1. 4. 94	1.75
<u>Kaurialaghat extension:</u>		
Mailani - Sarda	1. 1. 93)	
Sarda - Sohela	10. 3. 93)	30.78
Sohela - Sonaripur	18. 3. 94)	
<u>BENGAL AND NORTH WESTERN RAILWAY</u>		
<u>Main Lines:</u>		
Sonepur - Mankapur (via Gorakhpur)	15. 1. 85	228.00
Mankapur - Gonda	2. 4. 94	17.36
Gonda - Colonelganj	20.10. 91	17.89
Jarwal Road - Gogra Ghat	18.12. 96	2.78
Gogra Ghat - Chowka Ghat	24.12. 98	3.67
Chowka Ghat - Burhwal	24.11. 96	2.88
Burhwal - Bara Banki	24.11. 96	16.38

<u>Sections of line</u>	<u>Date opened</u>	<u>Distance (miles)</u>
<u>Gorakhpur - Gonda loop:</u>		
Gorakhpur - Uska Bazar	15.12. 86	39.66
Tulsipur - Balrampur	1. 6. 98	18.15
Balrampur - Gonda	15.12. 96	23.08
<u>Ajodhya Branch:</u>		
Mankapur - Nawabganj (Gonda)	2. 4. 84	13.48
Nawabganj (Gonda) - Lakarmandi Bridge	1.12. 84	6.00
<u>Naipalganj Road Branch:</u>		
Gonda - Bahraich	2. 4. 84	37.47
Bahraich - Naipalganj Road	15.12. 86	33.15

Source: India (Railway Dept. Railway Board): History of Indian Railways, Constructed and in Progress ... (Delhi, 1947), pp. 78-84, 198, 209.

APPENDIX VIII: NWP AND OUDH, TENANCY CATEGORIES RECOGNIZED BY
STATUTE, 1859-

ACT X, 1859: Bengal Recovery of Rents Act.

- (1) ryots holding at fixed rates of rent, unchanged since permanent settlement (Benares, 1795) (sec. 3)
- (2) ryots holding with right of occupancy acquired through continuous cultivation or holding of land for minimum of 12 years, provided ryots pay rent payable; occupancy right not applicable to:
 - (i) khomar, nijjote or sir land of proprietor of estate or tenure and leased by him for a term or year by year
 - (ii) lands sub-let for a term or year by year by a ryot with occupancy right (secs. 5, 6)
- (3) ryots without occupancy rights, entitled to pattas (cultivating leases) only at such rates as may be agreed on between them and persons to whom the rent is payable (sec. 8)

ACT XIV, 1863: NWP Rent Act

amending Act X, 1859. No further definition of tenancy categories.

ACT XIX, 1868: Oudh Rent Act

- (1) occupancy categories as for NWP
- (2) non-occupancy (tenants-at-will)
- (3) tenants who have lost all proprietary right, superior or subordinate, in lands they hold or cultivate awarded a qualified occupancy right - heritable but not transferable - provided they pay rent payable and have been within 30 years from February 13, 1856 in possession by themselves or together with another from whom they have inherited proprietor in a village or estate and provided they have no occupancy right in any village or estate possessed by them or by a co-sharer under any proprietary right. (sec. 5)

ACT I, 1869: Oudh Estates Act

definition of proprietary title of talukdars.

talukdars (i) with whom summary settlement was made, 1st April
1858 - 10th October 1859

or (ii) to whom a talukdari sanad was granted between 1st
April 1858 and passing of Act I, 1869 (sec. 3)

ACT XVIII, 1873: NWP Rent Act

(1) tenants in permanently settled districts or parts of
districts holding land at fixed rates unchanged since
permanent settlement awarded occupancy right at those rates:
tenants at fixed rates (sec. 5)

(2) persons hereafter losing or parting with proprietary rights
in any mahal awarded occupancy right in land held by them as
sir in such mahal at date of such loss or parting, at rent
fixed at 4 as in the Rupee less than prevailing rate payable
by tenants-at-will for land of similar quality, with similar
advantages: ex-proprietary tenants, with all rights of
occupancy tenants

(3) every tenant who has actually occupied or cultivated land
continuously for 12 years recognized as holding occupancy
right in that land:

occupancy tenants

no tenant may acquire under this section occupancy right in

(i) land he holds from an occupancy tenant, an ex-
proprietary tenant or from a tenant at fixed rates

(ii) sir land

(iii) land held by him in lieu of wages

(sec. 8)

NB. occupancy right of ex-proprietary and occupancy tenants
transferable only between persons who have become by
inheritance co-sharers in such right (sec. 9)

(4) tenants without occupancy right:

tenants-at-will.

On application of any tenant to have his class of tenure determined, the Collector or Assistant Commissioner to determine the class to which he belongs, of the 4 legal categories.

(sec. 10)

All subsequent statutes enacted to consolidate and amend the rent law in the NWP and Oudh confirm these categories.

APPENDIX IX: NWP AND OUDH: CIVIL JUDICIAL APPOINTMENTS, HIGH COURT,
ALLAHABAD: JUDGES AND ESTABLISHMENTS, 1872.

	European/ European extraction	Native	Rate of pay (£ p.a.)	Total Cost (£)
I. NWP				
Civil and Sessions Judges, incl.				
Additional Judges	18	-	3,000	54,000
Assistant Judges, Small Cause Court				
Judges	3	-	1,200	3,600
Subordinate Judges:				
1st class, 1st grade	-	-	-	-
2nd grade	2	3	960	4,800
3rd grade	-	7	720	5,040
4th grade	-	5	600	3,000
TOTAL	2	15	-	12,840
2nd class, 1st grade				
2nd grade	-	23	480	11,000
3rd grade	-	19	360	6,840
TOTAL	-	68	-	21,680
II. OUDH				
Civil and Sessions Judges, incl.				
Additional Judges	1	-	1,600	1,600
Assistant Judges, Small Cause Court				
Judges	1	-	1,080	1,080

III. HIGH COURT, ALLAHABAD: JUDGES AND ESTABLISHMENT

	No.	Salaries (Rs. p.a.)	Total Cost (Rs.)
High Court Judges:			
Chief Justice	1	60,000	60,000
Puisne Judges -			
Barrister	1	45,000	45,000
Civilian	2	45,000	90,000
TOTAL	4	-	195,000

	No.	Salaries (Rs p.a.)	Total Cost (Rs)
Provincial High Court Establishment:			
Registrar	1	20,400	20,400
Assistant or Deputy Registrar	1	4,800	4,800
Clerk, Translator, etc.	48	240-6,000	54,240
Attendants	45	48-100	6,852
TOTAL	95	-	86,292
Law Officers:			
Standing Counsel	1	1,680	1,680
Government advocates Establishment	1 (3)	13,200 60-1,200	13,200 1,320
TOTAL	2	-	16,200

SOURCE: Report of the Select Committee on East Indian Finance, 1872,
Appendix 23, p. 66; Appendix 22, pp. 663, 665: P.P., 1872,
8 (327)

APPENDIX X: NWP AND OUDH, ABSTRACT OF REVENUE APPOINTMENTS, 1870-71

I. NORTH-WESTERN PROVINCES

Covenanted		Uncovenanted		Mil. Offrs.	No.	Designations	Mthly Sals. (Rs)	Total estimated charge (Rs)
E.	N.	E.	N.	E.				
27	-	-	-	-	27	Collectors and Magistrates	2,250	729,000
1	-	-	-	-	1	Jt. Magistrate & Dep. Collector	1,500	18,000
22	-	-	-	-	22	" "	1,000	264,000
9	-	-	-	-	9	" "	700	75,600
1	-	-	-	-	1	" "	400	4,800
						Ass't. Magistrates - 1st class	450-500	
63	-	-	-	-	63	Asst. Magistrates - 2nd class	400	361,800
1	-	-	-	3	4	Dep. Commissioners	1,000-1,667	70,000
-	-	4	-	7	11	Ass't. Commissioners	400-800	82,800
TOTAL								1,606,000
Deduct: moiety of Salaries charged under Law & Justice to 'Criminal Courts'								803,000
NET TOTAL								803,000
-	-	11	32	-	43	Dep. Collectors	250-800	207,240
-	-	9	5	-	14	Extra Ass't. Commissioners	-	45,200
Deputation Allowance								2,115
-	-	2	170	-	172	Tehsildars	75-225	357,540
-	-	17	6,591	-	6,608	Subordinate establishment	-	1,173,130
TOTAL								2,588,225
Deduct: amount of probable savings								100,000
NET TOTAL								2,488,225

Covenanted		Uncovenanted		Mil.	No.	Designations	Mthly	Total
		Offrs.		Offrs.			Sals.	estimated
							(Rs)	charge
								(Rs)
E.	N.	E.	N.	E.				
						Contingent charges, incl. Office Expenses and Miscell.		121,201
						Travelling and Tentage Allowances of Officers and Establishments		39,433
						Official Postage and Purchase of Service Stamps (Actual)		203,928
						Charges for the Service of Revenue Processes		55,355
						<u>TOTAL</u>		<u>2,908,142</u>
						Charges on account of Govt. Estates (Actual)		90,330
124	-	43	6,798	10	6,975	<u>TOTAL</u>		<u>2,998,472</u>

II. OUDH

7	-	3	-	2	12	Dep. Commi- sioners	(1,333/5/4- (1,833/5/4	232,000
13	-	6	2	7	28	Ass't. Commission- ers	500- 800	204,000
-	-	7	13	-	20	Extra Ass't. Commission- ers	250- 600	82,200
						<u>TOTAL</u>		<u>518,200</u>
						Deduct: amount of probable savings		30,000
						Moiety of salaries charged to 'Criminal Courts'		244,100
						<u>NET TOTAL:</u>		<u>244,100</u>

Covenanted		Uncovenanted		Mil. Offrs.	No.	Designations	Mthly Sals. (Rs)	Total estimated charge (Rs)
E.	N.	E.	N.	E.				
						Deputation Allowance not caused by absence of Officers Tehsildars (or Mamludars)	-	10,000
			39	-	39		100-200	81,000
		16	1,171	-	1,187	Subordinate Establishment		246,888
						Contingent Charges, Office Expenses		22,706
						Travelling Expenses, Tentage		
						Allowances		7,975
						Postage charges		23,435
						Charges for Service of Revenue Process		22,594
20	-	32	1,225	9	1,286	TOTAL		2,457,398

Source: Report of the Select Committee on East Indian Finance, 1872, Appendix No. 19. P.P. 1872, 8 (327), pp. 643, 649.

