

**THE
BOMBAY LAND SYSTEM AND
~~VILLAGE ADMINISTRATION~~**

THE
BOMBAY LAND SYSTEM
AND
VILLAGE ADMINISTRATION

IN SIX PARTS.

*Legal, Technical, Administrative, Historical,
Practical and Agricultural.*

*With Special Chapters on Agricultural
Industry, Agricultural Indebtedness,
Small Holdings and Rural Reconstruction.*

*(Incorporating the Land Revenue Code as amended upto date
with the latest and important rules, relevant
Government Resolutions and recent Case-law.)*

BY

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Bombay Civil Service.

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FOREWORD.

By

Sir Chunilal V. Mehta, K.C.S.I., M.A., LL.B.

I am very glad that Mr. D. S. Modak, M.A., LL.B., has found time to write his book entitled *The Bombay Land System and Village Administration*. He has had special opportunities both as a Revenue Officer and as Superintendent of Land Records to study the complicated Bombay Land Revenue System. During my tenure of office as Revenue Member I came across Mr. Modak's work. I found him an able and conscientious officer and I think his book consisting of six parts and dealing with all the important problems of assessment, settlement, survey, the different systems of land tenure, village administration and rural economy will serve a real need. There are of course publications dealing in detail with these matters, but they are generally technical and intended for the use of Government Officers. Several of them moreover are out of print. There is also available to the public Mr. Joglekar's book. Mr. Modak, however, has set out to deal with the various complicated problems of land revenue administration in non-technical and readable form for the benefit of the general public. It is unfortunately true that the ordinary member of the public or the college student has generally kept away from these subjects. With the enlarged councils, however, that will soon come into operation and the transference of reserved subjects to the control of non-officials in the councils, these questions will demand close and detailed attention. There is already a wide interest created by complaints against the assessment of various

tracts and the general land revenue administration of this presidency, and every publication which sets forth true facts will be of great use. I think Mr. Modak's record in his official capacity and his contact with the cultivators in various ways and his sympathy for them ought to be a guarantee of the value and usefulness of his book.

3-11-1932.

(Sd.) CHUNILAL V. MEHTA.

PREFACE.

There is no up to date book on the Bombay Land System and Village Administration. No separate book has yet been written on the Village Administration. There are books written on the Indian Administration in which the powers and duties of Ministers, Presidents of Councils and other High Officers are described, but very little is said in them about the Patel and Kulkarni who are the most important functionaries in the villages. India is mostly a land of villages; the constitution and position of the village are of great importance in the Bombay Land System, and the Village Administration is the key to the Land System.

There are various subjects connected with the Land System. Different books have been written on these different subjects *e.g.* the Land Revenue Code, Survey and Settlement Manuals, the Watan Act, the Revenue Accounts Manual. The first two are out of print. Some of these books are too voluminous and too technical for the average member of the public, the average subordinate Revenue Officer, the busy Legal Practitioner, and the law student who has neither the time nor the inclination to wade through each of these. In the summary of the replies to the Questionnaire issued by the Land Revenue Assessment Committee, the Author of the Survey and Settlement Manual who was an experienced and senior Collector stated "From the replies received from the local people to the questionnaire as well as from the debates in Council—it is clear that there is the most appalling ignorance among the educated public as to the most elementary points about the system and there can be no doubt that the ignorance constitutes a serious political danger in present circumstances. The Survey and Settlement

Manual does contain a statement of the history and principle, but it is now out of print and is in any case rather too detailed for ordinary consumption. What is wanted is a summary of the history for popular consumption dwelling on the main points." Page 212 Land Revenue Assessment Committee's Report. One branch of the Land System is Survey and Settlement, there are other branches Viz: Tenures, Watan, Revenue Procedure. This book deals with all the branches.

The purpose of this book is to convey within a moderate compass, general information on the Land System and to present in one single book its main principles without giving unnecessary details. Many readers do not care for full details and the official students want the leading principles indicated or need only to be enlightened on such points as bear directly on their daily duties. Now has arisen the necessity to provide such a book as shall answer the purposes of the ordinary student of the Land System, and shall yet give sufficient practical information on technical points. It is easier to write a detailed account of a particular subject than it is to select the precise features of the whole system which will give the correct information in a short form and in comparatively untechnical language. It is designed to help all those who are interested in, connected or concerned with the Land System and Village Administration—Non-Officials, Officials, Landholders, Revenue Officers, Legislative Councillors, Lawyers, Jahgirdars, Inamdars, and Law-students. It is hoped, it will be also useful to the students abroad, in England and on the continent and in America, who are required to know something of the Land and Village Administration of this country. It is essential that both the electors and their chosen representatives should know more fully about the land system than they do at present. One of

the objects of compiling this book is humbly to assist those who will be responsible for guiding the future Revenue Administration of this Province as well as those who will have to deal with the problems of district work.

Strenuous efforts have been made to avoid all but the most necessary expressions of editorial opinion leaving the facts to speak for themselves. I have aimed at setting forth the true facts and a careful avoidance of all exaggeration and extenuation. For the accuracy of the statements and for expression of opinions whenever I could not avoid giving it I alone am responsible. There are many questions that can hardly be said to have two sides. There are a few questions of a debatable character that call for an early decision.

