

## LAND TENURE SYSTEM UNDER THE COMPANY RULE IN THE CEDED DISTRICTS

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### **Abstract**

*Land tenure systems under the company rule during the period between 1800-1824 A.D. This period can be divided into two parts. The first part was the village lease system of land tenure and second part between 1800-1821 A.D. These period covered the ceded districts revenue systems called ryotwari and another systems. In ceded districts written in famines, Madras presidency agricultural depression between 1826-1855 A.D. Thoms Munro, who was the collector of ceded districts laid the foundation of land revenue administration. Munro made an impressionistic survey of the available old records of the native governments. Munro argued that the demographic conditions of the districts also would be an impediment to the change to any tenurial the land was lying waste, the prosperous ryots and the poorer sections of the ryots were in the habit of wandering from place to place in search of better terms. During this period the trigeminal lease period was a period of overassessment. In this paper to discuss about faults in the early ryotwari settlement. The early ryotwari settlement was known for its high harassment.*

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The rule of the East India Company in the Caded Districts did not prove to beneficial to the agrarian communities for various reasons. The agricultural communities suffered most due to the transitional ordeals, which were in turn due to the agrarian policy of the company Government. The period of the Company rule may be called as the period of 'experiment'.

The period under study can be divided into two phases based on the land tenurial systems which were adopted by the company. The first phase was dominated by the "village lease" system of land tenure which lasted roughly from the period between 1800 and 1821 A.D. The second phase from 1822 to 1855 A.D. which witnessed the ryotwari system of land tenure.

Before, going into the details of the various land tenure systems of the British, two important economic conditions which altered the positions of the various agricultural communities and also influenced the agrarian policy of the East India Company, need to be mentioned. The first phase the period between 1800 and 1822 A.D. was threatened by the constant occurrence of famines and unfavorable seasons which resulted in the rise of prices of food grains.

The dry nature of the Ceded Districts which was an outcome of a particular geographical location resulted in tank and well irrigation. This mode of irrigation was possible only when there was abundant rainfall to fill up the tanks and wells. The monsoons were very unfavorable to these Districts due to the situation of the Western Ghats and strong winds which prevent the clouds from bursting over these districts. Hence the scarcity of foodgrains and famines was a frequent characteristic of these districts. During the British period, these Districts were severely affected by the famines that occurred in A.D. 1802-1804, 1805-1807, 1824, 1833-35 and 1855.

"Famines in India are directly due to deficiency in the annual rainfall, but the intensity of such famines and the loss of lives caused by them are largely due to the chronic poverty of the people. If the people were generally in a prosperous condition, they could make up for the local failure of crops by purchases from neighboring provinces, and there would be no loss of life. But when the people are absolutely resourceless, they cannot buy from surrounding tracts, and they perish in hundreds of thousands, or in millions, whenever there is a local failure of crops".

After witnessing the 1803-1805 A.D. famine in the Ceded Districts Munro proclaimed that, "No famine is ever produced in India by the operation of the seasons alone." He argued that the seed time in India continued for a long time, therefore, when one land of grain failed, a second could be easily substituted by avoiding any disaster by the failure of a season. The failure of a season might create a temporary scarcity but it was "converted into famine in the territories of the native powers by

war by the rapacity of Government in anticipating the revenue, by absurd, though well-meant regulations for keeping down the price and supplying the great towns and above all by the endless exactions and robbery of petty zamindars.” Munro’s complaint against the local governments was that they did not have any universal and general famine policy. Moreover the native Governments, according to Munro, followed the land revenue policy which was ruinous to the ryots. Even when they anticipated failure of a season, instead of giving remission or abstaining from the usual remission of land revenue in the next crop, they collected the land revenue. If the early crop which was sown in June and July failed, the native Governments instead of showing any consideration to the ryots, collected the land revenue which was usually collected in September and October. They not only collected the whole, but raised it by ten or twenty percent more because they were apprehensive that the second crop might also fail and they might not be able to realize the balances. Many of the ryots whose crops failed, and who were unable to pay their first kist absconded in October and thus, the cultivation of the second crop also diminished. When the scarcity of grain aggravated into famine, it often resulted in a price rise. For instance, the 1803 A.D. famine resulted in a two hundred to three hundred percent rise in price and the 1833-35 A.D. famine which was known as the famous ‘Guntur Famine’, resulted in the rise of the price up to two hundred percent. These man-made famines often resulted in aggravating the distress of the peasants and the poorer sections of the rural society were forced to take up banditry or thuggery and many migrated to the neighboring villages. Munro had seen the man-made cause as the primary reason for the Ceded Districts famines. He considered the failure of the monsoon as the secondary cause. A firm believer in his own ability to administer the Ceded Districts, he proclaimed that the Company rule would never provide a famine. In January 1805 A.D., reporting the condition of famine in the Ceded Districts, he claimed, ‘had that country been under the Company’s Government there would have been no famine in it. But the Company rule did not eliminate famine or the distress of the peasantry. The famine policy of the Company was still in its embryonic stage. The land revenue settlements being too burdensome, created conditions of scarcity and famines in the Ceded Districts.

