

EAST INDIA (DECCAN RIOTS COMMISSION).

COPY

OF THE

REPORT OF THE COMMISSION APPOINTED
IN INDIA

TO INQUIRE INTO

The Causes of the Riots which took place in the Year 1875,
in the Poona and Ahmednagar Districts of the
Bombay Presidency.

Presented to both Houses of Parliament by Command of Her Majesty.



LONDON:
PRINTED BY GEORGE EDWARD EYRE AND WILLIAM SPOTTISWOODE,
PRINTERS TO THE QUEEN'S MOST EXCELLENT MAJESTY.
FOR HER MAJESTY'S STATIONERY OFFICE.

1878.

[C.—2071.] Price 2s. 6d.

To the ACTING CHIEF SECRETARY TO GOVERNMENT, Bombay.

Sir,

We have the honour to submit our Report on the subject of the Riots in the Poona and Ahmednagar Districts and the causes underlying the outbreak.

2. The Commission as at first constituted, consisted of Messrs. Richey and Lyon, Bombay C. S.; Mr. A. Colvin, Bengal C. S.; and Rao Bahadur Shumbooprasad Luxmeelal. In the month of November, Mr. Carpenter, Bengal C. S., was deputed by the Government of India in the place of Mr. A. Colvin, whose services were required in the North-west Provinces.

3. We have personally held inquiry in the disturbed districts, and recorded the statements of ryots and sowkars, and compiled the evidence obtained on the spot, showing the nature of the relations of the money-lending and agricultural classes. We have also examined the records of the Revenue, Judicial, Registration, and Police Departments throwing light on the economic condition of the agricultural class and their relation to the money-lending classes, and the consequences of that relation. We have collected and read—

1st.—Previously recorded reports, minutes, letters, &c. by authorities and officials who have discussed the subject of the indebtedness of the agricultural and land-holding classes in India, and suggested remedies for the alleged mischief arising from this indebtedness :

2nd.—The legal and judicial record showing how the relations of the agricultural debtor and his creditor have been affected by the law, the procedure, and the practice of the Courts of Justice, discussions and debates on the enactments and provisions of the law dealing with those relations.

We have consulted officers of local experience on the points which came before us in our inquiry, and have been favoured by Judicial Officers with opinions on questions referred to them.

4. We desire to record our strong sense of the value of Mr. A. Colvin's services in the work of the Commission during the two months in which he sat as a member. We have received his permission to submit to Government a memorandum written by him before his departure, many of the conclusions in which coincide with those submitted in our Report.

5. We desire also to record our acknowledgments of the valuable assistance received from the many officers from whom we have sought information and help.

6. On the question to which our attention was called by the Government of India, viz., the connexion of the revision of assessment with the riots, the concurrent opinion of the Commission is shown in the report. Two members are of opinion that the enhanced settlement was more directly connected with the outbreak than is indicated in the conclusions recorded in the Report. On this subject, therefore, separate notes and accompaniments are submitted.

7. Mr. Shumbooprasad Luxmeelal also desires to submit a separate note on some points regarding which the conclusions in the Report do not go so far as he would wish.

We have the honour to be,

Sir,

Your obedient Servants,

J. B. RICHEY,

A. LYON,

SHUMBOOPRASAD LUXMEELAL.

P.S.—The undersigned is able to record the full concurrence in the report of Mr. Carpenter, whose sudden and lamented death has prevented his name from appearing among the signatures of the Commission.

J. B. RICHEY.

CONTENTS.

REPORT OF THE COMMISSION.