GLOSSARYList of Vernacular Terms used in Official Correspondence in the NWP

Abwab	Cesses or miscellaneous dues collected by Government from landowners, or by landowners from tenants, etc.
Asami	Cultivator or tenant
Asami pahi-kasht	A non-resident cultivator
Asami chapparband	Tenant cultivating in the village in which he resides
Asami ghair maurusi	Tenant-at-will
Asami maurusi	Hereditary tenant; tenant with right of occupancy
Baniya	Grain-seller, trader, and moneylender
Batai	Division of crops, the metayer system of payment of rent in kind
Beopari/Baipari	Trader, merchant
Biswah	Twentieth part of a bigha
Biswansi	Twentieth part of a biswah
Bigha	Measure of land varying in size; <u>ilahi</u> bigha = 5/8 acre
Bhur	Sandy soil
Bhaiyachara	Coparcenary estate held in severalty
Canoongo/Kanungo	Superintendent of village accountants; hereditary registrar of landed property in a pargana
Chak	A block of land used in assessment; reports of land similar in quality and value
Chaukidar	Watchman; village policeman
Denkhli/Dekhli	Irrigation by lever and pot
Dofasli	Land cropped twice in one year
Dumat	A soft loam (mixture of sand and clay soils)
Fasl	A crop, harvest: fasl rabi - spring harvest; fasl kharif - autumn harvest
Ghi	Clarified butter
Gomashta	Agent

Gur	Molasses; juice of sugar-cane boiled till solid
Halkabandi	Arrangement of villages in circles or groups for village accountants
Har	Outlying land of a village; also block or tract of homogeneous land in a village
Haq/Hakk	Fee, perquisite: hakk lambardari - village headman's fees; hakk malikana - payments made to one who has a superior lien on the land; hakk shufa - right of pre-emption; hakk zamindari - rights and interests of landowners
Ilaka	Estate
Jagir	An estate held free of Government revenue, generally originally given in payment of military or political service; jagirdar - holder of such estate
Jama	Land-revenue
Jamabandi	Rent-roll
Jhil	A shallow lake or morass
Karinda	Agent, manager
Kankut	Appraisement of crops
Khalsa	Revenue-paying land
Kharif	see above, fasl
Khasra	Field-book, index compiled at time of village survey
Khateoni/Khatiuni	Classified list of cultivating holdings prepared at time of village survey
Khewat	Record of shares, interests and liabilities of landowners in a village
Khudkasht	(1) a proprietary cultivator, cultivating his own holding; (2) the holding so cultivated
Kist	Instalment, portion of the annual (revenue) assessment to be paid at specified periods in the course of the year
Kolhu	Sugar-mill

Lambardar	Head and representative of the village community
Mahal	Estate
Mali	Gardener
Malik	Master; landowner, proprietor
Malguzari	Land-revenue; malguzari - proprietor of land paying Government revenue
Malikana	Dues of a superior proprietor (malik); compensation for rent
Man	Maund, or 40 seers (= 82lb. avoird.) - Bundelkhand term
Matiyar	Stiff clay soil
Mauza	Village
Maafi	Assignment of Government revenue; maafi land - land not liable to revenue payment (opp. khalsa); maafidar - holder of revenue-free land
Mukaddam	Headman, generally a subordinate title; a head of the old proprietors or head of the cultivators, resident in the village (not often given to landowners)
Munsiff	A Native judge of the first or lowest rank; munsiffi - Court of a Subordinate Civil Judge
Nankar	Part of the zamindari exempted from revenue or set apart for the support of the old zamindar
Nazrana	Commutation for service of an assignee of Government revenue
Nikasi	Rental of an estate
Pakka	Full, standard, lasting: pakka bigha - standard bigha; pakka well - masonry well; (opp. kachha)
Pargana	Sub-division of a district
Patta	Lease
Patti	A division (by lease) of a village; pattidar - holder of a patti, a share in coparcenary village or estate; in some parts, a shareholder of any kind; pattidari - coparcenary tenure held in severalty where extent of possession is governed by ancestral shares

Patwari	Village accountant
Rab	Syrup, juice of sugar-cane boiled thick
Rabi	See above, fasl
Raiyat/Ryot	A subject, but especially applied to the agricultural population; a cultivator, farmer, peasant
Reh	Saline efflorescence of the soil, destructive to cultivation
Sadar/Sadr	Headquarters
Sanad	Grant, charter; a document conveying to an individual emoluments, titles, privileges, offices or Government rights to revenue from land, etc., under the seal of the ruling authority; deed of grant
Sair/Sayer	Miscellaneous receipts, dues paid to landed proprietors, not being rents of lands
Seer	A weight: a little over 2 lb avoird.
Shikmi	Sub-tenant
Sir	Land cultivated by proprietor himself as his own, home-farm
Siwai	Receipts, dues paid to proprietor
Taluka	Estate of a talukdar - owner of a superior right in land (also, large zamindar)
Takavi	Agricultural advances
Tarai/Turai	Low moist land, along banks of rivers or, esp., at foot of Himalayas
Tahsil	Collection, esp. of public revenue from the land; revenue collected; area under one Sub-Collector or Tahsildar - a subordinate collector of revenue, chief revenue officer in a district under the Collector
Thok	Sub-division of a village
Ubari	Estate held at an abatement of full land-revenue; ubaridar = holder of an ubari estate

Wajibularz	Village administration paper prepared at time of settlement
Zamindari	Landed property generally; (more restricted), an undivided estate held in joint-tenure; zamindar - holder of such property, estate
Zillah	A district under the British administration; a tract of country consisting of the jurisdiction of a Commissioner or Circuit Judge, and the extent of a chief collectorate
Zabti	Cash rates on crops (opp. batai payments in kind)

SOURCE: NWP Revenue Progs, July 1872, Index No. 4, July 13 1872, No.3.

BIBLIOGRAPHYI. Unpublished Sources. India Office Records

Government of India. Famine Proceedings (Proceedings in the Departments of Public Works; Revenue, Agriculture and Commerce; Revenue and Agriculture; Agriculture and Horticulture), 1873-1900

Government of the North-Western Provinces. Revenue Proceedings, 1860-1877.

Government of the North-Western Provinces and Oudh. Revenue Proceedings, 1877-1900.

II. Published SourcesA. United Kingdom. Official Reports (Parliamentary Papers)

Reports of the Select Committee on Colonization and Settlement in India:

First Report: P.P., 1857-58, 7, 1 (261)

Second Report: ibid., 7, 1, 165 (326)

Third Report: ibid., 7, 1, 373 (415)

Fourth Report: ibid., 7, 2, 1 (461)

Fifth Report: ibid., 1859, 4, 1 (198)

Sixth Report: ibid., 5, 261 (171)

R. Baird Smith, Report on the Famine of 1860-61 in the North-Western Provinces of India, P.P., 1862, 40.

Resolution relative to the Canals of the North-Western Provinces of India, P.P., 1865, 39 (343)

Report of the Select Committee on East India Finance, P.P., 1872, 8 (327)

Report of the Indian Famine Commission, 1879, P.P., 1881, 71

B. India. Official Reports(i) Government of India

Selections from the Records of Government (Home, Revenue and Agricultural Department):

No. CLV. Correspondence regarding the Law of Land-Sale, 1855-1879. (Simla, 1879)

No. CLX. The Wheat Production and Trade of India. (Simla, 1879)

Revenue and Agricultural Department:

List of Agricultural Implements and Machines which have been experimented with and found useful in India. 1882-83 - 1891-92

Papers relating to the Working and Amendment of Act X of 1859. 2 vols, (Calcutta, 1883)

Selections from Papers on Indebtedness and Land Transfer, (Calcutta, 1894)

Memorandum on the Restriction of the Power to Alienate Interests in Land (Calcutta, 1895)

Papers relating to the Alienation of Land in India from the Agricultural to the Non-Agricultural Classes, 1891-99 (Calcutta, 1899)

Finance Department:

Report of the Finance Committee, 1886 (Calcutta, 1887)

Report of the Finance Commissioner, 1887 (Calcutta, 1888)

Administration of the Guaranteed Railways:

Reports of the Consulting Engineer to the Government of India on the Oudh and Rohilkhand Railway for the Financial Years 1872-73, 1873-74

(ii) Government of the North-Western Provinces and Oudh

Selections from the Records of the Government of Oudh, 1868-69: Correspondence relating to the Indebtedness of Cultivators in Oudh.

NWP Revenue Administration Reports, 1860-61 - 1890-91
Oudh Revenue Administration Reports, 1867-68 - 1890-91
NWP and Oudh Revenue Administration Reports, 1891-92 - 1899-1900

NWP Irrigation Revenue Reports, 1873-74, 1876-77 - 1899-1900

NWP and Oudh Reports on the Progress of Settlement Operations, 1860-61 - 1876-77

District Settlement Reports, NWP:

Final Report on the Revision of Settlement in the Aligarh District. T.E. Smith. 1882

Report on the Final Settlement of Allahabad District. F.W. Porter. 1878.

Report on the Settlement of Agra District. H.F. Evans. 1880

Report on the Settlement Operations in the Azamgarh District. J.R. Reid. 1881

Report on the Revision of Records in Ballia District. D.T. Roberts. 1886

Report on the Settlement of Banda District. A.Cadell. 1881

Report of the Regular Settlement, Bara Banki District. F.E. Chamier. 1879

Report on the Settlement of the Bareilly District. S.M. Moens. 1874.