The other prominent economic condition which prevailed in the Madras Presidency was the ‘agricultural depression’ between 1826 and 1855 A.D. From 1826-27 A.D. onwards the prices of food grains were substantially below those prevailing in the previous decade (1816-26 A.D.) except for the famine years 1832-34, 1838-39 A.D. Srinivasa Raghavaiyengar who submitted a Memorandum on the progress of the Madras Presidency in 1892 A.D., reported that the agricultural

depression was not confined to Madras Presidency alone but spread throughout India. It was the East India Company's financial system, which led to the agrarian crises in the first half of the nineteenth century. An extract from the "Indian Economist" which appeared in the Old Bellary Quarterly Journal was quoted by S. Raghavaiyengar to show the difference between the native Governments financial systems and the British Government's financial system.

The first step taken by company rulers was to substitute regularly paid and disciplined troops, located in military stations for the rural militia of the native feudatories and a staff of European and native officials receiving fixed salaries in place of the former with their followers, who paid themselves by perquisites and other indirect gains, but received very trifling emoluments from the treasury of the State. The next important step in Anglo Indian administration was to collect the land tax in money instead of in kind, according to the practice which had virtually obtained to a great extent under native rule. The immediate and inevitable consequence of this general enforcement of money payments was that the amount of coin, previously circulating and sufficient for the adjustment of the limited transactions in the native system, now faced a severe economic crisis due to the shortage of the circulation media. Under the native system, the sale for a cash of a small part of the agricultural produce of a district was sufficient to provide for all its liabilities connected with taxation and commerce. Under the British system, on the contrary, twice or perhaps, three times, the quantity of produce had to be sold in order to provide for the same objects, owing to the whole amount of land tax being demanded in cash. But the supply of coin remaining as before, the effect of this increased demand for it was, of course, to enhance its price. The coin in circulation had to perform double or treble the work it had accomplished before. The ryot requiring more cash to pay his money assessment had, of course, to bring more products to market, which occasioned a glut and brought down prices. In many cases the Collectors found it to be wholly impossible to collect the full land assessment and large remissions had to be annually made.

The Company's primary aim and interest were to identify the landholder responsible for the payment of land revenue. The information on earlier tenures was very scanty. They had to choose between several claimants to rights in tenure systems largely unknown to them and described in a multiplicity of terms in Tamil, Telugu, Malayalam, and Canarese.

By the treaty of 12<sup>th</sup> October 1800, most of the territories were acquired by the Nizam under the treaty of Sri rangapatnam. (1792 A.D.) and the treaty of Mysore (1799 A.D.) was ceded by him in perpetuity to the Company for the regular payment of the expenditure of the augmented subsidiary force. For the administration of the

Ceded Districts. Robert Clive believed that the best arrangement would be to vest the whole Civil Government in one collector with general powers of superintendence and control and to appoint a sufficient number of Sub-collectors for the execution of revenue duties. Accordingly, Munro was appointed as the Principal Collector. Four subordinate collectors were appointed to assist him. Alexander Stoddart was stationed at Cuddapah, James Cochrane at Harpanahally in Bellary, William Jhackery at Adoni in Bellary, and James Ravenshaw at Cumbum, which is now in Kurnool district.

Thomas Munro laid the foundation of land revenue administration in the Ceded Districts which in course of time, became the model to the rest of the Madras Presidency. Immediately after assuming the charge as Principal Collector, Munro made an impressionistic survey of the available old records of the native Governments. It was found that after all the deductions in the native system, the ryot's share was less than half of the gross produce. Around fifty percent of the produce was taken as land revenue-generating potentiality of the Ceded Districts.

Munro took charge, his first settlement was a village one. Each village was assessed at a certain valuation, and the cultivators were held responsible for that sum. This valuation was arrived at, after a total value had been assigned to each division, these totals being again calculated with reference to the estimated revenue of the whole of the Caded Districts.