	Page
CHAPTER I.—THE RIOTS.	
Premonitory disturbances	1
The outbreak	2
The extent of the riots	2
Instances of similar disturbances	4
CHAPTER II.—THE DISTRICT IN WHICH THE RIOTS TOOK PLACE.	
Physical character	5
Climate	6
Population	7
Cattle	7
Comparison with Guzerat	8
Produce	8
Former condition of the country	9
Condition in early period of British rule	10
Condition in recent period of British rule	11
CHAPTER III.—THE RELATIONS OF SOWKAR AND RYOT AND THE CAUSES OF DEBT.	
The debtor and creditor classes. The Kunbi Ryot. The Marwari money-lender	11
Historical review of indebtedness	13
Relations of Sowkar and Ryot	14
First period of British rule	14
Second period under regulation	14
Extracts from Record of 1843	14
Evidence of the Records from 1850 to 1859	15
Repeal of limitation of interest, 1855	17
Acquisition of land by Sowkars	17
Procedure before 1859 more favourable to debtors	17
Increase of suits for debt following on the survey	18
The Ryots prosperous in and about 1860	18
The Procedure and Limitation Acts of 1859	19
Causes of debt:	19
Poverty. Small average value of holdings. Rainfall uncertain. Value of produce variable	19
Improvvidence	19
Inherited debt	20
Stimulus to borrowing given by survey settlement contemporary with stimulus to lending given by increased facilities for recovery	20
Increase of population	20
Produce of land not alone sufficient for the Kunbi's needs	21
Industry and enterprise being discouraged by pressure of debt, production is not increased	21
Productiveness said to be diminishing	21
Emigration as a result of increased population	22
Conclusions as to the increase of population	22
Increase of money lenders and money lending business	22
Increase in inferior kind of money lending business	23
The limitation law	23
The revenue system	24
Effect of the American war	24
Summary of causes of debt	25
The period preceding the riots	25
Relations of sowkar and ryot in the years 1867-75	25
Contraction of credit, illustrated by registration returns	26
The civil courts' returns	26
The revenue returns	29
Decrease in cultivation	29
CHAPTER IV.—THE EXTENT AND NATURE OF THE INDEBTEDNESS OF THE RYOTS.	
Extent of indebtedness	29
Analyses of embarrassments in 12 villages	29
The real value of a ryot's occupancy	30
The nature of the dealings	30
Sowkars' accounts	31
Mortgages of land	31
Joint security	31
Other mortgages	31
Transfer of occupancy	31
Mortgage tenants	31
Instalment bonds	32
Labour bonds	32
Stipulation regarding receipts in bonds	32
All dealings reduced to bonds	32

	Page
CHAPTER V.—THE CAUSES OF HOSTILITY BETWEEN THE RYOT AND THE SOWKAR.	
I.—Usury	33
(a.) Are the rates of interest usurious?	33
(b.) Is it possible to regulate the rate of interest by law?	35
(c.) Other means of reducing the rates of interest	35
II.—Ex parte decrees	36
(a.) Are such decrees unusually numerous?	36
(b.) Fraud as a cause of ex parte decrees	38
(c.) Other causes of ex parte decrees	38
III.—Excessive powers of realising debts	39
(a.) What powers are given to the creditor by the law?	39
Imprisonment	41
Liability of property	41
(b.) Are the powers excessive?	41
1. Imprisonment	42
2. Sale of existing property	45
3. Sales of future property	45
(c.) Are the powers abused?	47
IV.—Loss of land by private sales	47
V.—The limitation law	50
VI.—Frauds	50
(a.) Alleged practices	51
(b.) Is prevention possible?	52
VII.—Action of the civil courts	53
CHAPTER VI.—THE IMMEDIATE OCCASION OF THE RIOTS.	
Refusal of the sowkars to pay the revenues	54
Enhancement of Government demand	54
Influence of persons of position	54
Encouragement from a band of outlaws	54
Popular belief in Government sympathy with the Ryots' grievances	54
CHAPTER VII.—REMEDIES RECOMMENDED BY THE COMMISSION.	
Poverty	55
Ignorance	55
Increase of population	55
Rigid revenue system	55
Enhancement of assessment	56
Defects of the present law. Proposed remedial measures	56
Alterations in conduct of judicial business	56
Village courts	57
Special pleader for illiterate defendants	57
Draft bill for amending execution of decrees	57
Bonds in adjustment of decrees	58
Objections to proposed measures	59
Measures for dealing with present debt	60
BILL FOR THE PREVENTION OF FRAUDS.	
Statement of objects and reasons	60
Draft bill (Public Notaries. Receipts and Accounts. Penalties. Operation of the Act.)	61
BILL FOR AMENDING THE LAW RELATING TO THE EXECUTION OF DECREES.	
Statement of objects and reasons	62
Draft bill—I. Of abolition of imprisonment for debt. II. Liability of judgment debtor to furnish a list of his property and exemption of certain property from sale in execution. III. Mode of selling immovable property. IV. Agreement extorted by process of execution or threats thereof. V. Limitation of decrees	63