Report on the Survey and Revision of Records, Benares District. F.W. Porter. 1887

Report on the Tenth Revision of Settlement of the Bijnour District. A.M. Markham. 1874

Report of the Settlement of the Bulandshahr District, 1865. R.G. Currie. 1877

Final Report on the Settlement of Cawnpore District. F.M. Wright. 1878

Report on the Settlement of Eta District. S.O.B. Ridsdale. 1874

- 395
- Report on the Settlement of Etawah District, for the years 1868-1874. C.H.T. Crosthwaite, W. Neale, 1875
- Final Report of the Settlement of Farukhabad District. H.F. Evans. 1875
- Report on the Final Settlement of Fatehpur District. A.B. Patterson. 1878
- Report on the Revision of Records and Settlement, Ghazipur District. W. Irvine. 1886
- Report of the Settlement of Jaloun (excluding pargana Koonch). P. White. 1871.
- Report on the Revision of Records and Settlement of Jaunpur. P.C. Wheeler. 1886
- Report on the Settlement of Jhansie. E.G. Jenkinson. 1871
- Report on the Settlement of Mainpuri District. D. Smeaton, M.A. McConaghey. 1875.
- Report on the Settlement of Meerut District, 1865-1870. W.A. Forbes, J.S. Porter. 1874
- Final Report on the Completion of the Revision of Records of that portion of the Mirzapur District commonly described as the Gangetic Valley. G. Dale. 1887
- Final Report on the Settlement of Moradabad District. E. Alexander. 1881
- Report on the Settlement of Muttra District. R.S. Whiteway. 1879
- Report on the Settlement of Muzaffarnagar District - 1873 - and Canal Tract - 1878. 1878
- Report on the Settlement of Pilibhit. E. Colvin. 1873
- Report on the Settlement of Saharunpur. 1871
- Report on the Settlement of Shahjehanpur. R.G. Currie. 1874

District Settlement Reports, Oudh:

- Report on the Revision of Settlement of Bahraich District, 1865-1872. E.G. Clark, H. Scott Boys. 1873
- Report on the Settlement of the Land Revenue of Fyzabad District. A.F. Millett. 1880
- Final Settlement Report of Gonda District. W.C. Benett. 1878
- Report of the Regular Settlement of Hardoi District. E.O. Bradford, A.H. Harington, W. Blennerhassett. 1880
- Report of the Regular Settlement of Kheri District. T.R. Redfern. 1879
- Report of the Land Revenue Settlement, Lucknow District. H.H. Butts. Lucknow, 1873
- Report on the Revenue Settlement of Partabgarh District. W.A. Forbes. 1877
- Report on the Settlement Operations of Rae Bareli District. J. M. Macandrew. 1872
- Report on the Regular Settlement and Revised Assessment of Sitapur. M.L. Farrar. 1875
- Report on the Settlement of the Land Revenue, Sultanpur District. A.F. Millett. 1873
- Report on the Revised Settlement of Unao (Oonao) District. W. Maconochie. 1867

330

NWP and Oudh Department of Agriculture and Commerce
Reports, 1877-78 - 1899-1900
NWP Court of Wards Reports, 1876-77 - 1899-1900
Oudh Court of Wards Reports, 1881-82 - 1899-1900
NWP Reports on the Actual Outturn of the Cotton Crop,
1869-70; 1872-73; 1873-74
NWP and Oudh Reports on Foreign Trade, 1877-78 - 1899-1900
NWP Trade Reports, 1877-78 - 1899-1900
NWP Internal Road Traffic Registration Report, 1882-83

F. Henvey. A Narrative of the Drought and Famine which
prevailed in the NWP during the years 1868, 1869 and
the beginning of 1870, (Allahabad, 1871)

D.G. Pitcher. Scarcity and Relief Operations in the NWP
and Oudh, 1877-79, (Allahabad, 1880)

Resolution on the Administration of Famine Relief in the
NWP and Oudh, 1896-97, 4 vols, (Allahabad, 1897)

(iii) Law Reports

NWP Full Bench Rulings 1867-1869
Indian Law Reports - Allahabad Series, 1875-1900
Bombay High Court Reports, 1863, 1866
Moore's Indian Appeals 1856
The Law Reports. Indian Appeals 1877-1900

C. Contemporary Periodicals

(i) United Kingdom

Bankers' Magazine and Money Market Review
Economist
Journal of the Society of Arts

(ii) India

Calcutta Review
Indian Agriculturist
Indian Economist

D. Printed Books

Anderson, J.N.D., ed. Changing Law in Developing Countries
(London, 1963)
Anonymous. An Inquiry Into the alleged Proneness to
Litigation of the Natives of India; with Suggestions
for Amending some part of the Judicial System of
British India, (London), 1830
Baynes, A. The Cotton Trade: Two Lectures, (Blackburn
and London, 1857)
Black, R.D.C. Economic Thought and the Irish Question,
1817-1870, (Cambridge, 1960)
Buckley, R.B. The Irrigation Works of India and their
Financial Results, (London, 1880)
Carnegy, P. A Note on the Land Tenures and Revenue
Assessments of Upper India, (London, 1874)
Chaplin, W. A Report exhibiting a View of the Fiscal and
Judicial System introduced into the Conquered Territory
above the Ghauts under the Authority of the Commissioner
in the Dekhan, (Bombay, 1824)

- Chowdhury, B. The Growth of Commercial Agriculture in Bengal, 1757-1900, Vol. I, (Calcutta, 1964)
- Chunder, Bh. The Travels of a Hindoo to Bengal, 2 vols, (London, 1869)
- Connell, C.J. Our Land Revenue Policy in Northern India (Calcutta, 1876)
- Cooke, C.N. The Rise, Progress and Present Condition of Banking in India, (London, 1863)
- Corbett, A.F. The Climate and Resources of Upper India, (London, 1874)
- Crooke, W. A Rural and Agricultural Glossary for the North-Western Provinces and Oudh, (Calcutta, 1888)
- The North-Western Provinces of India. Their History, Ethnology and Administration, (London, 1897)
- Crosthwaite, C.H.T. Notes on the North-Western Provinces of India, by a District Officer, 2nd ed., (London, 1870)
- Digby, W. 'Prosperous British India', (London, 1901)
- Dinker Rao, Rajah. Memorandum of Observations on the Administration of India, (Calcutta, 1862)
- Dutt, S.C. Compulsory Sales in British India, (Calcutta, 1915)
- Eliot J. Climatological Atlas of India, (Edinburgh, 1906)
- Engelbrecht, Th. Die Feldfruchte Indiens in ihrer geographischen Verbreitung: Abhandlungen des Hamburgischen Kolonial-instituts, Bd XIX, Reihe E., Angewandte Naturwissenschaften, Landwirtschaft und Technologie, Bd 3, (Hamburg, L. Friederichsen, 1914)
- Fawcett, C. The First Century of British Justice in India, (London, 1934)
- Ghose, R. The Law of Mortgage in India, 5th ed., revised by B. Ghose, (Calcutta, 1922)
- Gledhill, A. The Republic of India. The Development of its Laws and Constitution, (London, 1951)
- Gupta, S.C. Agrarian Relations and Early British Rule in India, (London, 1963)
- Habib, I. The Agrarian System of Mughal India, (London, 1963)
- Hamilton, W.B., ed. The Transfer of Institutions, (Duke University Press, 1964)
- History of Indian Railways, Constructed and in Progress ..., corrected to 1945, (Delhi, 1947)
- Hume, A.O., Agricultural Reform in India, reprinted with an introduction by J. Murdoch, (Madras, 1899)
- Hunter, W.W. A Life of the Earl of Mayo, Viceroy of India, 2nd ed., 2 vols (London, 1876)
- ed. Imperial Gazetteer of India, 1st ed., (London, 1881)
- Irwin, H.C. The Garden of India; or Chapters on Oudh History and Affairs, (London, 1880)
- Jain, M.P. Outlines of Indian Legal History, 2nd ed., (Delhi, 1966)
- Jenks, L.H. The Migration of British Capital to 1875, (repr., London, 1963)

- Krishnamachariar, M. The Law of Registration in British India, (Calcutta, 1931)
- Landes, D.S. Bankers and Pashas: International Finance and Economic Imperialism in Egypt, (London, 1958)
- Lees, W.N. Land and Labour in India, (London, 1867)
- Macandrew, I.F. On some Revenue Matters chiefly in the Province of Oudh, (Calcutta, 1876)
- Mann, H.H. Rainfall and Famine: A Study of Rainfall in the Bombay Deccan, 1865-1938, (Bombay, 1955)
- McCord, N. The Anti-Corn Law League, (London, 1958)
- McMinn, C.W. Introduction to the Oudh Gazetteer (proof copy - one of seven printed - in the India Office Library, n.d., includes information dated to 1872)
- Famine Truths, Half-Truths and Untruths, (London, 1902)
- Moreland, W.H. The Revenue Administration of the United Provinces, (Allahabad, 1911)
- Mulla, D.F. The Law of Insolvency in British India, (Calcutta, 1930)
- Oldham, W. Tenant-right and Auction Sales in Ghazeepeer and the Province of Benares, (Dublin, 1873)
- Pantulu, V.S. The Hindu Law relating to the Liability for Debt and Alienation for the Same, as laid down in the Smritis and interpreted by the earliest English writers, and Decisions of the Courts from 1807 up to Present Day, (Bellary, 1899)
- Rankin, G.C. The Background to English Law in India, (Cambridge, 1946)
- Robinson, P. - untitled notes on W. Oldham's Memorandum bound with Oldham, *cit. sup.*, British Museum cat. no. 8022 g 22 1-9 (No. 2)
- Silver, A.W. Manchester Men and Indian Cotton, 1847-72, (Manchester, 1966)
- Sleeman, W. A Journey through the Kingdom of Oude in 1849-50...., 2 vols, (London, 1858)
- Rambles and Recollections of an Indian Official, 2nd ed., by V.A. Smith, 2 vols, (London, 1893)
- Somerville, A. Free Trade and the League, 2 vols, (Manchester, 1852-53)
- Stokes, E. The English Utilitarians and India, (Oxford, 1959)
- Strachey, J. and R. The Finances and Public Works of India, (London, 1882)
- Thorner, D. Investment in Empire: British Railway and Steam-shipping Enterprise in India, 1825-49, (Philadelphia, 1950)
- Thornton, W.T. Indian Public Works, and cognate Indian Topics, (London, 1875)
- Voelcker, J.A. Report on the Improvement of Indian Agriculture, (London, 1893)
- Waterfield, G. Layard of Nineveh, (London, 1963)
- Watt, G. A Dictionary of the Economic Products of India, (London, 1890)