In the First Part, all the salient aspects of the system of assessment and Settlement are given. The Second Part deals with Survey, Land Records and Classification; these are the foundation of the Land System. In the Third Part Land Tenures, Watan and the main principles of Inams are described. The Fourth Part deals with Village Administration and with subjects vitally connected with it such as agriculture, small holdings, and tenancy. In the Fifth Part and this is a special feature of the book, the Land Revenue Code is given as amended up to date with all the sections together with the important rules under the sections, the latest important relevant Government Resolutions, Case-law, (recent High Court cases) to facilitate ready reference. The recent G. Rs. and Land Revenue Rules have superseded a number of the old G. Rs. It no doubt detracts considerably from the usefulness of a book if unnecessary and old G. Rs. and case law are piled up. In order to provide a helpful and reliable manual for every day use, with regard to the

G. Rs. and case-law, I had to go carefully through a selective process. In the Sixth Part technical terms and vernacular expressions are given such as it is necessary to know, in order to understand the land system. A word of special gratitude is due to my old college friend, Professor, C. D. Pinto, M.A., LL.B. who was good enough to carefully go through all the parts of the book. Also I am grateful to Mr. N. S. Joshi, Retired District Inspector Land Records, who was one of the ablest officers and who knew the technical work well, for valuable suggestions. I wish to record the great help I got from Mr. N.K. Ponshe in correcting the proofs and in arranging the index and table of cases and the table of G.Rs. I must acknowledge the great assistance I have derived through various works too numerous to mention here. I am obliged for the assistance given by Mr. K. V. Kulkarni B.A., LL.B., High Court Vakil, Satara, and by Messrs. A. K. Buddhanavar, D. G. Deshpande, G. D. Zankar B.A.

Poona,

D. S. MODAK.

1st November 1932.

the whole land belongs to the King. (100)
en) till it for 1/4 produce in lieu of wages".
o-Megasthenesis and Koutilya, p. 93). Bernhard
our, whose work was published so recently as 1927,
marks about the above statements "The conjoint testimony
Diodorus and Strabo regarding State-Ownership of land is
ported by the fact that the same view is an axiom of the
cient Indian Public Law". There is complete corrobora
on of this found in Koutilya's chapter on the replenishment
f the treasury, Artha-Shastra V. 2. Prof. Buhler of Vienna,
ne of the foremost scholars declared "As a distinct
ecognition of the principle that the ownership of all land is
vested in the King".

Chandragupta, the Great, had to raise money for his
rs. He and his Chancellor were at their wits' end to
lect a sufficient amount of money. The legal taxes were
t productive enough for the purpose. They had to—as is
ident from Artha-Shastra—have recourse to other methods
hich demonstrated the majesty of the law on the one hand
d the inconvenience of a rigid legal revenue on the other.
ishymitra, while commenting on Panini V. 3, 97, humo-
usly remarked that the Mauryas who wanted gold raised
by instituting images of gods for worship. In the Jaina
tradition Chanakya is alleged to have issued 800 million
debased silver coins called Karsh-panas to fill the treasury
Koutilya mentions "half cultivation (Ardh-sitika)", land
being cultivated in return for 1/2 produce. Also non-agri-
cultural revenue was collected as mention is made

House-Tax in Yajna-Valkya II. 153 Vide Prof. Dil

"Hindu Administrative Institutions" page 318.

From the ancient authorities quoted above
the ruler of the country, for the time
entitled to appropriate a

produce of all land for the public use. In these days land revenue does not exceed even 1/5th of the agricultural and pastoral produce in India as compared to the 1/3 taken by former Governments.

In 1835 the early British System commenced. P. Ray, Professor of Economics in the Calcutta University states in his book 'the Land Administration in India' "Government now takes a very much lower share of the gross produce than was customary in the pre-British Days".

The smallest administrative division was a grama (village) reckoned by Koutilya as constituting 100 to 500 families. The next administrative division was a Sangrahaṇa, group of villages, 7 and upwards, Dronemukha consisted of 400 villages and Sthawira of 800 villages. The area of a grama comprised roughly 2 square miles. It had different Margas (roads), Raja Marga was the King's road. The width varied from 3 to 15 haths (cubits) Vide Sukra I, 193. The Gramani was the village officer who had both Civil and Military powers. The headman was an officer of position held in high esteem by the King. "He treats with Havi the headman of the village corporation because he assuredly is one of his jewels".

India, I repeat, is fundamentally agricultural. 3/5 of the population are cultivators who live in villages. The population of India is 338,170,632* composed of 45 different races speaking 170 different languages, and divided into 1600 sub-castes. This population is largely dependent on agriculture and is crowded in flat lands which depend on the rain.

There is no accurate estimate of all the arable land of the whole of India, but a large part of the area still

of the U.S.A. is 122,775,046 and

INTRODUCTION.

The Indian problem is the land problem. The study of the land system is of the utmost importance to everybody interested in the advancement of India. Anyone who aims at understanding India and its administration must first know this system. For the land-owners, agriculturists, Inamdars, Legislative Councillors, Economists, Revenue Officers, Lawyers, Social Reformers, and for all those who aim at the welfare of India, the comprehension of the broad features and main principles of the land-system is absolutely necessary. But, owing to the supposed difficulties of the subject as also for want of simple books on it, a large number never tackle it at all or care to learn its principles. Consequently they lack a good deal of knowledge which would help to confirm and improve, strengthen and establish the principles and practice on which so much depends in India. By understanding the Land system one can gain greater knowledge of Indian Government than in any other way. The State derives its principal revenue from the land. As agriculture is the basic industry of the Bombay Presidency, on the prosperity of which so largely depends the welfare of the masses, a study of the land-system and village administration is urgently needed in order to improve agriculture in this country.

Importance of the study of the land system:

The land system formed the subject of primary consideration in the economic history of Ancient India in conformity with the Artha-Shastra (Science of Wealth). The most ancient literature available in India is of the Vedic times. The land system in most ancient times.

It is held to be the foundation of the whole social system over a number of the Vedic days. The Vedic Aryas lies largely from abroad, from the west of the economic and rural. In hymn VII,

6, 5, King Nahusa is said to have ordered the people to pay taxes. According to the last verse of a hymn in Rig Veda, the King becomes the sole taker of taxes from the people. A couplet runs in the Artha-Shastra "Those who are well-versed in the Shastras admit that the King is the owner of both land and water and that the people can exercise their rights of ownership over all other things excepting these two." Long before the close of the Vedic period the land tax was obligatory. The King was "Lord paramount of the soil", Manu VIII, 39. In the Mahabharata days the King got the revenue from land as his wages for the service of administration.

"The 1/6 Bali tax, import and export duties, fines and forfeiture collected from offenders—gathered in accordance with the Shastras (law and constitution), as your wages, (Vetanena) shall constitute your revenue." Mahabharata, Santi P. LXXI. 10.