Munro changed the village lease settlement to the Kuiwar settlement. The term which Munro used was to denote a settlement of the land revenue where, the dues of each individual ryot were fixed and collected by the officers of the Government, without the intermediate agency of zamindars, poligars of farmers of revenue (renters). In other words, the ryotwari system eliminated system eliminated all competition within the peasantry for holding land irrespective of rich and poor, as long as they paid revenues to the Government. The cultivator received the patta or agreement from the Collector and the individual landholder was considered as the 'registered occupant' and he was responsible for the payment of land revenue directly to the Government. The assessment was regulated both by the quality of the land and the condition of the cultivators and varied from two-fifth to three-fifth of the produce converted into money. Munro expressed his views strongly on the removal of the poligars from their intermediary position between the ryot and the Government so as to fulfill the main principle of the ryotwari land tenure system. Sometime prior to Munro's departure, a discussion on the method of settlement to be adopted to the needs of the country was going on. The three land revenue systems are there they are : The Zamindary System, The Village Lease System, The ryotwari System.

In these three systems, the Triennial village lease system was proposed by the Supreme Government as a preliminary step to a permanent settlement of the land revenue and the Collectors were asked to submit their reports, on the nature and terms of the lesse they considered best, adapted to the particular circumstances of their respective Districts.

Munro preferred the ryotwari system, stating, that it was the ancient system that was followed through the ages, and the abandonment of this system would be faced with injurious consequences. He argued that the Socio-Economic system of the Ceded Districts would not be suitable to the Zamindary land tenure. It appeared to him that the existing social institutions like early marriage, the equal divisions of land among all the sons and the practice of adoption in the absence of a male heir, were incompatible with the existence of large estates, that any attempt at such a system “would only be forcing for a time, but later it would come back again to the system of small farms of estates cultivated by the owners. Munro argued, that the demographic conditions of the Districts also would be an impediment to the change to any tenurial system, except the ryotwari. The country was thinly populated in proportion to its extent. Towns and trade were not in a flourishing state. A great proportion of the land was lying waste, the prosperous ryots always remained in fortified villages and the poorer sections of the ryots were in the habit of wandering from place to place in search of better terms. He believed that the above-mentioned causes and others, such as high assessment and unstable political conditions could not make ‘land’ a ‘commodity. The ryots in the Ceded Districts were generally so poor that it was always doubtful whether the following year they would be in the rank of cultivators or become laborers, and few of them were so rich as not to be forced by one or two bad seasons to throw up a considerable part of their farms. Many of the middle-level ryots often failed from the most trifling accidents. The loss of a bullock of a member of the family, who worked in the fields or confinement by a fit of sickness frequently disabled them from paying their usual rents the ensuing year. The poorer ryots paid about only one-fifth of the whole land tent, seldom paid the full assessment of the lands, which they occupied.

Munro felt, the portal and principiula cultivators were the only sort of people likely to become landowners. But, Munro thought that they were not men of integrity. He was of the view that they would never look after the welfare of the poorer ryots and would swallow the advances given to them by the Government and reduce them to a more miserable condition than they were earlier. They might often be forced otherwise by the fear of losing their tenants, resort to giving more

favorable tenants, resort to giving more favorable terms than what they ought to give. All these malpractices according to Munro, would encourage the migration of ryots from place to place in search of better terms and eventually reduce the revenues of the Government.

The advantage of the lease system was that, it would reduce the expenses of the Government and the strength of personnel needed to be appointed for revenue duties, which meant a smaller burden to the Government in revenue collections. But Munro argued that the ryotwari system would, in fact, generate more money through proper assessments and collections than a village lease system, and the expenses which were to be incurred on the revenue collections would, definitely outweigh the extra collections. In 1806 A.D., the Government's private secretary, sent copies of a questionnaire to several collectors for their opinion on the practicability of forming a permanent ryotwari settlement. In a reply to the above-mentioned letter, Munro traced out very briefly the advantage of the ryotwari system and mainly attacked the zamindari system and the disadvantages of the system. In the meantime, a strong case was made against the ryotwari system in favor of the permanent zamindari system by Hodgson in his Memoir of 1806 A.D. The Tanore Committee was also not in favor of the ryotwari system. It declared that the ryotwari settlement held no promise of benefit either to the ryot or to the Government, proportionate to the risk of loss, which it was likely to incur, due to constant fluctuations in cultivation and market prices. The Board, after examining the various reports of the revenue officials had come to the conclusion that the village lease system would be preferable for various reasons and the Board believed, that the village lease system was an ancient system dated back to the time of Manu, therefore, even if it was to be introduced, it would not be opposed by the Indian agricultural communities. In spite of the arguments put forward by Munro, Bentinck, Thackery, and other influential officials of the Company, the Supreme Government decided in favor of a village lease system. In 1808 A.D., Madras Government was dominated by the Bengal Civilian George Barlow, who was not in favor of the ryotwari settlement.