- 399
- Wedderburn, W. Allan Octavian Hume, 1829-1912,
(London, 1913)
- West R. and Bühler, G. A Digest of the Hindu Law, 3rd
ed., (Bombay, 1884)
- Wilson, H.H. A Glossary of Revenue and Judicial Terms ...,
2nd ed., revised by Ganguly and Basu, (Calcutta, 1950)

E. Articles in Modern Periodicals

- Anantanarayanan, M. and Subba Rao, G.C.V., "The Influence of English Common Law and Equity upon Law in India", Revista del Instituto de Derecho Comparado, (Barcelona, Enero-Dec., 1957), Nos 8-9, pp. 118-127
- Barner, N.G. "The Punjab Alienation of Land Bill of 1900", Duke University Program in Comparative Studies on Southern Asia, Monograph No. 2, (1966) p. 125.
- Bhatia, B.M. "An Enquiry into the Conditions of the Agricultural Classes in India, 1888", Contributions to Indian Economic History, I, (Calcutta, 1960), pp. 80-94
- Derrett, J.D.M. "The Administration of Hindu Law by the British", Comparative Studies in Society and History, IV, 1, (1961) pp. 10-52.
- Gharpure, J.R. "The Law of Damdupat", Bombay Law Reporter, 6, (July 1904), pp. 192-143
- Gledhill, A. "The Influence of Common Law and Equity on Hindu Law since 1800", International and Comparative Law Quarterly, 3, (1954), pp. 576-603
- Habib, I. "An Examination of Wittfogel's Theory of 'Oriental Despotism'", Enquiry, 6, (Delhi, n.d., 1963?), pp. 54-73
- "Usury in Medieval India", Comparative Studies in Society and History, VI, (1963), pp. 393-419.
- Krishna Menon, K. "English Law in India: the Law of Transfer of Property", Revista del Instituto de Derecho Comparado, (1957) cit. sup., pp. 90-101.
- Landes, D.S., "Vieille Banque et Banque Nouvelle", Revue d'Histoire moderne et contemporaine, N.S., 3, (1956), pp. 204-22
- Leacock, S. and Mandelbaum, D.G. "A Nineteenth Century Development Project in India: the Cotton Improvement Program", Economic Development and Cultural Change, 3, (4th July 1955), pp. 334-51
- McKinley, E. "The Problem of 'Underdevelopment' in the English Classical School", Quarterly Journal of Economics, 69, (1955), pp. 235-52
- Rajaraman, C. "The Law of Contracts in India", Revista del Instituto de Derecho Comparado, (1957), cit. sup., pp. 180-85
- Ranade, R.K. "Damdupat in Hindu Law", Bombay Law Reporter (Journal), 54, (July 15 1952), pp. 49-57.
- "Legal Proceedings in respect of Debts", Bombay Law Reporter (Journal) 56 (August 15 1954), pp. 81-90.
- Venkataraman, S. "Influence of Common Law and Equity on the Personal Law of the Hindus", Revista del Instituto de Derecho Comparado, (1957), cit. sup., pp. 156-79.
- Vicajee, F.R. "The Rule of Damdupat", Journal of Comparative Legislation, N.S., 2, (1900) pp. 464-72.



**NWP AND OUDH:
ADMINISTRATIVE DISTRICTS**

1 INCH = 16 MILES

DISTRICTS INCLUDED IN —
FAMINE COMMISSION REPORT, F
1879/81
DUFFERIN ENQUIRY, D
1888

1 1/2 55402744 33049

NWP AND OUDH. STATE OF THE HARVESTS, BY DIVISIONS, 1864-65—1884-85

SOURCE: NWP, OUDH REVENUE ADMINISTRATION REPORTS


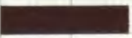



REVENUE YEARS	N. W. P. DIVISIONS					OUDH DIVISIONS				
	MEEERUT	ROHILKHAND	AGRA	ALLAHABAD	JHANSI	BENARES	SITAPUR	LUCKNOW	RAE BAREILLY	FYZABAD
64										
65										
65										
66										
66										
67										
67										
68										
68										
69										
69										
70										
70										
71										
71										
72										
72										
73										
73										
74										
74										
75										
75										
76										
76										
77										
77										
78										
78										
79										
79										
80										
80										
81										
81										
82										
82										
83										
83										
84										
84										
85										

NO DATA

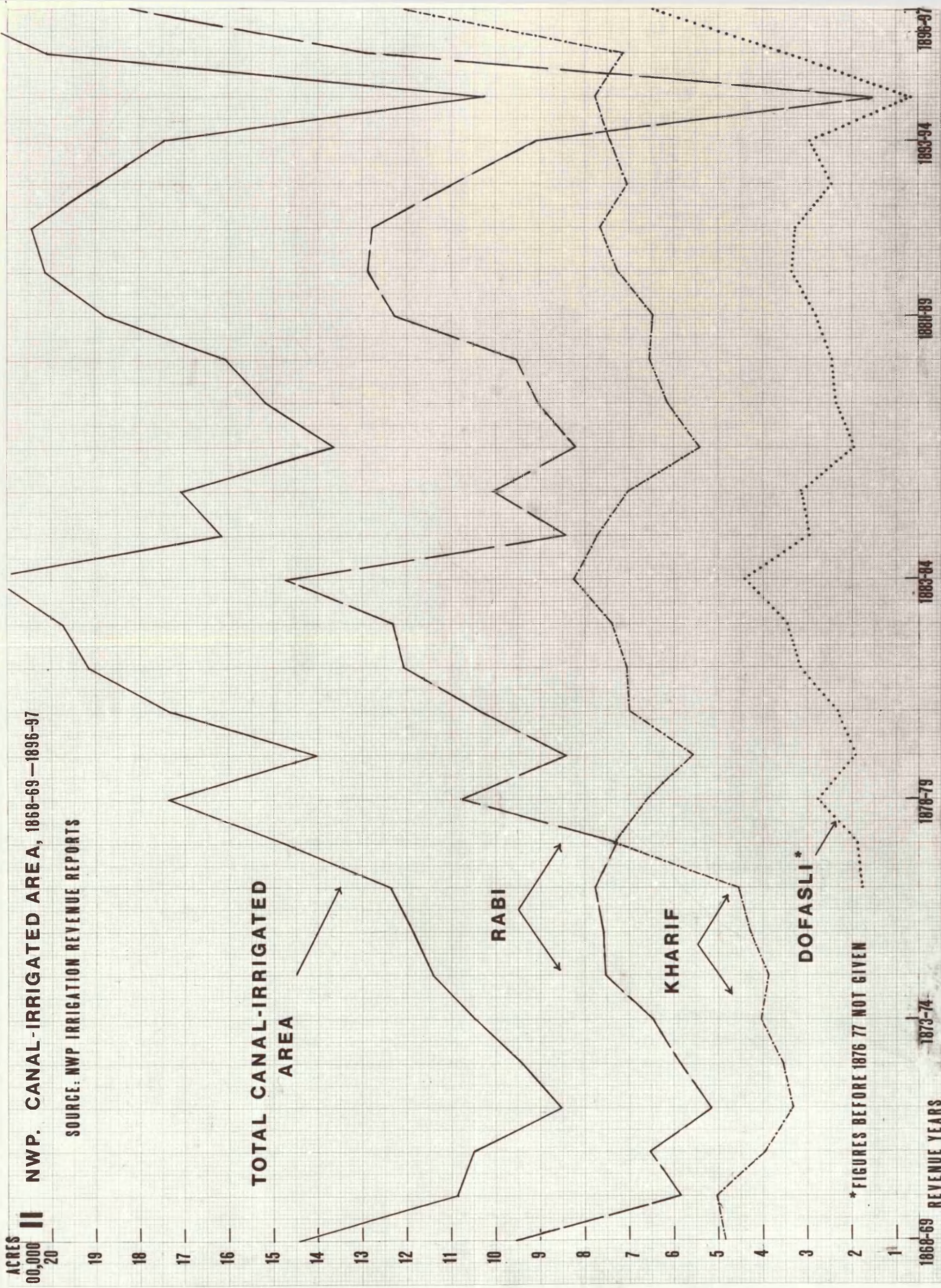
NO DATA

DATA

NO DATA

	ABUNDANT	16	ANNAS	— FOR ESTIMATES OF 16-AS YIELDS OF STAPLE
	HIGH AVERAGE	12-14	"	CROPS (MDS/ACRES), SEE APPENDIX II
	FAIR	10	"	
	POOR	6-8	"	
	VERY POOR / SEVERE SCARCITY	UNDER 6	"	