Also in Sukranitisara I, 188, it is mentioned 'getting his wages in taxes for the purpose of continuous protection and growth though Master in form, the Servant of the people'. In ancient India revenue was derived partly from taxation and partly from other sources. An appreciable proportion of revenue came from the land. Koutilya estimated it to be 1/3. There were crown lands "Swabhumi",—Artha-Shastra Book II, St. 24. The mainstay of the revenue was the King's Bhaga Cf. Manu VII. 130-132. The evidence of Megasthenes concerning the Land Revenue System of the Mauryas is interesting. There are two translations of his writings as follow:—

"They (Viz: husbandmen who formed the second of Megasthenes' seven castes) pay to the King a land rent because all land belongs to the King, while private individuals are not allowed to acquire property. ^{of} contribute 1/4 to the royal share' _{of}

th uncultivated and untenanted, it is waving with trees
D armuring with water, and within it are immense
y es untapped, and cultivation can be multiplied if there
ness and energy applied in the right direction.
ervation of water during its flood rush may irrigate still
more lands than now and those almost desert. A further
hope lies in the subteranean water supply that can be reached
by boring. The Presidency may be divided into two portions,
the Deccan Plateau and the Maritime Plains. In these
portions there are different tracts in which different crops
grow. In the coastal districts there is more rice than in the
interior, that is above the ghats, and the desh where the
Jowari, Bajri, Gram, Groundnuts, Cotton and Wheat are
rown. But the wheat plant grows practically in all parts of
a where there is soil fertile for its production. Wherever
t grows the human race can find a congenial home,
in t h for comfort and cold enough for vigour. What
wa ed is a development of the wheat crop in India.
ensive cultivation and better methods of agriculture
an raise the present out-put per acre.

onsider Belgium where 7,932,000 people live, or 675
e square mile. It is a country of intensive cultivation of
oil, of land improved, drained and utilized to the last
ee. The greatest part of the population lives directly
ndirectly on the land and its produce. This does not
t that they are all farmers; there are shop-keepers of a
e where the farmers (and no others) deal, there is a
urme (and no one else) who k eeps the farms in order,
acher (and nobody else) who exorts the farmers. If
e farmers, who are supporting these people? But in
um there are also great industries employing in the
ies over a million men and w omen and ing their
es largely from abroad, from t he Congo, fi

Comparison
with
Belgium
and its
industry.

from America. Belgium imports raw material, and manufactured goods abroad to the extent of 2½ times she buys from foreigners. (17,000,000 francs against 7,000,000 francs).

The part of the population responsible for this does not live off the natural resources of Belgium. Even if it consumes homegrown food, this is set off by the export surplus which it creates, whereas in England the people engaged in agriculture comprise but 6 per cent of the population, while in France they form 40 per cent., in Italy 35 per cent., in Russia 72 per cent. and in Jugo-Slavia 80 per cent.

The memory of the reader will be refreshed by a reference to the history of India in general and of the Bombay Presidency in particular, to ascertain what influence the Muhammadan Kingdom and later the Marathas brought to bear upon the land-system. In the early days, there were series of loosely connected states constantly at war with one another, overrun from generation to generation by Dravidians, Greeks, Northern Rajputs, Jats, Afghans, Mughals and the Marathas. The early history of the Deccan is traditional; though in the Deccan the various successive conquests followed one another. In the 6th Century, under Vikramaditya, it formed part of the Malwa Kingdom. In the last years of the thirteenth Century, the Deccan Districts were first conquered by the Muhammadan Empire at Delhi having completed the conquest in 1338 A.D. At this time the great Bahamani Kingdom arose. For a very brief period the Mughal sway was established over this; but it was divided into five parts, Ahmednagar (Nizam Shahi), Bijapur (Adil Shahi), Gondal (Kutub Shahi) and two lesser ones (Shahi).

The Mughals from Delhi attacked these Kingdoms and there was a suicidal struggle between the two, till at last the Deccan was subjugated by Delhi. The Marathas took advantage of the struggle. They sided with one and then with the other, and subsequently crushed both. Traces of the Maratha Power are clearly seen in certain parts about the Deccan villages. When there were invasions from the North, the invaders who adopted Budhistic faith left their marks in the well known caves that the visitors see at Ellora, Badami, Karla. The great development of the Maratha Power commenced with the rise of Shivaji; other branches also came forth, Viz: Nagpur (of the Bhonsla) Indore (Holkar) and Gwalior (Scindia), Baroda (Gaikwar). The great Confederacy of the Maratha clans was designated as *Maharashtra—Magna-regio* and a special dialect "Marathi" was developed. Bengal and Orissa were attacked by the Bhonsla. The Central power was that of the Peshwa who was defeated in the North by Lord Lake and the treaty of Sirji-Ajangaon was signed in 1803. Then there was cession of some Bombay territory. At last owing to the disruption of the Peshwa's Kingdom in 1817, the other territories of Bombay came under the British; the Maratha Confederacy had a downfall. The six districts of Gujarat, Northern Division, were long under the Muhammadan rule. The Deccan districts of the Central Division, and Karnatak—Belgaum, Dharwar and Bijapur were under the Marathas. The District of Kanara was attached to the Bombay Presidency in 1862; formerly it belonged to Mysore. The sea side districts, Konkan, were under the Marathas. The peculiar revenue farming system there gave rise to the Khoti tenure. The Government of Bombay was formally vested in a Governor with three Councillors in 1793. During 1803-1818, several of the territories of Bombay were taken from the Maratha—Peshwa and the Nizam. The

Island of Bombay was ceded to the Crown of England by Portugal by virtue of a treaty entered into on 23rd June 1661, on the marriage of King Charles II with Catherine Infanta of Portugal. The land revenue administration of the Presidency Town (Bombay City) differs from that of the Mofassil. There are special tenures, freeholds, leaseholds (tokas), and there is a separate Act for the Bombay City "The Bombay City Land-Revenue Act No. II of 1876."

Direct
relation
between the
Government
and cultiva-
ting classes.