The principles of the Triennial Lease were dictated by the Board. Tanjore data right was adopted as the basis for the Triennial lease. Accordingly, the lease should be given to hereditary holders, and not to strangers. Only in case of their unwillingness to take up the lease and in case of disproportionately low bids for lease, the lease rights were to be given to outsiders. The year 1805 A.D. was taken as standard, as it was the year when the district had reached its optimum in land rent. Reporting on the introduction of Triennial Lease, Chaplin, the collector

of Cuddapah, reported that there was a considerable degree of competition for the rents and higher offers were made than those which he accepted. He stated that he did not agree the high rents were paid because of competition, jealousy and rivalry, but not due to the high yielding capacity of land or cultivators. The lands irrigated under tanks were leased out on the basis of supply of water, water level, the condition of the tank and the extension of cultivation under the tanks. The collector of Cuddapah, slightly deviated from the Tanjore patta right, when he delivered the pattas to each renter. He clearly stated that no remission would be given to the renters and the tank repairs should be done by the renters only and no taccavi would be allowed for such purposes. This was done not in accordance with the Tanjore patta right.

In the Bellary district, Collector William Chaplin conducted the Triennial Lease procedures. He reported to the Board that in his district, the potails apprehensive of being termed out of what they have had possession of for many generations past and fearful of being superseded in the status of hereditary managers by newcomers, had accepted higher conditions of rent. In fixing a rent of a village the collector had taken into account the state of cultivation in general, the means of inhabitants and the ability of the potal or renter. In Bellary no standard land rent was followed as in Cuddapah, to keep up a sort of uniformity in fixing up rents. It was left to the renters to collect as much as they could and as much as the cultivators could pay. This resulted in the oppression of ryots by renters, who in turn fled from the provinces to the neighboring provinces where they would get better terms of payment. The substantial ryots offered the ryots more favorable terms than the renters with little means. The differential status of renters thus, created tension within the renters and with the ryots. At the end of the report, the Collector remarked that the Triennial Lease system in the district was premature. In both the Districts, as a general rule of the village lease, the inams were given to the renters.

The Decimal pattas were given to the renters at the collectors cutcherry or office. Many held joined responsibility and where entered in the same patta under the Decennial Lease, every item of mohturpah (professional tax) and baseband were separated from the land revenue; the kalsekattu or total amount by the survey was taken, from which were deducted the inland and the amount of remission made in the survey rent. The remaining circar land was then divided into sagtawaree or land in actual cultivation, lack injury or waste fit for cultivation, and Canada injury or waste which has not been cultivated for twenty years or upwards. To the amount of land in actual cultivation was added the amount of rent payable upon an average of the amount paid on that account during a series of years. The jodee or quit-rent paid by the potail or renter on his inam land, was added to the



gross amount but distinguished it, particularly in the patta, thus depriving the renter of the power to raise or lower it. The rent was then fixed after a careful examination of the accounts and a minute inquiry into the circumstances of the villages. When the rent of all villages of a taluk had been then adjusted, and a revision took place afterward, if necessary.

The court of Directors issued a letter dated 16<sup>th</sup> December 1812, in which they asked the Board to justify their action of introducing Decennial Lease System and ordered the reintroduction of the ryotwari system where the villages were still unsettled and in those villages where the Decennial Lease was already worked out, should be reverted to ryotwari mode on the expiry of the Decennial Lease period. The change in the system was possible because of some officers who influenced the court of Directors. Moreover, the experience of the village's lease scheme in almost the whole of the Presidency created an adverse effect on the land revenue administration and welfare of the people in general. There were new converts to the ryotwari system, who came to occupy positions of importance in the Company administration.

There were many faults in the 'early ryotwari settlement'. The early ryotwari settlement was known for its high assessment. In most cases, the assessment was forced from single to whole districts and took each field at its supposed average, which made the aggregate greater than the amount that could be easily realized. The amount of revenue which the ryot had to pay to the Government was not known in advance or until the season became sufficiently advanced to enable the collectors and his assistants to judge from the appearance or state of the crops as to the means of the ryots to pay their dues. Too often, it was fixed rather with reference to his actual means than to the produce of his lands. The pattas were in most cases issued after the revenue had been paid in full, this defeated the very purpose of patta and became a mere receipt for the amount paid by the ryot. The ryots were made collectively responsible for the revenues of the village, to make good the failures of unsuccessful ryots by imposing an extra assessment, not exceeding ten percent upon the more fortunate ryots in the same village, and even, occasionally, upon those in the neighboring villages. This resulted in 'torture' as a means of collecting revenues. The faults were brought to the notice of the Government by the Collectors in course of time. The bad effects of the village lease settlement generally impoverished the districts and this resulted in extensive correspondence by the collectors with the Board and helped to bring to light the faults of the early ryotwari settlement. The middle ryotwari settlement tried to rectify the faults of the early ryotwari settlement.

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