SUPPLEMENTARY MINUTES.

ON THE CONNEXION OF THE REVISION OF ASSESSMENT WITH THE RIOTS, BY MR. RICHEY	66
ON THE CONNEXION OF THE RECENT ENHANCEMENT OF LAND REVENUE WITH THE RIOTS, BY MR. CARPENTER	69
ON THE REVISION OF ASSESSMENT BY MR. LYON	70
ON THE REVISION OF ASSESSMENT, BY MR. SHAMBHUPRASAD LAKSHMILAL	75
ON THE ENHANCEMENT OF ASSESSMENT IN POONA AND SHOLAPUR, BY MR. CARPENTER	7

THE CONNEXION OF THE ENHANCED ASSESSMENTS OF LAND REVENUE WITH THE EMBARRASMENTS OF THE RYOTS.

I.—Opinions of Officers and others.

Extract from the Replies of the Collector of Poona to the Commission queries, October 1875	88
Extract from Letter of Sub-Judge of Ahmednagar, dated 20th of October 1875	88
Extract from Letter of the Sub-Judge of Patus (Poona), dated 28th September 1875	88
Extract from a Memorandum by Mr. Shambhuprasad Lakshmilal, December 1875	88
Extract from Report by Mr. Macpherson, Assistant Collector of Poona, 1874-75	89
Extract from Report by Mr. Davidson, Assistant Collector of Sholapur, 1874-75	89
Extract from the Remarks of Government on the Sholapur Reports, 1874-75	89

SUPPLEMENTARY MINUTES—continued.

	Page
Extract from Report by the Collector of Ahmednagar, 1874-75	89
Extract from the Remarks of Government on the Ahmednagar Report, 1874-75	91
Extract from Mr. Pedder's "Leading Points regarding Revision Settlements"	91
Extract from the Report of the Revenue Commissioner, S.D., paras. 9 and 10, on the Revised Assessment of Taluka Karmala, Zilla Sholapur, dated 14th January 1874	91
Extract from Memorandum of the Revenue Commissioner, S.D., on the Division of Taluka Pandharpur, Zilla Sholapur, dated 21st October 1872	91
Extract from a Petition presented to the Collector of Sholapur by the Ryots of Karmala Taluka, September 1875	92
Extract from the Report of the Sub-Committee of the Poona Sarvajanic Sabha, 1873	92
Statement of Cultivated Area and Assessment in the Revised Talukas of the Poona and Sholapur Collectorates	98
Table of Rates and Percentages of Assessment in Poona and Sholapur	98
Statement showing the Area of Waste at various periods during the Settlement	98
Table illustrating the Enhancement of Assessment imposed on Villages in Taluka Bhimthari (every fifth entry from the list of villages)	99
Table illustrating the Enhancement of Assessment imposed on Villages in Talukas Indapur, Siror, and Haveli (every tenth entry)	99
Table exhibiting Extreme Cases of Enhancement of Assessment on Villages in the Poona Collectorate	100

II.—The System of Revision of Assessment.