The most important legacy which the British Government received from the Maratha administrative system was the direct relationship between the Government and the cultivating classes through the hereditary Village Headman. The Village customs, ways of living, prejudices, social codes, habits of thoughts are not those of the official classes. The Patel is a medium between the Officers of Government and the inhabitants of the village. The Patel interprets the orders of Government to the villagers, he is the spokesman who explains the villagers' view to Government. With this object the Patel was given a watan (grant of land for service). The highest Maratha Chiefs prized these watans more than high sounding titles. For a village organization to be vigorous the Patel must remain in a position of dignity as well as of responsibility.

Unit of ad-
ministration
is the
village.

In the Bombay Presidency, the unit of revenue administration is the village (called Mouze a small village, a Kasba a big village). When the races passed from a nomadic stage to the agricultural and settled upon lands, they formed certain groups of landholdings more or less connected, and these were called the "Village." They have a central aggregate of residence and a common bond. The village system is the key-stone to the arch on which the stability of the whole revenue administration of the Province depends, and so the efficiency of the Village Officers is a

matter of supreme importance. More than 3/4 of the people in India live in villages and less than 10 per cent. of the population is urban as compared with 78 per cent in England or 48 per cent in Germany. In the Bombay Presidency, 18 per cent of the population is urban; this high percentage is due to the existence of cotton Mills in Bombay, Ahmedabad, Sholapur and Hubli. There are 19 districts in the Presidency proper and 8 districts in Sind, (Dadu is the new district) and 215 Talukas and 38 Mahals in the Presidency proper and 59 Talukas and 2 Mahals in Sind. There are 22,905½ villages in the Presidency proper and 5,389 in Sind. Including the States, Agencies and Aden, the total population of the whole Presidency is 3,03,22,512. The village problem is very difficult, and most urgent reforms are needed in the village. If India is to advance, the village must first advance; it is no use beginning at the wrong end in the cities and improving the intelligentsia before the villages which remain for centuries together as they are.

The present wasteful, uneconomic and primitive methods of agriculture and the living of the villagers need change. Strenuous efforts are required from those who are interested in the real renaissance of India to effect that change in the psychology of the farmer and in his personal and social habits without which his condition in life cannot be improved. There will be opposition, from those who are sunk in conservatism, and apathy, but, if the aim is to improve the village, then it is necessary to show to the villager what his actual condition is.

India being mainly an agricultural country, the revenue derived from the land is the greatest item of the financial administration. At present the revenue realized from this source in the Presidency proper (Gross fixed revenue including non-agricultural and other uses) is Rs. 4,50,13,582 and in

Rural Re-
Construction and
Village
Uplift.

Bombay
Land
Revenue
System is
splendid.

Sind it is Rs. 3,93,49,109. The settlement of revenue is one branch and the collection and administration of revenue is another. Under the pre-British system, there was no distinction between the two branches, because settlements were made annually, demand being fixed for each village by the District Officer. The method of administration differed in different territories which form the Bombay Presidency as now constituted. There was no uniformity. So long as the pre-British Governments were strong, they continued, though under altered names, the Aryan System of administration, but when the officers were left with less control than they had before, there appeared the revenue contractors who became Zamindars. Out of confusion order was evolved and a land revenue system was created by the British Government which was capable of being administered from one supervising and responsible centre for the mutual benefit of the Government and the governed. Of all the Provinces in India, the growth of land revenue in the Bombay Presidency has been most satisfactory on account of the careful and scientific system of assessment and survey. In no other provinces are there such detailed rules and regulations of Classifications, Measurements and Boundary Marks as are found in the Bombay Presidency. In no other provinces are the Survey Records, which are as valuable as the currency chests in the treasuries, so well prepared, arranged and kept, and assessment so minutely and precisely worked out as in Bombay. A visit to the District Survey Office will convince the reader how elaborately and accurately the survey records had to be prepared and how they are preserved.

Criteria of
a sound
System of
revenue.

The criteria of a sound system of land revenue are (1) that it should provide accurate maps, accurate Survey Records, (2) that the revenue realized should be adequate, equitable and collected without difficulty or hardship, (3) that

it should be simple and inexpensive. Judged by these criteria, it can be safely said that, although there are certain important matters which call for adjustments and alterations both in doctrine and practice on account of the changes gradually accumulated in the last hundred years, the Bombay Land Revenue System fulfils all the necessary requirements and is unique. Cultivation has greatly increased and population has increased owing to the sound land system.

The Committee appointed to examine the Land Revenue Systems of Burma, after examining the detailed working of the land system of Bombay, the Punjab, Central Provinces, Madras, remarked "We hold that it should be possible to justify to an intelligent land holder the grounds on which he is assessed and no revenue system can be regarded as satisfactory which does not provide for this. Mysterious calculations in the Settlement Office should be reduced to a minimum and the assessment, as far as possible, should rest on a basis of fact which can be challenged and verified. Some people do, and an increasing number will, desire to know the grounds on which their assessment to land revenue is based. We regard this as a good thing, and we regard it as the duty of Government, by providing the information, to stimulate the desire". When in the land revenue system popular control is introduced and increased, the people will be required to take an increasing interest in it. The people will expect the reformed Government to adjust its demands to its necessities and the assessment will vary with the needs of Government and with its other resources. As expenses are likely to go up for nation building and other activities, and there will be so many calls on the purse of Government, the increase from land cannot afford to go down. This will only be possible when the principles of assessment are generally realized and in the First Part the principles are briefly explained.

It would be worthwhile to remember that Land Revenue is not the cause of the indebtedness of the raiyats as is frequently asserted by some who seem to be ignorant of the actual state of affairs. In fact in England the taxation on land is heavier than in Bombay. If it is held, though incorrectly, that agriculture is bankrupt; it would be just the same, if no assessment were levied. Assessment is not the real cause of the prevailing indebtedness and lowering of the assessment will not in any way improve it. On the contrary the money lenders are sure to be greatly benefited. As compared with the pre-British times as well as with foreign countries, the land revenue assessment is pretty low. If any step is taken in future to reduce the land revenue further, the country will meet with disaster. The Indian Taxation Enquiry Committee has taken the right view that there is likely to be more harm than good by making the assessment unduly light. This Committee has also held that the land revenue is a tax on land and not on persons and that ability to pay can have only a limited application.