NWP. CANAL-IRRIGATED AREA, 1868-69 - 1896-97
 SOURCE: NWP IRRIGATION REVENUE REPORTS



* FIGURES BEFORE 1876 77 NOT GIVEN

1868-69
 REVENUE YEARS

1873-74

1876-79

1883-84

1884-89

1893-94

1896-97



PH068MHHTCOMBE, EM 4

ACRES 0,000

III NWP. CANAL IRRIGATED AREA: KHARIF -

PRINCIPAL CROPS

SOURCE: NWP IRRIGATION REVENUE REPORTS

INDIGO

SUGAR-CANE

RICE

COTTON

1868-69 REVENUE YEARS

1873-74

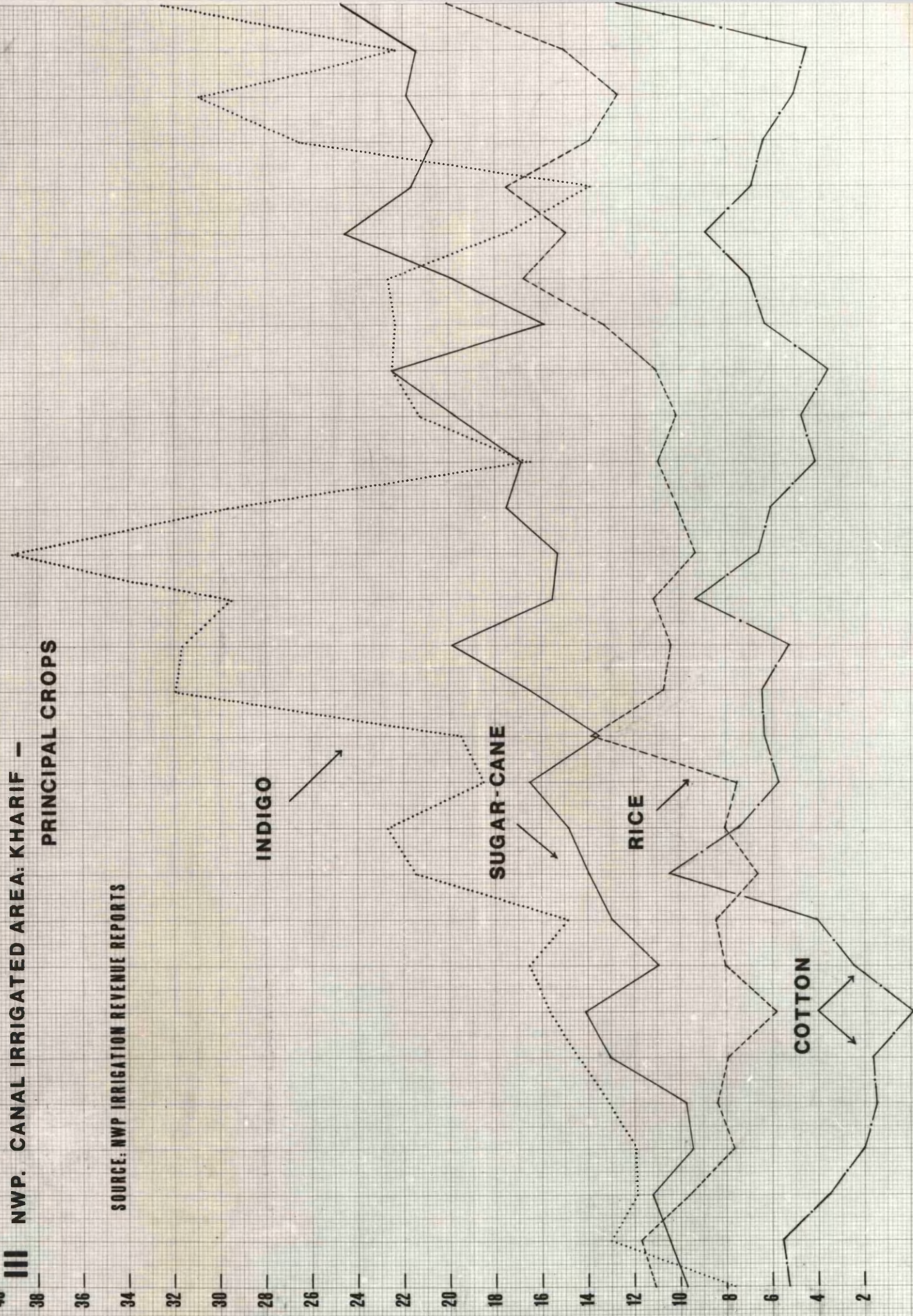
1878-79

1883-84

1888-89

1893-94

1896





PH068WHITCOMBE, EM 5

ACRES

IV

NWP. CANAL IRRIGATED AREA: RABI - PRINCIPAL CROPS *

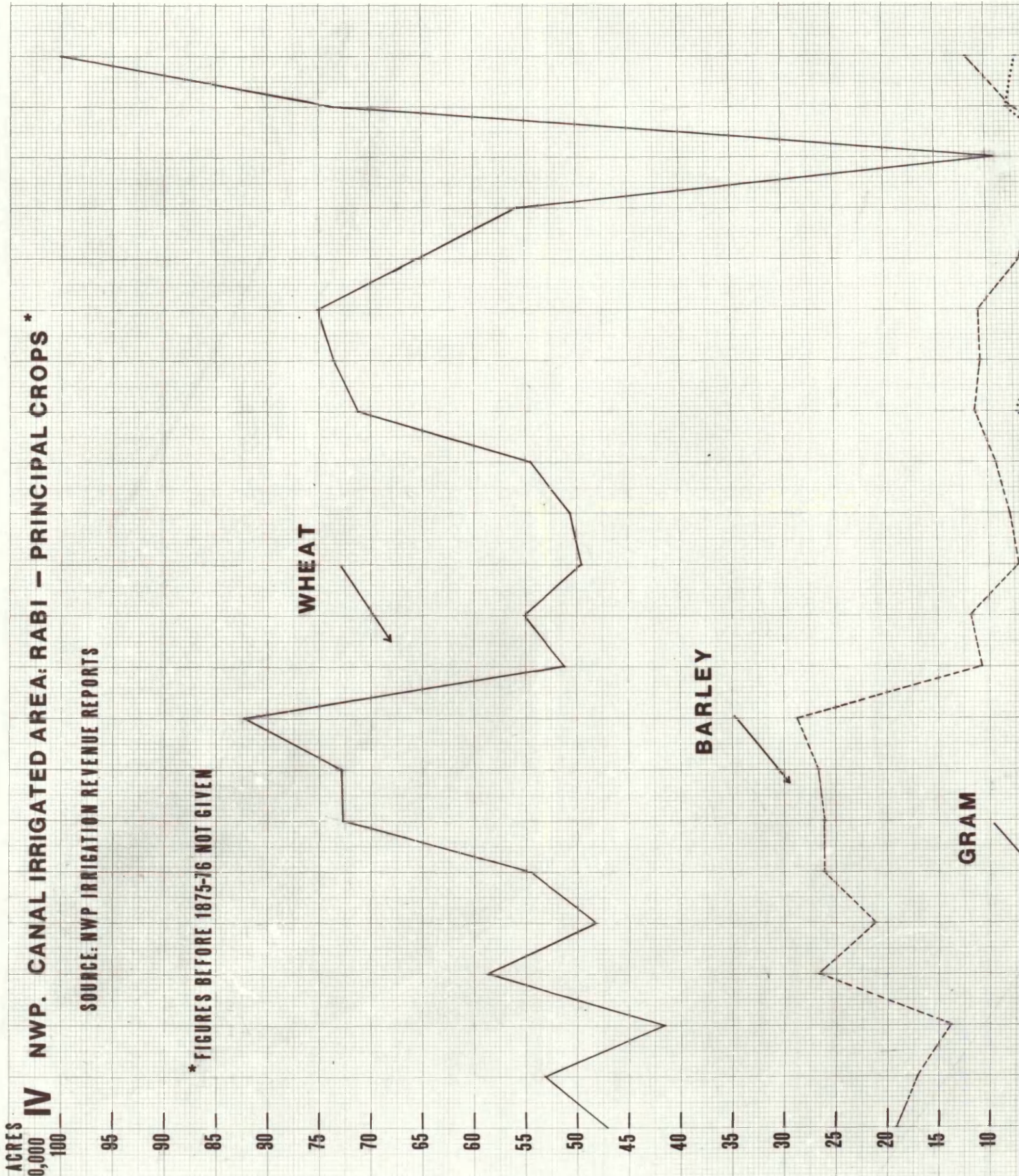
SOURCE: NWP IRRIGATION REVENUE REPORTS

* FIGURES BEFORE 1875-76 NOT GIVEN

WHEAT

BARLEY

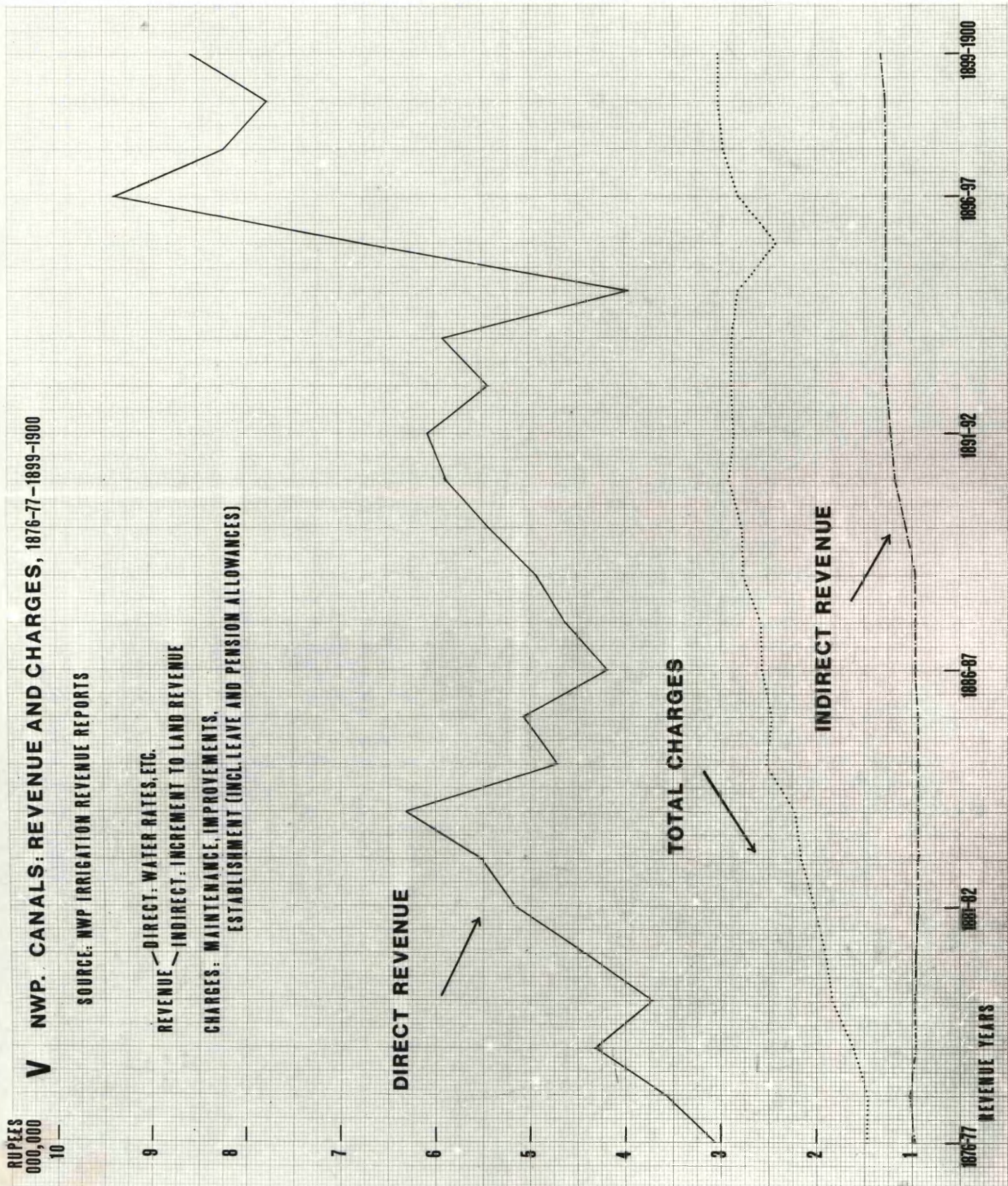
GRAM



V NWP. CANALS: REVENUE AND CHARGES, 1876-77-1899-1900

SOURCE: NWP IRRIGATION REVENUE REPORTS

REVENUE — DIRECT: WATER RATES, ETC.
INDIRECT: INCREMENT TO LAND REVENUE
CHARGES: MAINTENANCE, IMPROVEMENTS,
ESTABLISHMENT (INCL LEAVE AND PENSION ALLOWANCES)