Extract from the Joint Report on the System of Revenue Survey and Assessment, 1847	100
Section 30 of the Bombay Survey and Settlement Act, No. 1, of 1865	103
Extract from the Report on the Revision of Assessment in Taluka Indapur, Poona Collectorate, January 1867	108
Extract from Sir G. Wingate's Note on the Revision of Assessment in the Indapur Taluka, 1867	109
Extract from Letter of the Revenue Commissioner, S.D., submitting the Revision Report to Government, dated May 1867	112
Extract from Resolution of Government on the Revision of Indapur, No. 1,211, dated 27th March 1868	112
Extract from the Report on the Revision of Assessment of the Bhimthari Taluka, dated 12th July 1871	112
Extract from the Letter of the Survey and Settlement Commissioner submitting the Revision Report of Bhimthari, dated 28th November 1871	113
Statement showing the Average Prices of Jowari and Bajri in Poona (City) and Yewat from 1841-42 to 1870-71	113
Extract from Memorandum of Revenue Commissioner, S.D., on the Revision Report of Bhimthari, dated 3rd January 1872	116
Extract from Resolution of Government, No. 385, dated 26th January 1872	119

III.—The Pressure of the Revised Assessment.

Extracts from Letter of the Revenue Commissioner, S.D., No. 149, dated 14th January 1874, on the revision of Karmala Taluka	119
Extract from Resolution of Government, No. 707, dated 7th February 1874, on the Revision of Karmala Taluka	120
Extract from Letter, No. 444, dated 20th March 1874, from the Survey and Settlement Commissioner, N.D., to the Revenue Commissioner, S.D.	121
Extract from Letter No. 1,466, dated 20th April 1874, from the Revenue Commissioner, S.D., to Government	122
Old Classification Rates of the Village of Alipar, in Taluka Barsi, Zilla Sholapur, in contrast with those of the Revised Settlement	126
Old Classification Rates of the Village of Dahitneh, Taluka Sholapur, in Sholapur Collectorate, in contrast with those of the Revised Settlement	127
Old Classification Rates of the Village of Miri, in Taluka Sholapur of the Sholapur Collectorate, in contrast with those of the Revised Settlement	128
Old Classification Rates of the Villages of Ishwar-watar, Taluka Pandharpur of the Sholapur Collectorate, in contrast with those of the Revised Settlement	129
Extract from a Note, "Leading Points regarding Revision Statements," by Mr. W. G. Pedder, C.S., 1874	130
Statement showing the Annual Amount realised from Defaulting Ryots on account of Notice Fees, Interest, and Fines in the Poona Collectorate from 1865-66 to 1874-75	136
Return showing the Result of Revenue Processes issued for the Recovery of Government Revenue from Defaulting Ryots in the last three years (Poona Collectorate)	137
Statements showing the Lands and other Movable Property Attached and Sold for recovering the Arrears of Land Revenue in the disturbed villages of Taluka Bhimthari, Poona District, in 1873-74	137

IV.—Reduction of Enhanced Assessment by the Government.

Resolution of Government, No. 5,739, dated 29th October 1874	138
Resolution of Government, No. 4,515, dated 11th August 1875, directing a Reduction of Assessment in Taluka Maitha	140
Resolution of Government, No. 4,980, dated 30th August 1875, directing a Reduction of Assessment in Taluka Bhimthari	142
Resolution of Government, No. 5,200, dated 11th September 1875, directing a Reduction of Assessment in Taluka Indapur	144

Miscellaneous Papers.

Extracts from a Note by Mr. W. G. Pedder on the Experiments made to ascertain the Average Value of Produce of different sorts of land	145
Extract from the Report of the Committee of the Poona Sarvajanic Sabha, Chapter III	149

	Page
Note on the Revision of the Survey Settlement in the Deccan, by Mr. A. W. Keyser, Assistant Collector of Sholapur	150
Return showing Prices (number of seers per rupee) of Jowari and Bajri in Indapur from 1866-67 to 1874-75	152
Tabular Statement of the Original and Revised Rates of Assessment in the Village of Kheirgaum	152

MEMORANDUM BY MR. AUCKLAND COLVIN.