Land Revenue is the first charge on land.

The happiness of subjects and the stability of Governments depend upon the way in which revenue is assessed and collected. We know from the History of Europe that in France the old Monarchical Government had conferred much benefit on that country, but when it failed to distribute the taxation fairly over the different classes of the Community and to collect it without oppression, it fell at last with a crash which shook the whole of Europe in particular and the world in general. The collection of land revenue is an important as well as sometimes a difficult matter. The State claims the soil as its own and the income of the Indian Governments, whether Native or British, has always been derived from the share of the produce of the soil. One of the chief duties of the head of the district is to collect the revenue and the local cess. He is not merely the Collector

of the assessment. An American lady who happened to call on the wife of a Deputy Collector asked the latter what kind of work her husband was doing, the answer came that her husband was a Deputy Collector. The American lady thereupon enquired on what Railway Station her husband was collecting tickets!

The Subedar and Diwan of Bengal and Orissa, has been praised by his biographer for his "rigid and impartial justice," his whole administration is stated to have "tended to the benefit of mankind." Yet the same author tells us further that this admirable ruler had the defaulters bastinadoed and in winter stripped naked, and sprinkled with water. But his successor who was related to him out-heroded herod. The infernal pit, mockingly called "Vaikunth" (Paradise), into which he thrust the defaulters is graphically described by Mr. Gladwin and quoted in the II Volume of Harrington's "Elementary Analysis of the (Bengal) Laws and Regulations." These rulers were more prone to screw the revenue out of land holders by personal indignities than by the threat of forfeiting the lands, because, if the cultivator was driven away, there was no one to take his place. When the East India Company became responsible for the Government of Bengal and the United Provinces, the gist of the regulations was that it was more logical and humane to recover arrears by proceeding against the land than against the person of the land holders. The final major coercive processes of arrest of the defaulter are very seldom resorted to and, as a last resort only, the land is forfeited in exceptionally contumacious cases. The land revenue of a holding, being the right of Government to a share of the crops grown, is properly declared to be "the first charge upon the profits, produce and rents thereof. Without the Collector's consent no Civil or Criminal Court

can attach the rents or profits" until the current year's land revenue and arrears are paid.

One of the most important principles of the Bombay Land System is the granting of several concessions and facilities to the agriculturists. The greatest possible latitude and facilities are afforded to the farmer; because so many facilities are given to the agriculturist a well known pleader once humorously remarked that the agriculturist was the "Son-in-law of Government." Nowhere is the farmer treated more liberally than in the Bombay Presidency. The concessions of suspension and remission were unknown before. The levy of increase of assessment is always gradual as will be seen from the Igatpuri Concessions and the Bhiwandi Concessions.

During the last hundred years cultivation has spread vastly, population has much increased, and the demand for land is growing. Fragmentation of holdings is rapidly going on and if the holdings are to be worth cultivation, the evil of excessive sub-division needs to be checked immediately. Owing to these causes as well as through immigration, the rise in prices, rents are now nearly double of what they were 40 years ago. What is needed is a Bombay Land Alienation (Transfer) Act to prevent the agriculturists from becoming landless labourers. Agriculture should be for agriculturists alone. In order to improve agriculture it is necessary to prohibit the land passing out of the hands of the true peasants. Tenancy Legislation is necessary to protect the tenants from arbitrary ejections by landlords, and from frequent enhancement of rent. If there is any improvement effected, there should be some compensation given for it.

From the study of the Modern Land System and Village Administration in the Bombay Presidency, the reader

will be convinced that Great Britain justly claims credit in the eyes of the civilised world for the single-mindedness and upright views with which the Land Revenue Reforms have been approached both by the Local Officers and the Controlling Authority in England. In the various proposals of the former and the final orders of the latter, there is discernible but one tone, that of moderation and justice.

Abbreviations.

Bom. L. R.	...	Bombay Law Reporter.
G. O.*	...	Government Order.
G. R.	...	Government Resolution.
I. L. R.	...	Indian Law Reporter.
L. R. C.	...	Land Revenue Code. Act V of 1879.
L. R. C. R.	...	Land Revenue Code Rules, made by the Government of Bombay under section 214 of the L. R. C.
N. A.	...	Non-Agricultural.
R. D.	...	Revenue Department.
S. N.	...	Survey Number.
T. F.	...	Taluka Form.
V. F.	...	Village Form.
V. O.	...	Village Officer.
W. A.	...	The Watan Act (The Bombay Here- ditary Offices Act.)

* G. Os. *i.e.* Government Orders are different from Government Resolutions; they do not bind the public but the Revenue Officers.

N.B.—The matter printed in small type is meant for advanced and technical study; Case-law and a few opinions expressed by the Editor are also in small type.

PART I.

1. Assessment.
2. Settlements.
3. Collection.
4. Suspensions and Remissions.
5. Annewari.
6. Riverain Law.
7. Record of Rights.
8. Boundary Marks and Settlement of Boundaries:
9. Trees, Grazing Rights, Minor Products and Water Assessment.
10. Revenue Courts and Appeals.
11. Non-Agricultural Land.

CONTENTS

CHAPTER I.

Para.	Assessment.	Page.
1.	The Ancient System	1
2.	Pre-Muhammadan Period	2
3.	The Muhammadan Period	2
4.	The Maratha Period	3
5.	The Method of Levying Assessment	
	Early British Period	6
6.	The Famous Joint Report	11
7.	The Distance from the Village Scale	13

CHAPTER II.

Settlements.

8.	The Original Settlement	15
9.	The Revision Settlement	18
9-A	The Gradual Levy of Enhancements	20
10.	The Basis of Assessment	23
11.	Rents	26
12.	Non-Taxation of Improvements	27

CHAPTER III.

Collection.

13.	Law of Collection	30
14.	Procedure for Collection	30
15.	Collection of Dues by Inamdar	33
16.	Where Inamdar Holds no Commission	33
17.	Madat Suits	33
18.	What is a Tenancy	35
19.	Landlords can Enhance the Rent	38

CHAPTER IV.