PH. DEB. WATTGAMPE, EM 9



PLD 68 WHITCOMBE, ET 10

VIII OUDH. LAND REVENUE: DEMAND - COLLECTIONS - BALANCES, 1864-65 - 1884-85

SOURCE: OUDH REVENUE ADMINISTRATION REPORTS

RS 000.000

REVENUE YEARS

64-65

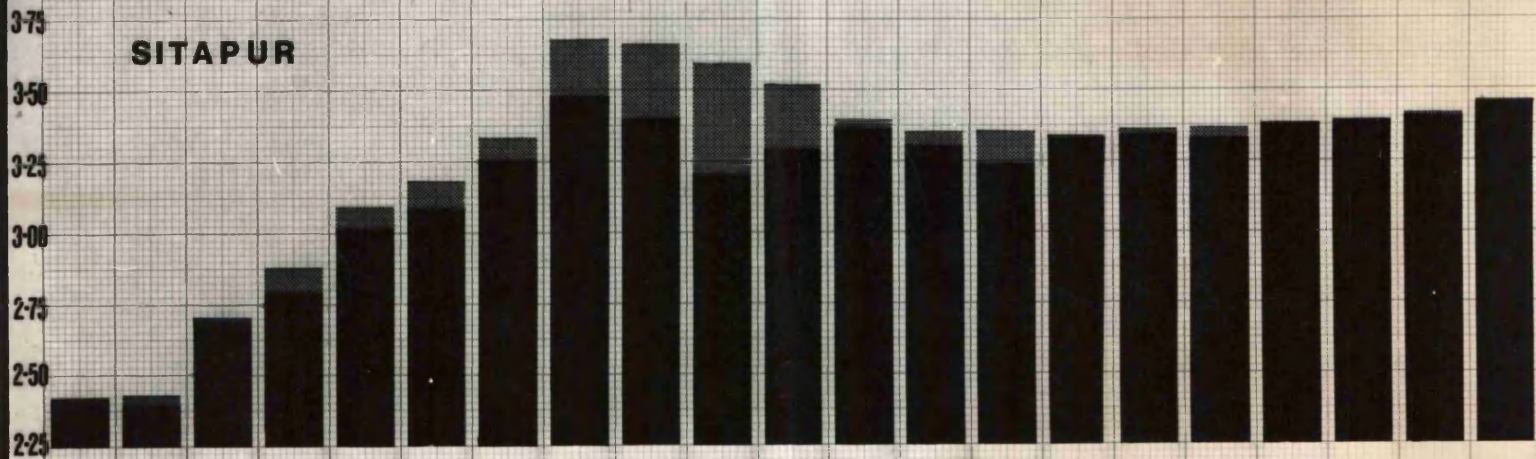
70-71

74-75

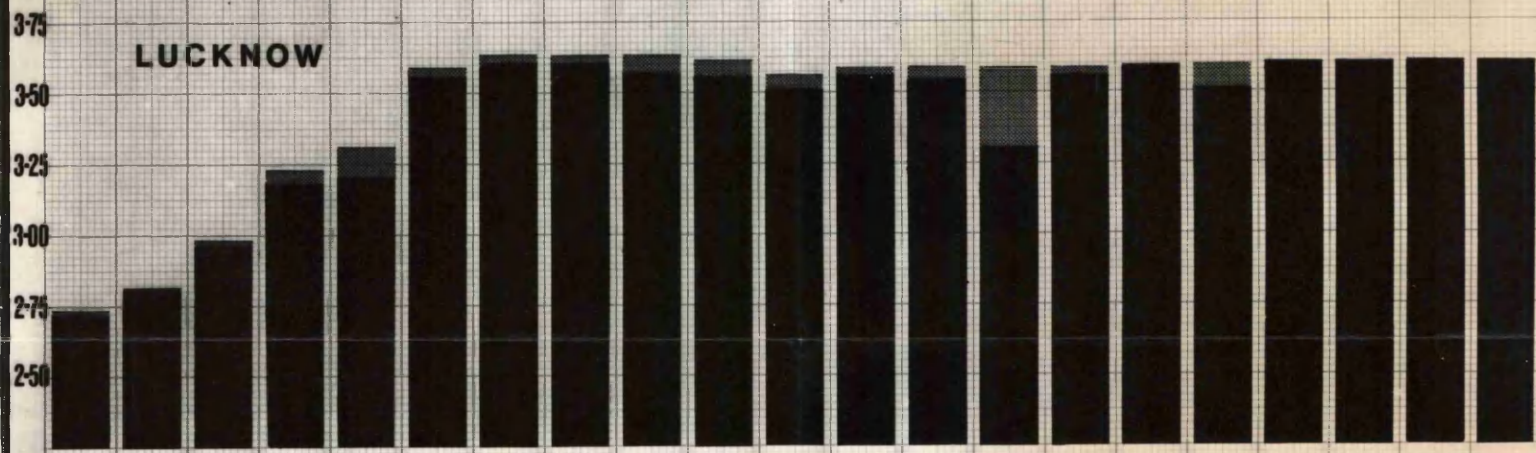
80-81

84-85

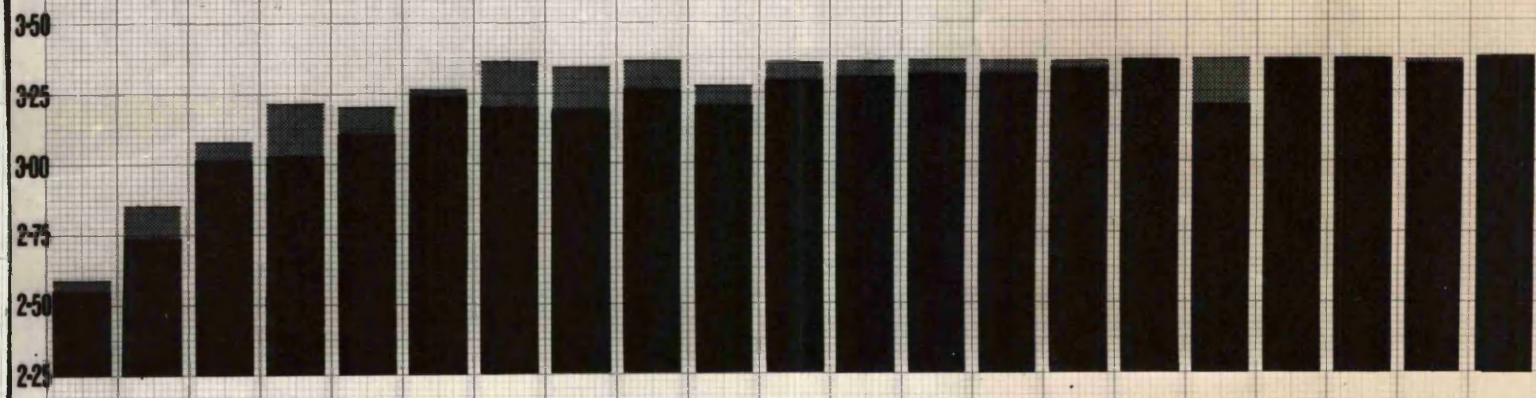
SITAPUR



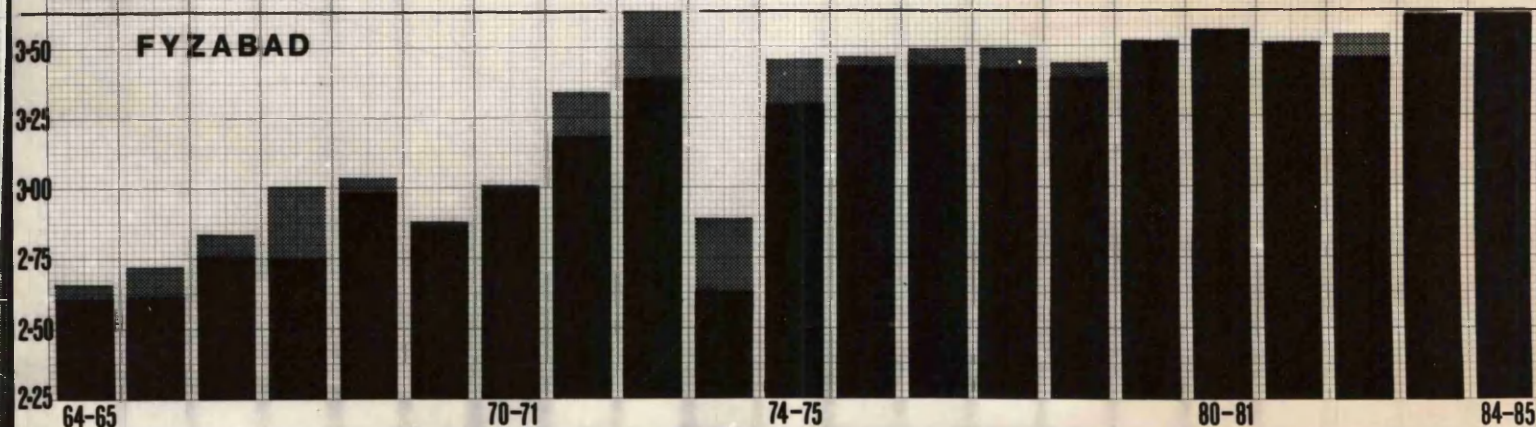
LUCKNOW



RAE BAREILLY



FYZABAD



PHD 68 WATT CORUSE, EM 11

BIBL.
LONDIN.
UNIT.