Object of the Memorandum	159
Causes of present crisis, general and special	159
(1.) Former indebtedness	159
(2.) Effect of survey and settlement on credit	159
(3.) Effect of high prices on credit	160
(4.) Fall of prices	160
(5.) Effect of fall of prices on credit illustrated by registration and litigation	160
Three remaining causes	162
Causes special to the disturbed districts	162
Original poverty, Poona	162
Further considerations of soil, &c.	163
Indapur taluka (Poona). Rainfall; soil	163
Haveli taluka. Crops; rainfall	163
Pabal. Rainfall; cultivation	163
Supa. Crops; rainfall	163
Newam taluka (Ahmednagar). Cultivation	163
Kharda. Poverty of soil	163
Population	164
Enhancement of revenue at the revised assessment	164
Enhancement of revenue at the revised survey assessment	164
Enhancement not to be calculated as in Upper India	165
Illustrations of extreme cases of enhancement	165
Comparison of enhancement between the initial years of the two surveys	166
Survey figures of enhancement in five Poona talukas	166
Effect of survey enhancements	166
Great prevalence of Marwaris in the Deccan	167
Action on the cultivating classes of the above causes	167
Sketch of the present condition of the Kumbi	167
Statements of Subordinate Judges	168
Illustration of indebtedness in Khandesh and Ahmednagar	169
Progressive increase of Marwari proprietorship	169
Further information needed	170
Above extracts support the sketch of the Kumbis' position given in paragraph 18	170
Grouping of the above causes under their respective heads	170
Further remarks on pressure of population	170
Difficulties from increasing numbers of population	171
Proportionate increase of population, ploughs, &c.	171
Disproportion of plough-cattle and houses to population	171
Pressure of population proportionate to quality of soil	171
Decrease of available waste during settlement	172
Similar result of figures for the Southern Division	172
Enhancement of assessment equivalent to increase of population	173
Action of the courts	173
Judicial opinions on the point	173
Points chiefly insisted on	173
Powerlessness of the courts against fraud	174
Decrees and warrants of arrest used as instruments of extortion	175
Illustrations	176
No finality to decrees	176
Judgment debtor's property liable to sale without reserve	177
Inadequate prices obtained at public sales	177
Working of three years' limitation rule	177
Distinction between the problem in Upper and Western India	178
The ryots' ignorance. The desirability of bringing the Sowkar within the village system	179
Proposals of Mr. Fraser Tyler and Mr. Shambu Prasad	179
Education powerless	180
Previous proposals to this effect	180
Scheme of village accountants	180
Consideration of objections urged to it	180
Expediency of utilising the Sowkar	181
Scheme to be experimental	181
Preventive measures a <i>sine qua non</i>	181
Scheme for compounding present debt in the disturbed tracts	182
Proposals as to collectorates similarly circumstanced	182
Other economic disadvantages incurable at present	182
Fiscal sources of difficulties. Gradual introduction of large enhancements of revenue expedient	183
Essential reasons for such a course in the case of the recent rise	183
Assessment applied on arithmetical data with too little regard to the opinions of district officers	183
Adaptation of revenue system to special local peculiarities	185
Third class of difficulties	185
Two stages of relief	185
Law of limitation	185

MEMORANDUM BY MR. AUCKLAND COLVIN—continued.	Page
Imprisonment for debt - - - - -	186
Imprisonment for debt used as a means of compulsion - - - - -	186
An insolvency law not likely to be much used unless made compulsory - - - - -	186
Term of currency of decrees - - - - -	187
Inadequate prices at sales of land - - - - -	187
Sale of necessaries and implements of trade - - - - -	187
Summary. Land, unless hypothecated for a debt, to be exempt from sale - - - - -	187
Suits for sale of land in satisfaction of debt to be heard by selected courts only - - - - -	188
Précis of objections to certain other schemes - - - - -	188

ERRATA.

Page 5, line 22, for 1873 to 1874 read 1870 to 1874.

" 25, para. 67. for 5, 5, 6, 7, 8, 9, " 5, 6, 7, 8, 9, 10.

NOTE.—The Appendices, which are frequently referred to and quoted throughout the following report, and in the separate Minutes of the Members of the Commission, have been omitted on account of their voluminous nature.