Suspensions and Remissions.

Suspensions and Remissions	39
-----------------------------------	----

CHAPTER V.

Annewari.

20. Annewari	46
---------------------	----

CHAPTER VI.

Para.	Riversin Law.	Page.
21. Alluvion and Diluvion	51
22. Alluvion formations	58

CHAPTER VII.

Record of Rights.

23. What is Record of Rights?	... ..	55
24. The Law of Record of Rights	... ..	56
25. Importance and Benefits...	... ..	57
26. Index: Village Form VII	... ..	63
27. Re-writing of the Record of Rights	... ..	64
28. Duties of the Village Accountant	... ..	65
29. Duties of the Patel	... ..	65
30. Duties of Circle Inspector	... ..	65
31. Duties of Mamlatdar	... ..	65
32. Duties of District Inspector, Land Records	... ..	66
33. Crop and Tenancy Register	... ..	66
34. The New Combined Form	... ..	66
35. Index and Village Form VII-B.	... ..	68

CHAPTER VIII.

Boundary Marks.

36. The Functions of the Boundary Marks	... ..	69
37. Determination of Village Boundaries	... ..	72
38. Determination of Field Boundaries	... ..	72
39. Boundary Disputes	... ..	73

CHAPTER IX.

Trees, Grazing Rights, Minor Products and Water Assessment.

40. Trees	... ..	75
41. Irrigation Assessment...	... ..	79

CHAPTER X.

Revenue Courts and Appeals.

42. Revenue Courts	... ..	81
43. Appeals	... ..	82
44. Acquisition of Land for Public Purposes	... ..	84
45. The Revenue and Financial Year...	... ..	87

CHAPTER XI.

Para.	Non-Agricultural Land.	Page.
46.	The Non-Agricultural Use	88
47.	Ordinary Altered Rates .. .	90
48.	Special Rates	90
49.	Important and Latest Government Resolutions ...	99

PART II.

1. Methods of Survey.
2. Cross Staff
Plane Table
Theodolite } Surveys.
3. Cadastral Survey.
4. Hissa Survey.
5. City Survey.
6. The Working of the District Survey Office.
7. Classification.

CONTENTS.

CHAPTER I.

Para.	Methods of Survey.	Page
50.	Instruments of Survey	97
51.	Cadastral Survey.	100

CHAPTER II.

Hissa Survey.

52.	Original Hissa Survey.	105
53.	Up-keep Hissa Survey.	107
54.	Minor Triangulation Survey.	108
55.	Inam Village Survey.	111

CHAPTER III.

City Survey.

56.	City Survey Law.	114
57.	Enquiry.	116
58.	Maintenance.	120
58A.	Village Site Survey.	123
59.	Maps.	124
60.	Survey Number	125

CHAPTER IV.

Working of the District Survey Office.

61.	Staff.	128
62.	Record Room	128
63.	Tab System.	132
64.	Pigeon Hole System	134
65.	Prat Phalni.	134
66.	Classification	136

PART III.

1. Land Tenures.
2. Inams.
3. Miscellaneous Tenures.
4. Watan.
5. Hereditary Village Officers in Gujerat.

CONTENTS.

CHAPTER I.

Para.	Land Tenures.	Page.
67.	Meaning of a "Tenure"	143
68.	Advantages of a Study of Tenures	143
69.	State Ownership versus Proprietorship	144
70.	The Bombay Tenure	146
71.	The Raiyatwari Tenure	146
72.	Survey Tenure Rights	148
73.	Occupancy Obligations	149
74.	Occupants' Right	150

CHAPTER II.

Inams.

75.	What are Inams?	151
76.	Creation of Inams	152
77.	Kadim and Jadid Inams	152
78.	Purposes or Motives for Inams	152
79.	Construction of Grant	153
80.	Continuation of Inams	153
81.	Recovery of Dues... ..	155
82.	Right of Enhancing Rent	156
83.	Extinction of Inams	156
84.	Resumption	157
85.	Effect of Resumption	158
86.	Inamdar and Inferior Holder	158
87.	Inam Commission and Summary Settlement Acts	160
88.	Personal Inams	162
89.	Devasthan Inams	162
90.	Saranjams and Jahagirs	163

CHAPTER III.

Miscellaneous Tenures.

91.	Talukdari	169
92.	Vanta Tenure	170
93.	Mahwasi Tenure	170
94.	Naravadari Tenure	170

Para.	Page.
95. Bhagdari Tenure	170
96. Khoti Tenure	170
97. Shilotri Tenure	171
98. Deccan Tenures	171
99. Comparison of Occupancy Tenure with Proprietary Tenure ...	172

CHAPTER IV.

Watan.

100. Brief History	173
101. Important Interpretations	174
102. Succession of Females to a Watan	176
103. Classes of Watan	177
104. Alienation and Resumption	181
105. Commutation of Watans	185
106. Adoption... ..	187
107. Succession of Representative Watandar	188
108. Periods of Service	189
109. Proceedure of Appointment	191
110. Punishment	194

CHAPTER V.

Matadar

111. Hereditary Village Officers in Gujarat	197
--	-----

PART IV.

1. Village Administration.
2. Village Officers.
3. Revenue Accounts.
4. The Basic Industry of India.
5. Agricultural Indebtedness.
6. A Case for Tenancy Legislation.
7. Small Holdings and Excessive Fragmentations.
8. Rural Reconstruction.

CONTENTS.

CHAPTER I.

Para.	Village Administration	Page.
112.	Ancient Administration	201
113.	The Present Scheme of Administration	202
114.	(Superior Revenue Officers) The Commissioner	202
115.	The Collector	205
116.	The Assistant or Deputy Collector	211
117.	The Mamlatdar and Taluka Officers	213
118.	Land Records Officers	217

CHAPTER II.

Village Officers.

119.	The Patil	222
120.	Kulkarni	225
121.	The Inferior Village Servants	226

CHAPTER III.

Revenue Accounts.

122.	The Village Forms	230
123.	The Taluka Forms	235
124.	The District Forms	238

CHAPTER IV.