IX NWP AND OUDH. LAND REVENUE: DEMAND - COLLECTIONS - BALANCES,

SOURCE: NWP, OUDH REVENUE ADMINISTRATION REPORTS

1885-86 - 1899-1900

RS
000,000

1885-86 REVENUE YEARS

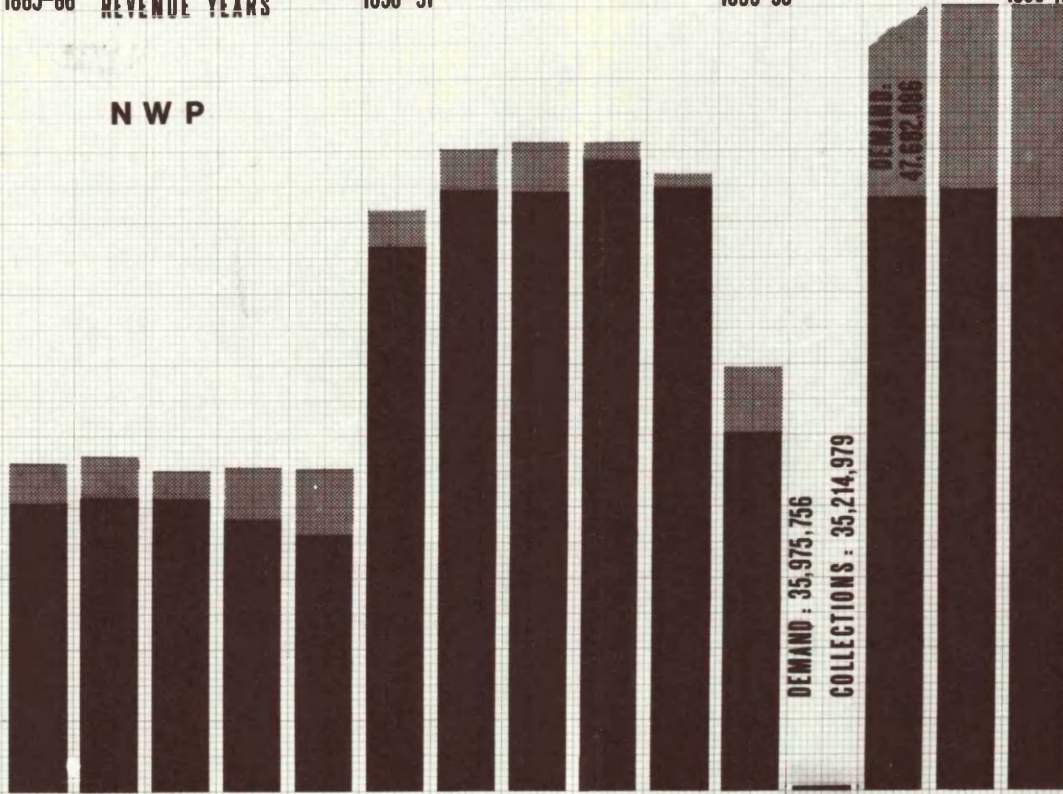
1890-91

1895-96

1899-1900

NWP

46
45
44
43
42
41



DEMAND : 35,975,756
COLLECTIONS : 35,214,979

DEMAND
47,802,086

17 1885-86

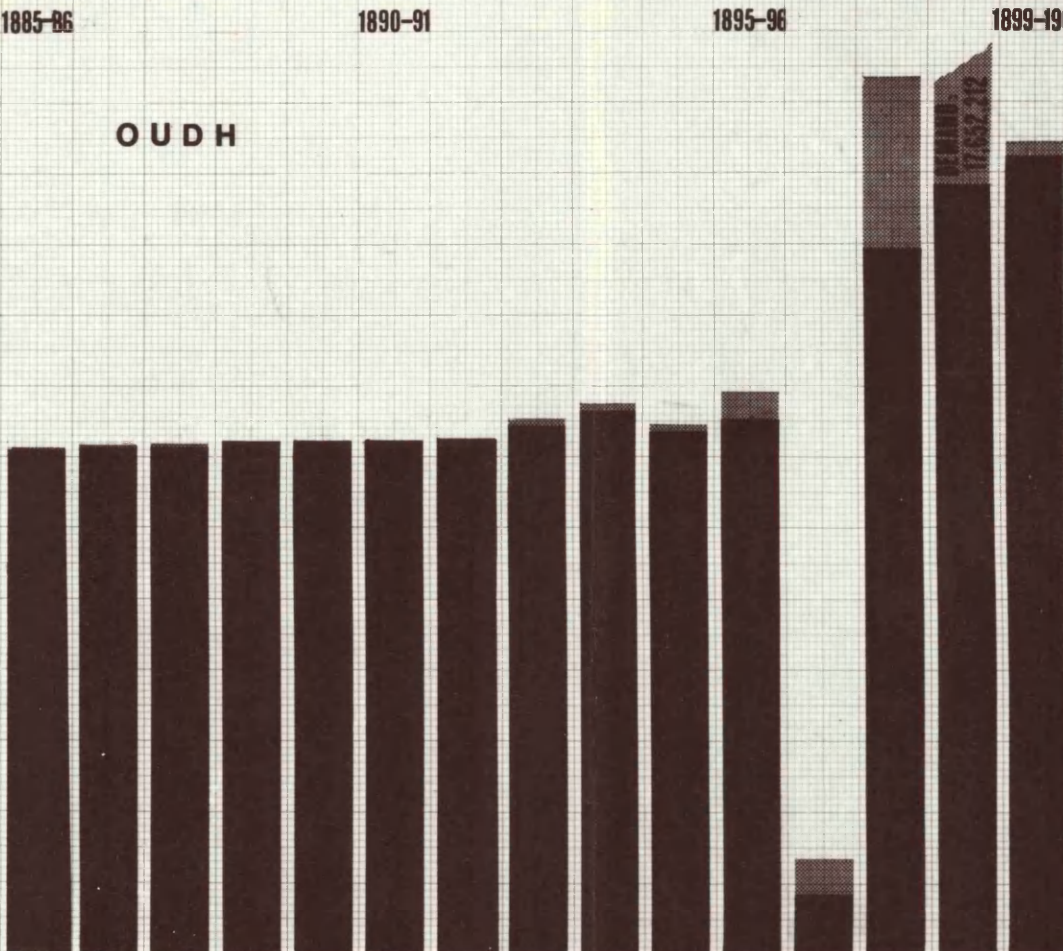
1890-91

1895-96

1899-1900

OUDH

16
15
14
13
12
11



DEMAND
17,527,312

X