The Basic Industry of India.

125.	Necessity of Intelligence and Hard-work	241
126.	City Versus Village	243
127.	Restrictions on Transfers	244
128.	Modern Implements	248

CHAPTER V.

Agricultural Indebtedness.

129.	Causes of Indebtedness	254
130.	Tagavi	257
131.	Co-Operative Societies	258

CHAPTER VI.

Para.	A Case for Tenancy Legislation.				Page.
132.	Tenancy and Land-lords	...	...	...	262
133.	Rental Statistics	...	...	...	263
134.	Improvement by tenants	...	...	...	270

CHAPTER VII.

Small Holdings and Excessive Fragmentations.

135.	Small Holdings.	...	...	...	273
136.	Evils of Excessive Fragmentations	...	...	...	275
137.	A Summary of the Bill	...	...	...	276

CHAPTER VIII.

Rural Reconstruction.

138.	Village Schools	...	...	...	282
139.	Important Amenities	...	...	...	284
140.	Amusements	...	...	...	286

PART V.

1. The Land Revenue Code as amended upto date.
2. Latest and Important Land Revenue Rules.
3. Important and Relevent Government Resolutions.
 ,, ,, Recent Case-Law pages 1 to 172.

(For detailed Contents see Part V.)

PART VI.

Technical Terms and Vernacular Expressions
pages 175 to 185.

INDEX.

Parts I to IV have the index in bold type.
Parts V and VI have separate index.

ERRATA.

Parts I to IV.

Page	Para or line	For	Read
15	Second para	Muhals	Mughals
"	"	existi g	existing
31	Side heading	Village form 10	Village form II
32	11th line	Part IV	Part V
51 to 54 to page 203		Alluvian and dilluvian	Alluvion and dituvior
58	21st line	a e	are
61	Sixth para	Mamlatdars	Mamlatdar's,
87	Third para	Village form IX	Village form XI
125	Para heading	Nnnumber	Number
152	Sixth line	tenured	termed
	Twelfth line	Geramia	Gerania
	Side heading	Purposes of Motives	Purposes or Motives
176	Fourth para	devoling	devolving
202	First line	Head Quartean	Head Quarters
210	First para	Cimmissioner's	Commissioner's
211	Second para	cleak	clerk
243	" "	is mill bands	as mill bands
251	Second line	granding	grading

Parts V. and VI.

Page	Line	For	Read
77	Marginal note	6883, 12-10-88	6883, 16-10-88
35	Line 14 from the end	2384, 26-11-84	9384, 26-11-84
24	Last line	9881, 19-12-84	9981, 19-12-84
50	2nd line for the end	8554, 10- 5-95	8504, 10-5 -95
36	Line 8	9424, 6- 9-18	9124, 6- 9-18
25	Line 11	589, 19-10-10	5989, 19-10-10
9	6th line from the end	7018, 8-10-03	7018, 8-10-03
25	Line 2	410, 30- 5-83	4100, 30- 5-83
19	Line 14	Seecurity	Security

Note—Figures in bold type indicate reference to pages in part V. L.R.C.

General Index.

(The page nos. in bold type refer to pages in Part V L. R. C.)

A			
Act,		Excess of—	40
construction of—	166	Excess when to be levied	43
Administration report	239	Settlement with whom to be made	44
Adverse possession		—when fixed by collector	43
against Govt.	29, 30	Assistant and Deputy collectors	9
Air spaces	32, 33	Duties and powers of—	10, 211
Alienated, defined	6	Assistant to Commissioner	8
Alienated lands,		B	
register of—	44	Balconies,	
Alienated village,		projections of—	51
attachment of—	132	Bandharas	93
Survey of—	162, 163	Bhiwandi concessions	21
—under Govt. management	111	Boundary,	
—when revenue recovered by collector	89	determinations of	106
Alluvial land,		village—and—field	107, 72
grant of—	51, 61	Settlement of dispute	108
temporary right of—	62	effect of—	109
Annewari,		Do-by Collector	110
what is—	46	Boundary mark,	
Procedure for making—	47	defined	3
Appeals	26, 152, 82	Theodolite stones are not—	7
Arboriculture	35	functions of—	69
Arrear,		Authorised—	70
meaning of—	126	—out of repair	71
process for recovery of—	128	Determination of responsibility for maintenance of—	71, 111
Assessment,		One mark system	72
ancient system of—	1	Construction and repair of—	110
Method of levying—	6	Collector to have charge of—	111
Pringle's system of—	7	Building site,	
New system of—	8	defined	3
Unit of—	11	Disposal of land for—	57
Basis of—	23	Burial ground	32
Commuted—	42	C	
—distinguished, from cess	95	Camping grounds	22
Altered—	43		

Measurements	33	Diluvion,	
Made	249	reduction of assessment in cases	
Misfoats of purchase	139	of--	52, 39
Mutilated copy, defined	6	Dismissal and discharge	24
Mhavadi, defined	3	Procedure for--	25
Circle Inspector, duties of--	220	Distrain,	
City survey		exemption from--	131
law of--	113	--of movables	130
Objects of--	114	District Forms	238
Procedure for introducing--	114	District Inspector of Land Records	
Enquiry in--	116	is a revenue officer	7
Tenures generally found in--	118	Duties of--	219
Sanads, a document of title 120,	115	District Survey Office,	
Maintenance of--	120	Working of--	128
Classification		Drainage works	41, 94
what is--	12		
Faults in--	136	E	
Coercive processes		Earth,	
for recovery of arrears	128	removal of--stone etc.	70, 76
Collection		Easement,	
procedure for--	30	grant of	29
Collector		Encroachments penalties for	49
appointment of--	9	--in alienated villages	50
Functions and powers of-- 205,	10	--in Municipal limits	50
Temporary vacancy of	11	Establishments	15
Commissioner	7	Estate, defined	3
Duties and functions of-- 8, 202		Eviction	151
Commission		F	
to holder of alienated lands	33, 86	Farming system	5
Form of--	87	Farm buildings	63
Concession		Fees, for inspection and copies of	
system of--	22	records	156
Criminal prosecution,		Fines,	
liability to--not affected	26	limit of--	25
Crop		--for permitting N. A. use	64
when liable for land revenue	123	Firewood,	
Reaping and removal of--when		regulation of supply of	38
prohibited	124	Forest officer	
Object of--inspection	46	--not a Rev Officer.	2
D		Forfeited holdings	
Defaulters,		how disposed	47, 143
meaning of--	126	Forfeiture,	
Consequences of being--	32, 127	by whom to prevent	76
Arrest of--	131	Fragmentation of holdings	
		Evils of excessive	275

G		L
Government		Land, defined 3
—claim when to have precedence	123	Alluvial 39
Government Servants—		Assignment of—for special purposes 32
prohibited acts	22	Limits of revenue-free grants of 52
Government		—unoccupied, condition of grant of 51
notice to—	29	Use for N. A. purpose 63, 88
H		—When liable to pay full revenue 38
Hereditary village officers	177	Acquisition of for public purposes 84
—in Gujrat	197	—which is not the property of others belongs to Govt. 27
Punishment of—	195	Lanlord, defined 5
Holder, defined*	4	—and tenant 78
I		Land records, defined 6
Igatpuri concession	20	—open to inspection 156
Improvements		Land Revenue Code,
Non-taxation of—	27	Local extent of— 1
Inam,		Extension to Native States 2
creation of—	15	Land revenue
Kadim and Jadid—	152	Different processes of recovering arrears of 128
Extinction of—	156	Liability for— 122
Resumption of—	157	—paramount charge 45
Inams,		—when leviable 123
Classes of—	162	—where and to whom to be paid 2
—Commission	160	
Partition of—	166	Mahalkari
Alienations of—	167	Appointment of— 12
Inamdar,		Duties and powers of— 12, 216
recovery of dues of—	155	Mamlatdar
Right of—to enhance the rent.	156	appointment of— 11
Indebtedness,		Duties and powers of— 11, 213
causes of agricultural—	254	Temporary vacancy of... 13
Inferior holder	78	Manure 250
Irrigation,		Maps
by lift, by flow etc.	79	sale of— 124
Intestate occupancy	71	—open to inspection 156
J		village—supply of 98
Joint holder, defined	6	cost for the preparation of— 119
Joint occupancy, defined	6	Maximum rate 17
K		Mines and minerals 67
Kulkari,—		Minor triangulation,
Commutation	14	—survey 108
Duties of—	225	

Money,		Patasthal,	
demand on Rev. Officers	19	Abolition of-in precarious tracts	99
what—leviable under Chapter		Patel,	
XI L. R. C.	140	stipendiary	31
Mortgage,		Duties of—	221
of lands on restricted tenure	72	Penalty,	
Mukhtyarkar,		for land using without permission	65
defined	7	Pensioners,	
Municipality,		re employment of	23
no concession for N. A. purpose	65	Pigeon hole system	134
Rights of—	29, 30	Pot kharab,	
		used for N. A. purpose	44
N		Prat Phalni	134
Non-agricultural,		Rule of three in—	135
purpose	64	Precautionary measures	123-26
Altered rates for—	80	—to be relinquished when security	
Notice,		is furnished	126
—of enquiry	31	Public streets,	
—of decision	31	Right of Govt. in—	30
Mode of serving—	148	Right of Municipalities in—	29, 30
—to Govt.	29	Pumping installation	45
		Q	
Occupancy,		Quarries,	
defined	5	—in occupied lands	70
—transferable and heritable	71	—in Govt. forest	65
—when not transferable without			
the sanction of collector	72	R	
—when not liable to process of		Railway lands	57
civil court	70	Receipts,	
Occupant,		—for land revenue	47
defined	5	Penalty for failure to give—	48
Rights of—	67	Record of rights,	
Difference between holder and—	5	what is—	55
Rights and liabilities of—	148, 149	Re-copy and re-writing of—	64
Occupation,		Relinquishment	73
defined	6	Form of notice of—	74
Officers,		Rent,	
combination of—	15	payable by tenant	78
Ownership,		Rents,	
State Vs. Proprietorship	144	Tests of true—	26
		Restricted tenure	72
P		Revenue court	81
Papers,		Revenue officer,	
demand on Rev officers	19	defined	2
Pasture lands,			
regulation of—	33		

Power to summon—	147	Survey officer	
Prohibited acts by—	22	Appointment of—	14
Revenue year,		Suspensions and remissions	39
defined	6,87	—to inferior holders	81
Revision	84, 152		
Revision survey	97	T	
River beds,		Tab system	182
land in	57	Tagal	257
Rules	160	Talaties,	
		duties of—	225
S		Taluka Forms	235
Sale,		Tanks	
of alluvial land to a stranger	62	Non-irrigational—	30, 31
—of perishable articles	136	Tenancy,	
procedure in effecting	135	what is a—	35
Seals	16	Annual—	80
Securities,		Duration of—	78
to be furnished	16	A case for—legislation	262
Amount of—	17	Tenant, defined	8
Settlement,		Improvement by	270
what is a—	15	Tenure,	
Introduction of—	94	meaning of	143
Settlement report	19	Rayatwari—	146
Summary eviction	76	Old and New—	147
Superintendent Land Records	217	Talukdari—	169
Superior holder,		Gujrat—	168
defined	4	Konkan—	170
—when to recover commuted		—Mirasi and Upri—	171
assessment—	43	Threshing floors	33
Sureties,		Timbar,	
liabilities of—	21*	for domestic purposes	38
—when liable	141	Trees	
Survey Number,		Cultivation of Babul—	33
defined	8	—Illegally cut	37
Division of—	100, 101	Rights of—	75, 34
Minimum area of—	125, 92	Road-side—	37
Sub-division of—	3	U	
Survey,		Unoccupied land,	
when introduced	90	—grant of	51
Instruments of—	97	Unoccupied building,	
Cadastral—	100	—sites	81
Hissa—	105		
—of Inam villages	111	V	
—by plane table compared with		Village Administration	201
cross-staff	110		