NWP. THE COLLECTOR'S BUSINESS, BY DIVISIONS

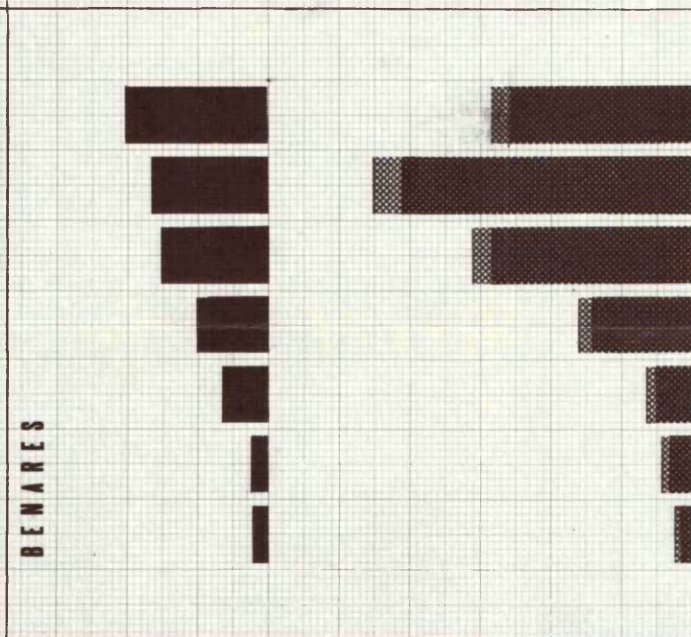
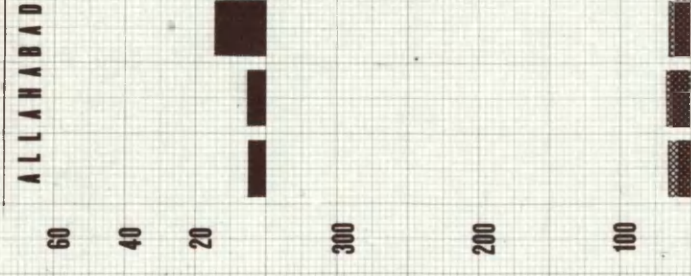
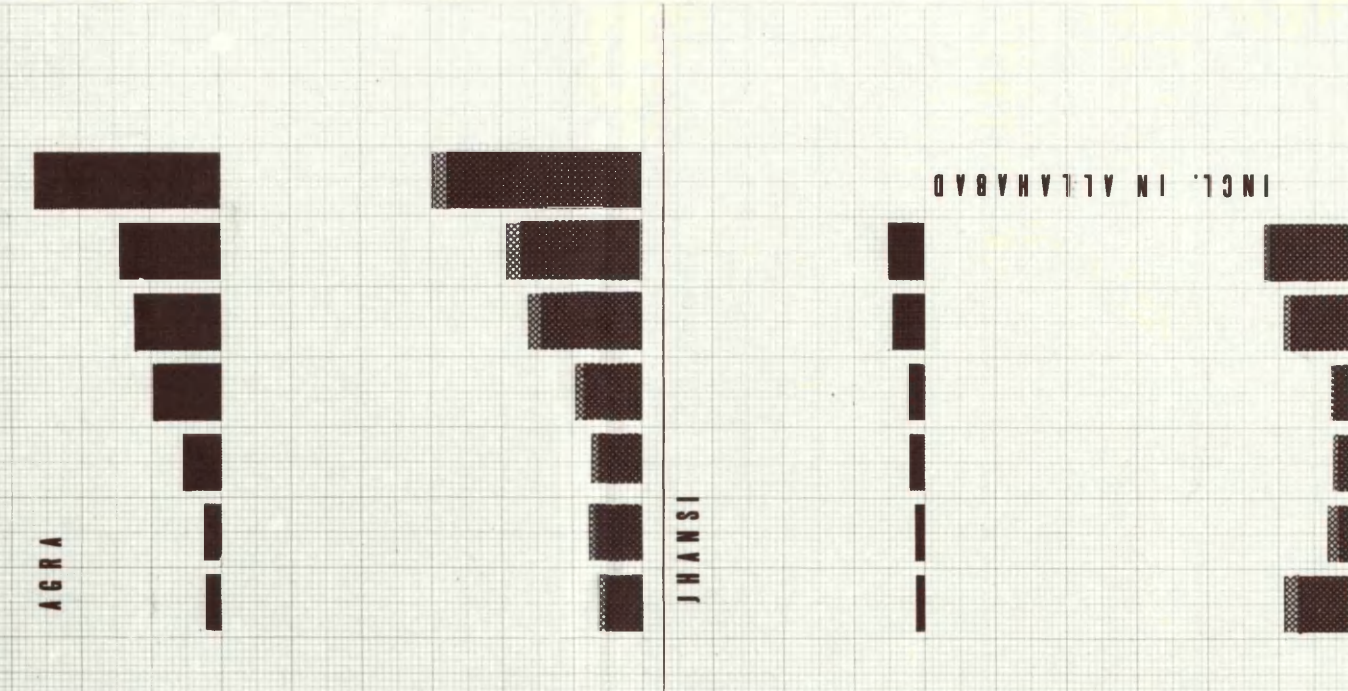
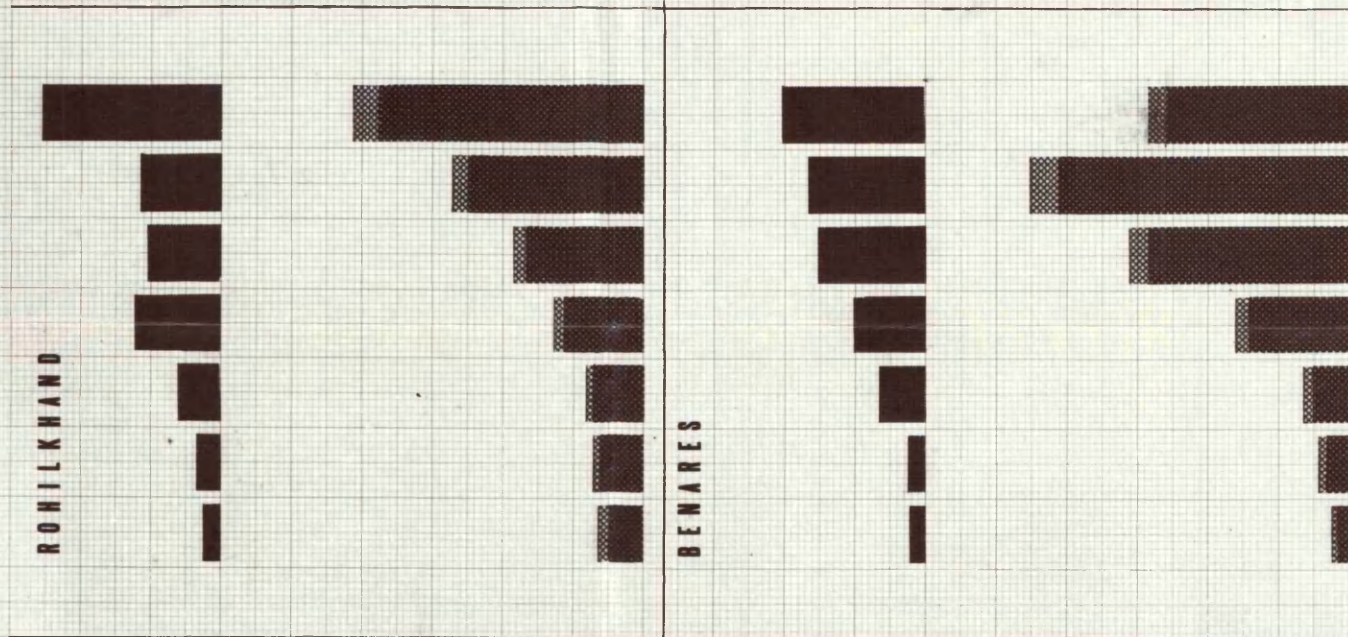
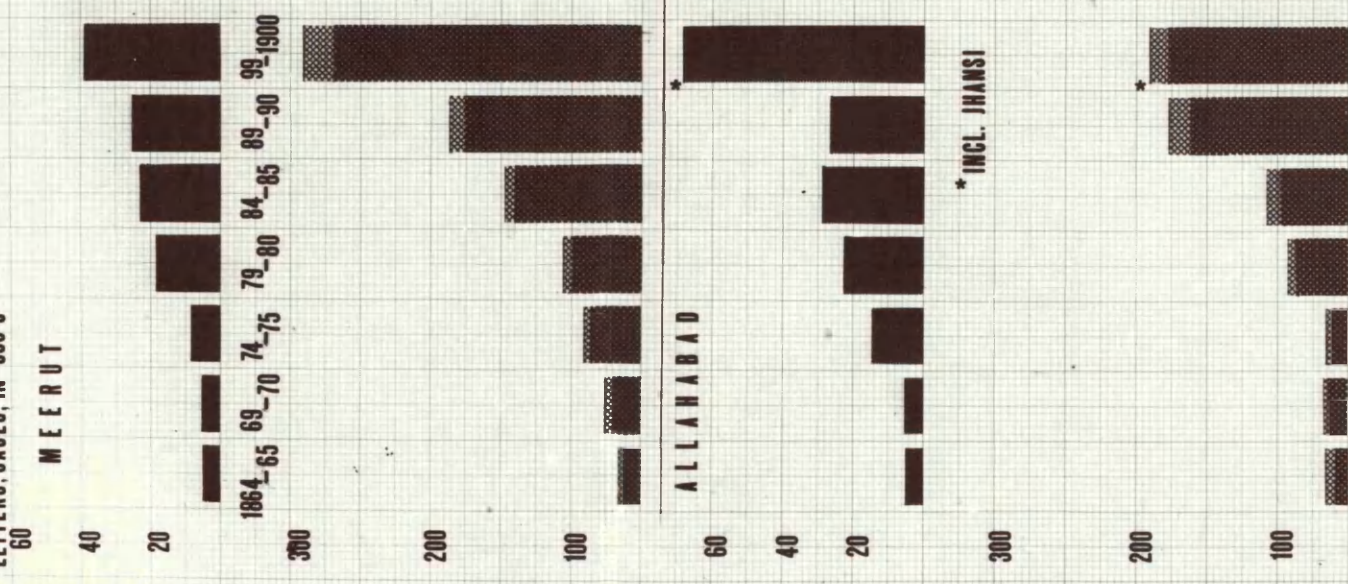
LETTERS ISSUED AND RECEIVED

CASES INSTITUTED AND DISPOSED OF

1864-65
1899-1900

SOURCE: NWP REVENUE ADMINISTRATION REPORTS

LETTERS, CASES, IN 000'S



* INCL. JHANSI

INCL. IN ALLAHABAD

PH. DEWHITCOMBE, EM 13

